VOLUME 4

NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA

Draft Design Report/Environmental Impact Statement

Draft Section 4(f) Evaluation (49 USC 303)

APPENDIX H – SECTION 106 DOCUMENTATION

PIN 5760.80
City of Buffalo
Erie County, New York

November 15, 2013

U.S. Department of Transportation
Federal Highway Administration

New York State
Department of Transportation

Appendix H

Section 106 Documentation

November 2013

Prepared for:

Prepared by:

ECOLOGY AND ENVIRONMENT, INC.
368 Pleasant View Drive
Lancaster, New York 14086

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List of Abbreviations and Acronyms

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ACHP	Advisory Council on Historic Preservation
APE	Area of Potential Effects
CFR	Code of Federal Regulations
DEIS	Draft Environmental Impact Statement
E & E	Ecology and Environment, Inc.
EIC	Engineer-in-Charge
EPM	Environmental Procedure Manual
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
MCD	Minor Civil Division
MDS	Map Documented Structure
NRE	National Register Eligible
NRHP	National Register of Historic Places
NYSDOT	New York State Department of Transportation
NYSM	New York State Museum
NYSTA	New York State Thruway Authority
NYSOPRHP	New York State Office of Parks, Recreation and Historic Preservation
PR#	Project Review Number (NYSHPO)
ROW	Right-of-way
SHPO	State Historic Preservation Office

1 Introduction

The Federal Highway Administration (FHWA), in cooperation with the New York State Department of Transportation (NYSDOT), has prepared this Draft Environmental Impact Statement (DEIS) in accordance with the National Environmental Policy Act (NEPA) for the New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza (Project). The Project is located in the city of Buffalo, Erie County, New York. The Project was developed to address concerns centered on the use of local streets by cross-border traffic as it enters/exits the existing U.S. Border Port of Entry/Peace Bridge Plaza (Plaza). For this Project, the FHWA and NYSDOT are the NEPA joint lead agencies, and NYSDOT is the SEQRA lead agency.

The DEIS was prepared in accordance with the NYSDOT Project Development Manual, 17 NYCRR (New York Codes, Rules and Regulations) Part 15, and 23 CFR (Code of Federal Regulations) 771. The need, purpose, and objectives of the Project and the alternatives being considered are briefly described below. More detailed discussions concerning the Project, the environmental considerations, and options considered are provided in Chapters 1, 2, 3, 4, and 6 of the DEIS.

As a federal-aid project requiring federal approval, the Project is subject to review under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, and its implementing regulation, 36 CFR Part 800. Under Section 106, federal agencies are required to take into account the effects of an undertaking on historic properties listed in or eligible for listing in the National Register of Historic Places (NRHP), and to afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on the undertaking. Consultation with the New York State Historic Preservation Officer (SHPO), federally recognized Indian tribes, and other designated Consulting Parties is required as part of the Section 106 Process.

This appendix contains documentation pertinent to the Section 106 consultation process. The Appendix is divided into the following sections:

- Section 2 – Update of Previously Inventoried Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring;
- Section 3 – Section 106 Finding Documentation
- Section 4 – Interagency Consultation/Correspondence

- Section 5 – Consulting Parties Consultation/Correspondence
- Section 6 – Consulting Parties Meeting Transcript

1.1 Where is the Project Located?

The Project is located in the West Side neighborhood of the city of Buffalo, Erie County, New York. The Project area is adjacent to Front Park, which was designed by Frederick Law Olmsted as part of a citywide park and parkway system that opened in 1868; the Project also includes a small portion of the park (the existing Baird Drive). Major roadways in the Project area include the Niagara Thruway (Interstate 190, or I-190), Porter Avenue, Baird Drive, Busti Avenue, and the I-190 ramp connections to and from the Plaza.

1.2 Need, Purpose, and Objectives

The primary need for the Project is to address the limited direct access between the Plaza and I-190. Existing direct access is limited and requires regional and international traffic to use the local street system. This limited direct access increases commercial traffic on the local streets, which were originally designed to only meet the needs of local traffic. An additional need was identified to address the structurally deficient Porter Avenue Bridge over I-190.

The purpose of this Project is to reduce the use of the local streets by interstate traffic (autos and trucks) and provide access to and from the existing Plaza at its current location.

The following objectives have been established to support the Project's purpose and need.

- Provide direct access from the Plaza to northbound I-190,
- Redirect through traffic from Front Park,
- Remove Baird Drive, and
- Replace the Porter Avenue Bridge over I-190 and CSX Railroad.

1.3 What Alternative(s) Are Being Considered?

Based on the Project's need, purpose, and objectives, the following paragraphs briefly describe the alternatives that have been developed for study within this DEIS.

- ***No-Build Alternative.*** The No-Build Alternative assumes no improvements in the Project area other than those planned by others or implemented as part of routine maintenance. Although the No-Build Alternative does not meet the Project's purpose and need, NEPA requires that it be evaluated in the EIS. The No-Build Alternative also serves as the baseline condition against which the potential benefits and effects of the Build Alternative are evaluated.

- ***Build Alternative.*** The Build Alternative would construct a new ramp (Ramp D), providing direct access from the Plaza to northbound I-190. It would also construct a new ramp (Ramp PN) from Porter Avenue to the existing I-190 northbound exit-ramp (Ramp N/Ramp A) to the Plaza. The combination of these new ramps would allow the removal of Baird Drive from Front Park and conversion of the existing 1.8 acres of roadbed and sidewalk into additional green space. The removal of Baird Drive would permit 4.5 acres of green space located between Busti Avenue and Baird Drive to be reconnected to the greater park area. This alternative would require modifications to the Massachusetts Pumping Station access road, the Shoreline Trail bicycle/pedestrian facility along the waterfront, and four existing exit/entry ramps in the vicinity of the Plaza, as well as new signing in the vicinity of and within the Plaza to better direct vehicles to the appropriate ramps and routes.

  Porter Avenue would be modified to include a roundabout or signalized intersection at 4th Street and the existing Ramp P and the proposed Ramp PN. Modifications along Porter Avenue would also include removal and replacement of the bridge over I-190 to optimize the traffic flow to the Plaza from I-190 northbound and allow for the construction of a new shared-use path along Porter Avenue to connect Front Park to LaSalle Park and the Niagara River waterfront.

  The Shoreline Trail (Riverwalk) crossing over the CSX railroad would be relocated along a new alignment north of its existing location to accommodate construction of the new Ramp D. A new structure would be constructed over I-190 and the CSX railroad, and the realigned Shoreline Trail would then turn south along the Black Rock Canal. The new trail segment would extend directly along the waterfront before connecting to the existing Shoreline Trail south of its existing underpass beneath I-190.

2 Update of Previously Inventoried Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring

DOT Program Year 2013-2014

Update of Previously Inventoried Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring

PIN 5760.80.101

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
City of Buffalo
Erie County, New York

RAS 45(13)

by
Nathan Montague, MA,
and
Douglas J. Perrelli, Ph. D., RPA

Douglas J. Perrelli, Ph. D., RPA
Principal Investigator

Reports of the Archaeological Survey, Volume 45, Number 13
Department of Anthropology, State University of New York at Buffalo

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Prepared for:
New York State Museum
New York State Department of Transportation
Federal Highway Administration

MANAGEMENT SUMMARY

DOT PIN: 5760.80.101

Project Type: The Federal Highway Administration and New York State Department of Transportation are proposing an access improvement project to reduce the use of local streets by interstate traffic and provide access to the existing US Peace Bridge Plaza at its current location.

Cultural Resource Survey Type: Update information on previously identified historic properties within the preliminary Area of Potential Effect (APE) and provide an assessment of archaeological sensitivity.

Location:
Location: City of Buffalo
Minor Civil Division (MCD): 02940
County: Erie County, New York

Survey Area: 23.0 ha (57 ac)

USGS 7.5 Minute Quadrangles: Buffalo, NW, N. Y.-Ont.

Sensitivity Assessments:

Prehistoric: Background research suggests that the project area has a high prehistoric sensitivity for all site types. A range of previously recorded archaeological sites exist nearby. There is a bluff and terrace within the project area, an uncommon topographic feature within the relatively level lake plain. Historic and modern land use have likey had a negative impact on archaeological sensitivity, however previously unrecorded sites have been identified in nearby settings that are also heavily urbanized (Shmookler et al. 2007: 7-4).

Historic: The historic sensitivity is high in the vicinity of the APE, especially in areas around Map Documented Structure (MDS) locations and buildings more than fifty years old. Development beginning in the early nineteenth century and continuing today has likely impacted much of the APE but it is possible that historic sites may be present below fill and modern construction. Historic photos, documents, and maps help to identify transportation, military, residential, industrial, and commercial buildings and structures that were situated in or adjacent to the APE. Deeply buried deposits may include evidence from the basements of buildings, refuse pits, sheet and pit middens, and other special purpose agricultural and commercial structures and features. If present, intact archaeological deposits from these contexts have the potential to provide a rich, varied record of the growth and development of the project area through time. However, the integrity of any potential archaeological sites is unknown at this time.

Testing Recommendations: Given the level of prior disturbance, the impervious nature of the APE for direct effects, and depths of proposed impacts, archaeological field methods are limited to construction monitoring. Archaeological monitoring during construction is recommended within the APE for direct effects in proximity to MDS locations and where deep excavations will occur. Special attentions should be paid to two areas of high historic archaeological potential. One involves the north end of the direct APE and represents a cluster of MDS along Sheridan Terrace including a former cemetery associated with Fort Porter. The other is at the extreme southwest corner of the APE and represents the closest proximity of the Erie Canal to the direct APE (Figure 14).

Previously Identified Historic Properties within the Project APE:
Properties Listed in the National Register of Historic Places: Front Park and Porter Avenue
Properties Determined Eligible for Listing in the National Register of Historic Places: 18 contributing resources within the Prospect Hill Historic District

Report Authors: Nathan Montague, M. A., and Douglas J. Perrelli, Ph. D., RPA, UB Archaeological Survey

Date of Report: July 2013

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INTRODUCTION

In June 2013, the Archaeological Survey, State University of New York at Buffalo, conducted a cultural resources survey for PIN 5760.80.101, NY Gateway Connections Improvement Project to the US Peace Bridge Plaza. This survey identifies historic properties within the Project's Area of Potential Effect (APE), including updated information for previously evaluated architectural resources, and provides an assessment of archaeological sensitivity for the APE associated with direct effects. This report (*Reports of the Archaeological Survey* Vol. 45, No. 13) presents the results of this study along with a proposal for archaeological monitoring.

These investigations were conducted by the Archaeological Survey on behalf of the New York State Museum (NYSM) / State Education Department (SED) under the SED's memorandum of agreement with the NYSDOT. All aspects of this study conform to the SED's Work Scope Specifications for Cultural Resource Investigations (2004) and the New York Archaeological Council's (NYAC) Standards for Cultural Resource Investigations (1994).

Project Description

The New York Gateway Connections Improvement Project to the US Peace Bridge Plaza project is a federal-aid transporation project subject to review under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800. The project proposes to provide improved access to and from the US Border Port of Entry/Peace Bridge Plaza, in the City of Buffalo. Alternatives include: 1) the no-build alternative; and 2) An alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive, and to provide alternate access from Porter Avenue to the Plaza. FHWA, in coordination with NYSDOT and in consultation with NYSDOT, has defined an Area of Potential Effects (APE) based on a proposed scope of work that includes:

- A direct connection from the U.S. Peace Bridge Plaza to the northbound Thruway I-190;
- A new access point to the Peace Bridge from the City of Buffalo via Porter Avenue; and
- The removal of Baird Drive from Front Park.

Project Location

The Project is located in the City of Buffalo (MCD 02940), Erie County, New York (Figure 1). Figure 2 shows the APE on the 1965 *Buffalo, N.Y.-Ont.* USGS 7.5 Minute Series Quadrangle. Photos 1-14 provide representative views of the APE. The photos depict conditions at the time of field visits in April, 2013.

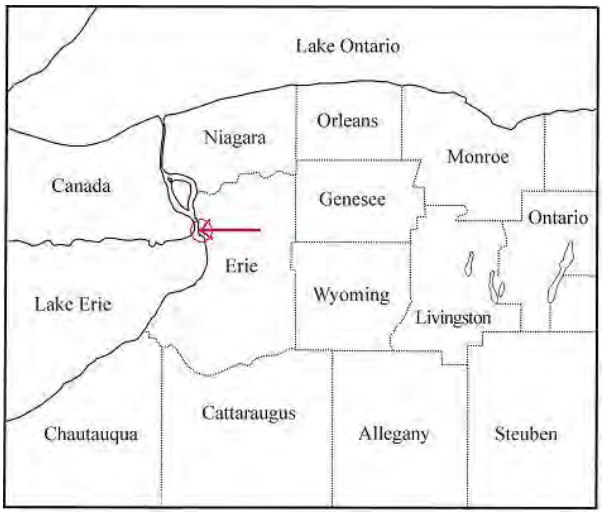


Figure 1. General location of the Project in western New York State.

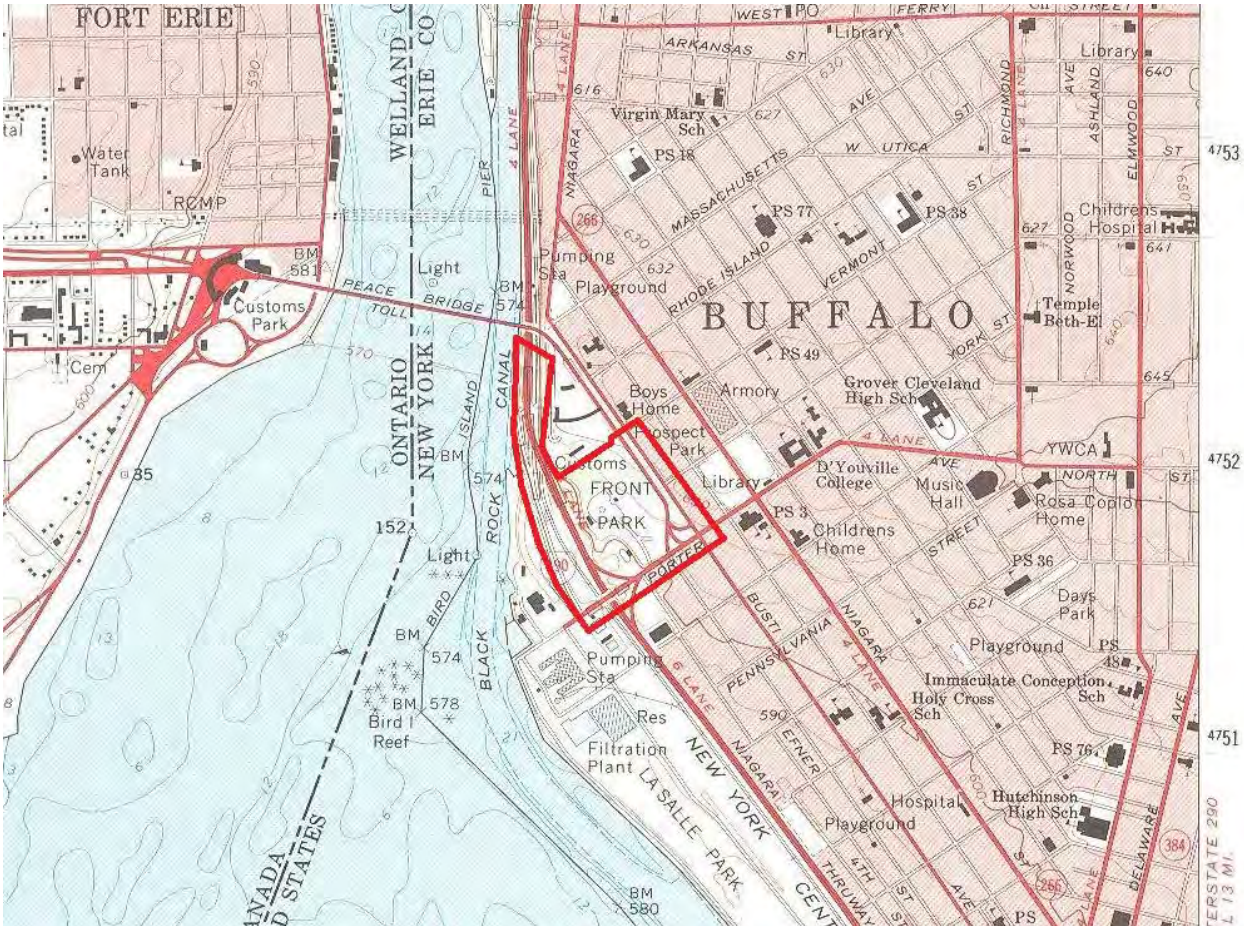


Figure 2. Location of the Project APE (outlined in red) on the 1965 *Buffalo, NW, N.Y. -Ont.* USGS 7.5 Minute Quadrangle.

Photo 1. Bird's Eye View of the APE, facing northeast. The NRL Front Park lies in the center of the image and the NRL Porter Avenue crosses the image from the bottom left to upper right corner of the image (90NR01217). The National Register Eligible Prospect Hill Historic District lies in the upper portion of the image.

Photo 2. Bird's Eye View of the APE, facing north. The northern portion of the project area is shown.

Photo 3. Bird's Eye View of the APE, facing northeast. Map Documented Structures (MDS) relating to Fort Porter are located in the upper left corner of the image and in the lower right portion of the image, under the ramp.

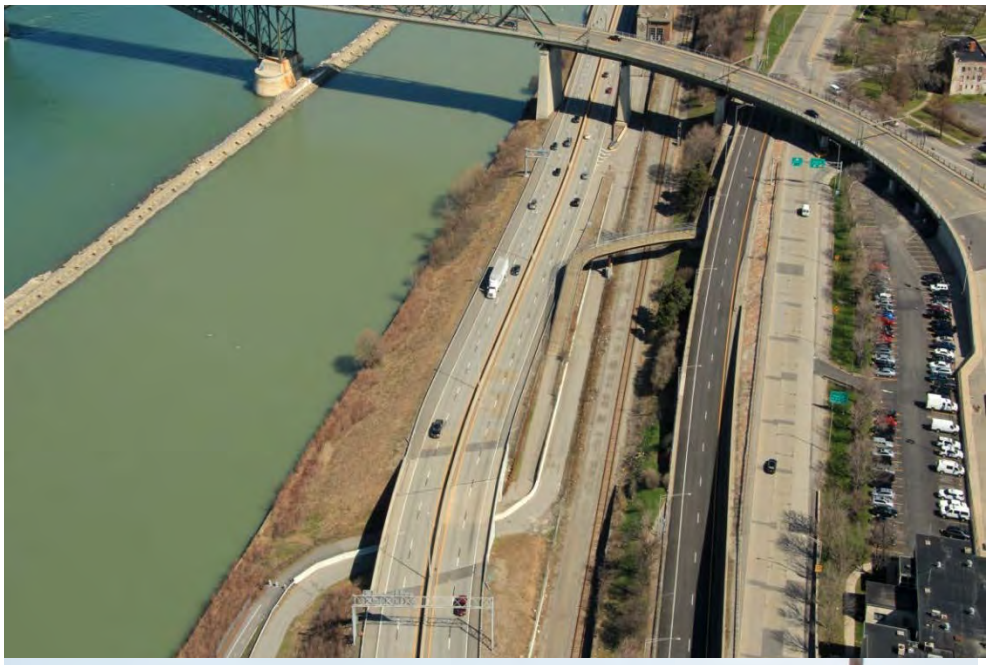


Photo 4. Bird's Eye View of the APE, facing north. The project area's northern limit extends to just south of the Peace Bridge.

Photo 5. View of the APE at the southwestern end, facing northeast. The Porter Avenue bridge (BIN 5512560) over I-190 is to the right and the National Register Listed (NRL) Front Park is in the background (90NR01217). Looking towards the location of a potential new ramp to the Peace Bridge from the NRL Porter Avenue.

Photo 6. View of the APE at the southwestern end, facing east. The Porter Avenue bridge (BIN 5512560) over I-190 is in the foreground, the NRL Porter Avenue is in the background and the NRL Front Park in the background to the left (90NR01217).

Photo 7. View of the APE at the southwestern end, from the south side of Porter Avenue, facing northeast. The NRL Porter Avenue is in far background.

Photo 8. View of the APE, facing north towards proposed Porter Avenue access point to the Peace Bridge.

Photo 9. View of the southeast section of the APE, looking west on Porter Avenue. Busti Avenue is in the foreground, and the NRL Front Park is to the right.

Photo 10. View of the southeast corner of the APE, facing north. The NRL Porter Avenue is in the foreground and Busti Avenue is situated between the NRL Front Park to the left and the National Register Eligible Prospect Hill Historic District to the right.

Photo 11. View of the southern half of the APE, facing south along Baird Drive in Front Park. Baird Drive was built through the NRL Front Park in the 1920s. The alignment of Baird Drive lies within the APE for direct effects.

Photo 12. View within Front Park at the center of the APE, facing northwest. Baird Drive is in the foreground. Peace Bridge Plaza buildings lie in the background, outside the APE. The alignment of Baird Drive lies within the APE for direct effects.

Photo 13. View of the APE from near 637 Busti Avenue, facing north. Photo illustrates the relationship between Baird Drive in Front Park, to the left, and Busti Avenue, to the right.

Photo 14. View of the APE from the northwest end, facing south. The railroad tracks and Sheridan Terrace (left) lie within the APE for direct effects. A proposed new ramp would carry traffic from the plaza (left) to the northbound I-190 (right).

BACKGROUND RESEARCH

Environmental Setting

Topography. The preliminary Area of Potential Effect (APE) for direct effects lies within the Erie-Ontario Lake Plain physiographic province, a region with relatively few prominent topographic features (Owens et al 1986: 2-4). The surrounding landscape represents a former lake bottom created by the glacial precursors to the present day Lake Erie. Most of the APE for direct effects lies on level terrain adjacent to the Niagara River. Portions of the APE for direct effects, especially in the southern half of the APE for direct effects, are situated on a steep bluff. Two hundered years of development in this part of Buffalo has erased most of the small-scale topographic features in the area. The extent to which they might remain intact below recent soils is unknown.

