

**MEMORANDUM OF AGREEMENT AMONG  
CITY OF JOHN DAY  
AND  
OREGON PARKS AND RECREATION DEPARTMENT  
AND  
THE OREGON STATE HISTORIC PRESERVATION OFFICE  
REGARDING THE GLEASON POOL DEMOLITION, JOHN DAY, GRANT COUNTY,  
OREGON (SHPO CASE NO. 22-0270)**

**WHEREAS**, by authority granted in ORS 190.110 and 283.110, state agencies may enter into agreements with units of local government or other state agencies for the performance of any or all function and activities that a party to the agreement, its officer, or agents have the authority to perform; and

**WHEREAS**, City of John Day (“City”) proposes to demolish its Gleason Pool in the Gleason Park, John Day, Grant County, Oregon prior to transfer of Gleason Pool and Gleason Park to the Oregon State Parks and Recreation Department (“OPRD”); and

**WHEREAS**, City consulted with the Oregon State Historic Preservation Office (SHPO) pursuant to the Oregon Revised Statute (ORS) 358.653 to consider effects of the undertaking on historic properties; and

**WHEREAS**, City and OPRD consulted with the Commission on Indian Services and the following tribes: Burns Paiute Tribe; Confederated Tribes of the Umatilla Indian Reservation; and Confederated Tribes of the Warm Springs Reservation (collectively, “Tribes”); and

**WHEREAS**, following City and OPRD’s consult, the State of Oregon issued Archaeological Excavation Permit No. AP-3339 for purposes of excavation and removal of archaeological, historical, prehistoric, or anthropological materials from the Gleason Pool demolition site; and

**WHEREAS**, City defined the undertaking’s area of potential affect (“APE”) as Gleason Pool in the Gleason Park, and the SHPO concurred with APE; and

**WHEREAS**, City is in the process of transferring ownership of Gleason Park to OPRD for the development of the Kam Wah Chung State Heritage Site and construction of a new Interpretive Center and OPRD has agreed to complete mitigation work as outlined below as part of the negotiation for a timely property sale; and

**WHEREAS**, OPRD has also agreed to complete the review of mitigation materials stipulation, monitoring and reporting stipulation as outlined below on behalf of City; and

**WHEREAS**, City determined, and the SHPO concurred, that Gleason Pool is eligible for listing in the National Register of Historic Places; and

**WHEREAS**, City determined, and the SHPO concurred, that the undertaking will adversely affect the eligible Gleason Pool; and

**WHEREAS**, the project information that was submitted to City’s city council for review and approval was made available to the public via a Notice of Public Hearing published in the Blue Mountain Eagle on November 3, 2021; and

**WHEREAS**, City’s city council reviewed and unanimously approved Resolution No. 21-868-16, which authorized the sale of Gleason Park and demolition of Gleason Pool following a public hearing held on November 9, 2021; and

**WHEREAS**, City consulted with OPRD regarding the effects of the undertaking on historic properties and due to the sale agreement OPRD will be signatory to this MOA among City, OPRD and SHPO (collectively, “Parties”); and

**WHEREAS**, the City acknowledges its continued responsibility to engage in meaningful consultation with Tribes throughout the process of carrying out the stipulations of this agreement as applicable; and

**WHEREAS**, Parties shall keep sensitive cultural resources information confidential to the extent allowed by state statute and regulations, including but not limited to ORS 192.345; and

**NOW, THEREFORE**, Parties agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the adverse effect of the undertaking on historic properties.

#### **I. STIPULATIONS**

OPRD on behalf of City shall ensure that the following measures are carried out by professionals who meet the appropriate Secretary of the Interior’s Professional Qualifications Standards (36 CFR 61):

- a. Oregon State Level Documentation of Gleason Pool in accordance with SHPO guidelines will be completed prior to demolition of building, as described in Appendix A;
- b. One interpretive panel will be created and installed in Gleason Park documenting the transformation of the former park from historic Chinese settlement/town to City Park with Gleason Pool back to Chinese Heritage Site, with panel’s main focus on Gleason Pool and its history. Panel shall be installed after the demolition of the pool, redevelopment of the site and construction of new Interpretive Center, as described in Appendix B;
- c. City retains ultimate responsibility for complying with State and Federal requirements pertaining to direct government-to-government consultation with the Tribes and compliance with the terms of Archaeological Permit No AP-3339 and any amendments to the Permit, as described in Appendix C; Notwithstanding other provisions in this stipulation, City honors the request of any tribe listed herein and/or in the Permit for direct government-to-government consultation regarding this project. City acknowledges its continued responsibility for tribal consultation (e.g., Executive Order 13175, United States Code (USC) 470a(d)(6)(B), and the November 5, 2009 Presidential Memorandum on Tribal Consultation) throughout the process of carrying out this project.
- d. City ensures that an active public participation program is carried out. City makes available to the general public for review modified versions of reports (printed or electronic format) on historic properties to prevent dissemination of sensitive information. Consistent with Section 304 of the NHPA, as amended, and the Oregon Public Records Law, ORS 192.345(11).
- e. Archaeological monitoring shall be completed based upon the Recommendations proposed in the “Gleason Pool Demolition Archaeological Review” memo, prepared by Steve Jenevein, dated March 17, 2022 (Appendix E)

## **II. REVIEW OF MITIGATION MATERIALS**

OPRD on behalf of City shall provide the signatories and consulting parties at least one opportunity lasting a minimum of thirty (30) calendar days to comment on the completeness of the mitigation materials specified in the stipulations described in Stipulation I. of this document before final submission. Comments provided by the signatories and consulting parties shall be taken into consideration within the limits of the project as described in the stipulations.

