CULTURAL RESOURCES ASSESSMENT

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1 Sensitive Material Documents have been excluded from the FEIS and have been made part of the Administrative Record. These documents can not be released under the Freedom of Information Law (FOIL), but can be obtained upon request, when deemed appropriate.
July 14, 1995

Dear Mr. Murno:

As you requested over the telephone, enclosed please find survey information we have on properties adjacent to the project area. Please note that this is not a comprehensive survey, and there may be additional properties in the project area which may warrant surveying. Blydenburgh County Park is the only property near the project area which is currently listed on the National Register of Historic Places.

I am also enclosing our previous 1999 correspondence to NYS DOT for the pre-reconnaissance survey report prepared for this project, which outlined additional survey needs for archeology and structures.

If you have any questions, please call me at (518) 237-8643, extension 283. When responding please refer to the Project Review (PR) number noted above.

 attachments
cc: Karen McCann, NYS DOT
APPENDIX B: Letter from New York State Museum, dated October 23, 2006.
October 23, 2006

Ms. Ruth Pierpoint
NYS Office of Parks, Recreation and
Historic Preservation
Historic Preservation Field Service Bureau
Peebles Island, P. O. Box 189
Waterford, New York 12188-0189

RE: PIN 0054.05.124
   Route 347 from the Northern State Parkway to Route 25A
   Town of Brookhaven
   Suffolk County, New York

Dear Ms. Pierpoint:

The NYS Department of Transportation (NYSDOT) requested that we forward the enclosed Cultural Resource Survey Report to you for the above referenced federally funded project. Any questions about the content of the report or recommendations should be directed to Mary Santangelo in the NYSDOT Environmental Analysis Bureau (EAB) at (518) 457-5672. Any questions about the project should be directed to Gary Gentile, the Regional Cultural Resource Coordinator (RCRC) (631) 952-6219.

No response is necessary if the State Historic Preservation Officer is in agreement with the eligibility recommendations in this report. Comments may be provided to the RCRC, NYSDOT Region 10, within 45 days of the receipt of this letter.

Please send copies of all correspondence to Dan Hitt NYSDOT EAB, and Robert Arnold, Federal Highway Administration.

Sincerely,

Christina B. Rieth, Ph.D.
Cultural Resource Survey Program
NYS Museum

Enclosure

cc: Robert Arnold, FHWA (report)
    Gary Gentile, Regional Cultural Resource Coordinator, NYSDOT (2 report)
    Daniel D'Angelo, NYSDOT Design Quality Assurance Bureau
    James Church, NYSDOT, Program Management Division
    Daniel Hitt, NYSDOT, Environmental Analysis Bureau (report)
APPENDIX C: Correspondence between NYSOPRHP, NYSM and NYSDOT concerning eligibility of architectural sites.
From: <Virginia.Bartos@oprhp.state.ny.us>
To: <ggentile@dot.state.ny.us>
Date: 5/30/2006 11:23:50 AM
Subject: 969 Middle Country Rd. 06PR02301

Gary--
Contrary to the NYSM report, the JRG law office is also not eligible for listing and has lost its association with Bruno's garage due to the road separating the two buildings.

You're right. It wasn't clear in the report and I hope this sets things straight.

Virginia

Virginia L. Bartos, Ph.D.
NYS Office of Parks, Recreation & Historic Preservation
Peebles Island State Park
PO Box 189
Waterford NY 12188-0189
(518) 237-9843 ext. 3256
May 17, 2006

Gary Gentile
Cultural Resources Coordinator
New York State Department of Transportation
Region 10
New York State Office Building
250 Veteran’s Memorial Highway
Hauppauge, NY 11788

Re: FHWA, DOT
PIN 0054.04, Route 347/ Route 454 Reconstruction
Towns of Smithtown, Islip, Brookhaven
Suffolk County, NY
06PR02301 (formerly 94PR01399)

Dear Mr. Gentile,

The New York State Historic Preservation Office received the Architectural Survey Final Report for PIN 0054.04 in Suffolk County, NY on April 17, 2006. We have reviewed it under the provisions of Section 106 of the National Preservation Act of 1966 and the relevant implementing guidelines.

The comments in this letter are based on our review of architectural issues only. It is our understanding that we will be receiving an archeology report in the future to review.