Bedrock. The underlying bedrock consists of Onondaga Limestone (Buehler and Tesmer 1963: 7-8). Some formations within the limestone bedrock contain chert nodules widely utilized by prehistoric peoples of this region as a lithic source material. Although soils in the APE have not been mapped in detail, elsewhere on the lake plain bedrock typically occurs at depths of greater than 1.5 m (5 ft). It is likely that bedrock lies deeply buried below glacial and lacustrine sediments (Owens et al 1986: 8). Some surface exposures exist, especially along the railroad tracks near the Peace Bridge. Most, if not all, of these exposures are the result of historic quarrying and construction of the railroad bed in the 19th century. It is known that quarrying of limestone occurred in the vicinity of the project area during the 1840s for Fort Porter buildings. The quarry was located just west of the concourse in Front Park (Pierce 1996).

Soils. Two soil types are found in the APE for direct effects: Urban Land (Ud) and Urban Land-Collamer Complex (UmA) (Owens et al. 1986: Plate 35). Most of the area is classified as Urban Land (Ud). Urban land includes settings where 80% or more of the ground surface is covered by impervious structures such as roads, asphalt, concrete and buildings (Ibid. p. 133). Consequently, the nature of the soils underlying the area are difficult to determine without field testing.

Urban Land-Collamer Complex soils (UmA) are "...about 60 percent Urban land that is mostly covered by concrete asphalt, buildings, or other impervious surfaces; about 30 percent undisturbed Collamer soils; and 10 percent other soils. Urban land and Collamer soils occur together in such an intricate pattern that it was not practical to separate them in mapping" (Owens, et al. 1986: 140). The Collamer portion of the complex is typically located on elevated benches on the lowland lake plain, having formed in glacial lake deposits with high silt content.

Vegetation. A beech-maple biome would have dominated the somewhat poorly drained areas on the Erie Lake Plain with oak, chestnut, ash and pine found in greater numbers in well drained settings (Miller 1973: 15). Anyone viewing the area in the early nineteenth century would have encountered a beach, a sandy bluff, and a meadow on the bluff (Shmookler et al. 2007: 5-4, 5-7; Pierce 1996).

Drainage. The area lies adjacent to the Niagara River as it exits from Lake Erie. The only known stream or naturally occurring water source other than the adjacent river that existed within this now heavily urbanized area appears in Figure 3 and represents a small tributary with a dendritic pattern draining areas to the southeast and flowing through the project area. Whether it or other undocumented streams remain intact below fill soil levels is unknown. The presence of this stream in proximity to the Lake Erie shoreline, and cross-cutting bluffs and lowland areas suggests the locale would be highly suitable for prehistoric land use and habitation.

Current Land Use. The Project lies within a heavily urbanized setting with the earliest recorded development occurring at the end of the 18th century near the current location of the Peace Bridge. The former alignment of the Erie Canal, completed in 1825 and subsequently enlarged and modified numerous times in the 19th century, is located outside the APE for direct effects. The Canal was abandoned and then filled and paved over in the 1950s during the construction of the New York State Thruway. A large portion of the APE for direct effects is situated on a bluff that was modified by the construction of Fort Porter in the middle of the 19th century, and by railroad bed realignment and landscaping in the second half of the 19th century. The entire western portion of the APE is covered by the I-190 highway and its associated ramps, a railroad bed, and Sheridan Terrace, located immediately west of the Peace Bridge Plaza.

Disturbances. Disturbances associated with construction, renovation, landscaping, and modernization over the past 200 years have likely resulted in a complex soil stratigraphy reflecting the varied uses of the project area. Fill soils, especially within the alignment of structures related to the I-190 highway, are almost certainly present.

Expected Depth of Cultural Deposits. Despite the extensive disturbances in the APE, deeply buried deposits with archaeological potential could exist below surface layers lacking such material. The alignment of the former Erie Canal lies adjacent to the APE for direct effects and its dredgings may have been redeposited in other portions of the APE (Figures 11-14). Cultural material might be recovered through hand excavations in some areas, but it seems more likely that significant archaeological deposits will be chance discoveries at great depths below the present ground surface during construction monitoring. Cultural material could be found up to five meters (16 ft) deep in the area of Fort Porter, or in deep basements that may be associated with Map Documented Structure (MDS) locations.

Throughout the APE for direct effects, deep fill and some natural deposits are documented by soil borings to depths between 7.5-15 m (25-50 ft) below ground surface (Figure 10, Table 3). Soil Boring information is derived from State of New York Department of Transportation Geotechnical Engineering Bureau Subsurface Exploration Logs from the Busti Avenue and Peace Bridge Connection to the New York Thruway project. Borings were conducted from 1965 to 1969 (New York Department of Transportation Geotechnical Engineering Bureau 1965-1969).

Site File Search

A search was conducted to identify the locations of previously recorded archaeological sites within a 3.2 km (2 mi) radius of the APE. Site files were examined at the Office of Parks, Recreation and Historic Preservation (OPRHP) (Appendix C) and the SUNY Buffalo (UB) Archaeological Survey. The file search includes prehistoric site locations documented by early investigators of the region (Beauchamp 1900, Houghton 1909, Parker 1922). The file search identified 71 sites; 12 prehistoric, 56 historic sites, and three sites with both prehistoric and historic components in the two mile radius around the APE. The site types and locations are considered in the prehistoric and historic context sections of this report and are used to develop sensitivity estimates. Sites identified by the file search are summarized in Table 1.

The site files were also examined for the locations and results of archaeological and architectural investigations previously conducted in or near the APE (Appendix C). Twenty-three studies were noted that identified many of the prehistoric and historic archaeological sites noted above. No sites were found.

No previously-documented National Register Listed (NRL) or Eligible (NRE) archaeological sites are located within the APE for direct effects.

Prehistoric Context

Settlement Patterns. A detailed prehistoric context and sensitivity is contained in the Phase 1A report written for the Peace Bridge Expansion project by Ecology and Environment, Inc. (Shmookler et al. 2007: 7-1). The results of the site file search for this narrower scope revealed that 12 prehistoric sites and three prehistoric sites with historic components have been previously recorded within a 3.2 km (2 mi) radius of the APE (Table 1). Two of the sites are located in proximity to the APE for direct effects - the Fort Porter site identified by A. L. Benedict (UB 169) and a large, amorphous Parker (1922) site (ACP ERIE-6B). The Fort Porter site is described as 1000 ft from the APE but the site location is unclear and referenced specifically to Fort Porter so it is considered in proximity to the APE.

Several sites were recorded in this part of western New York by early investigators of the region including Arthur C. Parker (1922). One of Parker's sites is described as a collection of unidentified prehistoric workshops contained within a large area along the Niagara River (NYSM 8584). Portions of the site may be within the APE, but the description is too vague to accurately locate it on a map. The Fort Porter Site was described by A.L. Benedict as a prehistoric camp of undetermined age and cultural affiliation (A02940.000123, UB 169, Fort Porter,

Buffalo F) yielding celts, a gorget and notched points suggesting a pre-Iroquoian occupation of some duration and magnitude. The location was said to be in a triangular field east of the parade ground, a location too vague to place on our maps.

Most of the sites have an unknown cultural affiliation, were identified recently by cultural resource studies, and have not been examined in detail or lack documentation (Table 1). Sites yielding temporally diagnostic information tend to be multicomponent sites, often containing evidence of Late Archaic through the Late Woodland periods. Site types recorded within a two mile radius of the project area include lithic scatters, quarries, worshops, camps, villages, and burials.

A large portion of the known sites occur near the Niagara River, a major topographic feature that lies adjacent to and outside the APE. Other sites are situated near tributaries of the Niagara River. Because of the heavily urbanized nature of the APE, it is not possible to identify all of the micro-environmental features such as streams or knolls with which sites may have been associated. One exception is a stream that was depicted on an 1829 historic map flowing through the APE and into the Niagara River (Figure 3). The bluff and terrace within the APE, relatively near the Niagara River, greatly enhances the prehistoric sensitivity of the APE.

A number of historic and pre-contact sites have been identified in the urban setting of downtown Buffalo, New York, buried deeply below fill soils. Several pre-contact sites have been found where deep trenching for building and infrastructure construction reached intact natural soil horizons.

Table 1. Summary of Previously Recorded Archaeological Sites within a 3.2 km (2 mi) Radius of the PIN 5760.80.101 APE. Sites Located in Proximity to the APE are Highlighted in Yellow.

Site #/ Site Name	Distance from APE / Distance from water / slope	Cultural Affiliation/Dates/ Type	Reference
NYSM 8584 ACP ERIE-6B	Portions may be within PA/ Lg general area east side Niagara River /flat-moderate	Unidentified prehistoric Workshops (many open air workshops)	Documented by Parker
NYSM 3181 ACP ERIE-12	1.1 km (3,600 ft) SE/1158 m (3800 ft) E Niagara River/flat-gentle	Unidentified prehistoric Camp	Documented by Parker
NYSM 3253 ACP ERIE	1.6 km (1 mi) SE/91 m (300 ft) E Niagara River/ flat	Unidentified prehistoric Traces of occupation	Documented by Parker
A02940.000123 UB 168; Buffalo E Site	2.7 km (1.7 mi) S/500 m (1640 ft)/flat-gentle	Early and Late Woodland	Stage IA Kelly Island Sewer 1977
A02940.023479 Washington St. Sites Loci 1-3	2.7 km (1.7 mi) S/500 m (1640 ft)/flat-gentle	1851-1914 Fragmented limestone wall	OPR Report #613; 98PR0936
A02940.023694 44-50 Commercial Street	2.7 km (1.7 mi) S/250 m (820 ft)/flat-gentle	19th century and unidentified prehistoric Stone foundation and deposits Stray prehistoric	OPR Report #827
A02940.004623 Erie Canal-Grand Canal Prime Slip & Commercial Slip Areas Site	2.7 km (1.7 mi) S/250 m (820 ft)/flat	19th century – 20th century Remains of canal associated with locks and other features	Stage IA/B Kelly Island Sanitary Sewer C-36-1070, 1977 OPR Report #531; 03PR0188
A02940.023625 Buffalo Lighthouse Site	2.7 km (1.7 mi) S/adjacent Buffalo River/flat	c. 1798 Lighthouse	OPR Report #794
A02940.023356 Wilcox Museum Well at Theodore Roosevelt NRS	2.1 km (1.3 mi) E/2.4 km (1.5 mi) E Lake Erie / 198 m (650 ft); flat	19th-20th century Extant well and foundation	Dean and Barbor 6/98
A02940.023708 UB 3747 Roosevelt NHS	2.1 km (1.3 mi) E/2.4 km (1.5 mi) E Lake Erie / 198 m (650 ft); flat	Early Woodland (Meadowood) lithic scatter. c. 1838 Foundation w/ various uses, first as barracks. For 04PR2076 –building & foundation	OPR Report #853 02PR2076 and 04PR2076
A02940.000015 UB 1682	2.5 km (1.5 mi) E/2.7 km (1.7 mi) E Niagara River/gentle-moderate	19th century Log pavement	Buffalo Plank Road documentation 8/80
A02940.023493 Site 8	2.6 km (1.6 mi) E/1.6 km (1 mi) E Lake Erie/flat	Late 19th-early 20th century Round brick drain, 40 cm wide x 75 cm long	OPR Report #628, 99PR4041
A02940.023494 Site 11	2.6 km (1.6 mi) E/1.6 km (1 mi) E Lake Erie/flat	Unidentified prehistoric and Euroamerican Scatter and historic stray finds	"
A02940.023495 Site 10	2.6 km (1.6 mi) E/1.6 km (1 mi) E Lake Erie/flat	mid-late 19th century Yellow mortared brick drain	"
A02940.023440	2.9 km (1.8 mi) S/1.3 km (.8 mi) E Lake	Early-mid 19th century Freight house and	OPR Report #553

Carroll Street Freight House	Erie/flat	railroad remains	99PR0122
Site #/ Site Name	**Distance from APE / Distance from water / slope**	**Cultural Affiliation/Dates/ Type**	**Reference**
A02940.023490; Site 5	2.9 km (1.8 mi) S/1.3 km (.8 mi) E Lake Erie/flat	Early-mid 19th century Midden capped with layer wood particle 20 cm thick & 335 cm long	OPR Report #628, 99PR4041
A02940.023492; Site 7	2.9 km (1.8 mi) S/1.3 km (.8 mi) E Lake Erie/flat	mid 19th century Architectural element of rough cut mortared stone	"
A02940.023498 Site 13	2.9 km (1.8 mi) S/1.3 km (.8 mi) E Lake Erie/flat	mid-late 19th century Organic stain with artifacts	"
UB 2795	2.4 km (1.5 mi) S/.6 km (.4 mi) E Lake Erie/flat	Circa 1800-1825 cemetery & human burial	UB
UB 1716-1757, UB 1759	2.4 km (1.5 mi) E/1.9 km (1.2 mi) E Lake Erie/flat-gentle	43 Historic Sites, Historic (c1915) Euroamerican house foundations	UB
UB 3084, Jubilee Spring	3.2 km (2 mi) NE/2.9 km (1.8 mi) E Niagara River/flat	Historic construction debris	UB
A02940.000128, UB 281 Squaw Island Site	3.2 km (2 mi) N/Adjacent to Niagara River/flat	Unidentified Prehistoric	UB
UB 760	2.8 km (1.7 mi) W/Adjacent Niagara River/flat	Multicomponent Prehistoric camp	UB
A02940.000123, UB 169, Fort Porter, Buffalo F	0.3 km (1000 ft) SW/adjacent Niagara River/flat	Unidentified Prehistoric camp	UB
UB 4107	2 km (1.3 mi) SE/1 km (.7 mi) NE Lake Erie/flat	Unidentifed Prehistoric lithic scatter and historic scatter	UB
Peace Bridge Site (AfGr-9), UB 719	1.6 km (1 mi) W/Adjacent to Niagara River/flat	Multi-component Late Archaic to Late Woodland	Williamson, Cooper, and Robertson, 1997
Orchid Site (AfGr-1)	1.6 km (1 mi) W/Adjacent to Niagara River/flat	Orchid Unit A: Late Woodland Ossuary Orchid Unit B: Middle Archaic, Late Archaic, Early Woodland, Late Woodland sheet midden, burials, features	Williamson, Cooper, and Robertson, 1997
Surma Site (AfGr-2)	1.6 km (1 mi) W/Adjacent to Niagara River/flat	Late Archaic, Transitional Woodland cemetery, lithics, ceramics	Williamson, Cooper, and Robertson, 1997
Walnut Site (AfGr-7)	1.6 km (1 mi) W/Adjacent to Niagara River/flat	Late Archaic, Early Woodland, Transitional Woodland, and Late Woodland sheet midden with lithics and ceramics, several burials	Williamson, Cooper, and Robertson, 1997

Key: NYSM – New York State Museum
OPR – Office of Parks Recreation and Historic Preservation, Field Services Bureau
UB – SUNY Buffalo, Archaeological Survey
ACP – AC Parker, Archaeological History of New York (1920)
UP – Unidentified Prehistoric

Historic Context

This section of the report discusses the results of the site file search for previously recorded historic archaeological sites located in and near the APE. This section also discusses prior development in and near the APE as documented on historic maps and in other archival sources. A search of the OPRHP and SUNY Buffalo site files revealed 56 historic sites, and three sites with both prehistoric and historic components, recorded within a 3.2 km (2 mi) radius of the APE for direct effects (Table 1). None of the sites lie within the APE for direct effects. Most of the sites have yielded evidence of mid-to-late 19th century architectural materials, foundations, and domestic refuse. A detailed historic context and sensitivity is contained in the Phase 1A report written for the Peace Bridge Expansion project by Ecology and Environment, Inc. (Shmookler et al. 2007).

Before the middle of the 19th century, the APE contained steep-sided ravines cut into a sandy bluff above a narrow sandy beach. Over time these features were filled in or leveled. The black limestone that gave the Village of Black Rock its name was a triangular outcropping that jutted about 300 feet into the river. It was located just north of the APE, north of the Peace Bridge. It had a level surface about four feet above the fast Niagara River and offered a natural harbor and eddy. The rock was a popular fishing location for Native Americans before Euro-American settlement of the region (Smith, Vol 1. 1884: 23; Smith, Vol 2. 1884: 54; Shmookler et al. 2007: 5-4, 5-7; Pierce 1996).

The first Europeans to set foot in the area were probably the men associated with the construction and launching of the Griffon, a small French sailing ship financed by LaSalle in 1679. For a short period of time it was anchored in the Niagara River, at a spot just north of the Peace Bridge, and may have been protected by the "black rock" outcropping although other sources describe the Griffon as having been at anchor at Squaw Island, located about one mile north of the project area (Spear 1977: 9; Bingham 1931).

The British began building sailing vessels on the Niagara River about one hundred years later, foreshadowing one of the important early industries in Black Rock (Spear 1977: 9). The neighborhood was the scene of a skirmish between British soldiers and French-allied Seneca warriors in 1763, during the French and Indian War. Between 1784 and 1797 a number of treaties were signed by the Seneca and the United States that caused the removal of the Senecas from most of Western New York, including the four-mile strip of land within which lies the APE. This was also the period of time when a ferry was established at the "black rock" to transport people and goods across the river (Shmookler et al. 2007: 5-2, 3, 4).

Except for the area around the Black Rock Ferry, the APE for direct effects remained largely untouched before 1801 when farm lots were surveyed and a triangular plot was set aside for the United States military. The area between the military lot and the Village of New Amsterdam (Buffalo) was set aside for the Village of Black Rock. Ship building was an important industry in the area and the village developed quickly into a trading and transportation hub for the region. By 1805, it contained a tavern, ferry station, warehouse, and a general store (Shmookler et al. 2007: 5-4).

During the War of 1812 development in the area was halted except for the construction of small fortifications, several of which were probably in the general vicinity of the project area. These consisted mainly of earthworks and small, hastily constructed wooden buildings. Over the course of the war, British and American artillery exchanged fire across the river and battles were fought in the area because the "black rock" was strategically important for loading and unloading boats. Most of the buildings near the "black rock" were destroyed during the war (Shmookler et al. 2007: 5-12, 13).

The Village of Black Rock initially recovered faster than Buffalo after the War of 1812 because of its natural harbor at the "black rock". But when Buffalo was chosen for the terminus of the Erie Canal, Black Rock's fate was fairly sealed. In 1825 the "black rock" was removed during the construction of the canal, the ferry operation was moved north in the next year, and the village's development slowed as canal boats were towed past the area to be unloaded at Buffalo. Some important businesses in Black Rock moved south to Buffalo while others moved north to take advantage of the water power generated by a lock just north of Scajaquada Creek (Shmookler et al. 2007: 5-13, 17, 22).

Improvements made in the area in the first half of the nineteenth century were associated with the construction and enlargement of the Erie Canal, two railroad lines, and the construction of Fort Porter. The section of the Erie Canal adjacent to the APE was constructed in 1825. Its original dimensions included a surface width of 40 feet along most of its length. Due to increased traffic, the canal was enlarged between 1836 and 1862 to a width of 70 feet at the surface.

The Buffalo and Black Rock Railroad was constructed along the beach between the Village of Buffalo and the Black Rock ferry station, at the foot of the current Ferry Street, north of the APE. It was Buffalo's first railroad and began operating in 1834. A horse-drawn railcar was pulled along a three mile long railroad consisting of four-inch thick wood rails covered with a thin strip of iron (Shmookler et al. 2007: 5-19). The New York Central Railroad took over the Buffalo and Black Rock Railroad tracks in the 1850s. The tracks were moved from the east side of the canal to the west side and a bridge was built over the Erie Canal near Fort Porter. North of Vermont Street, the railroad line was moved further inland, a project that probably involved removal of some of the bluff within the APE for direct effects (Shmookler et al. 2007: 5-20).

Construction for a permanent fort took place between 1843 and 1847. Additional land was purchased from private citizens, including the home and stable of Colonel James McKay. The Fort Porter grounds were contained within an area of 28.5 acres, some of which is now within the APE for direct effects (Pierce 1996: 5-6).

Buffalo was incorporated as a city in 1832 and grew at a phenomenal rate because of the canal terminus and the contruction of major railroads through the city. The Village of Black Rock became the Town of Black Rock in the same year and developed slowly as business and commerce gravitated to the south at Buffalo and to the north at the Lower Black Rock canal lock and Scajaquada Creek area. Black Rock was eventually absorbed into the City of Buffalo in 1853 (Spear 1977: 12-21). The extensive grounds belonging to Fort Porter, especially to the south of the fort buildings, soon became a popular make-shift park for citizens of Buffalo and pasture for local farm animals (Pierce 1996: 5-15, 5-16, 26, 32).

In 1868, Frederick Law Olmsted brought his idea for an integrated system of parks, residential development, and parkways to the city of Buffalo. Land for Front Park was purchased in 1868 and construction began in 1871. Front Park was substantially complete and opened to the public by the mid 1870s (Shmookler et al. 2007: 5-31). By 1881, Front Park was the most heavily used park in the whole system, averaging 5,000 visitors on a good summer day. The most popular spot was at the crest of the bluff (Reports of the Park Commissioners 1881: 68).

The second half of the nineteenth century and the first half of the twentieth century saw Buffalo continue to grow out toward its city limits. Improvements and expansions of utilities like sewers, streets, and gas lines, and the introduction of streetcar lines allowed citizens to move farther away from the city center. Residential, commercial, and industrial buildings followed the construction of the parks, streetcar lines, and utilities. The second enlargement of the Erie Canal took place between 1896 and 1898. The section of canal adjacent to the APE for direct effects was abandoned by 1918 upon completion of the New York State Barge Canal, which terminated in Tonawanda, New York (Shmookler et al. 2007: 5-20, 21).

In 1879, the United States government gave the city permission to improve the grounds around the fort. Landscaping, including the construction of drives and foot pathes, altered the grounds around the fort. By 1885 part of the fort wall was demolished for a park drive along the bluff. Between 1887 and 1888, every building, including the blockhouse, was dismantled or demolished and the earthworks were filled in or leveled. By 1888, the fort had new red brick barracks, offices, a bakery, a magazine, and three two-story frame officers' barracks among other utility buildings.