## **III. MONITORING AND REPORTING**

Each year following the execution date of this MOA until it expires or is terminated, Oregon Parks and Recreation Department on behalf of City of John Day shall provide all parties to this MOA a summary report briefly detailing work undertaken pursuant to its terms. Such report shall include a description of work completed, ongoing, and planned as required under the stipulations; any schedule changes proposed; and any problems encountered. The report shall also summarize any disputes, objections, or comments received from the signatories, consulting parties, local governments, interested parties, and the general public related to City or OPRD's efforts to carry out the terms of this MOA, and how concerns were responded to. Inadvertent discoveries shall be briefly summarized in the annual report, but otherwise documented and reported required in Stipulation IV. Post Review Discoveries.

## **IV. POST-REVIEW DISCOVERIES**

In the event any additional cultural resources are encountered or previously unanticipated effects on historic properties found, City should cease activities in the area and an appropriate cultural resources professional should be contacted to evaluate the discovery. An Inadvertent Discovery Plan (IDP) outlining the process that will be followed in such cases can be found in Appendix D. The results of evaluation shall be submitted to SHPO and consultation will continue as necessary.

## **V. AMENDMENTS**

Any signatory may request that this MOA be amended by submitting such a request to City in writing. City shall consult with the signatories and consulting parties for up to thirty (30) calendar days, or another time period agreed to by all signatories in writing, concerning the necessity and appropriateness of the proposed amendment. At the end of the consultation period City shall provide an amended MOA for signature by the signatories and consulting parties or a written statement describing why the City chose not to pursue an amendment to this MOA. Amendments shall be effective on the date a copy of the MOA is signed by all of the signatories and filed with the SHPO.

## **VI. TERMINATION**

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation V, above. If within thirty (30) days of initial consultation on termination, or another time period agreed to by all signatories, an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories. Termination shall be effective the day City receives written notification.

Once the MOA is terminated, and prior to work continuing on the undertaking, City must execute an MOA pursuant to Oregon SHPO guidelines for the implementation of ORS 358.653(1). City shall notify the signatories as to the course of action it will pursue within thirty (30) calendar days of the termination of this MOA, or within another time period agreed to by all parties in writing.

## **VII. DURATION**


This MOA is effective on the date a copy of the MOA signed by all signatories is filed with the SHPO. The MOA will expire if its terms are not carried out within five (5) years from the date of its execution.

Prior to such time, City may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation V. above. The MOA shall be considered complete once all stipulations are finalized and approved by the SHPO.


**VIII. EXECUTION**

Executions of this MOA by Parties and implementation of its terms evidence that City took into account the effects of the undertaking on historic properties under ORS 358.653.


**SIGNATORIES:**

**City of John Day**   
\_\_\_\_\_  
Ron Lundbom, Mayor, City of John Day

Date 05/19/2022

**Oregon Parks and Recreation Department**  
  
\_\_\_\_\_  
JR Collier, OPRD Deputy of Statewide Operations (Acting)

Date 05/19/22

**Oregon State Historic Preservation Office**  
  
\_\_\_\_\_  
Christine Curran, Deputy State Historic Preservation Officer

Date 05/18/22

Appendix A.  
Oregon State Level Documentation of Gleason Pool

Oregon State Level Documentation of the Gleason Pool Property in accordance with the following standards will be completed. Documentation will include no less than:

- a. Architectural descriptions of no less than 500 words for all contributing buildings of Gleason Pool to include the following information:
  - i. The physical context of the buildings and how they relate to the surrounding environment or property as a whole,
  - ii. The historical context of Gleason Pool concerning the relationship of the buildings or structures to the historical development of the surrounding area and to trends in local and national histories,
  - iii. Specific historical data, including the dates of initial planning and development, any changes in plan and evolution, individuals such as architects or developers associated with the site, and associated historical events, and;
- b. A physical description of the site according to the original plan, how it has changed over time, and how it is at present; and
- c. A history of Gleason Pool of no less than 500 words that includes at minimum the dates of construction, names of architects or builders, ownership, and changes to the property; and
- d. A bibliography of sources cited and consulted; and
- e. A map of the Gleason Pool site on the appropriate United States Geological Survey or similar map; and
- f. A scale site plan that includes all buildings and structures at the Gleason Pool property; and
- g. Scale floor plans of Gleason Pool; and
- h. Digital photographs adhering to National Register digital photograph standards in lieu of large-scale film photography. Each building or structure should have no less than eight (8) photos. The photographic documentation will be completed and sent to SHPO for review of adequacy and completeness prior to any construction or changes to Gleason Pool. Photographs will include:
  - i. General or environmental views of Gleason Pool to illustrate setting, landscape, adjacent buildings, and roadways,
  - ii. The front façade of each building on site,
  - iii. Perspective view, front and one side of each building on site,
  - iv. Perspective view, rear and opposing side of each building on site,
  - v. Detail, front entrance and/or a typical doorway,
  - vi. Exterior details of architectural interest, and
  - vii. Interior views to capture spatial relationships, typical spaces, and any decorative or character defining features including hallways and stairways; and
- i. Relevant archival materials, including original architectural drawings or maps, brochures, historic photos, newspaper clippings, or other archival items of interest related to the property; and
- j. City will supply one hard copy and one digital copy of this documentation to the Oregon SHPO to fulfill this stipulation. Additional copies of this documentation will be provided to the Kam Wah Chung Interpretive Center, Oregon Historical Society, and the University of Oregon Knight Library Special Collections. If the listed repositories cannot accept the document, SHPO and City will work together to find alternative repositories. At minimum, the document will be available at one another location besides the SHPO and City; and
- k. The documentation will be reviewed, completed, and accepted by the Oregon SHPO prior to demolition, renovation, or remodeling commencing. Proof of these submissions is required before the stipulation will be considered complete

