DEPARTMENT OF THE NAVY
NAVAL SEA SYSTEMS COMMAND
1333 ISAAC HULL AVENUE
WASHINGTON NAVY YARD DC 20376-2701

IN REPLY REFER TO
4520
Ser 333/054
April 12, 2012

Mescalero Apache Tribe
Mark Chino, President
P.O. Box 227
Mescalero, NM 88340

Dear Mr. Chino:

SUBJ: BATTLESHIP TEXAS DRY BERTH PROJECT

I am writing to inform you of the proposed federal undertaking to permanently dry berth Battleship TEXAS and to invite you to participate in Section 106 consultation. The Department of the Navy (Navy), as the lead Federal agency, has initiated the Section 106 process with the Texas Historical Commission (State Historic Preservation Officer) pursuant to the National Historic Preservation Act (NHPA) and its implementing regulations codified in 36 C.F.R. Part 800.

Battleship TEXAS, a 100-year-old veteran of both world wars and the last of the battleships patterned after the HMS Dreadnought, is a National Historic Landmark (NHL) and a National Mechanical Engineering Landmark. In 1948, the Navy donated and transferred title of the Battleship TEXAS to the State of Texas, which became the nation's first permanent battleship memorial museum, and was moored adjacent to the Houston Ship Channel (Buffalo Bayou) at the San Jacinto Battleground State Historic Site (San Jacinto Battleground) in La Porte, Texas. The San Jacinto Battleground is also an NHL. Today, Battleship TEXAS is stationary in its brackish wet berth, with the underwater hull weakened from corrosion and deterioration. The cost associated with hull repairs and the need to permanently protect the ship from further deterioration support the proposed action to permanently dry berth the ship.

Battleship TEXAS is owned by the state of Texas and operated by the Texas Parks and Wildlife Department (TPWD); however, the proposed dry berth project is a federal undertaking and subject to compliance with Section 106 of the NHPA because the TPWD received federal funding and is required to maintain the vessel in a condition satisfactory to the Secretary of the Navy.

Section 106 requires that all Federal agencies take into account the effects of their undertakings on historic properties. The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, assess any

effects the undertaking may have on historic properties, and seek ways to avoid, minimize, or mitigate any adverse effects on historic properties. Further, Federal agencies are required to identify the area of potential effects (APE), which is the geographic area within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties. A map that identifies the APE is attached for your review.

Pursuant to 36 C.F.R. § 800.2 (c)(2), the Navy would like to invite you to consult with us to ascertain whether your Tribe attaches religious and/or cultural significance to the San Jacinto Battleground, which may be affected by the proposed undertaking. To accept this invitation, please respond by sending an email to Neil Thomas (the Project Manager for TPWD) at consultingparties@dryberthtexas.com. You may also mail your responses to: Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744 Attn: Neil Thomas. If you have additional questions, please contact Michael Strutt, Director of Cultural Resources for the TPWD at (512) 389-4736 or consultingparties@dryberthtexas.com; or Jim Poles, Environmental Project Manager for the Navy at (202) 781-0149 or james.poles@navy.mil.

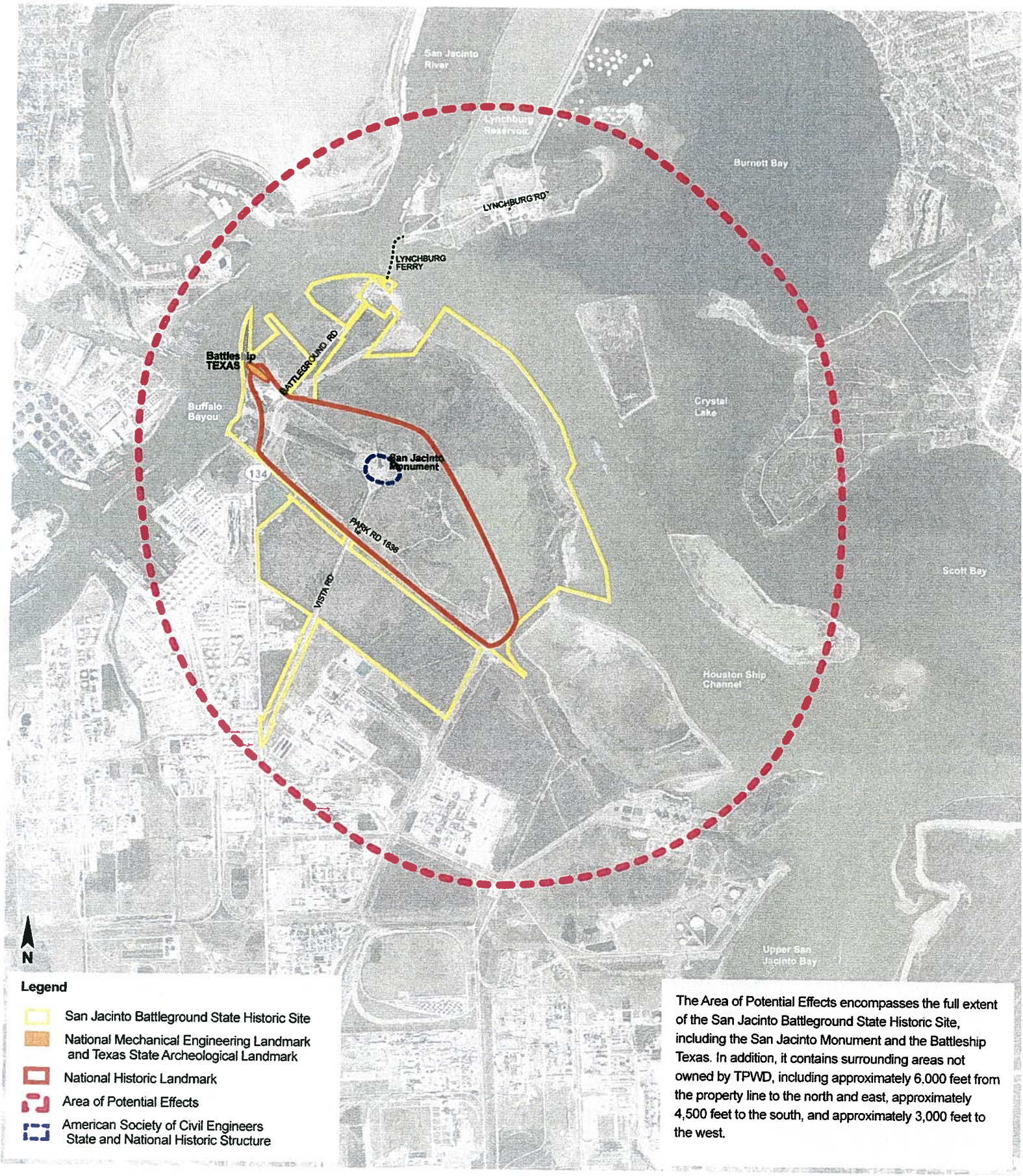
If you accept this invitation to participate as a consulting party, additional information concerning dates for consultation meetings will be sent to you via email.

Thank you for your consideration and we look forward to hearing from you.

Sincerely,

C. R. Pietras
CAPT USN
Program Manager
Navy Inactive Ships
Program (PMS333)

Enclosure: 1. Map Showing Area of Potential Effects



The Area of Potential Effects encompasses the full extent of the San Jacinto Battleground State Historic Site, including the San Jacinto Monument and the Battleship Texas. In addition, it contains surrounding areas not owned by TPWD, including approximately 6,000 feet from the property line to the north and east, approximately 4,500 feet to the south, and approximately 3,000 feet to the west.

Enclosure (1)