The fort underwent another expansion in 1897, with the addition of new barracks and stables. The triangle of land containing the fort held an expansive lawn with many fine brick and frame buildings. The physical appearance of the fort grounds and buildings remained largely unchanged until 1925 when the property was sold for the construction of the Peace Bridge. Over the years, the Peace Bridge Plaza has taken over the grounds of Fort Porter and no structures or landscape elements of the fort remain.

Efforts to build a permanent bridge over the Niagara River between the United States and Canada began in the middle of the 19th century. The International Railroad Bridge was constructed in 1873, north of the APE. It did not

provide for pedestrians or non-railroad vehicular traffic. The only other conveyance across the river above the falls was the ferry based on the American side at Black Rock, and it was considered inadequate after the turn of the twentieth century. Pressure from various business associations on both sides of the river and a desire to build a monument to celebrate 100 years of peace between Canada and the United States finally found success in 1922 and 1923 with the incorporation of the Buffalo and Fort Erie Public Bridge Company by the Canadian and American governments. The ground breaking ceremony for the construction of the Peace Bridge took place on August 17, 1925. On June 1, 1927, the bridge was opened to public traffic (Spear 1977: 1-45).

Baird Drive was built through Front Park in the 1920s to provide access to the Peace Bridge Plaza from Porter Avenue. The Peace Bridge Plaza quickly exceeded its capacity and was enlarged in 1930. Additional truck warehousing and customs buildings were constructed in 1935-36. Between 1952 and 1958, the existing truck warehouse and the administration building were demolished and new ones were built (Cloutier 2007: 82-85). The Peace Bridge and Plaza are located outside the Project APE.

Construction on the New York State Thruway in the vicinity of the project area took place from 1953 to 1956. The portion of the Thruway adjacent to the southern half of the APE for direct effects was built on top of the Erie Canal bed. In 1960, new Porter Avenue ramps gave motorists access to the bridge from the thruway. Further alterations to Front Park occurred in 1971 and 1991 when ramps were constructed connecting the plaza to the thruway (Spear 1977: 90; Pierce 1996: 6-35).

Buffalo's population peaked in the 1950s and began a steady decline as large companies started leaving the area. War industries scaled back or closed altogether. Small local companies could not compete with national corporations and the opening of the St. Lawrence Seaway allowed shipping to bypass Buffalo. The construction of the interstate highway system and inexpensive Federal new-home loans sparked an exodus from the city. All of these factors contributed to a general decline in the area (Shmookler et al. 2007: 5-39).

Historic Map Analysis. Historic maps were examined for evidence of previous development in the Area of Potential Effect (APE) for direct effects, including early road alignments and other indications of historic activity. Map Documented Structures are plotted on Figure 10 and listed in Table 2. Map Documented Structures (MDS) are locations of archaeological sensitivity associated with structures that appear on historic maps and are no longer standing. MDS locations indicate a potential for archaeological resources, but are not identified as sites until the presence of cultural materials is confirmed through subsurface investigations.

The following maps were examined: 1829 *Map of a Part of the Niagara River and Plan of the Proposed Harbour at Black Rock* (Figure 3), 1836 *Map of the Village of Black Rock, Erie County* (Figure 4), 1866 *New Topographical Atlas of Erie County, N.Y.* (Figure 5), 1872 *Atlas of the City of Buffalo* (Figure 6), 1894 *Atlas of the City of Buffalo, Erie County, New York* (Figure 7), 1925 *Fire Insurance Map of Buffalo, New York* (Figure 8), and 1951 *Fire Insurance Map of Buffalo, New York* (Figure 9).

The 1829 map does not show any buildings or structures (MDS locations) within the APE for direct effects (Figure 3). The map is useful in showing the location of the Erie Canal, Bird Island Pier, the sandy bluff above the Niagara River, and a stream that appears to run from east to west across the APE within the area between the Peace Bridge Plaza and Front Park before emptying into the Niagara River. The stream may have eroded away some of the bluff in that area. The topography is illustrated in Historic Photo 1. The area marked by the stream was used as a quarry for buildings at Fort Porter and as a rifle range. It was filled and leveled during construction of the I-190 highway (Pierce 1996).

The 1836 map shows the locations of two War of 1812 batteries, designated as MDS 24 and MDS 25 (Figure 4). They were described in texts as "light" earthworks for 24-pound guns (Buffalo and Erie County Historical Society 1879:187). "Market Square" is described. It is not clear if it was ever used as such or was noted on the map for future use. Most of the streets shown on the map were likely "paper" roads that had not been built yet. The Erie Canal and the Buffalo and Back Rock Railroads are also depicted on the 1836 map.

The 1866 map depicts "The Keep" (MDS 21) but no other fort buildings (Figure 5). Some development is shown east of the APE for direct effects, in Prospect Hill, and along York Street (Porter Avenue). No MDS locations appear to lie within the APE for direct effects. At this time, the fort grounds and the area along the bluff

that would become Front Park was used by Buffalo's and Black Rock's residents as an informal park. Tracks belonging to the New York Central Railroad are also depicted within the APE for direct effects.

The 1872 map is highly-detailed and depicts the boundaries between Front Park, Fort Porter, and the residential neighborhood that is growing to the east of the APE for direct effects (Figure 6). It also shows the early roads and pathes through the park and fort grounds. MDS 21 and several fort buildings along the bluff lie within the APE for direct effects. The map shows the bluff before Sheridan Terrace was constructed and before extensive filling and leveling occurred at Fort Porter and Front Park. The fort cemetery does not appear on the 1872 map but was described in historic texts so it was given an MDS designation (MDS 23). The first interment was in 1867 and by 1878 there were 16 burials, all at the "north corner of the ground" (Buffalo Historical Society 1879:70).

The 1894 map depicts Fort Porter after extensive rebuilding, including changes to building locations. Stables and associated buildings lie in the cut of the bluff in the location of the quarry and rifle range (MDS 5-8). The Keep (MDS 21) was demolished and the moat around it was filled in by the 1890s in order to construct Sheridan Terrace. In 1894 several wood fram buildings (MDS 16, 17, 18) stood along the new Sheridan Terrace in the area of the War of 1812 battery (MDS 25) and the fort cemetery (MDS 23). The Fort Porter Cemetery contained about 35 burials when it was removed to Forest Lawn Cemetery in Buffalo in 1882 (United States 1882:265).

The 1925 Sanborn Map (Figure 8) depicts the APE for direct effects as largely unchanged except for the addition of new buildings along Sheridan Terrace (MDS 1, 3, 9-15).

The 1951 Sanborn Map (Figure 9) depicts several changes in the APE for direct effects as a result of the official closing of Fort Porter in 1926 and the construction of the Peace Bridge in 1925-1927 (Pierce 1996). Almost all of the former Fort Porter buildings were gone because of the expansion of Peace Bridge facilities, starting in 1930. In 1951, the Buffalo Mounted Police were still using the old fort stable (MDS 1). Additional truck warehousing and customs buildings were constructed in the Peace Bridge Plaza in 1935-36. Between 1952 and 1958, the existing truck warehouse and the administration building were demolished and new ones were built (Cloutier 2007:82-85).

Archaeological Implications of Historic Map Analysis. Historic map and textual evidence documents numerous transportation, military, residential, industrial, and commercial buildings and structures that were situated in or adjacent to the APE for direct effects. Archaeological resources that may be present in the APE for direct effects include War of 1812 earthworks and foundations, a parcel of land designated as a market square, Erie Canal-related buildings and structures, houses, coaling sheds, repair facilities, Fort Porter buildings and structures including a quarry, cemetery, stables, barracks, the Keep, and a Buffalo City Water Works building. Much of the archaeological potential of the direct APE appears severely diminished by historic and modern land use practices.

MDSs 24 and 25 are noteworthy as the oldest in the APE depicted on maps and are the only structures other than the Erie Canal shown on the 1836 Lovejoy map. MDS 24 and MDS 25 are described in historic texts and maps as former locations of earthworks associated with War of 1812 batteries. Archaeological potential is likely limited to landscape features representing the earthworks themselves rather than the guns they supported, but military artifacts could be found if intact soils were to be identified.

It is not clear if the Market Square was ever used as such or was noted for possible future use. Archaeological materials related to the functioning of the market square might include personal items, fragments of products for sale, and objects with a functional association with commerce such as coinage or weights and measures. Most of the MDS locations are associated with Fort Porter.

MDSs 5-8 represent a cluster of buildings on the perimeter of Front Park and were associated with the operations of Fort Porter. They include stables and an ammunition house. If located, this cluster of buildings has archaeological significance related to the Fort Porter context and that of Front Park and the development of parklands and neighborhoods of Buffalo's West Side. The buildings are depicted in Historic Photo 1.

MDS 2 and 4 were built after 1925 just west of Ramp B and are listed as the Bureau of Public Engineering, Buffalo Public Works Warehouse (MDS 4) and city water works office (MDS 2) on the 1951 map. Archaeological deposits are unlikely to be National Register eligible due to the recent age of the buildings. Their construction,

history and function are well understood and relatively mundane in terms of functional or architectural significance, and they were recently demolished. Significant deposits might consist of industrial archaeological artifacts and remains such as structural remains and machinery.

MDSs 19 and 20 are a stable and a blacksmith shop that appear on the 1872 map only. Structural remains could be found, if present, as well as related features and artifacts, assuming the presence of some buried but intact soil horizons.

The Fort Porter Burial Ground (MDS 23) was not documented on the 1872 map, but several text sources document the cemetery as being within the northern corner of the fort grounds and on the line of the future Sheridan Terrace (United States 1882:265; Buffalo Historical Society 1879:70). The first interment was in 1867 and by 1878 there were 16 burials, all at the "north corner of the ground" (Buffalo Historical Society 1879:70). The Fort Porter Cemetery contained about 35 burials when it was removed to Forest Lawn Cemetery in Buffalo in 1882 (United States 1882:265). This location, though vague, is recommended for monitoring due to the potential to find unmarked or overlooked human remains in a burial context associated with Fort Porter.

MDSs 1, 3, and 5-18 are locations associated with the late Fort Porter period, circa 1890s to 1925. Most of these represent buildings near or along Sheridan Terrace, a road that appears to be on its original alignment. These former structures lend added historic sensitivity to northern portions of the direct APE. The area is illustrated in Photo 2.

The Keep was the original Fort Porter (MDS 21). It was constructed in the 1840s and demolished by the 1890s to make way for Sheridan Terrace. The life history of The Keep and its degradation through time and eventual demolition are well documented, making it unlikely that intact deposits associated with it will be found. Still, the location is recommended for archaeological monitoring during construction since remains of the Keep, if present, would have the potential to provide information about the history of Fort Porter and 19th century military history. MDS 22 appears to be an outbuilding and is shown on the 1872 map only with no other information.

Table 2. Historic Map/ Map Documented Structure Correlation Chart.
MDS Locations within or adjacent to the APE for direct Effects (see Figure 10).

Map Documented Structure (MDS)	1829	1836	1866	1872	1894	1925	1951
MDS 1	---	---	---	---	---	**Fort Porter Stables, Salvage Shed**	**Troop A, Buffalo Mounted Police "The Corral"**
MDS 2	---	---	---	---	---	---	**City Water Work, Office**
MDS 3	---	---	---	---	---	**Post Garage**	**A(uto) garage**
MDS 4	---	---	---	---	---	---	**DPW Warehouse**
MDS 5	---	---	---	---	**Fort Porter Stables, one story wood frame**	**Fort Porter Stables, salvage shed**	---
MDS 6	---	---	---	---	**Fort Porter Stables, one story wood frame**	**Fort Porter Stables, Stable**	---
MDS 7	---	---	---	---	**Fort Porter Stables, one story wood frame**	**Fort Porter Stables, Barracks**	---
MDS 8	---	---	---	---	**Fort Porter Stables, one story brick bldg**	**Fort Porter Stables, Ammunitio n House**	---
MDS 9	---	---	---	---	---	**Fort Porter Stables, Shed**	---
MDS 10	---	---	---	---	---	**Officers Quarters**	---
MDS 11	---	---	---	---	---	**D(welling)**	---
MDS 12	---	---	---	---	---	**Head Quarters Fort Porter**	---
MDS 13	---	---	---	---	---	**wing of Barracks**	---
MDS 14	---	---	---	---	---	**Quarter-master's Depot**	---
MDS 15	---	---	---	---	---	**D(welling)**	---
MDS 16	---	---	---	---	**One story frame bldg**	---	---

Table 2. Historic Map/ Map Documented Structure Correlation Chart.
MDS Locations within or adjacent to the APE for direct Effects (see Figure 10).

Map Documented Structure (MDS)	**1829**	**1836**	**1866**	**1872**	**1894**	**1925**	**1951**
MDS 17	---	---	---	---	**One story frame bldg**	---	---
MDS 18	---	---	---	---	**One story frame bldg**	---	---
MDS 19	---	---	---	**B.S.S. stable**	---	---	---
MDS 20	---	---	---	**B.S.S. shop**	---	---	---
MDS 21	---	---	**Fort Porter, The Keep**	**Fort Porter, The Keep**	---	---	---
MDS 22	---	---	---	**X**	---	---	---
MDS 23	---	---	---	**Fort Porter Burial Ground**[1]	---	---	---
MDS 24	---	**"H" Site of Old Battery (War of 1812)**	---	---	---	---	---
MDS 25	---	**"J" Site of Old Battery (War of 1812)**	---	---	---	---	---

[1] The Fort Porter Burial Ground was not documented on the 1872 map. However, several text sources document the cemetery as being within the northern corner of the fort grounds and on the line of the future Sheridan Terrace (United States 1882:265; Buffalo Historical Society 1879:70).

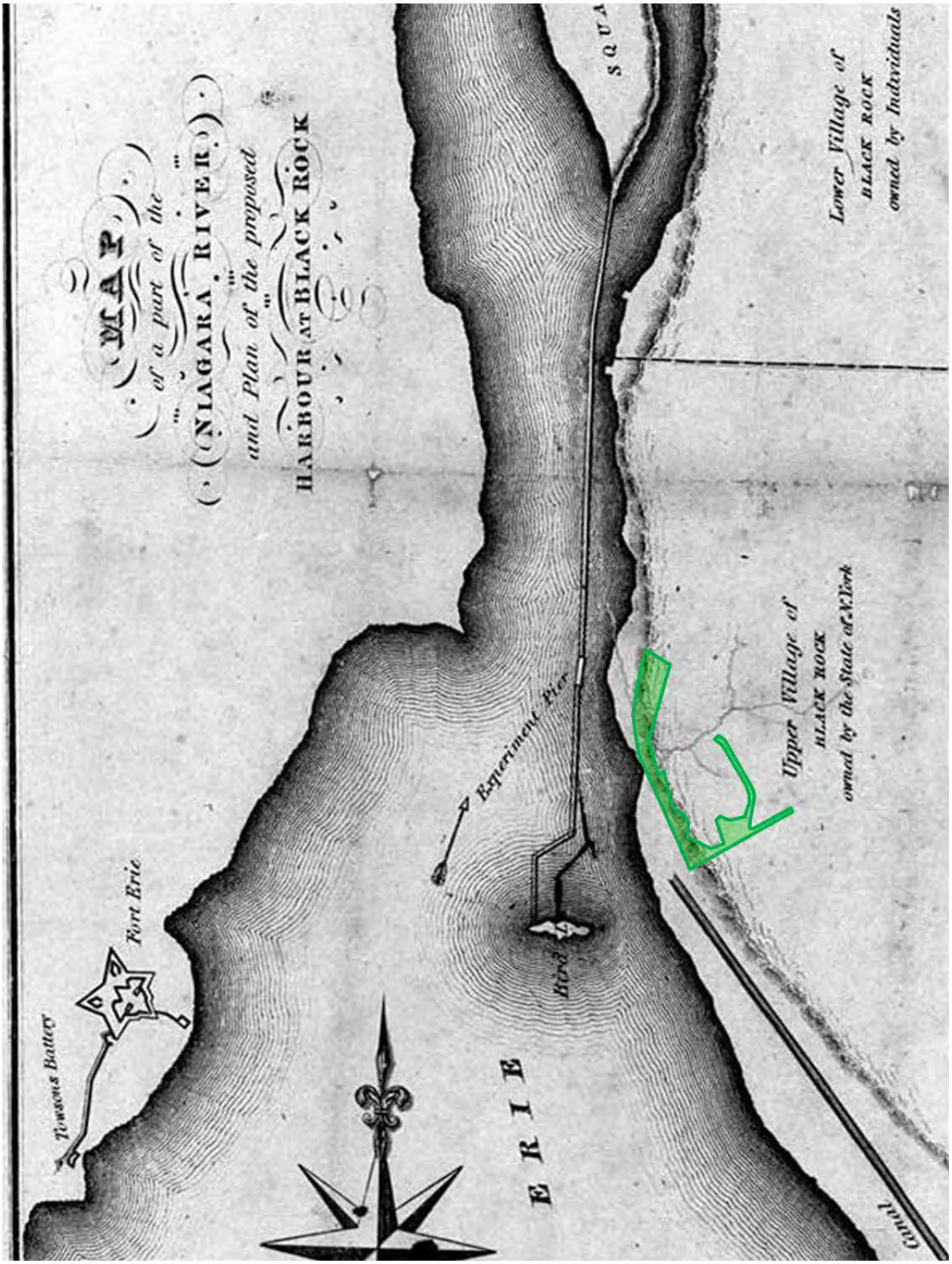


Figure 3. 1829 *Map of a Part of the Niagara River and Plan of the Proposed Harbour at Black Rock.* The APE for direct effects is shown in green.

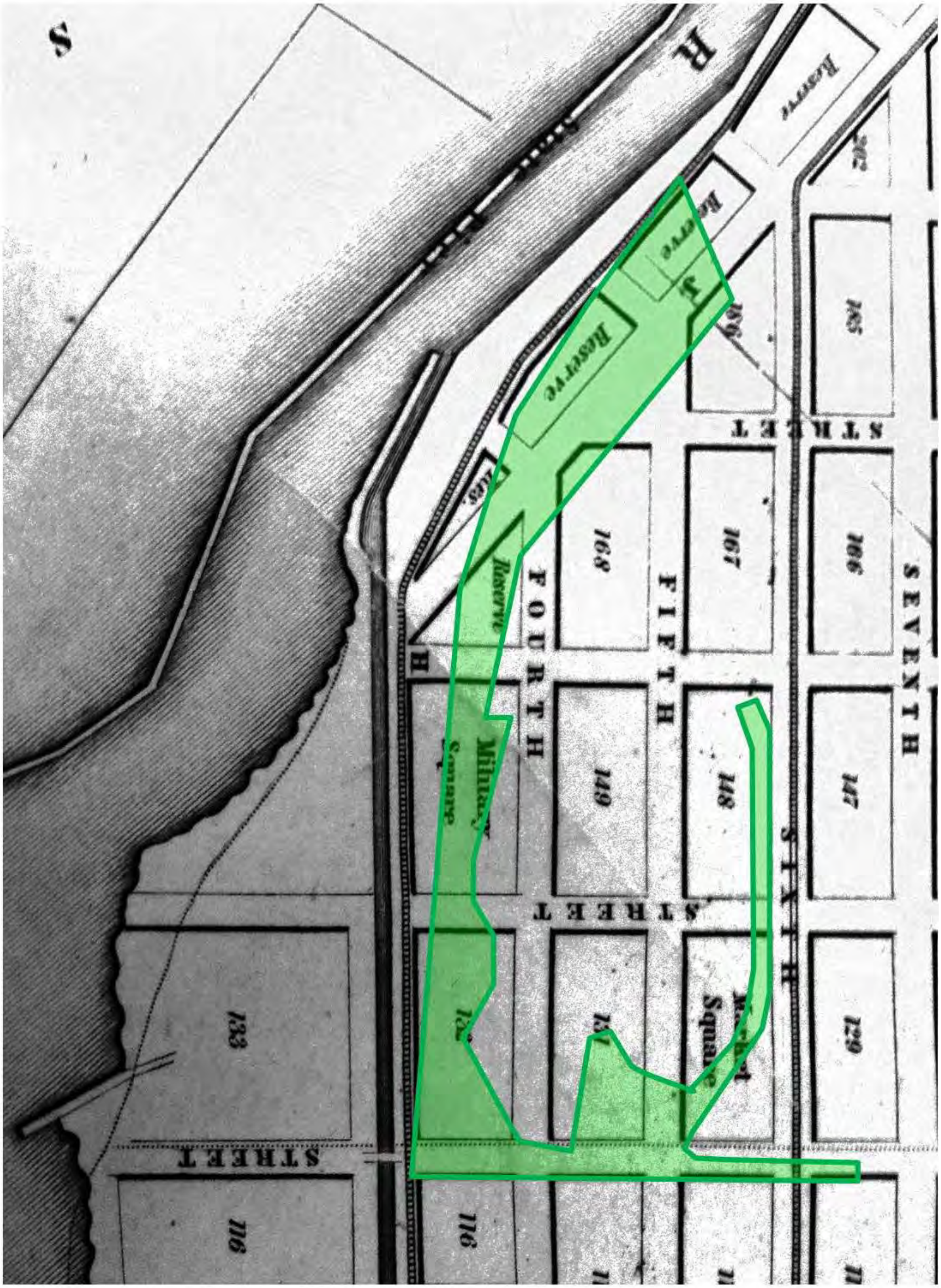


Figure 4. 1836 *Map of the Village of Black Rock, Erie County* (Lovejoy).
The APE for direct effects is shown in green.

Figure 5. 1866 *New Topographical Atlas of Erie County, N.Y.* (Stone & Stewart).
The APE for direct effects is shown in green.