Appendix B.  
Gleason Pool Interpretive Panel

Create and install an interpretative and photographic display that describes the history Gleason Pool. The display will be located in the vicinity of the new Kam Wah Chung Interpretive Center to be erected at the site of the former pool, in a publicly accessible area. Information gathered during the compilation of Oregon State Level Documentation could be used for this interpretive display.

The display will include:

- a. At a minimum a presentation of Gleason Pool's history and interpretation of the Gleason Pool's historic significance.
- b. It will consist of at least one panel that may range in size from 2' by 3' up to 4' by 6'.
- c. The interpretive display shall be of professional quality.
- d. Interpretive panel(s) shall be prepared by persons that possess the skills of a qualified Historian, Architectural Historian, Cultural Resource Specialist, Exhibit Specialist/ Graphic Artist; or by an organization that has the ability to create and design professional quality interpretive panels.
- e. The new interpretative display will be available to the public at a minimum of 5 years.
- f. The design and content of the interpretive display will be reviewed and meet the approval of City and SHPO prior to being installed and the stipulation accepted as fulfilled.

Appendix C.  
Archaeological Permit No AP-3339

[Enclosed]



# Oregon

Kate Brown, Governor

## Parks and Recreation Department

State Historic Preservation Office

725 Summer St NE Ste C

Salem, OR 97301-1266

Phone (503) 986-0690

Fax (503) 986-0793

[www.oregonheritage.org](http://www.oregonheritage.org)



### STATE OF OREGON ARCHAEOLOGICAL EXCAVATION PERMIT NO. AP-3339

The State of Oregon, acting by and through its Parks and Recreation Department, hereinafter called STATE, under authority of ORS 390.235, hereby grants to Chelsea Rose, hereinafter called PERMITTEE, a permit for purposes of excavation and removal of archaeological, historical, prehistoric, or anthropological materials. This permit is granted subject to the following terms and conditions.

- 1. Term** PERMITTEE may conduct survey, excavation, and collection work beginning on the date this permit is signed and continuing for one year and one day, provided that reasonable supervision, as provided hereinafter, is exercised.
- 2. Location** This permit shall apply to lands owned by the State of Oregon, a city, county, district, or municipal corporation in Oregon, or private property, more particularly described as follows:  
Gleason Pool Monitoring  
13S 31E 23  
Grant County
- 3. Supervision** The design and work in connection with the survey or excavation, including exploratory excavation and collection, shall be personally supervised by Chelsea Rose, Steve Jenevein.
- 4. Compliance** PERMITTEE shall comply with all applicable federal, state and local laws, rules, regulations and ordinances.
- 5. Exploration shall consist of:**  
\*See attached application and research design
- 6. Indemnification** PERMITTEE agrees to defend and hold STATE, its officers, agents, and employees harmless, and shall require its contractors to do the same, from any and all claims, damages, or expenses of any kind suffered or alleged to be suffered on the lands described in paragraph 2 or arising out of or in connection with the activities of PERMITTEE or its contractors pursuant to this Permit.
- 7. Insurance** PERMITTEE shall obtain at PERMITTEE's expense, and keep in effect during the term of the Permit, comprehensive or commercial general liability insurance covering personal injury and property damage. This insurance shall include contractual liability coverage for the indemnification provided under this Permit. Coverage limits shall not be less than the limits of liability set forth in the provisions of ORS 30.270(1) as now in effect or as hereinafter amended. Such provisions now require that the coverage limits not less than \$500,000 combined single limit per occurrence. The insurance shall be in a form and with compliance acceptable to STATE. Such insurance may be evidenced by certificates or copies of policies. Such evidence shall be provided to STATE prior to the commencement of any operations or activities under this Permit.
- 8. Records** PERMITTEE shall submit a final excavation report by to the State Historic Preservation Office and the Oregon State Museum of Anthropology. If PERMITTEE is conducting an excavation associated with a prehistoric or historic American Indian archaeological site, then PERMITTEE shall also submit copies of the Final Report to the Commission on Indian Services and the following tribe(s):



**Burns Paiute Tribe**  
**Confederated Tribes of the Umatilla Indian Reservation**  
**Confederated Tribes of the Warm Springs Reservation**

**9. Custody**

All archaeological, historical, prehistoric, or anthropological materials recovered under this permit shall remain under the stewardship of the State of Oregon and shall be curated by UOMNCH. Any change in custody must be approved by the Oregon State Museum of Anthropology in accordance with ORS 390.235. Prior to submitting the materials to the permanent curation facility, the appropriate tribe(s) must be given 30 days to view all archaeological materials to ensure that funerary objects, sacred objects, and objects of cultural patrimony are returned to tribal ownership per state law (ORS 97.740).