Virginia Bartos of our National Register unit reviewed the eligibility determinations and concurs with all but 2 of these. She has determined that the following structures are not eligible for the National Register:

1. Bruno’s Garage, 945 Middle Country Road, Town of Smithtown, NY
2. Knights of Columbus Hall, 500 Veteran’s Memorial Highway, Town of Islip, NY

We look forward to receiving drawings and additional project information as soon as it becomes available.

Please refer to our project review (PR) number at the top of the letter in future submissions. If you or anyone involved with the project has any questions, please contact me at 518-237-8643, ext. 3252.

Sincerely,

[Signature]

Sloane Bullough
Historic Sites Restoration Coordinator

Cc: Mark S. LoRusso, New York State Museum
From: <Virginia.Bartos@oprhp.state.ny.us>
To: <ggentile@dot.state.ny.us>
Date: 11/20/2006 9:41:20 AM
Subject: RE: PIN 0054.05.124 Route 347 Corridor Improvements 06PR02301/OLD 94PR01399

Gary--
Let's make sure we're all talking about the same thing. The latest information submitted about the Route 347 Corridor Improvements seemed to be greatly expanded from the previous information submitted and reviewed for OPRHP project 06PR02031/94PR01399. Based on this, I logged the latest into our system as 06PR05951 and we are in essence treating it as a new project.

I've reviewed the materials sent in by the State Museum and in regarded to architectural resources, I concurred with all but three of the resources identified as eligible:

LIRR Car/Terryville Chamber of Commerce--not eligible. It's lost its context and such structures generally do not meet NPS criteria.

Knights of Columbus Hall, 500 Veterans Memorial Parkway and the Law office at 969 Middle Country Road--they're not eligible due to loss of integrity.

That's it for above ground resources.

Virginia
APPENDIX D: Correspondence between NYSOPRHP, NYSM and NYSDOT concerning eligibility of archeological sites, MOA, and Data Recovery Plan.
From: Gary Gentile  
To: Hitt, Dan  
Date: 11/3/2006 12:55:25 PM  
Subject: Route 347 DEIS/FEIS PIN 0054.

Attached is the FORM A and justification for the Data Recovery Plan to expedite the 106 Review process, while maintaining the DEIS / FEIS schedule. As noted in the attached memo, I have consulted with the effected agencies (FHWA, SHPO, and SED), in order to gain time while documents are being reviewed. See attached schedule. If you have any questions please call and we can discuss further. The Regional Director expects the process to be completed by December. Thank you in advance for you support and help.

Gary L. Gentile  
New York State Department of Transportation  
Region 10  
State Office Building  
250 Veterans Memorial Highway  
Hauppauge, NY 11788-5518  
Office-631-952-6219  
Fax-631-952-6936

CC: Fathi, Sheref
MEMORANDUM
DEPARTMENT OF TRANSPORTATION

TO: D. Hitt, Environmental Analysis Bureau, 50 Wolf Rd., POD 41

FROM: G. L. Gentile, Regional Cultural Resource Coordinator, Region 10

SUBJECT: PIN 0054.05 – 95PR0358 (05 PR01930)
NY 454/347 Reconstruction
Towns of Smithtown, Brookhaven, Islip and Village of Lake Grove
Suffolk County

DATE: October 30, 2006

In order to maintain the proposed schedule for the DEIS/FEIS, the Regional
RCRC has expedited the process of approvals/review for the Section 106 process
for the project. We have coordinated our efforts with SED, SHPO and FHWA to
make them aware of our finding options and concerns to get the right job done on
time.

This process began October 3, 2005 when we requested SED to evaluate the corridor
study (TRN 1.95) as a Phase I Survey, with the option to roll into a Phase II when
necessary. On January 5, 2006, Form A was sent to verify Stage II site exams to be
performed during the Reconnaissance Survey and to take advantage of the seasonal
winter conditions.

On June 27, 2006, six archeological sites were documented by SED in areas of
environmental sensitivity of fresh water wetlands/wild and scenic rivers, where
avoidance is not an option. The draft end of field report has determined that three
of the sites are disturbed with low sensitivity for data recovery, and the remaining two
sites are NRE sites.

The region is taking the position that these sites will be impacted, are National
Register Eligible (NRE) and a Data Recovery Plan will be required. This has been
discussed with SED, SAPO and FHWA for compliance with their portion of the
Section 106 process.