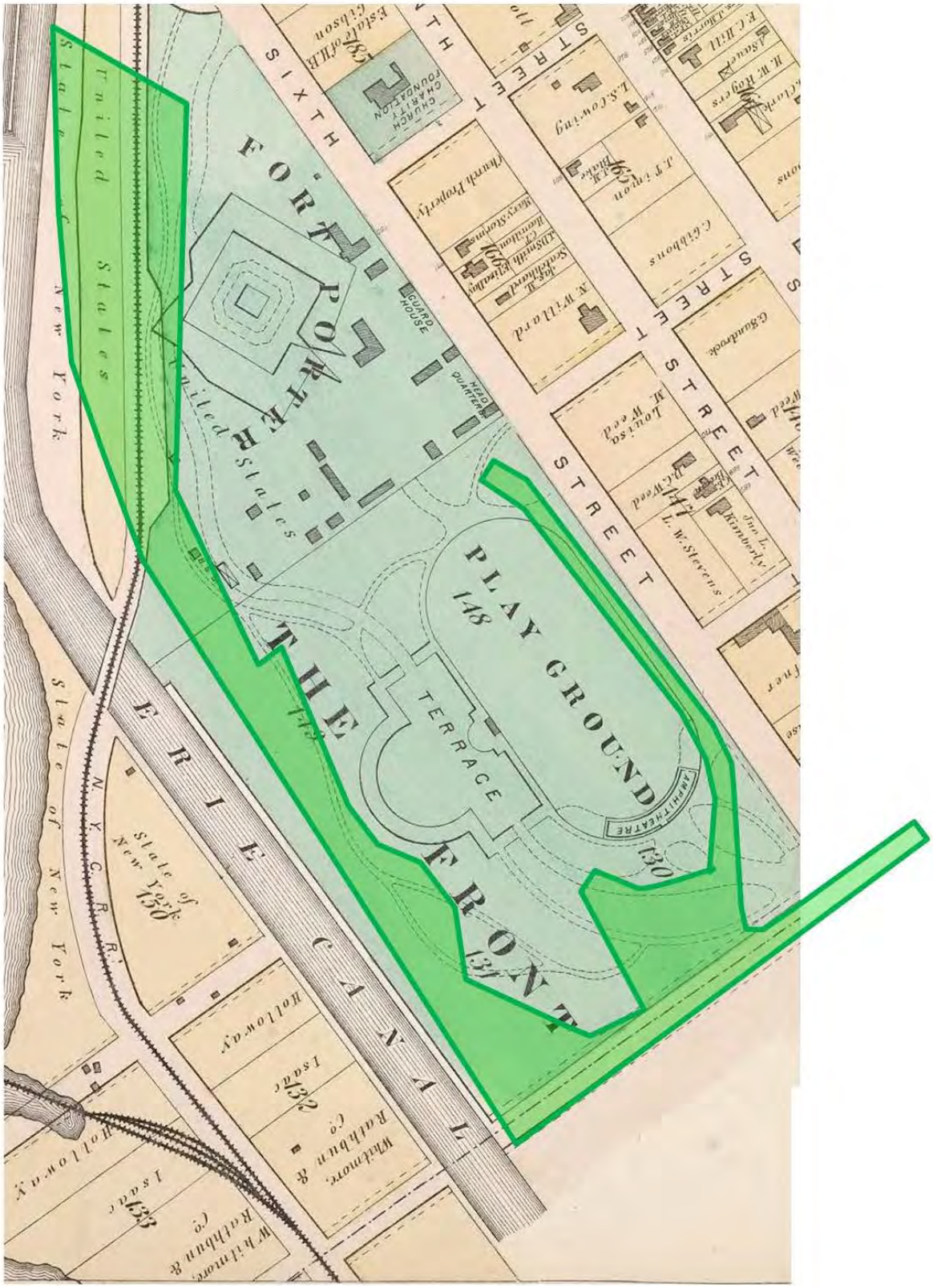


Figure 6. 1872 *Atlas of the City of Buffalo* (Hopkins).
The APE for direct effects is shown in green.

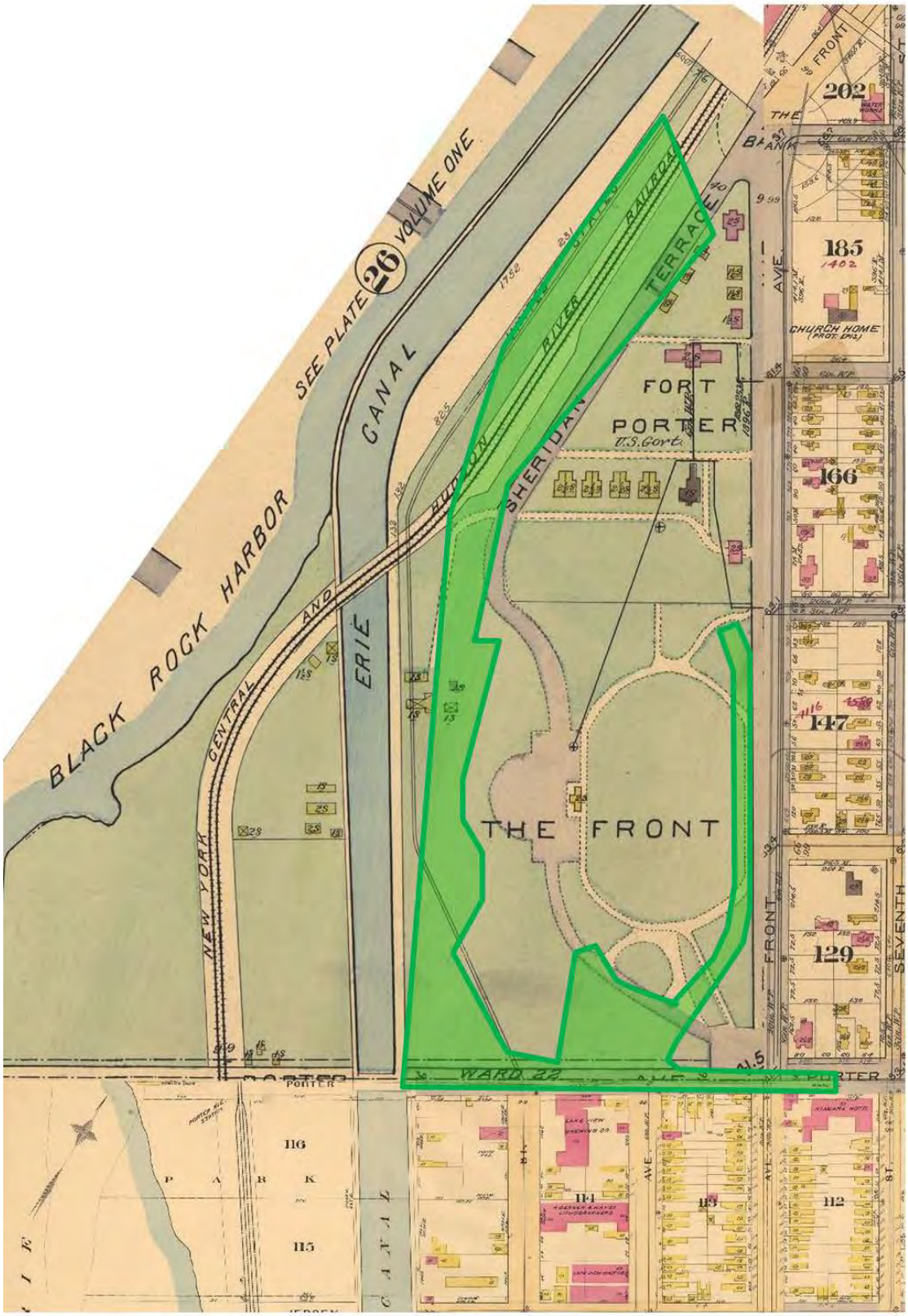


Figure 7. 1894 *Atlas of the City of Buffalo, Erie County, New York* (Brown).
The APE for direct effects is shown in green.

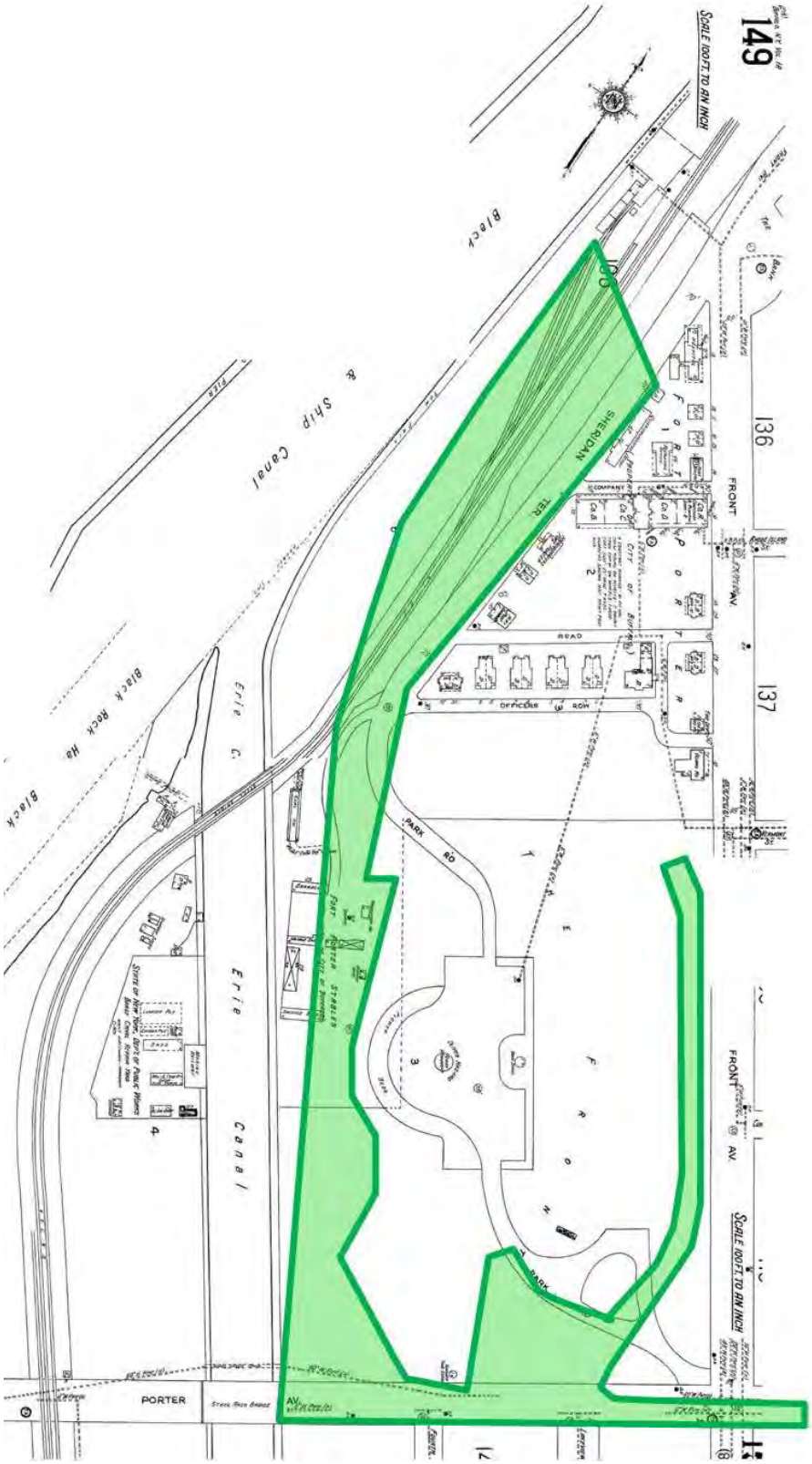


Figure 8. 1925 *Fire Insurance Map of Buffalo, New York* (Sanborn Map Company). The APE for direct effects is shown in green.

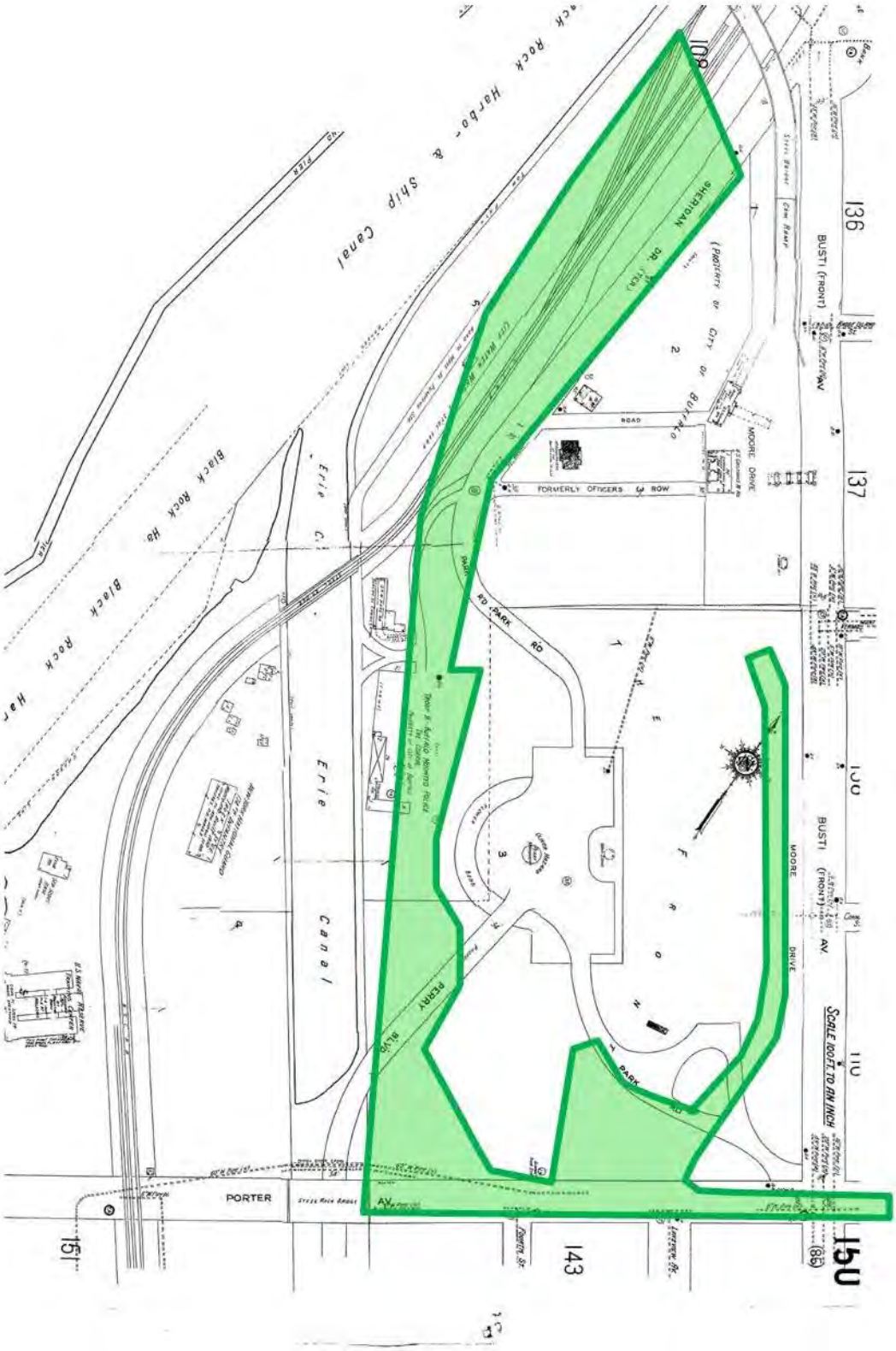
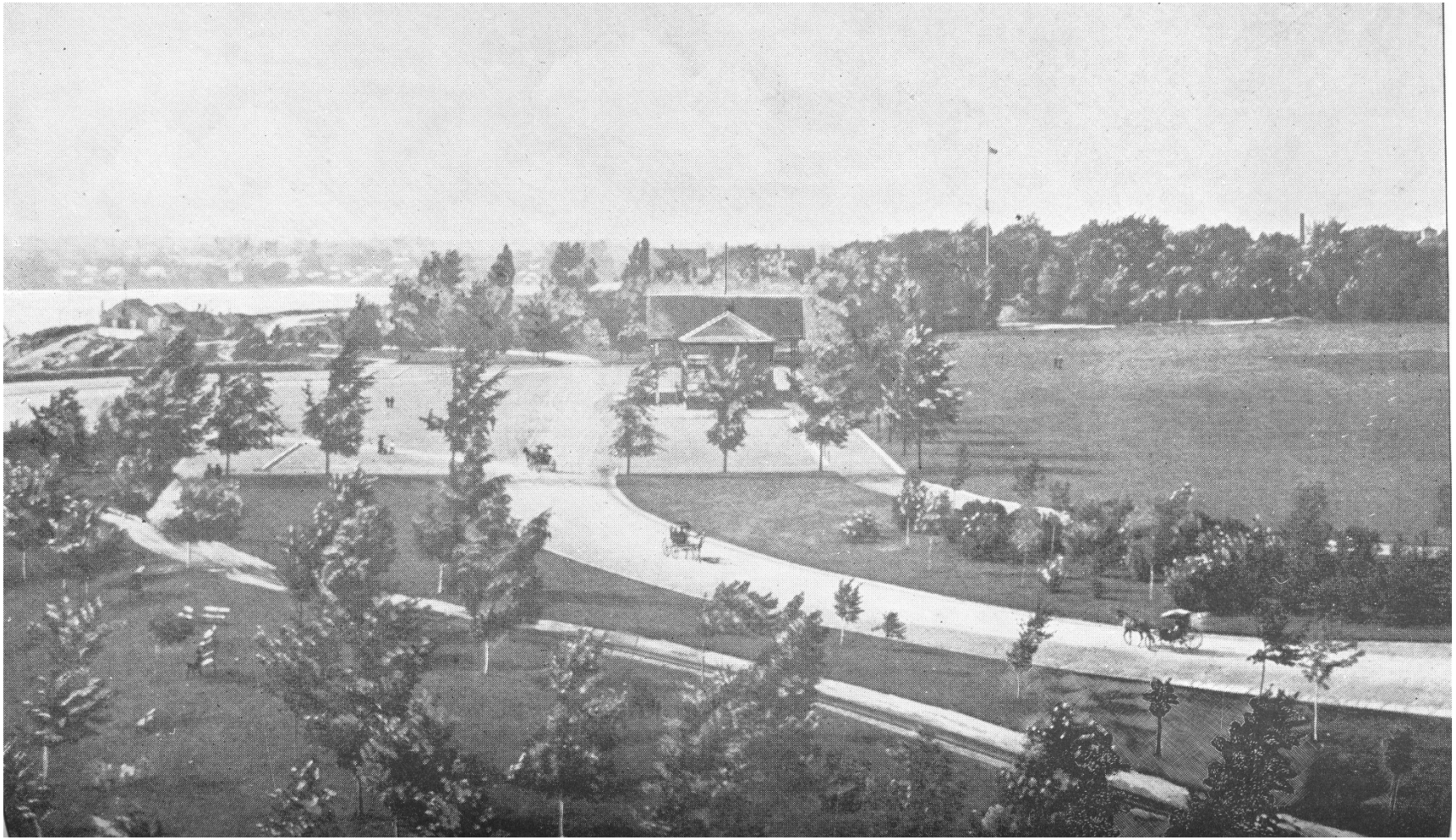


Figure 9. 1951 *Fire Insurance Map of Buffalo, New York* (Sanborn Map Company). The APE for direct effects is shown in green.

Historic Photo 1. View of Fort Porter Stables (MDS 5-8), Erie Canal, and Porter Avenue Bridge, circa 1880s. This low area served as a quarry and rifle range for Fort Porter (Pierce 1996). A small stream depicted in Figure 3 may have created the cut in the bluff. Much of this area was probably filled for the construction of the I-190 and associated ramps.



Historic Photo 2. Front Park, facing north, circa 1890. The APE for direct effects runs through the far left portion of the image. MDS 19 and 20 are in the far left background.

Historic Photo 3. Circa 1900 View of Sheridan Terrace on the Fort Porter grounds. The I-190 was constructed just below this elevation to the left while the Peace Bridge Plaza was constructed to the right of this image. A number of Fort Porter associated buildings were located to the right along Sheridan Terrace.

Historic Photo 4. Circa early 20th century view of Fort Porter Landscape. The Erie Canal is in the background. MDS 5-8 are shown just to the left of the bridge. This image shows the APE for direct effects (along the bluff) before it was filled in for the I-190 highway.

Historic Photo 5. 1927 Aerial View. The image was taken before the Erie Canal was filled in. The Erie Canal alignment lies adjacent to the southern end of the APE for direct effects, at the Porter Avenue Bridge, but is not located within the APE for direct effects.

Historic Photo 6. Circa 1940s Aerial View of the Project Area. Most of the Erie Canal was filled in at this point. An access road to the Peace Bridge Plaza cuts through Front Park in the APE for direct effects.

Historic Photo 7. Buffalo Mounted Police Building (MDS 1), formerly Fort Porter Stable, circa 1950. This building was removed for the construction of the I-190 and its associated ramps.

Historic Photo 8. 1955 Aerial Photograph of a portion of the Project Area. Sheridan Terrace lies on the western boundary of the Peace Bridge Plaza. It has apparently remained on its historic alignment since it was first laid out.

SENSITIVITY ASSESSMENT

Prehistoric Sensitivity

The results of the background research suggest that at one time the APE had a high prehistoric sensitivity for all prehistoric site types. A wide range of previously recorded archaeological site types exist nearby. There is a bluff and terrace within the project limits, an uncommon topographic feature within the relatively level lake plain. Historic and modern land use has negatively impacted and therefore drastically reduced archaeological sensitivity but the potential for deeply buried sites remains. Previously unrecorded sites have been identified in nearby settings that are also heavily urbanized (Shmookler et al. 2007:7-4). Construction monitoring is recommended to ensure that any deeply buried deposits encountered during construction are identified, evaluated, and appropriately documented. Deeply buried deposits may include post molds and other feature evidence of former habitation structures, along with refuse pits, middens, and artifact concentrations from more ephemeral land use.

Historic Sensitivity

The PIN 5753.58.121 APE possesses a high historic sensitivity, especially in those areas around Map Documented and standing structures more than fifty years old. The APE for direct effects encompasses a broad range of potentially significant historic properties associated with military, transportation, residential, industrial / commercial, public utility, and public recreation related contexts.

Significant historic Canal-related sites have been found in Buffalo's Inner Harbor (Dean and Barbour 1998). Although the Erie Canal-Grand Canal Prime Slip & Commercial Slip Areas Site lies 2.7 km (1.7 mi) south of the APE, its 19th and 20th century canal-associated features are relevant to the current study given that the Erie Canal is known to be buried adjacent to the APE for direct effects (A02940.004623, OPR Report #531, Figures 11-13).