**10. Notification**

- a. If PERMITTEE is conducting an excavation associated with a prehistoric or historic American Indian archaeological site, PERMITTEE shall notify in writing the most appropriate Indian tribe. The notification shall include:
  - i. The location and schedule of the forthcoming excavation;
  - ii. A description of the nature of the of the investigation; and
- b. Upon discovery of an archaeological object which is demonstrably revered by any ethnic group, religious group, or Indian tribe as holy, which object was or is used in connection with a religious or spiritual service or worship of a deity or spirit power, i.e., a "sacred object", PERMITTEE shall notify in writing:
  - i. The State Historic Preservation Office; and
  - ii. The appropriate ethnic group, religious group, or Indian tribe with which the sacred object is associated.

**11. Consultation** If PERMITTEE is conducting an excavation associated with a prehistoric or historic American Indian archaeological site, PERMITTEE shall consult with a representative of the appropriate tribe to establish a procedure for handling sacred objects recovered during the excavation.

**12. Conditions:**

*Burns Paiute Tribe*

- We would like the opportunity to visit during project work so would like to be notified in advance of the dates.
- We would like the option of monitoring the work should the BPT deem it appropriate.
- We would like the opportunity to comment and potentially provide additional verbiage to archaeological report concerning tribal heritage, history, etc. as appropriate.
- We ask to be listed on the inadvertent discovery plan.
- We would like a copy of any final report.

*Confederated Tribes of the Warm Springs Reservation*

Please provide this office with a draft copy of the report, with ample time to comment.

**13. Revocation** Failure to comply with all terms of this Permit, in addition to any agreed upon conditions, may lead to its immediate revocation.

OREGON PARKS AND RECREATION DEPARTMENT



*Ian P. Johnson*

Ian P. Johnson (Apr 25, 2022 11:42 PDT)

04/25/22

Christine Curran  
Deputy State Historic Preservation Officer

Date:

Appendix D.  
Inadvertent Discovery Plan

[Enclosed]

# INADVERTENT DISCOVERY PLAN FOR UNANTICIPATED CULTURAL RESOURCES

City of John Day  
Oregon Parks and Recreation Department

## Gleason Pool Demolition Project



March 17, 2022

# ARCHAEOLOGICAL INADVERTENT DISCOVERY PLAN (IDP)

City of John Day - Oregon Parks and Recreation Department – Gleason Pool Demolition

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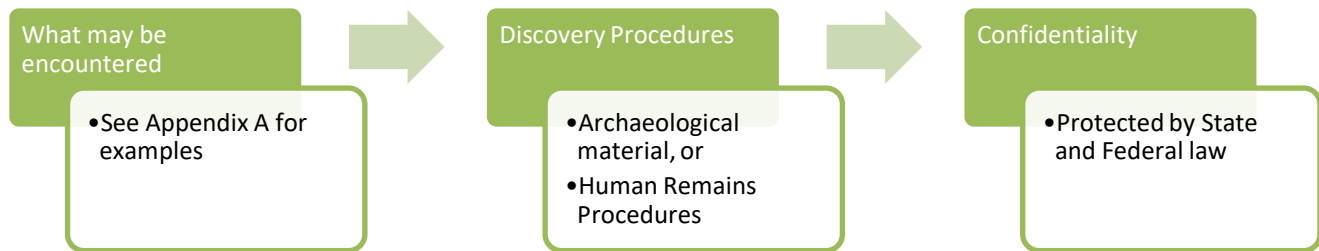
## Introduction

The City of John Day is proposing demolition of the Gleason Pool (Project) located at located 250 NW Canton Street, John Day in Grant County, OR. Cultural resource compliance for the Project is being conducted in partnership between the City of John Day and the Oregon Parks and Recreation Department (OPRD). The Project is located in a sensitive area with the potential to encounter significant cultural resources. As a result, a professional archaeological monitor will be present during demolition and follow procedures outlined within this IDP and any other guidelines provided within a project specific monitoring plan and/or Oregon Archaeological Permit. This Inadvertent Discover Plan (IDP) should be followed by all Project staff and contractors.

## Purpose

This IDP will be followed if cultural materials, including human remains, are encountered during Project work.

## How to use this document



Archaeology consists of the physical remains of the activities of people in the past. This IDP should be followed should any archaeological sites, objects, or human remains are found. These are protected under Federal and State laws and their disturbance can result in criminal penalties.

This document pertains to the work of the City of John Day, a designated Contractor, and OPRD including any and all individuals, organizations, or companies associated with the **Gleason Pool Demolition Project**.