As RCRC I would like to accelerate the process by having SED put the Phase II
Survey Report on hold, finalize the end of field report and start developing the Data
Recovery Plan. By doing so, this will shorten the review/approval time while allowing
agencies to review the Recovery Plan and finalize the Phase II Survey Report
concurrently.

We have coordinated these concept issues with the effected agencies and feel
confident that the DEIS/FEIS schedule can be met. The following conceptual
schedule replaces our estimated timeframe to accomplish the required
work/coordination:
• Phase I Report received at Region 10 and SHPO – October 26, 2006

• Phase II Survey Report:
  ◦ SHPO Report writing/Start Data Recovery Plan
  ◦ Data Recovery Plan finished (3-4 weeks) November 20, 2006 – SHPO approves December 1
  ◦ Phase II Survey Report completion between November 20 and December 1
  ◦ SHPO and FHWA agrees on Recovery Plan and Phase II Survey Report

Programming Agreement:
  ◦ SHPO and FHWA Review/Agree on recovery process, methods and timeframe within two weeks of December 15, 2006. Adverse effect final decision complete, 36 CFR 890 satisfactory, end Section 106 process.

This ambitious schedule and review process is complied with the idea that early and often consultation with the effective agencies is the vital part. State museum has taken on the important role of informing the region and SHPO as to what is happening in the research role and how best to proceed with the review process. SHPO has reviewed preliminary reports on the architecture and archaeological findings enabling the Regional CRC to gather documentation to support the next step in the review process.

It is my estimate that this approach has saved the region several weeks to several months on the review process, and ask EAB to support and coordinate efforts in the main office.

cc: S. Fathi
Dear Christina:

Please add work for PIN 0054.05.124 to the 2006-07 Cultural Resource Evaluation Program (CREP) for NYSDOT Region 10. The Region’s has identified this request for a Data Recovery Plan for the NAIMA and Country Club Sites as its top priority. Please see “Additional Comments or Special Instructions” on the Form A concerning Regional priorities.

Two paper copies of the Form A packages are enclosed for your program needs. If you have any questions concerning Region 10 project information, please contact Gary Gentile, Regional Cultural Resources Coordinator, at (518) 457-519 or ggentile@dot.state.ny.us. If you have questions regarding program issues, please contact me at (518) 457-4054.

Sincerely,

DANIEL P. HITT, RLA
Manager, Cultural Resource/ Process Section
Environmental Analysis Bureau

DPH/MCS
Enclosures

cc:  Ruth Pierpont, OPRHP
     M. Bocamazo, Regional Design Engineer, Region 10
     S. Fathi, Regional Environmental Manager, Region 10
     G. Gentile, Regional Cultural Resource Coordinator, Region 10
APPENDIX E: NYS OPRHP adverse effect determination & MOA with Findings Documentation and ACHP recommendations.
January 4, 2007

Gary Gentile
NYS Department of Transportation
New York State Office Building
250 Veterans Memorial Highway
Hauppauge, NY 11788

Dear Mr. Gentile,

Re: DOT/FHWA - PIN 0054.05.124
Route 347 Connector Improvements
Towns of Islip and Smithtown, Suffolk County
06PR05951

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO) with regard to the potential for this project to affect significant historical/cultural resources. As you are aware SHPO, DOT and FHWA have agreed that this project will have an adverse effect on historic resources. Through consultation these agencies have developed a Memorandum of Agreement (MOA) to mitigate those adverse effects. Attached are copies of the MOA signed by our agency. Please have the appropriate DOT and FHWA signatures added and return one copy for our files.

Please contact me at extension 3291, or by e-mail at douglas.mackey@oprhsp.state.ny.us, if you have any questions.

Sincerely,

Douglas P. Mackey
Historic Preservation Program Analyst
Archaeology

Att: 3 copies of MOA

Cc: Daniel Hitt, NYSDOT, Albany (w/out attachments)
    Robert Arnold, FHWA (w/out attachments)
MEMORANDUM OF AGREEMENT
TO MITIGATE POTENTIAL EFFECTS ON TWO PROPERTIES ELIGIBLE
FOR LISTING ON THE NATIONAL REGISTER OF HISTORIC PLACES:
RECOVERY OF SIGNIFICANT ARCHAEOLOGICAL INFORMATION
FROM THE NAIMA SITE (USN A10308.000902)
AND IMPACTS AT 58 GIBBS POND ROAD (USN 10308.000425)
Between