Military contexts identified within the APE include the c.1841-1926 Fort Porter, a mid 20th century National Guard barracks, and several War of 1812 era fortifications located near the APE's northern end and center. A wide variety of structures associated with Fort Porter have been documented including stables, a blacksmith shop, storehouses, ammunition sheds, a wagon house, one or more block-houses, a coal shed, enlisted men's barracks, and a row of officers' houses. Additional structures include cisterns, privies, refuse dumps, fence-lines, roads, paths, and parade grounds located at the fort's southern end.

Buried traces of these structures and landscape features may be present in the form of in-filled building foundations, well and privy pits, stone walls and rows of postholes. Sheet middens containing arms related artifacts, food remains, clothing, and personal artifacts may be common, even in disturbed soils. Additionally, transportation related artifacts, such as wagon parts, horse shoes and harness-related equipment may be found in the vicinity of the fort's stables, while evidence of fire-damage may be found in the vicinity of the blockhouse that burned in the 1860s. Buried traces of mid-19th century earthworks and a moat from the fort, if intact would be along Sheridan Terrace near the northwest corner of Front Park, within the APE for direct effects. These defensive works may be archaeologically visible in the form of wide linear ditches. Other potential structure types including laundry, kitchen, hospital, prison, and other support facilities associated with the unlabeled Fort-related buildings shown on the 1872 Hopkins atlas map. Many of these buildings were removed during the fort's late 19th century reconstruction. The research potential of military contexts lay in the diversity of different types of structures and activity areas.

Transportation related structures and landscapes identified in APE limits including the extant New York Central & Hudson Railroad grade, bed, and tracks. In addition, an early-mid 20th century divided highway ran along a filled-in portion of the Erie Canal south of Fort Porter that connected with the Peace Bridge via an on-ramp built through Front Park's southwestern end. Potential archaeological remains include buried traces of former railroad beds as well as pre-asphalt paving road beds made of brick, stone, macadam or wooden logs and/or planks, as well as the foundations, piers and and/or footings of the former canal bridges. If intact physical remains of transportation contexts such as the Erie Canal are present, their research potential would include historical construction methods and materials used in their initial construction, as well as in subsequent renovations that occurred over the course of

the 19th and early 20th centuries. This includes the re-use and recycling of building materials from one iteration of the canal to the next.

Public utility contexts include the "old" Buffalo water works along with pipe networks and associated support areas, including MDS 2. Other public utility contexts include buried late 19th and early 20th century sewer pipes and electric lines. Potential archaeological contexts include buried 19th century wooden or ceramic water pipes and foundation walls and any remaining boilers or pumping machinery used in the old water works.

Historic Canal Remains in Relation to the APE for Direct Effects

The major transportation related context located near the APE for direct effects is the Erie Canal, which runs just west of and adjacent to the southern half of the APE for direct effects. Potential associated archaeological deposits may include the canal's masonry or concrete walls, mooring hardware, as well as the towpath that ran along the canal's eastern side.

The 1955 NYSDOT construction plans were examined to determine the location of the Erie Canal relative to the APE (Figures 11-13). The plans show canal walls in relation to the I-190 and associated ramps. Sheet 3 depicts plan and profile views of the area between Porter Avenue and the Peace Bridge (Figure 11). The profile view depicts the pre-1955 ground surface and the level of the I-190 as built, showing which areas that had been filled-in, and which areas have been graded to lower the profile. Sheets 19 and 21 depict detailed plan views of the same area between Porter Avenue and the Peace Bridge, again depicting the I-190 as built. Sheet 19 shows the north edge of the Erie Canal and the existing access ramp (Figure 12). The alignment of the canal as shown is located west of the alignments of the I-190 ramp and outside of the APE for direct effects.

Archaeological Resources in Direct APE

Despite the potential for historic and prehistoric archaeological resources to exist within the direct APE, there are no known, intact archaeological sites within the APE. Two areas of high historic archaeological potential exist, one at the north end and another at the south end of the direct APE, as shown on the project area map (Figure 14). The north end of the direct APE is in close proximity to MDSs 2, 3, 10-18, 21-23, and 25. All of these MDS locations, including a former cemetery associated with Fort Porter, are clustered along Sheridan Terrace as shown on Figure 10. The extreme southwest corner of the APE represents the closest proximity of the former Erie Canal to the direct APE, but the two do not overlap.

Additional potential cultural resources are suggested by information gleaned from the soil boring logs as presented by Figure 10 and Table 3. Throughout the APE for direct effects, deep fill and some natural deposits are documented by soil borings to depths between 7.5-15 m (25-50 ft) below ground surface. Soil Boring information is derived from State of New York Department of Transportation Geotechnical Engineering Bureau Subsurface Exploration Logs from the Busti Avenue and Peace Bridge Connection to the New York Thruway project. Borings were conducted from 1965 to 1969 (New York Department of Transportation Geotechnical Engineering Bureau 1965-1969). This information will be supplemented with soil boring data for the current project when it becomes available, for the purpose of refining the construction monitoring plan.

Soil borings listing fractured stone may refer to demolished foundation material and fragments of architectural debris, but could also represent bedrock fragments. This notation was found in association with soil borings DH-S-9 and DH-N-9 near the north end of the direct APE at depths of less than two meters (5 ft) below ground surface. Similar notations were found in at much deeper depths in soil borings DH-B-5 and DH-B-6 nearer the midpoint of the direct APE between the Peace Bridge Plaza and The Front. Here such material is found at depths up to 10 m (32 ft) below ground surface. Dark stains that could represent archaeological features are noted as black silt less than two meters (5 ft) below ground surface in soil boring DH-N-9 and DH-B-5. Black sand, black silt and brick fragments were noted in soil borings DH-N-6, DH-S1-5, DH-P-3 and DH-P-2 at relatively shallow depths below ground surface. Most of these locations do not appear to coincide directly with MDS locations, but some MDS are nearby (see Table 3).

Potential for Deeply Buried Deposits

If intact archaeological deposits are to be found within the direct APE, they will likely occur as deeply buried deposits below fill and disturbed soil layers. The vertical dimensions of the APE, associated with the depth of ground-disturbing construction impacts is unknown at this time, and will be defined as the project progresses. Soil boring logs show deep fill throughout much of the APE with a general trend of deeper fill deposits at the north end of the project area and more shallow deposits at the south end (Figure 10, Table 3).

Table 3. Soil Boring Log Summary (New York Department of Transportation Geotechnical Engineering Bureau 1965-1969). Boring Locations are plotted on Figure 10.

Soil Boring Code	Location and Description of Associated MDS and Potential Cultural Resources	Soil Boring Log Summary in Depth Below Ground Surface And in Stratigraphic Sequence
AH-L-4	north end of APE west of plaza near MDS 25 Fort Porter Battery "J" 1836	trace topsoil 11.5 ft brown sand Bedrock
DH-L-12	north end of APE west of plaza MDS 25 Fort Porter Battery "J" 1836	1 ft brown fine sandy silt 50 ft brown fine silty sand
DH-S-13	north end of APE west of plaza	43 ft brown silt/red-brown silty loam limestone bedrock
DH-S-14	north end of APE west of plaza MDS 17 1 story frame building 1894	48 ft brown silt/red-brown silty loam limestone bedrock
DH-S-11	north end of APE west of plaza, nearing midsection of project area MDS 12 Fort Porter Headquarters 1925	32 ft brown silt/red-brown silty loam limestone bedrock at 32 ft
DH-C-5	north end of APE west of plaza, nearing midsection of project area MDS 12 Fort Porter Headquarters 1925	30 ft brown silt/red-brown silty loam limestone bedrock at 30 ft
TP-L-1	north end of APE west of plaza, nearing midsection of project area near MDS 12 Fort Porter Headquarters 1925	thin topsoil 21 ft red-brown silty sand Limestone bedrock
DH-S-9	north end of APE west of plaza, nearing midsection of project area north of MDS 22 Fort Porter structure 1872	1 ft topsoil 5 ft brown silt with fractured stone 20 ft red-brown silty sand with fractured stone limestone bedrock at 30 ft
DH-S-7	north end of APE west of plaza, nearing midsection of project area south of MDS 22 Fort Porter structure 1872	pavement surface Slag-fill pavement sub-base 15 ft red-brown silt, stone sand and clay limestone bedrock at 18.5 ft
DH-N-9	north end of APE west of plaza, nearing midsection of project area south of MDS 10 Fort Porter Officers Quarters 1925	5 ft red-brown silt and fractured stone Black silt at 5 ft 23 ft red-brown silt and fractured stone limestone bedrock
DH-N-6	Near APE midpoint between Front Park and plaza in ramps area Between MDS 19 blacksmith shop and stable 1872 and MDS 24 Fort Porter Battery "H" 1836	red-brown silt and fractured stone Black silt at 0.38 ft 15 ft red-brown silt 1 ft layered sand limestone bedrock at 16 ft

Table 3. Soil Boring Log Summary (New York Department of Transportation Geotechnical Engineering Bureau 1965-1969). Boring Locations are plotted on Figure 10.

DH-B-6	At APE midpoint in NW corner Front Park No MDS	32 ft red-brown silt and fractured stone limestone bedrock at 32 ft
DH-B-5	At APE midpoint in NW corner Front Park MDS 7 Fort Porter 1 story wood frame stables 1894 Stables and barracks 1925	32 ft red-brown silt and fractured stone Black silt at 5 ft limestone bedrock at 32 ft
DH-S1-5	South end APE in ramps No MDS	Fill Black sand at 1 ft 19 ft sand 12 ft silt limestone bedrock at 32 ft
DH-S1-4	South end APE in ramps No MDS	1-5 ft rubble Sand and silt Limestone bedrock
DH-P-4	South end APE in ramps No MDS	13 ft brown silt Brick and wood at 5 ft Bedrock at 13 ft
DH-P-3	South end APE in ramps No MDS	25 ft brown silt Black silt and brick at 0.32 ft wood at 5 ft Bedrock at 25 ft
DH-P-2	South end APE in ramps No MDS	Brown silt Trace of brick at 5 ft Bedrock
RS-1	South end APE SW of Front No MDS	solid limestone bedrock with voids (?)

Figure 10. APE for Direct Effects (shaded green) with MDS Locations and Boring Locations. See Tables 2 and 3 for MDS locations and soil borings summary.

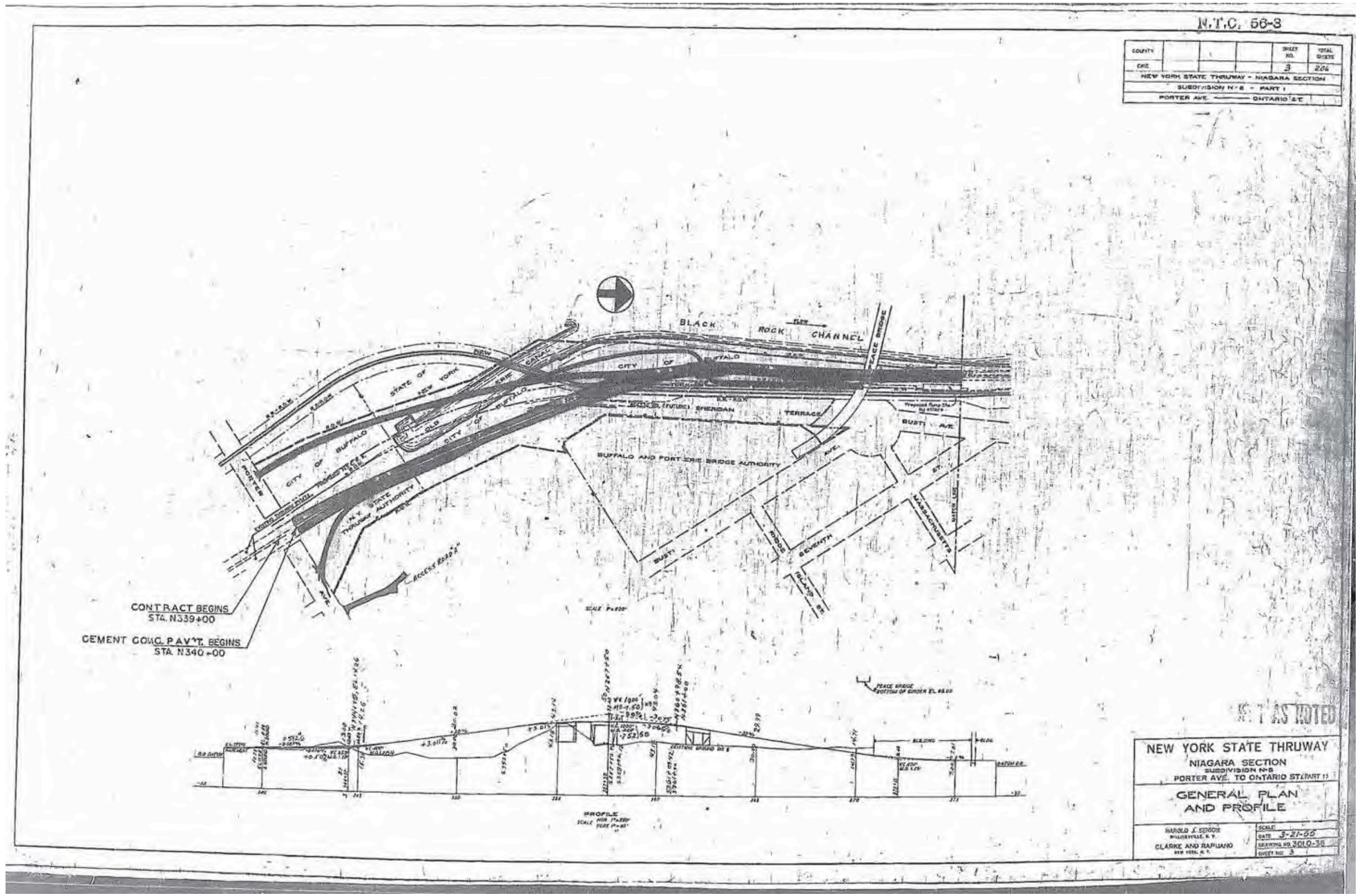


Figure 11. General Plan and Profile Sheet No. 3, New York State Thruway, Niagara Section, dated 3-21-55.

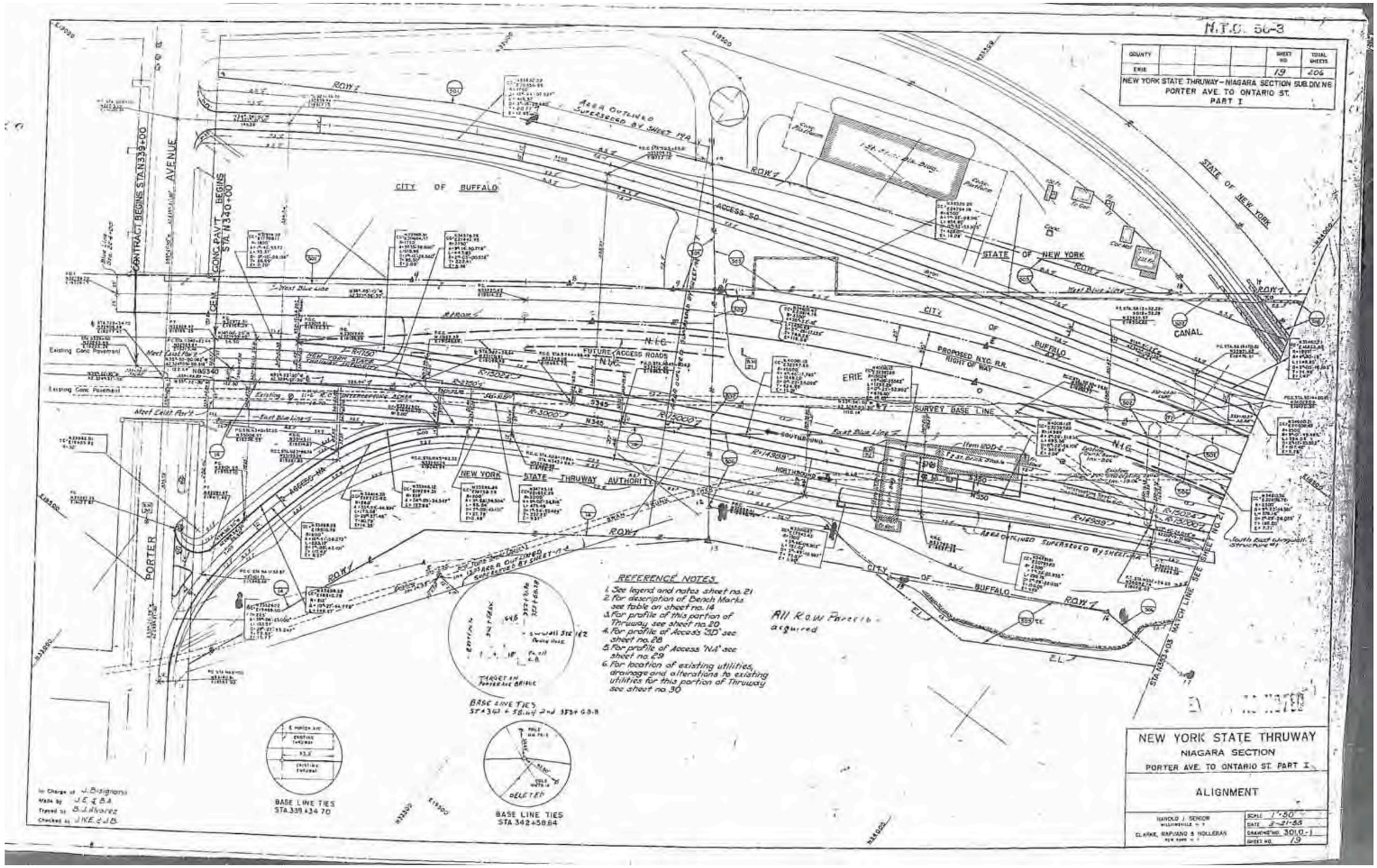


Figure 12. Alignment Sheet No. 19, New York State Thruway, Niagara Section, dated 3-21-55.

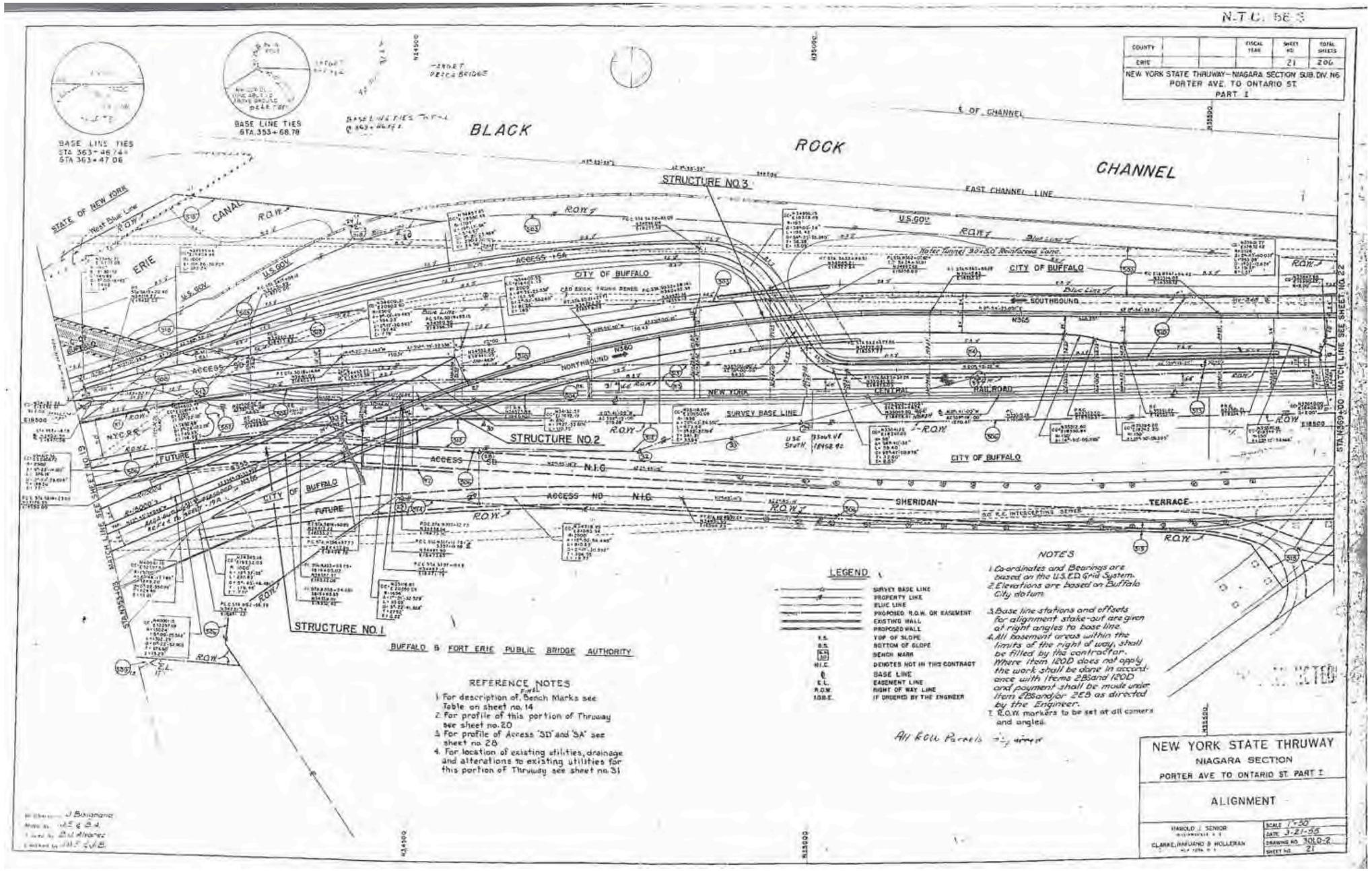


Figure 13. Alignment Sheet No. 21, New York State Thruway, Niagara Section, dated 3-21-55.