## What may be encountered

Archaeology can be found during any ground-disturbing activity. If encountered all excavation and work in the area **MUST STOP**. Archaeological objects vary and can include evidence or remnants of historic-era and precontact activities by humans. Archaeological objects can include but are not limited to:

- **Stone flakes, arrowheads, stone tools, bone or wooden tools, baskets, beads.**
- Historic building materials such as **nails, glass, metal** such as cans, barrel rings, farm implements, **ceramics, bottles, marbles, beads.**

- Layers of **discolored earth** resulting from hearth fire.
- Structural remains such as **foundations**
- **Shell** Middens
- **Human skeletal remains** and/or **bone fragments** which may be whole or fragmented.

*For photographic examples of artifacts, please see Appendix A. (Human remains not included)*

**If there is an inadvertent discovery of any archaeological objects see procedures below.  
If in doubt call it in.**

## **Discovery Procedures: What to do if you find something**

1. Stop ALL work in the vicinity of the find
2. Secure and protect area of inadvertent discovery with 30 meter/100 foot buffer—work may continue outside of this buffer
3. Notify the Project Manager, Archaeological Monitor or OPRD Archaeologist
4. The Project Manager will need to contact or coordinate with a professional archaeologist to assess the find.
5. If the archaeologist determines the find is an archaeological site or object, contact SHPO. If it is determined to *not* be archaeological, you may continue work.

## **Human Remains Procedures**

1. If it is believed the find may be human remains, stop ALL work.
2. Secure and protect area of inadvertent discovery with 30 meter/100 foot buffer, then work may continue outside of this buffer with caution.
3. Cover remains from view and protect them from damage or exposure, restrict access, and leave in place until directed otherwise. **Do not take photographs. Do not speak to the media.**
4. Notify:
  - Project Manager
  - Project Archaeological Monitor
  - OPRD Archaeologist
  - Oregon State Police **DO NOT CALL 911**
  - SHPO
  - LCIS
  - Appropriate Native American Tribes
5. If the site is determined not to be a crime scene by the Oregon State Police, do not move anything! The remains will continue to be *secured in place* along with any associated funerary objects, and protected from weather, water runoff, and shielded from view.
6. Do not resume any work in the buffered area until a plan is developed and carried out between the City of John Day, OPRD, State Police, SHPO, LCIS, and appropriate Native American Tribes and you are directed that work may proceed.

## Contact Information

Contact and Agency	Contact Name	Phone Number
Project/City Manager, City of John Day	Nick Green	541-575-0028
Region Manager, OPRD	Dennis Bradley	541-519-6542
District Manager, OPRD	Brad Cates	541-620-4540
Kam Wah Chung Museum Curator, OPRD	Don Merritt	541-575-2800
Historian/Preservation Specialist, OPRD	Christy Sweet,	971-345-7288
Archaeologist, OPRD	Steve Jenevein	971-301-3956
State Police	Lieutenant Craig Heuberger	503-508-0779 cell 503-731-3030 dispatch
State Archaeologist, SHPO	John Pouley	503-480-9164
Asst. State Archaeologist, SHPO	Jamie French	503-979-7580
Legislative Commission on Indian Services (LCIS)	Patrick Flanagan, Director	(503) 986-1067
Burns Paiute Tribe	Diane Teeman	541-413-1190
Confederated Tribes of the Umatilla Indian Reservation	Carey Miller	541-429-7234
Confederated Tribes of the Warm Springs Reservation of Oregon	Christian Nauer	541-553-2026

## Confidentiality

The **Gleason Pool Demolition Project** and employees shall make their best efforts, in accordance with federal and state law, to ensure that its personnel and contractors keep the discovery confidential. The media, or any third-party member or members of the public are not to be contacted or have information regarding the discovery, and any public or media inquiry is to be reported to the City of John Day Project Manager and OPRD Region Manager prior to any release, the responsible agencies and Tribes shall concur on the amount of information, if any, to be released to the public.

*To protect fragile, vulnerable, or threatened sites, the National Historic Preservation Act, as amended (Section 304 [16 U.S.C. 470s-3]), and Oregon State law (ORS 192.501(11)) establishes that the location of archaeological sites, both on land and underwater, shall be confidential.*

## Appendices and Supplementary Materials

### APPENDIX A: VISUAL REFERENCE AND EXAMPLES OF ARCHAEOLOGY

## Appendix A

### VISUAL REFERENCE GUIDE TO ENCOUNTERING ARCHAEOLOGY



**Figure 1: Stone flakes**



**Figure 2: Stone tool fragments**



**Figure 3: Cordage**



**Figure 4: Shell midden**





Figure 5: Historic glass artifacts



Figure 6: Historic metal artifacts



**Figure 7: Historic building foundations**



**Figure 8: Rock feature**

Appendix E.  
Gleason Pool Demolition Archaeological Review

[Enclosed]

## **Gleason Pool Demolition Archaeological Review**

Prepared by Steve Jenevein, OPRD Archaeologist

March 17, 2022

### **Introduction:**

In partnership with the City of John Day (City), the Oregon Parks and Recreation Department (OPRD) has agreed to take the lead on cultural resource compliance for the proposed Gleason Pool demolition. OPRD cultural resource staff involved in the project include OPRD Historian Christy Sweet and Archaeologist Steve Jenevein. Information provided below address only the below-ground (Archaeology) portion of the project. The above-ground (Historic) assessment of the Gleason Pool will be completed by Christy Sweet.