Federal Highway Administration,
New York State Historic Preservation Office
And the New York State Department of Transportation
for

FHWA/NYSDOT PIN 0054.05.124
NY ROUTE 347 SAFETY AND MOBILITY IMPROVEMENTS
NORTHERN STATE PARKWAY to NY ROUTE 25A
TOWNS of SMITHTOWN, ISLIP, BROOKHAVEN
SUFFOLK COUNTY
06PR05951

WHEREAS, the above named project proposed by the the New York State
Department of Transportation (NYSDOT) will be built utilizing funding provided by the
Federal Highway Administration (FHWA) and the FHWA and NYSDOT have consulted
with the New York State Historic Preservation Office (SHPO) in accordance with Section
106 of the National Historic Preservation Act of 1966, as amended; and

WHEREAS, survey of the Area of Potential Effect has identified archaeological
deposits that have been identified as the Naima Site (USN 10308.000902) which has been
determined to be eligible for listing on the National Register of Historic Places; and

WHEREAS, the FHWA, the SHPO, and the NYSDOT agree that the Naima Site
is significant and of value chiefly for the information on prehistory or history that it is
likely to yield through archaeological, historical, and scientific methods of information
recovery, including archaeological excavation; and

WHEREAS, the FHWA, the SHPO, and the NYSDOT agree that the proposed
project will have an Adverse Effect on the Naima Site; and

Whereas, the FHWA, the SHPO and the NYSDOT agree that recovery of
significant information from the archaeological site listed above may be done in
accordance with the published guidance; and

Whereas, the FHWA, the SHPO and the NYSDOT agree that it is in the public
interest to expend funds to recover significant information from the NAIMA SITE to
mitigate the adverse effects of the project
Whereas, in accordance with 36 CFR Part 800, the Federal Highway Administration (FHWA) ensures that Conditions 1 through 12 outlined in the Advisory Council on Historic Preservation’s (Council) “Recommended Approach for Consultation on the Recovery of Significant Information from Archaeological Sites,” published in the Federal Register on May 18, 1999 (pp. 27085-27087) and attached as Appendix 1 to this document shall be satisfied; and

Whereas, in addition to the Council’s conditions, the FHWA ensures that the Standards for Cultural Resource Investigations and the Curation of Archaeological Collections in New York State (NYAC, 1994) shall be satisfied; and

Whereas, FHWA, the SHPO and NYSDOT have determined that the property located at 58 GIBBS POND ROAD is also eligible for listing on the National Register of Historic Places, and that the proposed project will impinge upon a portion of that property; and

Whereas, the SHPO has determined that state agencies participating in the undertaking covered by this agreement will satisfy the requirements of consultation and review under New York State Parks, Recreation and Historic Preservation Law, Section 14.09, for this undertaking by adopting the terms and conditions of this agreement; and

Whereas the Advisory Council on Historic Preservation has been offered the opportunity to comment on this undertaking but has declined;

Now, therefore, the FHWA and NYSDOT shall ensure that the following terms and conditions shall be implemented in a timely manner and with adequate resources in compliance with the National Historic Preservation Act of 1996 (16 U.S.C. 470).

1. The Archaeological Date Recovery Plan for the NAIMA SITE attached as Appendix 2 will be carried out.

2. The white entrance gate at 58 GIBBS POND ROAD will be retained and reset proportionally from the new pavement edge to its current condition. The associated existing utility poles will remain in place and there will be no removal of the existing mature trees associated with this property.

OTHER TERMS AND CONDITIONS:

- Modification, amendment, or termination of this agreement as necessary shall be accomplished by the signatories in the same manner as the original agreement.

- Disputes regarding the completion of the terms of this agreement shall be resolved by the signatories. If the signatories cannot agree regarding a dispute,
any one of the signatories may request the participation of the Council to assist in resolving the dispute.

- If the Data Recovery Plan is not implemented within two years of the execution of this agreement, it shall be updated and submitted to the SHPO for review. Upon the mutual written consent of all signatories, revision to the Data Recovery Plan shall be adopted and implemented, without necessitating amendments to this agreement.