TESTING RECOMMENDATIONS

Construction Monitoring Plan

Construction monitoring is recommended to ensure that any intact, deeply buried archaeological deposits are appropriately addressed. Construction monitoring is the only recommended method for archaeological investigations due to the likely depth of potential archaeological deposits based on documented land alterations and the presence of deep fill soils as shown by soil boring logs, as well as the inaccessibility of areas beneath paved and other impervious surfaces of existing transportation facilities. Construction monitoring requires that an archaeologist observe and supervise all construction activity within the project limits where excavation and landscape alteration are involved, typically using heavy equipment. In this case, construction activity will involve the removal of pavement and fill soils from a variety of locations and contexts. The monitoring archaeologist should be allowed full access to the construction site during machine excavation and requests cooperation from contractors with respect to information, assistance and the use of equipment for exploring and recovering potentially significant cultural resources. These may include historic deposits or prehistoric features. Archaeologists may need to stop construction in some areas to investigate subsurface finds such as artifact concentration of soil stains/anomalies. Minor construction delays are anticipated during this process. Archaeological monitoring will comply with NYSDOT and subcontractor safety plans and federal labor standards (OSHA 29 CFR 1926 Subpart P).

In the event that human remains are found during the project, the State Historic Preservation Office/New York State Office of Parks, Recreation and Historic Preservation Human Remains Discovery Protocol will be followed. A copy is attached to this document.

If intact potentially National Register eligible resources are encountered during monitoring the archaeologist will stop construction by informing the Project Manager or designee. Following consultation, the Project Manager or designee is responsible for suspending work in the location until cultural materials are identified, evaluated and documented as determined appropriate through consultation with the SHPO, FHWA, NYSDOT, and tribal nations in the case of pre-contact materials. Construction delays for a specific resource may be expected to last from one hour to a full day. Complex features and stratified deposits requiring several days of archaeological data recovery are not anticipated. In the event that construction needs to be halted for more than one day, the following procedures will be implemented:

1) The monitoring archaeologist notifies the Project Manager or designee of a significant potentially eligible find, its nature and location, and provides an estimate of the scale and duration of work to identify, evaluate, and document the resource.

2) The Project Manager or designee notifies DOT who notifies SHPO and conveys all available information about the find, proposed evaluation, and treatment.

3) Data recovery work will only be implemented with authorization by NYSDOT in consultation with FHWA and the SHPO.

4) The Project Manager or designee will assess the impact of work stoppage on construction activities and decide how best to proceed to facilitate the project.

Data Recovery Procedures

Archaeological data may be encountered in various forms and could include artifact concentrations, features, living floors and isolated tools, debitage, ceramics, food remains and the like, from historic and pre-contact contexts. Any cultural remains will likely be identified as anomalies in buried A-horizon soil profiles exposed by excavation with heavy equipment. The potential for data recovery is associated with historic and prehistoric artifacts and/or features from intact, deeply buried A-horizons and B-horizon subsoil. Data recovery may be determined an appropriate treatment for archaeological resources that have the potential to yield important information about history or prehistory.

Data recovery may include excavation, soil sampling, feature and profile mapping and photography along with other techniques of information and material collection. Standard archaeological methods are employed as outlined by the New York Archaeological Council (NYAC 1994) and the New York State Museum (NYSED 2004). Standard excavation procedures include the sifting of all excavated, non-flotation sample sediments through 1/4" wire mesh screens. Flotation samples are not sifted so that fragile material may remain intact. All soil horizons will be excavated separately, and material from different soil horizons will be saved separately. Arbitrary 10 cm (4 in) excavation levels will be employed to subdivide deep soil horizons (>30 cm or 12 in) with no internal stratigraphy. All material will be saved separately by excavation level.

Potential features will be excavated separately and by internal stratigraphy where present. Soil samples will be collected from all distinguishable feature fill. Documentation of any data recovery activity will include the use of standardized record-keeping forms for each feature/soil stain identified and all soil levels and strata excavated. The forms ensure that relevant information is collected in a compatible format to describe, compare and contrast excavation levels, features and soil stains. Forms include information about soil conditions including feature plan view and profile documentation, soil color (Munsell and English equivalent), texture, artifact content, non-artifact inclusions, degree of disturbance and the like. Photographs will be taken depicting the site area, all soil profiles and feature plan views and profiles.

Analysis and Curation of Materials and Records. Artifacts and soil samples collected during data recovery are returned to the Archaeological Survey laboratory in the Department of Anthropology, SUNY at Buffalo in labeled bags according to provenience assignment and date of excavation. Artifacts and other potential cultural material are separated into categories for processing, analysis and curation. Ceramic, chipped stone material, utilized cobbles, charcoal and bone are treated separately. The different materials are cleaned using methods appropriate for preserving the condition of specific materials and are stabilized for identification and analysis. Identification, analysis, curation and reporting are all performed to meet 36 CFR Part 79, DOT, FHWA and SHPO/OPRHP requirements. All original field notes, maps, photographs, lab notes and other records generated by data recovery are stored at the Marian E. White Museum, Department of Anthropology, SUNY at Buffalo.

Construction Monitoring Report. A final report will be prepared that combines pertinent information from the monitoring and data recovery with that collected during earlier phases of investigation. The report will include text, figures and tables that summarize the data analysis and provide interpretations of these data in relevant historic and prehistoric research contexts. Methods and results will be described in detail. The report will be submitted to the DOT/FHWA, SHPO/OPRHP and Native American groups for review and comment as needed.

HUMAN REMAINS AND FUNERARY OBJECTS PROTOCOL

Given the location and archaeologically sensitive nature of the APE, the potential exists for the discovery of human remains and/or associated funerary objects, particularly during deep testing and mechanical trenching. If potential human remains or funerary objects are discovered, the Federal Highways Administration (FHWA), in coordination with the New York State Department of Transportation (NYSDOT), will follow a series of steps adapted from the policies of the State Historic Preservation Office (SHPO), Seneca Nation of Indians Tribal Historic Preservation Office (SNI THPO), and New York State Museum (NYSM). These steps have been developed to ensure their proper and respectful treatment and are summarized below.

- At all times human remains must be treated with the utmost dignity and respect. Should human remains be encountered work in the general area of the discovery will stop immediately and the location will be immediately secured and protected from damage, disturbance and public access.

- Human remains or associated artifacts will be left in place and not disturbed. No skeletal remains or materials associated with the remains will be collected or removed until appropriate consultation has taken place and a plan of action has been developed.

- The county coroner/medical examiner, local law enforcement, the FHWA, SHPO, SNI THPO, Tonawanda Band of Seneca, DOT and other appropriate agencies will be notified. The coroner and local law enforcement will make the official ruling on the nature of the remains, being either forensic or archaeological.

- If human remains are determined to be Native American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated. Avoidance is the preferred choice of the SHPO and the Indian Nations. The involved agency will consult with consulting parties to develop a plan of action that is consistent with the Native American Graves Protection and Repatriation Act (NAGPRA) guidance.

- If human remains are determined to be non-Native American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated. Please note that avoidance is the preferred choice of the SHPO. Consultation with the SHPO and other appropriate parties will be required to determine a plan of action.

The following page is an excerpt from the SNI THPO Policies and Procedures to elaborate on the kinds of artifacts commonly associated with human remains.

Human Remains and Associated Funerary Objects

It is not uncommon for various materials to be unearthed during the ground disturbing phase of any construction process. Upper soil layers usually contain historical to modern debris such as whole or fragmented man made items composed of various combinations of glass, plastic, ceramic, metal, aluminum, rubber, wood, etc. The second layer of soil, called subsoil, is usually of a notably different or lighter/darker color than the upper soil layer. Often materials of a very old or prehistoric nature are located in the inter-phase between the top and second layer of soil. Common materials found at this level can include cultural materials such as flint/stone points and tools, pottery, animal bones and occasionally human remains and associated funerary objects.

The solitary flake or tool does not warrant the cessation of construction activities. The discovery of human remains, however, must in all cases initiate an immediate halt to any further earth-disturbing activity at and around the site of discovery. Once construction has been halted, strict adherence to protocol as set forth by the THPO must be followed. (See attached guidelines.)

Potential Examples of Human Remains and Associated Funerary Objects
The following range of objects have been documented to have been unearthed in funerary sites of the Haudenosaunee Nations (including the Seneca), at one time or another.

a) Human bones
Associated Funerary Objects:
b) Ceramics (pottery vessels, smoking pipes, etc...)
c) Shell/Stone/Glass/Metal beads
d) Wood spoons, ladles, or serving trays
e) Wampum (purple shell) beads, ornaments or belts
f) Metal tools – hatchets, guns, axes, or knives
g) Wooden Baskets
h) Antler hair combs and carvings
i) Manufactured hair combs
j) Clay/Manufactured pipes
k) Silver and pewter ornaments
l) Metal Kettles
l) Cache of flint/stone points
m) Animal remains (hides, claws, etc..) and bones
n) Red ochre

In the event of the discovery of human remains and associated funerary objects, see "Specific Steps to be Followed in the Event of the Discovery of Human Remains and Associated Funerary Objects"

ARCHITECTURAL RESOURCES WITHIN THE AREA OF POTENTIAL EFFECT (APE) FOR INDIRECT EFFECTS

Identification effort focused on a review and update of existing information from past studies to identify historic properties within the Project APE. In April 2013, the Archaeological Survey, State University of New York at Buffalo, conducted a site visit to update information on previously inventoried architectural resources within the Area of Potential Effect (APE) for indirect effects (Traynor and Montague 2008). Table 4 contains a list of previously inventoried National Register Listed (NRL) and National Register Eligible (NRE) properties within the APE for indirect effects and any changes to those properties that affect their National Register Listed (NRL) and Eligibility (NRE) status. Table 5 contains a list of Non-NRE resources in the APE. All architectural properties within the APE for indirect effects have been previously evaluated for National Register eligibility, including determinations made by FHWA in 2008 and 2010, with SHPO concurrence.

Olmsted Parks and Parkways Thematic Resources are located in the APE (90THM00012). These include Porter Avenue and Front Park, contributing elements of the Delaware-Front Park System (90NR01217). No other NRL properties exist within the APE. The only resource that has been noticeably altered since the time of its evaluation is the picnic shelter in Front Park (Photo 16). Its original terra cotta roof was recently restored.

Eighteen contributing resources are associated with the NRE Prospect Hill Historic District, which extends outside the APE for indirect effects to the east. None of the contributing properties in the APE have been noticeably altered (Table 4).

The Prospect Hill Historic District is an irregularly-shaped residential historic district with Columbus Parkway as its main axis. Determined National Register eligible under Criteria A and C, the district possesses a concentration of architectural styles popular during the period ca. 1880-1955, depicting residential growth and development in the City of Buffalo adjacent to Olmsted's Front Park and Prospect Park. Contributing resources located within the Project's APE include two intact blocks of vernacular architecture along Busti Avenue extending from the southern end of the district north to Vermont Street. The scale, massing, and setback of these dwellings present a unified streetscape oriented towards Front Park, and individually, the buildings retain the same degree of architectural integrity recorded at the time the properties were evaluated in 2008.

A number of properties previously inventoried as non-NRE lie in the southern end of the APE, south of Porter Avenue (Table 5). All properties south of Porter Avenue have been previously evaluated, and none of them are NRE. The Porter Avenue Bridge (BIN 5512560) was evaluated in 2010, and the SHPO concurred the bridge is not NRE. Figure 11 includes photo angles for images used in this report and is keyed to indicate historic properties and areas within the APE previously assessed as archaeologically sensitive (Perrelli 2007, Montague and Perrelli 2010).

Table 4. Previously Inventoried National Register Listed and Eligible Architectural Resources in the APE for PIN 5760.80.101, NY Gateway Connections Improvement to the US Peace Bridge Plaza.

Historic Property	2008 NRHP Characteristics/ Contributing Elements	2013 Changes to Characteristics/ Contributing Elements
Olmsted Parks and Parkways Thematic Resources		
Front Park *Contributing* Delaware Park-Front Park System	– Developed by Olmsted between 1868 and 1876, consists of 32-acre space overlooking Lake Erie and Niagara River; contributing resources include c. 1900 stone picnic shelter, terrace, open playing fields, mature trees, a curving entrance road, several winding paths, and grassy banks.	– Terra cotta roof over the picnic shelter. No other changes.
Porter Avenue *Contributing* Delaware Park-Front Park System	– Older city street upgraded by Olmsted to a width of 100 feet and lined with elms, connected Front Park with Delaware Park.	– No changes.
National Register of Historic Places Eligible Historic District		
Prospect Hill Historic District The Prospect Hill Historic District is National Register eligible under Criteria A and C. The district possesses a concentration of architectural styles popular during the period ca. 1880-1955, depicting residential growth and development in the City of Buffalo adjacent to Olmsted's Front Park and Prospect Park.		
609 Busti Avenue *Contributing*	– "Gardener's Cottage" from "Elmstone" estate, ca 1870. Simple frame building with Gothic Revival detailing. – Contributing features: faces Front Park and mature tree-lined Busti Avenue, grass lawns.	– No changes.
615 Busti Avenue *Contributing*	– Residential building, ca. 1955. – Building meets eligibility requirements for a contributing building in the historic district.	– No changes.
625 Busti Avenue *Contributing*	– Residential building, ca. 1955. – Building meets eligibility requirements for a contributing building in the historic district.	– No changes.
629 Busti Avenue *Contributing*	– Residential building, ca. 1920. – Contributing features: faces Front Park and mature tree-lined Busti Avenue; grass lawns; landscaping.	– No changes.
637 Busti Avenue *Contributing*	– Residential Building, ca. 1889. – Contributing features: associated with Elmstone Estate, faces Front Park, mature trees, grass lawns, landscaping.	– No changes.
639 Busti Avenue *Contributing*	– Residential building, ca. 1937. – Contributing features: faces Front Park, grass lawns, landscaping.	– No changes.
643 Busti Avenue *Contributing*	– Simple Four-Square residential bldg. with Prairie Style detailing ca. 1940. – Contributing features: faces Front Park and mature tree-lined Busti Avenue; grass lawns; landscaping.	– No changes.
669 Busti Avenue *Contributing*	– Residential building, ca. 1950. – Contributing features: faces Front Park and mature tree-lined Busti Avenue; grass lawns; landscaping.	– No changes.
675 Busti Avenue *Contributing*	– Residential building, ca.1950. – Building meets eligibility requirements for a contributing building in the historic district.	– No changes.
679 Busti Avenue *Contributing*	– Queen Anne style residential building, ca. 1886, designed by Joseph Lyman Silsby. – Contributing features: faces Front Park, slate stairs, grass lawn, landscaping.	– No changes.

Table 4. Previously Inventoried National Register Listed and Eligible Architectural Resources in the APE for PIN 5760.80.101, NY Gateway Connections Improvement to the US Peace Bridge Plaza.

Historic Property	2008 NRHP Characteristics/ Contributing Elements	2013 Changes to Characteristics/ Contributing Elements
683 Busti Avenue *Contributing*	– Queen Ann style residential building, ca. 1890, altered by ca. 1940s enclosed front porch. – Contributing features: grass lawn, stairs from lawn to sidewalk.	– No changes.
685 Busti Avenue *Non-contributing*	– Constructed outside period of significance. – Building is less than 50 years old.	– No changes.
705 Busti Avenue *Contributing*	– Residential building, ca. 1948, with Italian Renaissance references. – Contributing features: grass lawn, landscaping.	– No changes.
707 Busti Avenue *Contributing*	– Residential building, ca. 1950, with Italian Renaissance references. – Contributing features: grass lawn, landscaping.	– No changes.
709 Busti Avenue *Contributing*	– Residential building, ca. 1895. – Building has been significantly altered with changes to fenestration, massing, and through the addition of vinyl siding. – Building meets eligibility requirements for a contributing building in the historic district.	– No changes.
713 Busti Avenue *Contributing*	– Residential building, ca. 1950. – Building has been significantly altered with changes to fenestration, massing, and through the addition of vinyl siding. – Building meets eligibility requirements for a contributing building in the historic district.	– No changes.
719 Busti Avenue *Contributing*	– Stick style residential building, 1882. – Contributing features: faces Front Park; slate walk, grass lawn; landscaping.	– No changes.
721 Busti Avenue *Contributing*	– Stick style residential building, 1882. – Contributing features: faces Front Park; slate walk, grass lawn; landscaping.	– No changes.
11 Vermont Ave. *Contributing*	– Colonial Revival style residential building, ca. 1930. – Contributing features: grass lawn, mature tree.	– No changes.

Table 5. Previously Inventoried Non-NRE Resources in the APE for PIN 5760.80.101, NY Gateway Connections Improvement to the US Peace Bridge Plaza.

Address	Pre-1964	Post-1963	Existing NR Status / Comments
565 Busti Avenue	X		Non-NRE, USN 02940.013004.
567 Busti Avenue	X		Non-NRE, USN 02940.013005.
570 Busti Avenue	X		Non-NRE, USN 02940.013045.
573 Busti Avenue	X		Non-NRE, USN 02940.013040.
113 Lakeview Avenue	X		Non-NRE, USN 02940.013040.
115 Lakeview Avenue	X		Non-NRE, USN 02940.013041.
132 Lakeview Avenue, also known as 111 Porter Avenue	X		Non-NRE, USN 02940.013062.
637 4th Street	X		Non-NRE, USN unknown.
BIN 5512560, Porter Avenue bridge	X		Non-NRE, USN unknown.

NATIONAL REGISTER LISTED AND ELIGIBLE PROPERTIES WITHIN THE AREA OF POTENTIAL EFFECT (APE) FOR INDIRECT EFFECTS

(Photographs taken April 2013)

Photo 15. Front Park, facing southwest. NRL, 90NR01217.

Photo 16. Front Park, facing north. The picnic shelter was recently altered when the original terra cotta roof was restored. NRL, 90NR01217.

Photo 17. Front Park, facing west. This monument to Paul Busti is located near Baird Drive. It was erected in 1967.

Photo 18. Front Park, facing west. This monument dedicated to peace between the United States and Canada is located near Baird Drive. It was erected in 1939. NRL, 90NR01217.

Photo 19. Front Park, facing south, showing Baird Drive in relation to Busti Avenue. NRL, 90NR01217.

Photo 20. Front Park, facing northwest. Terrace. NRL, 90NR01217.

Photo 21. Front Park, facing north. Statue in Terrace. NRL, 90NR01217.

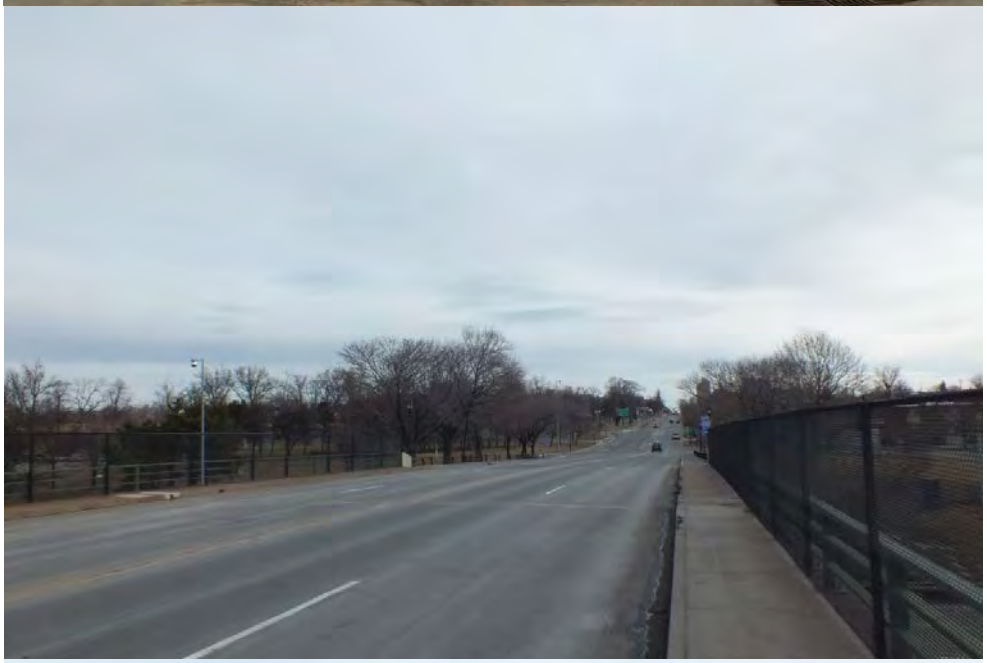


Photo 22. Porter Avenue, facing east. NRL, 90NR01217.

Photo 23. 609 Busti Avenue, facing northeast. Contributing property of the NRE Prospect Hill Historic District. Also described as 611 Busti Avenue. USN 02940.004385.

Photo 24. 615 Busti Avenue, facing northeast.
Contributing property of the NRE Prospect Hill Historic District USN 02940.013419.

Photo 25. 625 Busti Avenue, facing northeast.
Contributing property of the NRE Prospect Hill Historic District USN 02940.013420.

Photo 26. 629 Busti Avenue, facing northeast.
Contributing property of the NRE Prospect Hill Historic District USN 02940.013421.

Photo 27. 637 Busti Avenue, facing east.
Contributing property of the NRE Prospect Hill Historic District USN 02940.013422.

Photo 28. 639 Busti Avenue, facing east.
Contributing property of the NRE Prospect Hill Historic District USN 02940.013423.

Photo 29. 643 Busti Avenue, facing northeast.
Contributing property of the NRE Prospect Hill Historic District USN unknown.

Photo 30. 669 Busti Avenue, facing east.
Contributing property of the NRE Prospect Hill Historic District
USN unknown.

Photo 31. 675 Busti Avenue, facing northeast.
Contributing property of the NRE Prospect Hill Historic District
USN 02940.013433.

Photo 32. 679 Busti Avenue, facing northeast.
Contributing property of the NRE Prospect Hill Historic District
USN 02940.004386.

Photo 33. 683 Busti Avenue, facing east.
Contributing property of the NRE Prospect Hill Historic District USN 02940.013434.

Photo 34. 685 Busti Avenue, facing east.
Non-contributing property of the NRE Prospect Hill Historic District USN 02940.013435.

Photo 35. 705 Busti Avenue, facing east.
Contributing property of the NRE Prospect Hill Historic District USN 02940.013436.

Photo 36. 707 Busti Avenue, facing east.
Contributing property of the NRE Prospect Hill Historic District USN 02940.013408.

Photo 37. 709 Busti Avenue, facing northeast.
Contributing property of the NRE Prospect Hill Historic District USN 02940.013409.

Photo 38. 713 Busti Avenue, facing northeast.
Contributing property of the NRE Prospect Hill Historic District USN 02940.013411.