### **Project Description:**

The City is proposing three stages for the Gleason Pool demolition. Stage One will include removing all above ground mechanical equipment within the existing buildings and then burn the above-ground structures through a burn-to-learn drill for the City firefighters. Remaining structures and debris will be cleaned up and removed off-site using mechanical equipment. Stage One will not require any significant ground disturbance other than vehicle access to and from the site. Stage Two will include demolition of the pool concrete, sidewalks and underground infrastructure (pipes and any residual underground mechanical equipment) by a contractor. Concrete, pipes or other debris will be removed and disposed of off-site. Stage two will involve the most ground disturbing work of the project. Stage Three will include conducting a condition assessment, retention and backfill work on the existing retaining wall located between the residential units located north of the pool complex and the pool itself. Once the structural integrity of the retaining wall is assessed, the pool excavation area will then be backfilled and compacted to grade. Any required fill material will be imported from off-site. All demolition work will be conducted within the project Area of Potential Effect (APE), and vehicle access and equipment staging will be either located within the project APE or on the paved pool parking lot extending east from the pool to NW Canton Street (see attached Archaeological Review Figure A).

### **Project Area of Potential Effect (APE)**

The project APE measures approximately 100 feet north-south by 175 feet east-west totaling 0.35 acres. The proposed demolition APE has a limited footprint that only includes the hardened pool features such as the swimming pool, pool building, and concrete surrounding the structure.

### **Previous Archaeological Investigations:**

The proposed project is located adjacent to the John Day Chinatown Archaeological Site (35GR2086) and the Kam Wah Chung and Company National Historic Landmark. The current project is located on property owned by the City. Most of the previous archaeological investigations conducted at 35GR2086 has been located on State-owned land to the south and managed by OPRD as part of the Kam Wah Chung State Heritage Site (SHS).

The Kam Wah Chung and Company was established in the 1870s as a Chinese labor brokerage and was later expanded under the partnership of Lung On and Ing Hay, who purchased the business in 1887 and used the building as a store, clinic, and apothecary in addition to other non-commercial activities. The remaining building was believed to have been constructed in the 1860s and remained in use until 1948 when the building and contents were deeded to the City of John Day. The Kam Wah Chung and Company building and its contents were listed on the National Register of Historic Places (NRHP) in 1973, and elevated to National Historic Landmark Status in 2005 (NHL #73001575) (Rose and Johnson 2020).

Site 35GR2086 includes the remains of the John Day Chinatown Archaeological Site that surrounds the Kam Wah Chung and Company building and encompasses portions of both OPRD and City property. The site includes archaeological artifacts and features associated with the Chinese occupation of the neighborhood. Significant land modification has occurred surrounding the Kam Wah Chung and Company building and recovered cultural materials have been found in both intact and disturbed contexts. Site 35GR2086 is currently unevaluated for inclusion on the NRHP, however, previous investigations have recommended the site as eligible (Kallenbach and Ruiz 2007; Rose et al. 2019).

Since 2005, multiple archaeological investigations have been conducted at the Kam Wah Chung SHS primarily to evaluate potential effects prior to proposed OPRD projects (Schablitsky et al. 2006, 2007; Rose et al. 2019; Rose and Johnson 2020). The earliest work at the site was conducted in 2005 by the University of Oregon Museum of Natural and Cultural History (UOMNCH) where they excavated 48 shovel test probes throughout the Kam Wah Chung SHS. Testing identified that the area surrounding the Kam Wah Chung and Company building had been significantly modified, primarily from the emplacement of fill. Recovered archaeological materials were found to be associated with the Chinese neighborhood and identified two archaeologically sensitive areas located southeast (ASA-A) and south (ASA-B) of the current project APE. Three of the 48 probes (9, 10, 38) that were excavated nearest the current APE did not contain any cultural materials (see attached Archaeological Review Figure A). Further mechanically-aided testing was recommended at several high probability areas (HPAs) to evaluate the potential for buried cultural deposits (Schablitsky et al. 2006). Identified cultural material was recorded as new archaeological site 35GR2086.

UOMNCH returned to the site in 2006 to further evaluate the site using ground penetrating radar (GPR) and mechanical excavation to penetrate gravel fill deposits, and excavate additional test units to clarify the nature and integrity of cultural deposits in known site areas (Schablitsky et al. 2007). A total of six backhoe trenches and seven 1x1 meter test units were excavated locating intact archaeological deposits both next to the Kam Wah Chung and Company building and directly east along the hedgerow fence.

Two backhoe trenches (Trench 3 and 5) were excavated immediately southeast of the current project APE (Schablitsky et al. 2007:18). Trench 3 was excavated at the site of a possible John Day Chinatown prayer house to a depth of 1.8 meters. Glass was observed at a depth of 1.3 meters which was described as being found in a disturbed context. Trench 5 was located south of Trench 3 in a second attempt to locate the possible prayer house. Excavations identified a disturbed compact thin layer of historic-period

cultural materials located 25-centimeters below the surface. Based on the excavation results within Trench 3 and 5, it was suggested that no intact historic-period cultural layers survived in that area of the Chinatown neighborhood (see attached Archaeological Review Figure A).