Federal Highway Administration:

[Signature]  Date: 3/2/67

State Historic Preservation Officer:

[Signature]  Date: 1/4/67

New York State Department of Transportation:

[Signature]  Date: 2/14/67

Attachments:

Appendix 1 – Advisory Council on Historic Preservation Conditions: Recommended Approach for Consultation on Recovery of Significant Information from Archaeological Sites.

Appendix 2 – Data Recovery Plan.
Appendix 1
Advisory Council on Historic Preservation:
Recommended Approach for Consultation on Recovery of Significant Information
from Archaeological Sites.

1. The archaeological site(s) should be significant and of value chiefly for the
information on prehistory or history they are likely to yield through archaeological,
historical, and scientific methods of information recovery, including archaeological
excavation.

2. The archaeological site should not contain or be likely to contain human remains,
associated or unassociated funerary objects, sacred objects, or items of cultural
patrimony as those terms are defined by the Native American Graves Protection and
Repatriation Act (25 U.S.C. 3001)

3. The archaeological site should not have long-term preservation value, such as
traditional cultural and religious importance to an Indian tribe or a Native
Hawaiian organization.

4. The archaeological site should not posses special significance to another ethnic
group or community that historically ascribes cultural or symbolic value to the site
and would object to the site’s excavation and removal of its contents.

5. The archaeological site should not be valuable for potential permanent
in-situ display or public interpretation, although temporary public display
and interpretation during the course of any excavations may highly appropriate.

6. The Federal Agency Official should have prepared a data recovery plan with a
research design in consultation with the SHPO and other stakeholders that is
consistent with the Secretary of the Interior’s Standards for the Treatment of
Historic Properties, the Secretary of the Interior’s Standards and Guidelines
for Archaeology and Historic Preservation and the Advisory Council of Historic
Preservation’s Treatment of Archaeological Properties: A Handbook. The Plan
should specify:

(a) The results of previous research relevant to the project;
(b) research problems or questions to be addressed with an explanation of their
relevance and importance;
(c) the field and laboratory analysis methods to be used with a justification of their
cost-effectiveness and how they apply to the particular property and these
research needs;
(d) the methods to be used in artifact, data and other records management;
(e) explicit provisions for disseminating the research findings to professional
peers in a timely manner;
(f) arrangements for presenting what has been found and learned to the public,
focusing particularly on the community or communities that may have interests in the results;

(g) the curation of recovered materials and records resulting from the data recovery in accordance with 36 CFR part 79 (except in the case of unexpected discoveries that may need to be considered for repatriation pursuant to NAGPRA); and

(h) procedures for evaluating and treating discoveries of unexpected remains or newly identified historic properties during the course of the project, including necessary consultation with other parties.

7. The Federal Agency Official should ensure that the data recovery plan is developed and will be implemented by or under the direct supervision of a person, or persons, meeting a minimum the Secretary of the Interior’s Professional Qualifications Standards (48 FR 44738-44739).

8. The Federal Agency Official should ensure that adequate time and money to carry out all aspects of the plan are provided, and should ensure that all parties consulted in the development of the plan are kept informed of the status of its implementation.

9. The Federal Agency Official should ensure that a final archaeological report resulting from the data recovery will be provided to the SHPO. The Federal Agency Official should ensure that the final report it responsive to professional standards, and to the Department of the Interior’s Format Standards for Final Reports of Data Recovery Program (41 FR 5377-79).

10. Large, unusual, or complex projects should provide for special oversight, including professional peer review.

11. The Federal Agency Official should determine that there are no unresolved issues concerning the recovery of significant information with any Indian tribe or Native Hawaiian organization that may attach religious and cultural significance to the affected property.

12. Federal Agency Officials should incorporate the terms and conditions of this recommended approach into a Memorandum of Agreement or Programmatic Agreement, file a copy with the Council per 800.6(b)(iv), and implement the agreed plan. The agency should retain a copy of the agreement and supporting documentation in the project files.
APPENDIX F: Letter from ACHP declining further involvement.
January 26, 2007

Mr. Willet R. Schraft, P.E.
Area Engineer
New York Division
Federal Highway Administration
Leo W. O'Brien Federal Building, Suite 719
Clinton Avenue & North Pearl Street
Albany, NY 12207

Re: Route 347 Safety and Mobility Improvement Project
    Suffolk County, New York

Dear Mr. Schraft:

On January 11, 2007, the Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on properties eligible for inclusion in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, Criteria for Council Involvement in Reviewing Individual Section 106 Cases, of our regulations, “Protection of Historic Properties” (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is warranted. However, should circumstances change and you or other consulting parties determine that our participation is required, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the New York State Historic Preservation Office (SHPO) and other consulting parties, and related documentation at the conclusion of the consultation process. The filing of this MOA with the ACHP and fulfillment of stipulations area required to complete your compliance responsibilities under Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact me at (202) 606-8520 or kharris@achp.gov.