Photo 39. 719 Busti Avenue, facing northeast.
Contributing property of the NRE Prospect Hill Historic District USN 02940.004387.

Photo 40. 721 Busti Avenue, facing northeast.
Contributing property of the NRE Prospect Hill Historic District USN 02940.013413.

Photo 41. 11 Vermont Avenue, facing southwest.
Contributing property of the NRE Prospect Hill Historic District USN 02940.013414.

NON-NATIONAL REGISTER ELIGIBLE PROPERTIES WITHIN THE AREA OF POTENTIAL EFFECT

(Photographs taken April 2013)

Photo 42. 565 Busti Avenue, facing east.
USN 02940.013004.

Photo 43. 567 Busti Avenue, facing southeast.
USN 02940.013005.

Photo 44. 570 Busti Avenue, facing northwest.
USN 02940.013045.

Photo 45. 573 Busti Avenue, facing southeast. USN 02940.013006.

Photo 46. 113 Lakeview Avenue, facing east. USN 02940.013040.

Photo 47. 115 Lakeview Avenue, facing east. USN 02940.013041.

Photo 48. 132 Lakeview Avenue, facing southwest. Peace Bridge Apartments. Also described as 111 Porter Avenue. USN 02940.013062.

Photo 49. 637 4th Street, facing southeast.
USN unknown.

Photo 50. Porter Avenue Bridge, BIN 5512560, facing northwest.
USN unknown.

APPENDIX A: REFERENCES

Beauchamp, W.
1900 Aboriginal Occupation of New York. *Bulletin of the New York State Museum*, 7(32). University of the State of New York, Albany.

Bingham, Robert W.
1931 *Cradle of the Queen City: A history of Buffalo to the incorporation of the city.* Buffalo Historical Society, Buffalo, New York.

Brown, James P.
1894 *Atlas of the City of Buffalo, Erie County, New York.* American Atlas Company, New York.

Buffalo and Erie County Historical Society
n. d. Photograph Collection, Buffalo, New York.
1879 *Publications of the Buffalo Historical Society*. Volume I. Buffalo: Bigelow Bros.

Buffalo and Erie County Public Library
n.d. Photograph and Local History Collection, Buffalo, New York.

Buffalo and Fort Erie Public Bridge Authority
2002 *Gateways: The Peace Bridge Celebrates its 75th anniversary*. Buffalo and Fort Erie Public Bridge Authority, Buffalo, New York.
n. d. Photographs and History Files.

Buffalo Area Chamber of Commerce
1930 *The Niagara Area: Special Edition of the Buffalo Journal of Commerce,* Buffalo, New York.

Buffalo Common Council
1950 *Common Council proceedings of the City of Buffalo*. The Council, Buffalo, New York.

Buffalo Parks Commissioner
1869-1923 Annual Reports of the Buffalo Parks Commissioners. City of Buffalo, New York.

Bureau of Engineering
1896 *Index to Records of Streets, Public Grounds, Waterways, Railroads, Gas Companies, Water Works, etc. of the City of Buffalo from 1814 to 1896*. The Wenborne Sumner Company, Buffalo.

City of Buffalo Department of Public Works
1880-1950 Annual Reports: Division of Engineering, Division of Water, Division of Streets, Division of Buildings, Buffalo, New York.

Cloutier, Mike
2007 *Peace Bridge: The Dream and Its Evolution*, Buffalo and Fort Erie Public Bridge Authority, Ontario, Canada.

Erie County GIS Webpage
2012 http://gis1.erie.gov/. Accessed April 1, 2013.

Gordon, William Reed
1970 *90 Years of Buffalo Railways, 1860-1950, International Railway Company*, Ms. on File. Buffalo and Erie County Public Library, Buffalo, New York.

Hopkins, G.M.
1872 *Atlas of the City of Buffalo*. Buffalo, New York.

Houghton, F.
1909 *Indian Village, Camp, and Burial Sites on the Niagara Frontier*. Bulletin of the Buffalo Society of the Natural Sciences 9(3). Buffalo.

Lovejoy, Henry
1836 *Map of the Village of Black Rock, Erie County*. Black Rock Land & Rail Road Company. Ms. on file, Buffalo and Erie County Historical Society.

Montague, Nathan and Douglas J. Perrrelli
2010 Addendum Phase 1A Archaeological Resources Sensitivity Assessment for PIN 5753.58.121, (05PR00930) Peace Bridge Expansion Project Option to Locate Ramp B below I-190, City of Buffalo, Erie County, New York. *Reports of the Archaeological Survey, Volume 42, Number 09*, SUNY Buffalo.

National Park Service
1991 National Register Bulletin 15: *How to Apply the National Register Criteria for Evaluation*. National Park Service, Washington, D.C.
1998 *The Erie Canalway: A special resource study of the New York State Canal System*. Boston, MA: Boston Support Office.

New York Archaeological Council
1994 Standards for Cultural Resources Investigations and the Curation of Archaeological Collections. New York Archaeological Council, Albany.

New York Department of Transportation Geotechnical Engineering Bureau
1965-1969 *Busti Avenue and Peace Bridge Connection to the New York Thruway*. New York Department of Transportation Geotechnical Engineering Bureau. Albany, New York.

New York State Education Department
1998 *Guidelines for Gathering Architectural Field Data*. New York State Museum, Albany.
2004 *Cultural Resources Survey Work Scope Specifications.* New York State Museum, Albany.

Olmsted Parks Conservancy
2004 *Preliminary Draft, 20 Year Management Plan for the Olmsted Park System in Buffalo*. Unpublished Ms., on file at Olmsted Parks Conservancy, Buffalo, New York.

Parker, A.C.
1922 *The Archaeological History of New York*, Part I. New York State Museum Bulletin 235. The University of the State of New York, Albany.

Perrrelli, Douglas J.
2007 Archaeological Reconnaissance Plan for PIN 5753.58.121, Peace Bridge Expansion Project, City of Buffalo, Erie County, New York. *Reports of the Archaeological Survey, Volume 39, Number 17*, SUNY Buffalo.

Pierce, Carolyn
1996 *Stage 1A Cultural Resource Investigation for the Peace Bridge Plaza and Connecting Roadway System Design Phases I-IV, PIN 5753.58 City of Buffalo, Erie County, New York*. Pratt & Huth, Williamsville, New York.

Sanborn Map Company
1916 *Fire Insurance Map of Buffalo, New York*. Sanborn Map Company, Pelham, New York.
1950 *Fire Insurance Map of Buffalo, New York*. Sanborn Map Company, Pelham, New York.

Shmookler, Leonid I., Daniel M. Cadzow, and Natasha B. Snyder
2007 *Appendix E: Phase 1A Cultural Resource Investigation, Peace Bridge Expansion Project*. Ecology and Environment, Lancaster, New York.

Smith, Perry H.
1884 *History of the City of Buffalo and Eire County, with Illustrations and Biographical Sketches of Some of Its Prominent Men and Pioneers*. Two Volumes. D. Mason and Company, Syracuse, New York.

Spear, A.W.
1977 *The Peace Bridge: 1927-1977 and Reflections of the Past*. Buffalo and Fort Erie Public Bridge Authority, Peace Bridge Plaza, Buffalo, New York.

Stone & Stewart
1866 *New Topographical Atlas of Erie County, N.Y.* Stone & Stewart, Philadelphia.

New York State Education Department
2004 Work Scope Specifications for Cultural Resource Investigations. New York State Museum, Albany.
1998 Guidelines for Gathering Architectural Field Data. New York State Museum, Albany.

Traynor, Kerry, and Nathan Montague
2008 Revised National Register Eligible Prospect Hill Historic District, PIN 5753.58.121, Peace Bridge Expansion Project, City of Buffalo, Erie County, New York. *Reports of the Archaeological Survey, Volume 39, Number 20*, SUNY Buffalo.

United States
1882 *Annual Reports of the War Department*. Washington: Govt. Print. Off.

United States Geological Survey
1965 *Buffalo, N.Y.-Ont.* USGS 7.5 Minute Series Quadrangle.

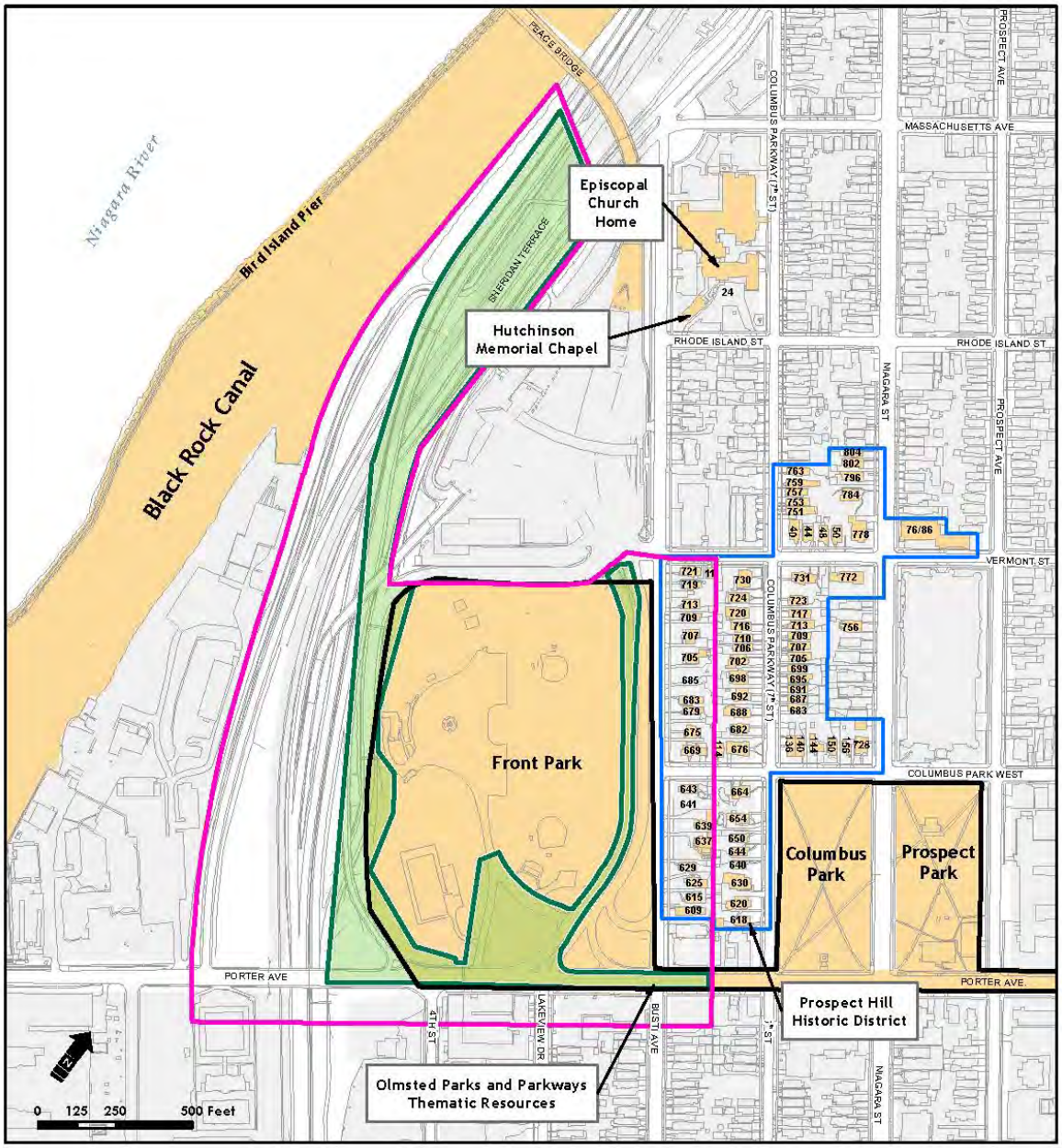
APPENDIX A: INTERVIEWS

NYSDOT

NYSDOT Office of Environment, provided information about the project, scope of work for cultural resources, and area of potential effects (APE) for the project.

NYSDOT Regional Cultural Resources Coordinator provided Construction Record Plans with Thruway profiles, Soil Boring Logs, and Soil Boring Location Maps.

APPENDIX B: MAP OF AREA OF POTENTIAL EFFECTS



Document Path: L:\Buffalo\NYSDOT_Gateway\2013\maps\mxd\Cultural_Resources\Project's Area of Potential Effect.mxd 7/2/2013

NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza
Area of Potential Effect (APE)
Erie County, New York

- Direct APE
- Project APE
- Prospect Hill Historic District
- Olmsted Park Historic Thematic Resource
- National Register Resources
- Planimetric Feature

SOURCE Ecology and Environment, Inc.
July 2, 2013

APPENDIX C: PROJECT AREA MAP

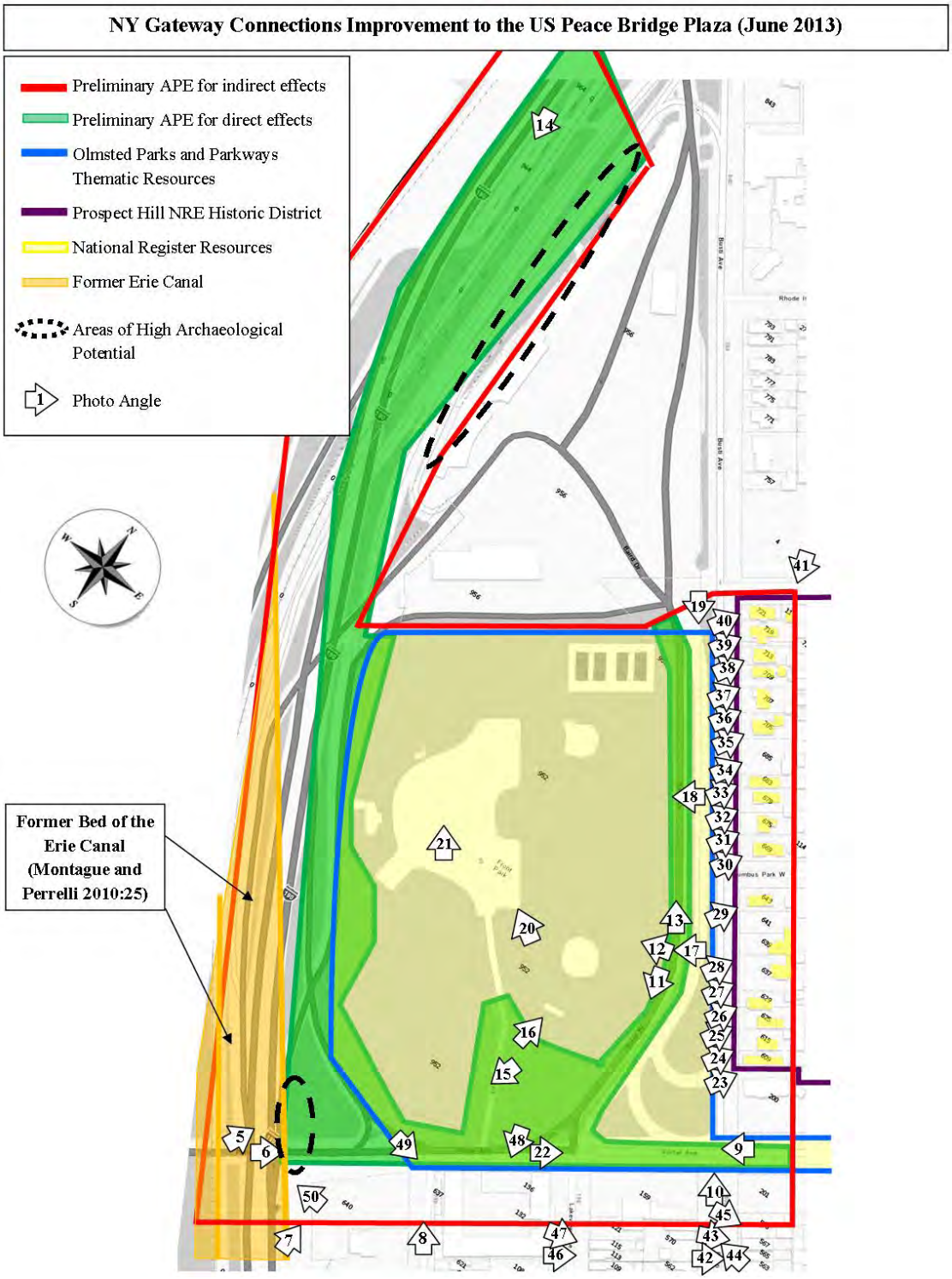


Figure 14. Project Area Map.

APPENDIX D: 2008 DETERMINATION OF NATIONAL REGISTER ELIGIBILITY FOR ARCHITECTURAL RESOURCES

U.S. Department of Transportation
Federal Highway Administration

New York Division

Leo W. O'Brien Federal Building, Suite 719
Clinton Avenue & North Pearl Street
Albany, NY 12207

August 28, 2008

Mr. Daniel P. Hitt, RLA
Director, Environmental Science Bureau
New York State Department of Transportation
50 Wolf Road
Albany, NY 12232

In Reply Refer To:
HDO-NY

Dear Mr. Hitt:

This is in regards to PIN 5753.58, Peace Bridge Expansion Project, City of Buffalo, Erie County, New York and Town of Fort Erie, Ontario, Canada. In response to your August 7, 2008 letter requesting concurrence with the determination of National Register eligibility for architectural resources identified within the APE for the subject project, we have reviewed the revised summary of listed and eligible properties that accompanied your August 7, 2008 request. We have also received your August 21, 2008 letter noting and correcting the typographical error in the number of individual properties eligible or listed. You have indicated that the value should read "37" individual properties rather than "36" as noted in your original August 7, 2008 request letter.

Based on our review of the information provided, we concur with the eligibility findings submitted with your August 7, 2008 request.

If you have any questions, please contact me at (518) 431-4125 extension 250.

Sincerely,

Robert M. Davies
Upstate Team Leader

cc:
Katry Harris, Advisory Council on Historic Preservation
Ruth Pierpont, NYSOPRHP/SHPO (05PR00930)
Mark Peckham, NYSOPRHP/SHPO (05PR00930)
Ron Rienas, Peace Bridge Authority
Alan E. Taylor, P.E. Regional Director, NYSDOT Region 5

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232
www.nysdot.gov

ASTRID C. GLYNN
COMMISSIONER

DAVID A. PATERSON
GOVERNOR

August 21, 2008

Robert M. Davies, Upstate Team Leader
Federal Highway Administration, NY Division
Leo W. O'Brien Federal Building, Room 719
Clinton Avenue and N. Pearl Street
Albany, NY 12207

RE: **PIN 5753.58 / 05PR00930**
PEACE BRIDGE EXPANSION PROJECT
CORRECTION – AUGUST 7, 2008 LETTER FOR DETERMINATION OF NATIONAL REGISTER ELIGIBILITY FOR ARCHITECTURAL RESOURCES

Dear Mr. Davies:

The August 7, 2008 letter "Determination of National Register Eligibility for Architectural Resources" contains a typographical error, brought to our attention after the package was sent to the Federal Highway Administration (FHWA). The second-to-last paragraph of page 2 of the letter reads "The final list identified a total of 110 historic properties within the APE, including *36 individual properties* (eligible or listed), and one historic district, with one non-contributing and 73 contributing resources."

Please note the number "36" is in error. As indicated by the eligibility documentation, the sentence should have indicated "37 individual properties". The documentation enclosed in the August 7, 2008 package to FHWA is correct, and contains the same information provided for concurrence by the State Historic Preservation Office (SHPO).

At this time, the New York State Department of Transportation (NYSDOT) is retracting the original cover letter only from the August 7, 2008 documentation package, and providing a corrected version (attached), with a single revision to indicate the correct number of individual historic properties.

Sincerely,

DANIEL P. HITT, RLA
Director, Environmental Science Bureau

DPH/MCS
Attachment

cc: Katry Harris, Advisory Council on Historic Preservation
Ruth Pierpont, NYSOPRHP/ SHPO
Mark Peckham, NYSOPRHP / SHPO
Jeffrey Berna, FHWA
Ron Rienas, Peace Bridge Authority
Alan E. Taylor, P.E., Regional Director, NYSDOT Region 5

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232
www.nysdot.gov

ASTRID C. GLYNN
COMMISSIONER

DAVID A. PATERSON
GOVERNOR

August 7, 2008

Robert M. Davies, Upstate Team Leader
Federal Highway Administration, NY Division
Leo W. O'Brien Federal Building, Room 719
Clinton Avenue and N. Pearl Street
Albany, NY 12207

RE: **PIN 5753.58 / 05PR00930**
PEACE BRIDGE EXPANSION PROJECT
DETERMINATION OF NATIONAL REGISTER ELIGIBILITY FOR ARCHITECTURAL RESOURCES

Dear Mr. Davies:

Enclosed for review by the Federal Highway Administration (FHWA) is final documentation pertaining to the identification of historic properties within the Area of Potential Effects (APE) for the Peace Bridge Expansion Project. This summary of historic properties is the result of steps taken to identify and evaluate National Register eligibility for architectural resources within the APE, in accordance with 36 CFR 800.4(c)(1).

In September 2007, the Draft Environmental Impact Statement (DEIS) described 64 historic properties within the APE, identified in consultation with the State Historic Preservation Office (SHPO). These resources included properties previously listed in the National Register of Historic Places, and previous determinations of National Register eligibility. Among these are:

- Front Park, Columbus Park, Prospect Park, and Porter Avenue, listed in the National Register in 1982, as part of the Olmsted Parks and Parkways multiple property nomination in Buffalo.
- Black Rock Canal and Bird Island Pier, determined eligible in 1998.
- Connecticut Street Armory, listed in the National Register in 1995, as part of the Army National Guard Armories in New York State multiple property nomination.
- Episcopal Church Home and Edward H. Hutchinson Chapel, determined eligible for the National Register, and locally designated in 1980.

The Peace Bridge (BIN 5516290) itself was determined eligible for the National Register in 1998. Built in 1925-27 as an international crossing between Buffalo, New York and Fort Erie, Ontario, Canada, the bridge is eligible under Criterion A for its historic associations, commemorating a century of peace between the two nations. The bridge is also eligible under National Register Criterion C, for its bridge engineering, as an excellent example of an early 20th century multiple-arch, steel plate girder bridge.