The two most recent investigations were conducted in 2018 and 2019 by the Southern Oregon University Laboratory of Anthropology (SOULA) under the direction of Archaeologist Chelsea Rose and included a thorough review of previous work as well as new geophysical survey and testing (Rose et al. 2019; Rose and Johnson 2020). See Rose and Johnson (2020) for a complete cultural context and summary of previous archaeological investigation in the project area.

The 2018 investigations primary focus was to conduct new geophysical survey including GPR and magnetometry on both OPRD and City property throughout the Kam Wah Chung SHS and Gleason Pool areas. Part of the survey included a review of available imagery in an attempt to locate areas with a high probability of containing archaeological remains and to aid in the interpretation of the remote sensing data. The survey located nine potential below ground archaeological features, some of which correlated with possible historic structures identified by georectifying historic imagery (Rose et al. 2019).

Two buildings were noted on early twentieth century images next to the current project APE. Building 5 was described as a false front structure located at the end of the street north of the Kam Wah Chung and Company building (Rose et al. 2019:6). Although observed in historic photographs, the GPR survey results did not indicate a structure at the location of Building 5. Building 5 would have been located in the southeast corner of the current APE (see attached Archaeological Review Figure A).

Building 6 was also identified in historic photographs as being located east of Building 5 at the end of the street. The historic use of building use is unknown and was set back from building 5, rather than in line with it or other buildings (Rose et al. 2019:7). GPR survey results identified possible intact structural remains in the location of Building 6 at a depth of 20-65 centimeters below surface that were described as Feature D.

In 2019, SOULA returned to the site to conduct testing in conjunction with the Oregon Chinese Diaspora Project summer field school and was focused on ground truthing anomalies observed in the 2018 GPR and magnetometry survey. The work included excavation of seven quarter test units (QTUs) and three test units (TUs) of various sizes. The excavations indicated that intact subsurface cultural deposits were present at the Kam Wah Chung SHS, several of which could be linked to historical buildings visible in early photographs of the neighborhood (Rose and Johnson 2020). The footprints of possible Building 5 and 6 (Feature D) were not tested as part of the 2019 SOULA excavations.

**Discussion:**

Although the proposed demolition of the swimming pool, pool building, and concrete surrounding the structure is near significant cultural resources, the direct footprint of the demolition APE is only occurring within heavily previously disturbed areas that have been significantly impacted by the original pool construction. Previous testing in the immediate vicinity of the current APE located few

archaeological materials, and what was located was found to be in a disturbed context (Schablitsky et al. 2006, 2007:18-19). GPR investigations conducted by SOULA did locate one potential buried archaeological feature (Feature D) near the current APE that correlated with Building 6 in historic photographs. Feature D is located outside of the current APE and will not be affected by the current project.

**Recommendations:**

In consultation with SOULA Archaeologist Chelsea Rose and a review of previous archaeological investigations, OPRD recommends that demolition of the Gleason Pool as proposed will not result in an adverse effect to site 35GR2086 or any other known or unknown significant archaeological resource. All stages of the current proposed demolition project have a limited footprint that only includes the hardened pool features such as the swimming pool, pool building, and concrete surrounding the structure.

The demolition project will not extend outside the APE where there remains a potential for intact or semi-intact cultural features. The back yard (west side), walkway/grass area (south), and parking lot/gravel area (east-southeast) were removed from the APE and will be evaluated by OPRD at a later date where more information can be gathered on the below-ground potential for intact cultural deposits. Driving on existing surfaces within or surrounding the APE is also not expected to affect any potentially significant below ground deposits.

Although unlikely, it is possible that cultural deposits (artifacts or features) may be exposed during demolition. As a result, OPRD is recommending archaeological monitoring during demolition. Monitoring will be conducted by an Oregon qualified professional archaeologist meeting Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation and conducted under a State Archaeological permit obtained prior to demolition.

Monitoring should focus on observing stratigraphy during demolition to help correlate below ground deposits with previous archeological excavations which could help to confirm or disprove assumptions of previous disturbance in the project area. Important diagnostic artifacts observed in a disturbed context that are potentially able to contribute to local or regional archaeological research questions should be collected. The monitor would also be responsible for ensuring that the contractor remains within the approved APE and install protective measures as required to avoid nearby significant resources as appropriate.

Demolition monitoring activities are expected to be limited to within disturbed sediment of the existing pool construction. All activities will be stopped if significant archaeological or historical resources (e.g., intact cultural features, artifact concentrations, or human remains) are encountered. Features or artifacts observed in the floor or sides of the demolition will not be disturbed and will be documented in place. Any significant intact archaeological resources will be evaluated as part of a separate archaeological permit.

OPRD has retained SOULA Archaeologist Chelsea Rose to obtain a State Archaeological permit, manage all associated field monitoring, and prepare monitoring report summarizing all project activities. A more detailed monitoring plan will be submitted as part of the Archaeological Permit research design. Additional archaeological studies are planned for Summer 2022 to evaluate the potential effects of construction and site development of the new Kam Wah Chung SHS Interpretive Center and Collection Building that is still in the planning phases. OPRD has already begun Tribal consultation on the larger Kam Wah Chung Visitor Center Redevelopment project and plans to consult again on the proposed demolition work immediately.