Sincerely,

Katry Harris
Historic Preservation Specialist
Office of Federal Agency Programs
APPENDIX G: FHWA Findings Concurrence Request.
March 20, 2007

Robert Arnold
Division Administrator
Federal Highway Administration
Leo O’Brien Federal Building
Clinton Avenue and North Pearl Street
Albany, NY 12207

Dear Mr. Arnold,

As you are aware SHPO, DOT has agreed that this project will have an adverse effect on historic resources. Through consultation these agencies have developed a Memorandum of Agreement (MOA) to mitigate those adverse effects.

By copy of this letter we are notifying your Agency of this determination in “accordance with 36 CFR 800.11(e) of the National Historic Preservation Act, Section 106.

FHWA has signed the “MOA”, and we are requesting your agency’s concurrence by April 18, 2007.

Sincerely yours,

Gary L. Gehrlein, RLA
Regional Cultural Resource Coordinator

Cc: D. Hitt, Cultural Resources/Environmental Process Section
    Environmental Analysis Bureau, 50 Wolf Road, POD 41
    M. Kost, Project Coordinator
    S. Fathi, Environmental Manager
    File
    Letter file
    Historic and Cultural file
APPENDIX H: Sensitive Material Documents
The following documents are confidential and not available for general distribution.

1. *Cultural Resources Survey Report, PIN TRN 1.95, RTE 347 Pre-Reconnaissance Corridor Study, Towns of Smithtown, Islip and Brookhaven Suffolk County, NY (1989)* conducted by the New York State Museum (NYSM) on behalf of the New York State Department of Transportation (NYSDOT).


4. *Cultural Resources Data Recovery Plan for The Naimia (NYSM # 11658) Site* (November 2006) prepared by NYSM on behalf of NYSDOT.

5. *Cultural Resources Site Examination Report, PIN 0054.05.124, NYS Route 347 from Northern State Parkway to NYS Route 25A, Town of Smithtown, Suffolk County, New York (April 2007)*, conducted by NYSM on behalf of NYSDOT.
APPENDIX I: Letter from FHWA, dated March 29, 2007
Memorandum

Subject: PIN 0054.05
NY Route 347: NSP to NY25A
Suffolk County

From: Robert Arnold
Division Administrator
Albany, New York

To: Mark Bocamazo, Regional Design Engineer
New York State Department of Transportation, Region 10
250 Veterans Memorial Highway
Hauppauge, NY 11788

Attn: Gary Gentile, Regional Cultural Resource Coordinator

Date: March 29, 2007

In Reply Refer To:
HDO-NY

In reference your March 20, 2007 memo requesting our review and confirmation that the requirements of Section 106 of the Historic Preservation Act have been met for subject project you have concluded there will be an Adverse Effect on two historic properties (the Naima site and 58 Gibbs Pond Road) within the project’s area of potential effect deemed eligible for the National Register of Historic Places. The SHPO has reviewed the entire project corridor and indicated by various correspondence, except for the two above properties, there are no other effects on properties on, or eligible for the National Register.

On December 22, 2006 you provided SHPO with your recommendation and Memorandum of Agreement (MOA) describing a proposed data recovery and mitigation plans. The SHPO reviewed and signed the MOA on January 4, 2007. FHWA invited the Advisory Council on Historic Preservation (ACHP) to participate on January 8, 2007 and received ACHP notice on January 26, 2007 that they believed their participation is not warranted. The MOA was signed by FHWA on February 21, 2007. In addition you have evaluated the effects on historic properties in accordance with Section 4(f) of the U.S. Department of Transportation Act and found there is no feasible or prudent alternative to use of the Section 106 properties and reasonable mitigation has been proposed. Pursuant to 36 CFR Section 800.6(b)(4), you have transmitted the final Memorandum of Agreement to the ACHP for filing.

The requirements of 36 CFR Part 800 have been met for this project.

Willet R. Schraff, PE
Area Engineer