Based on the above review, it is recommended that the Gleason Pool demolition will have **No Adverse Effect** to archaeological site 35GR2086. The OPRD requests your concurrence with a **FINDING OF NO ADVERSE EFFECT** (Archaeology) for the pool demolition. However, if the scope of work for the project changes, additional archaeological investigations may be necessary.

Please contact OPRD Steve Jenevein, Archaeologist (971) 301-3956 or email at [steve.jenevein@opr.oregon.gov](mailto:steve.jenevein@opr.oregon.gov) if you have any questions or comments specific to the project archaeology.

#### **References:**

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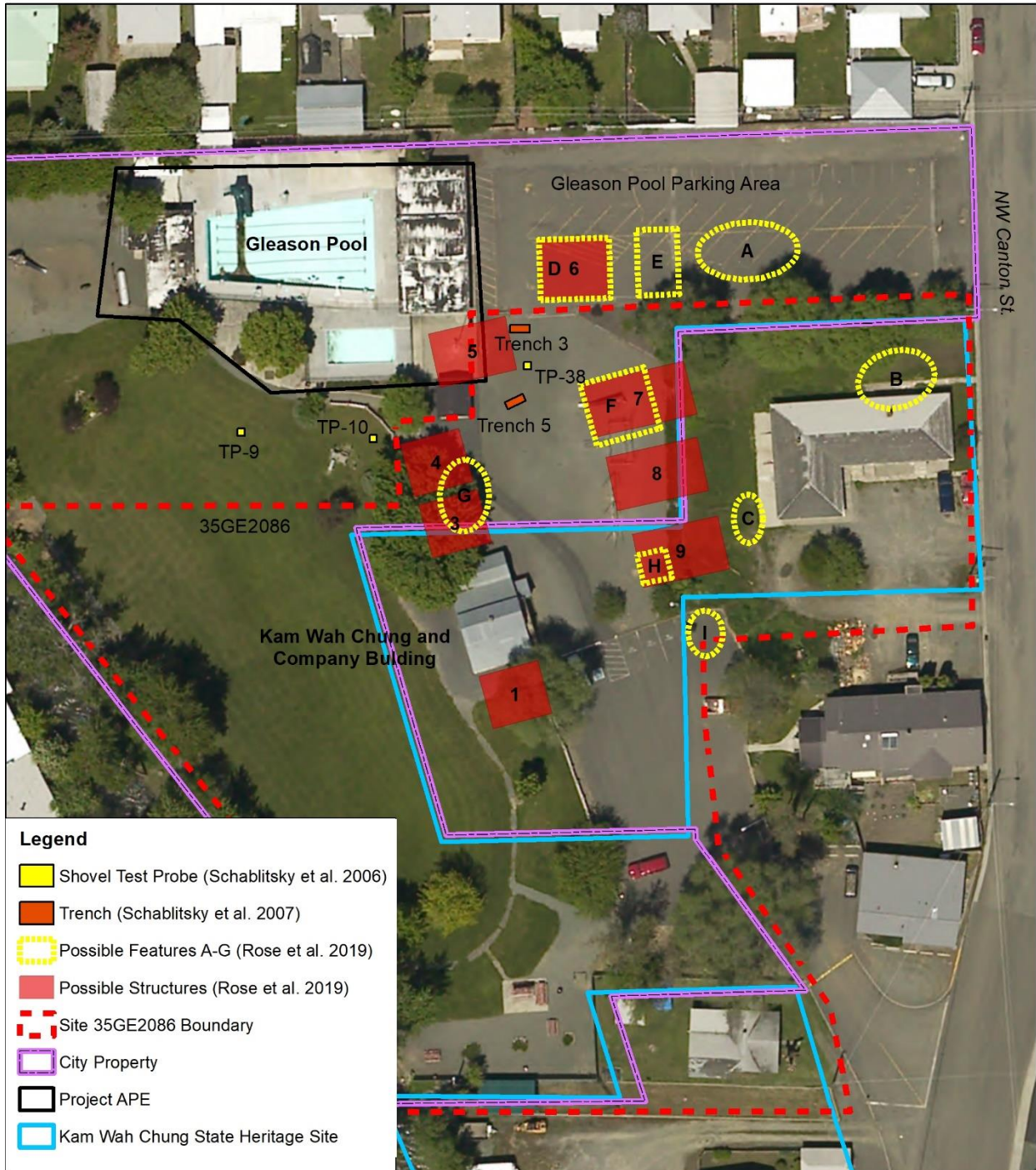


**Archaeological Review Figure A**  
 Gleason Pool Demolition  
 Archaeological Review

Oregon Parks & Recreation Dept.  
 Mountain Region Office  
 1645 NE Forbes Rd, Ste 112  
 Bend, OR 97701-4990

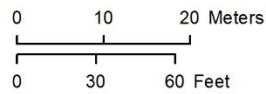


Nature  
 HISTORY  
 Discovery



**Legend**

- Shovel Test Probe (Schablitsky et al. 2006)
- Trench (Schablitsky et al. 2007)
- Possible Features A-G (Rose et al. 2019)
- Possible Structures (Rose et al. 2019)
- Site 35GE2086 Boundary
- City Property
- Project APE
- Kam Wah Chung State Heritage Site



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 Created by: S. Jenevein