The DEIS also included preliminary findings of eligibility for architectural resources identified on the basis of architectural surveys conducted for this project in 2004 and 2007. In addition to individual properties, the Columbus Parkway Historic District was identified, comprised of 17 properties, and 4 contiguous properties on Vermont Street were described in the context of a potentially eligible historic district, though district level documentation had not been developed at that time. Historic properties were identified in the DEIS with the understanding that these findings were subject to modification "...pending additional information, and consultation with consulting parties and the public" (DEIS 2007: 311).

Since the DEIS, the New York State Department of Transportation (NYSDOT), in coordination with the SHPO and FHWA, requested supplemental inventory and evaluation by architectural historians from the University at Buffalo, to consider additional information on the history of the area, and to assess the potential for a larger historic district. Throughout this process, outreach through meetings, workshops, and review of documentation has provided numerous opportunities for the public and Consulting Parties to articulate their views on historic resources. There has also been extensive consultation between FHWA, NYSDOT, and the SHPO.

As a result, the final list of historic properties has substantial changes from the DEIS, reflecting consideration of Consulting Party and public comments, in consultation with the SHPO. Notable among these changes is the identification of the National Register Prospect Hill Historic District, superseding the Vermont Street and Columbus Parkway Historic Districts identified in the DEIS. In comparison to the previous districts, the Prospect Hill District encloses a larger geographical area within its boundaries, incorporates a greater number of properties (73 contributing and one non-contributing), and extends the period of significance to 1955.

The final list identified a total of 110 historic properties within the APE, including 37 individual properties (eligible or listed), and one historic district, with one non-contributing and 73 contributing resources. There is no change in the status of National Register listed properties, or of properties determined eligible prior to survey for this project beginning in 2004.

By letter dated June 26, 2008, the SHPO has concurred with these eligibility findings, noting that "this concurrence ... will serve as the basis for continuing consultation with this office on this project." In accordance with 36 CFR 800.4(c)(2), we respectfully request your concurrence with the enclosed list of identified architectural *resources for the Peace Bridge Expansion Project*.

Sincerely,

DANIEL P. HITT, RLA
Director, Environmental Science Bureau

DPH/MCS
Enclosures

cc: Katry Harris, Advisory Council on Historic Preservation
Ruth Pierpont, NYSOPRHP/ SHPO
Mark Peckham, NYSOPRHP / SHPO
Jeffrey Berna, FHWA
Ron Rienas, Peace Bridge Authority
Alan E. Taylor, P.E., Regional Director, NYSDOT Region 5

David A. Paterson
Governor

Carol Ash
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643
www.nysparks.com

June 26, 2008

Daniel P. Hitt, RLA
Major Projects Office
NYS Department of Transportation
Wolf Rd.
Albany, NY 12232

Re: Peace Bridge Expansion Project
PIN 5753.58
Buffalo, Erie Co.
FHWA / NYSDOT
05PR00930

Dear Mr. Hitt:

Thank you for providing the State Historic Preservation Office with a revised summary of listed and eligible properties located within the Peace Bridge Expansion Project APE. The summary was revised in consultation with our office and incorporates some of the recommendations presented by consulting parties during the consultation period. Chief among these recommendations is the extension of the eligible Prospect Hill Historic District's period of significance to 1955, consistent with the construction of the Niagara Thruway and a significant expansion of the Peace Bridge toll plaza adjacent to the neighborhood. The revised period of significance and the resulting changes to the listing of contributing and non-contributing properties conform to guidelines from the National Park Service for determining National Register eligibility and we endorse the revisions. Please note that the revised report on the eligible Prospect Hill Historic District prepared by Kerry Traynor and Nathan Montague in May 2008 should be corrected on page one to indicate 73 contributing buildings and 1 non-contributing building to be consistent with the revised evaluations. The State Historic Preservation Office concurs with the eligibility findings outlined in your letter of June 18 and the attached tables. This concurrence supersedes all previous correspondence on this subject and will serve as the basis for continuing consultation with this office on this project.

Sincerely,

For –

Ruth L. Pierpont
Director
Historic Preservation
Field Services Bureau

Cc: Robert Davies, FHWA
Jeffrey Burns, FHWA

An Equal Opportunity/Affirmative Action Agency

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232
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June 18, 2008

Ruth Pierpont
Director, Field Services Bureau
State Historic Preservation Office
Peebles Island State Park
PO Box 189
Waterford, NY 12188-0189

Attn: Mark Peckham, National Register Unit Coordinator

RE: **PEACE BRIDGE EXPANSION PROJECT / PIN 5753.58**
SECTION 106 ELIGIBILITY FINDINGS
REQUEST FOR CONCURRENCE

Dear Ruth:

Enclosed for review by your office is final documentation pertaining to the identification of historic properties for the Peace Bridge Expansion Project. This package includes a summary of National Register eligible architectural resources within the Area of Potential Effect (APE), prepared by the State University of New York at Buffalo (UB) architectural historians. Revised in May 2008, the summary was developed through extensive consultation with your office, and was modified in response to comments received from Section 106 Consulting Parties. The May 2008 revisions to the UB summary document include:

- Period of significance for the eligible Prospect Hill Historic District extended to 1955, a date associated with the construction of the Niagara Thruway and expansion of the existing Peace Bridge plaza;
- Boundaries for the historic district expanded to incorporate the entire block enclosed by Vermont Street, Columbus Parkway, Columbus Park West, and Busti Avenue; and
- Identification of additional "contributing" properties within the district boundaries, built before1955.

Based on the revised end date to the district's period of significance, and continued consultation with the State Historic Preservation Office (SHPO), the New York State Department of Transportation (NYSDOT) has reclassified the following properties as contributing to the significance of the eligible Prospect Hill Historic District:

- 615, 625, 675, 709, and 713 Busti Avenue
- 114 and 156 Columbus Park West

These changes are reflected in an addendum to the summary documentation, and an updated map of historic properties within the APE (attached).

In coordination with the Public Bridge Authority (PBA) and Federal Highway Administration (FHWA), the NYSDOT provides the enclosed documentation for final review, and respectfully requests the concurrence of the SHPO with these eligibility findings. FHWA will make a formal determination of eligibility once the SHPO has concurred.

Sincerely,

DANIEL P. HITT, RLA
Major Projects Office
NYS Department of Transportation

DPH/MCS
Attachments

cc: Robert Davies, FHWA
Jeffrey Berna, FHWA

PEACE BRIDGE EXPANSION PROJECT
SECTION 106 ELIGIBILITY ADDENDUM

RECLASSIFIED PROPERTIES CONTRIBUTING TO THE PROSPECT HILL HISTORIC DISTRICT

National Register of Historic Places Eligible Historic District	
Prospect Hill Historic District The Prospect Hill Historic District is National Register eligible under Criteria A and C. The district possesses a concentration of architectural styles popular during the period ca. 1880-1955, depicting residential growth and development in the City of Buffalo adjacent to Olmsted's Front Park and Prospect Park.	
615 Busti Avenue *Contributing*	Residential building, ca. 1955 Vernacular architecture consistent with history of the district and revised period of significance
625 Busti Avenue *Contributing*	Residential building, ca. 1955 Vernacular architecture consistent with history of the district and revised period of significance
675 Busti Avenue *Contributing*	Residential building, ca. 1950 Vernacular architecture consistent with history of the district and revised period of significance
709 Busti Avenue *Contributing*	Residential building, ca. 1895 Vernacular architecture consistent with history of the district and revised period of significance
713 Busti Avenue *Contributing*	Residential building, ca. 1950 Vernacular architecture consistent with history of the district and revised period of significance
114 Columbus Pk West *Contributing*	Residential building, ca. 1890 Vernacular architecture consistent with history of the district and revised period of significance
156 Columbus Pk West *Contributing*	Residential building, ca. 1920 Vernacular architecture consistent with history of the district and revised period of significance

DOT Program Year 2007-2008

National Register Eligible
Prospect Hill Historic District

PIN 5753.58.121

Peace Bridge Expansion Project
City of Buffalo
Erie County, New York

RAS 39(20)

by

Kerry Traynor, M. Arch., M.S. Arch. History
Nathan Montague, M.A.

Douglas J. Perrelli, Ph. D., RPA
Principal Investigator

Reports of the Archaeological Survey, Volume 39, Number 20
Department of Anthropology, State University of New York at Buffalo

May 2008 (revised)

Prepared for:
New York State Museum
New York State Department of Transportation
Federal Highway Administration
Peace Bridge Authority

Sponsor - FHWA & NYSDOT

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INTRODUCTION

In May of 2008, KTA Preservation Specialists and the SUNY Buffalo Archaeological Survey conducted an architectural reconnaissance survey for the PIN 5753.58.121 project area in order to define the Prospect Hill Historic District. The project is located in the City of Buffalo (02940) in Erie County, New York. Buildings, structures, and objects adjacent to the project area were photographed and mapped in relation to the project area boundaries following the New York State Education Department's *Guidelines for Gathering Architectural Field Data (1998)*. Location, function, and age of construction were noted for all properties. Information collected for properties that predate 1958 includes architectural details, modifications, integrity, and associated outbuildings and landscape features. All aspects of this study conform to the New State Education Department's (SED) *Work Scope Specifications for Cultural Resource Investigations on New York State Department of Transportation Projects (2004)*.

Any properties that exhibited qualities required for eligibility to the National Register were identified in the field. A New York State Department of Transportation Building/Structure Inventory Form was then completed for each National Register Eligible (NRE) property. Guidelines for the identification of National Register properties are contained in the National Park Service Publication: *Guidelines for Local Surveys: A Basis for Preservation Planning* and *How to Apply the National Register Criteria for Evaluation* (1998). Landscape features were also documented during the initial pedestrian survey.

Prospect Hill Historic District:

Dates of Significance: Pre-1880 – 1955

Significant residential properties were being constructed adjacent to Olmsted and Vaux's Front Park and Prospect Park before the 1880s. The neighborhood evolved over time with the houses along Columbus Parkway, between Porter Avenue and Connecticut Street, being constructed later, into the 1950s. The end of the period of significance is marked by the construction of the Niagara Thruway and expansion of the Peace Bridge Plaza, both occurring by 1955.

Number of Contributing Properties: 66
Number of Non-contributing Properties: 8

Summary of District by Street Address:
Busti Avenue: 609 – 721
Columbus Parkway (7th Street): 618 – 730, 683 – 763
Columbus Park West (Connecticut Street): 114 – 156
Niagara Street: 728, 772 – 804
Vermont Street: 11 – 86

General Description:

The Prospect Hill Historic District is an irregularly-shaped residential historic district with Columbus Parkway as its main axis. Its southern boundary is 618 Columbus Parkway, just north of Porter Avenue, and its northern boundary is 804 Niagara Street, just north of Vermont Street. Fredrick Law Olmsted's and Calvert Vaux's "The Front" (Front Park) lies to the west and Prospect (Columbus) Park and the Connecticut Street Armory lie to the east. The district also includes houses on Niagara Street, Busti Avenue, Vermont Street, and Connecticut Street (See Historic District Map). As early as 1809 this area was known as Prospect Hill (Foit-Albert Overview p. 2). The neighborhood maintained a rural setting with scattered farmhouses. Little development occurred on Prospect Hill during the first half of the 19th century (Figure 1).

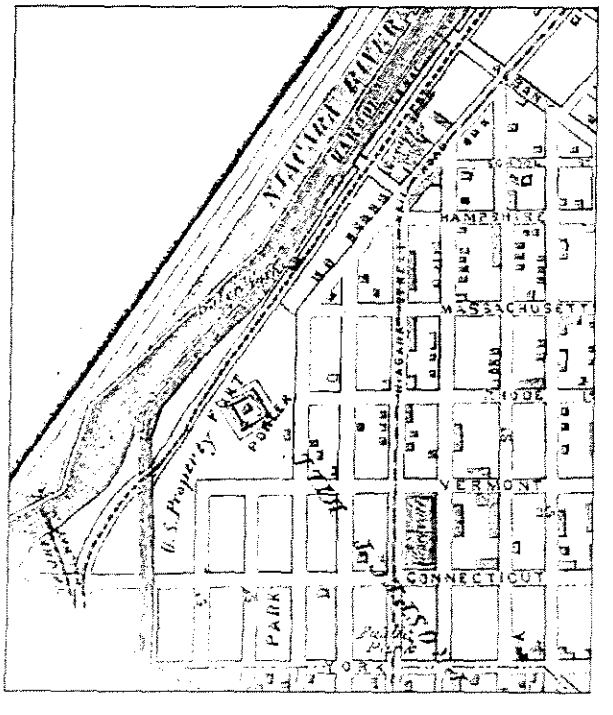

Figure 1. 1866 Stone and Stewart Map of Buffalo.

An 1872 Map shows Olmsted and Vaux's design for "Front Park", "Prospect Place" and The Bank (DEIS, Figure 5-8b). The neighborhood shows only a scattering of houses. "The Front" (Front Park), Prospect (Columbus) Park and "The Bank" were part of the Delaware-Front park system designed by Olmsted and Vaux between 1868 and 1870 and completed by 1876. The design wove its way through the city via a system of parkways (Bidwell, Chapin, Lincoln, and Humboldt Parkway), avenues (Richmond Avenue and Porter Avenue) and landscaped circles (Soldier's Place, Colonial Circle, Gates Circle, Symphony Circle, The Bank, and Niagara Square) which connected the city to four parks: The Park (Delaware), Front Park, The Parade (Martin Luther King, Jr.) and Prospect (Columbus) Park. Prospect Park was designated a "public square" by 1847 (Figure 2). Construction of the Peace Bridge and the Niagara Thruway altered The Bank significantly, compromising its integrity.

Figure 2. 1847 Map showing Prospect Park (Smith 1884).

By 1894 the density of the neighborhood is beginning to increase. Many of the lots along Columbus Parkway, specifically in the blocks north of Vermont Street and on the west side of the street in the block between Connecticut and Vermont Streets, have houses. The east side of Columbus Parkway has lots marked, but has not been fully developed. The end of the 19th Century and early decades of the 20th Century saw these lots being developed. Interestingly, the development at the end of the 19th Century and beginning of the 20th Century saw a number of large residences designed in the styles popular at the time intermingled with smaller folk Victorian types. Good examples of Second Empire, Italianate, Stick Style, Queen Anne, and Craftsman are all represented in both the high style and vernacular types. The Buffalo "up-down" double is also represented in the neighborhood, specifically on the lots on the east side of Columbus Parkway that had not been developed by the turn of the century.

Larger, more elaborate homes were often constructed on the corner lots, which tended to be much more expansive than the narrow lots lining the street. The smaller narrow lots all have a similar setback with a relatively small front yard marked by mature trees and paths connecting the sidewalk to the road. The larger lots, specifically those on the west side of Columbus Street have larger front yards. The road is edged with sandstone curbs and in some locations brick storm drains are noted. The utility lines are carried at the back of the house leaving a clear vista up and down the tree lined street. Small scale lamp posts provide a soft evening light.

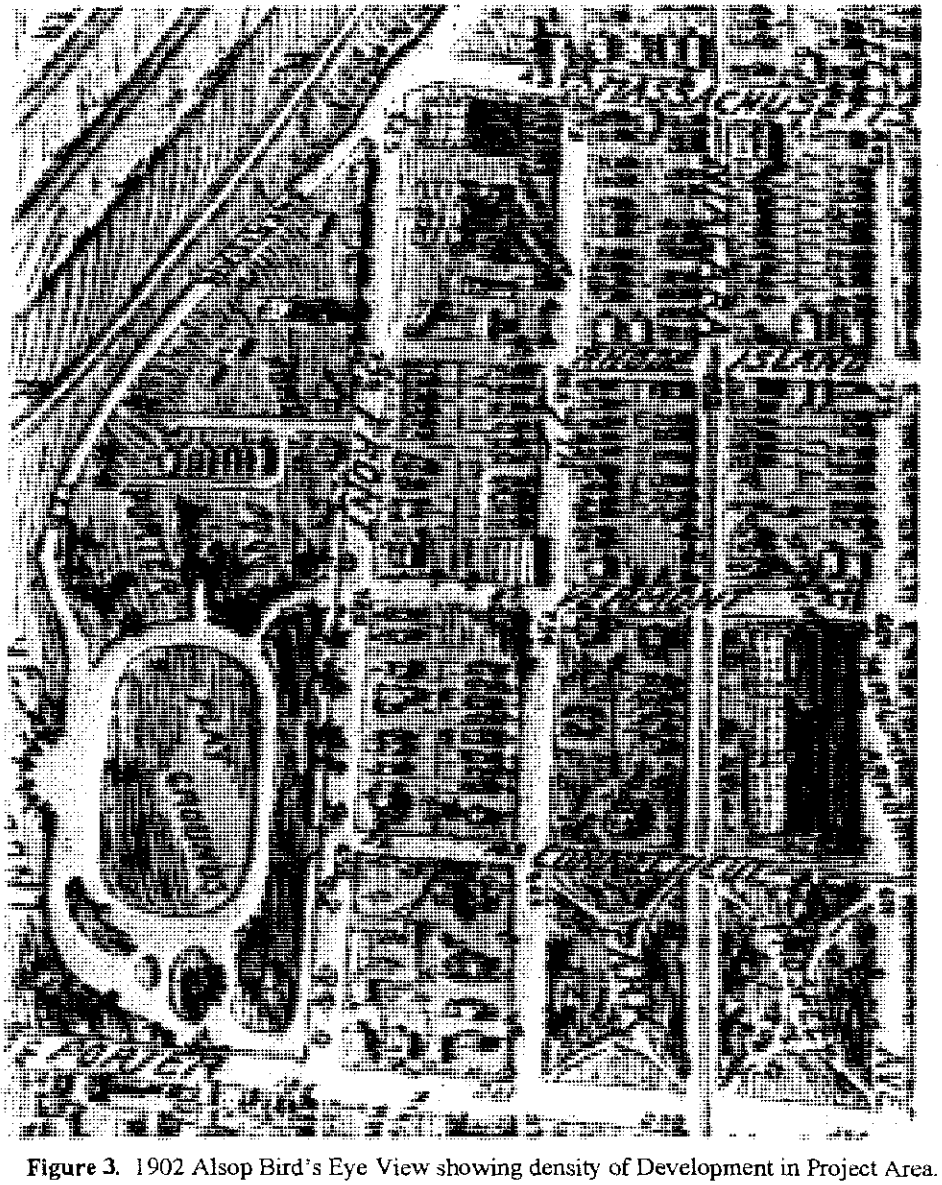

Figure 3. 1902 Alsop Bird's Eye View showing density of Development in Project Area.

The block bound by Porter Avenue to the south, Connecticut Street to the north, Front Park to the west and Prospect (Columbus) Park to the east was not developed as a dense residential setting until after the 1930s. The northern portion of the block was originally owned by Elijah D. Efner who built a substantial residence, "Elmstone", just prior to the Civil War. The estate was enlarged by the subsequent owner, George Lewis, before being demolished in the 1930s. Greenhouses, a gardener's cottage, and carriage house were all part of the original estate. It is said that enthusiasts grew various plants on the property that they then planted in Front Park. There are some residences and structures still existing on the block that date to the "Elmstone", Lewis phase including the carriage house, gardener's cottage and two private residences (620 and 630 Columbus Street). This block is significant due to its relationship to both Front Park and Prospect Park. Originally the "Elmstone"/Lewis property would have had spectacular views into both Front Park and Prospect Park. The evolution of this block is marked by the late 19th C/early 20th C buildings and those residences built after 1930.

Significance:

Buffalo is a city of neighborhoods with outstanding examples of high style and vernacular architecture. The construction of the Erie Canal, industry and invention resulted in fortunes being made and a booming economy during the mid-19th and early 20th Centuries. Mansions were built by the wealthy and suburban neighborhoods settled by the working middle class. Many of these neighborhoods and the architectural treasures that define them still exist.

The Prospect Hill Historic District is defined by its architecture, high style and vernacular types. However, it is the architecture in relation to Front Park and Prospect Park that is significant. Analysis of the historic maps reveals that this neighborhood developed with the Delaware-Front Park System. The interesting observation is that while Olmsted and Vaux's 1876 Park and Parkway Plan for the City of Buffalo included a planned residential subdivision at the northern and western edges of Delaware Park called "Parkside", now a National Register Listed Historic District[1], it did not include a similar development for Front Park. The Parkside East and Parkside West Historic Districts represent the intact portions of Olmsted's plan and design concepts that included the complementary relationship between parklands and adjacent residential neighborhoods that also served as a buffer to development adjacent to the park.

Although not designed by Olmsted and Vaux, the residential neighborhood located within the Prospect Hill Historic District exhibit a similar relationship between parkland and neighborhood. There are a number of architect designed residences in the neighborhood, suggesting their knowledge of Olmstead's planned residential subdivision a few miles away. The patrons of the architecture and the residents of the neighborhood tended to be businessmen and merchants, and also tended to be civic minded.

Many of the buildings in the Prospect Hill Historic District have deteriorated significantly and have been altered with replacement siding, windows, or by the removal of historic material fabric. However, collectively they retain a high degree of integrity of location, massing, setting, feeling and association in relation to Olmsted's Front Park and Prospect (Columbus) Park. The Prospect Hill Historic District is National Register Eligible meeting Criterion A and C, as an example of a residential development that grew adjacent to Olmsted and Vaux's Front Park and Prospect Park (Attachment 1).

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[1] This subdivision now makes up the National Register Listed Parkside East and Parkside West Historic Districts. For a full discussion of these districts refer to National Register of Historic Places Inventory – Nomination, *Olmsted Parks and Parkways Thematic Resources, Parkside East Historic District, City of Buffalo, Erie County, NY*, August, 1986, and National Register of Historic Places Inventory – Nomination, *Olmsted Parks and Parkways Thematic Resources, Parkside West Historic District, City of Buffalo, Erie County, NY*, October, 1986.

REFERENCES CITED

Alsop and Landis
c1902 *Buffalo, Erie County, N.Y.* Alsop and Landis, Newark, New Jersey.

American Atlas Company
1894 *Atlas of the City of Buffalo, New York*, Volume II. Plate 28. American Atlas Company, New York City.

Fairchild's Aerial Surveys, Inc.
1927 Aerial Photograph of Erie County. http://www.erie.gov/aerials/1920s/20s_map. Accessed February 5, 2008.

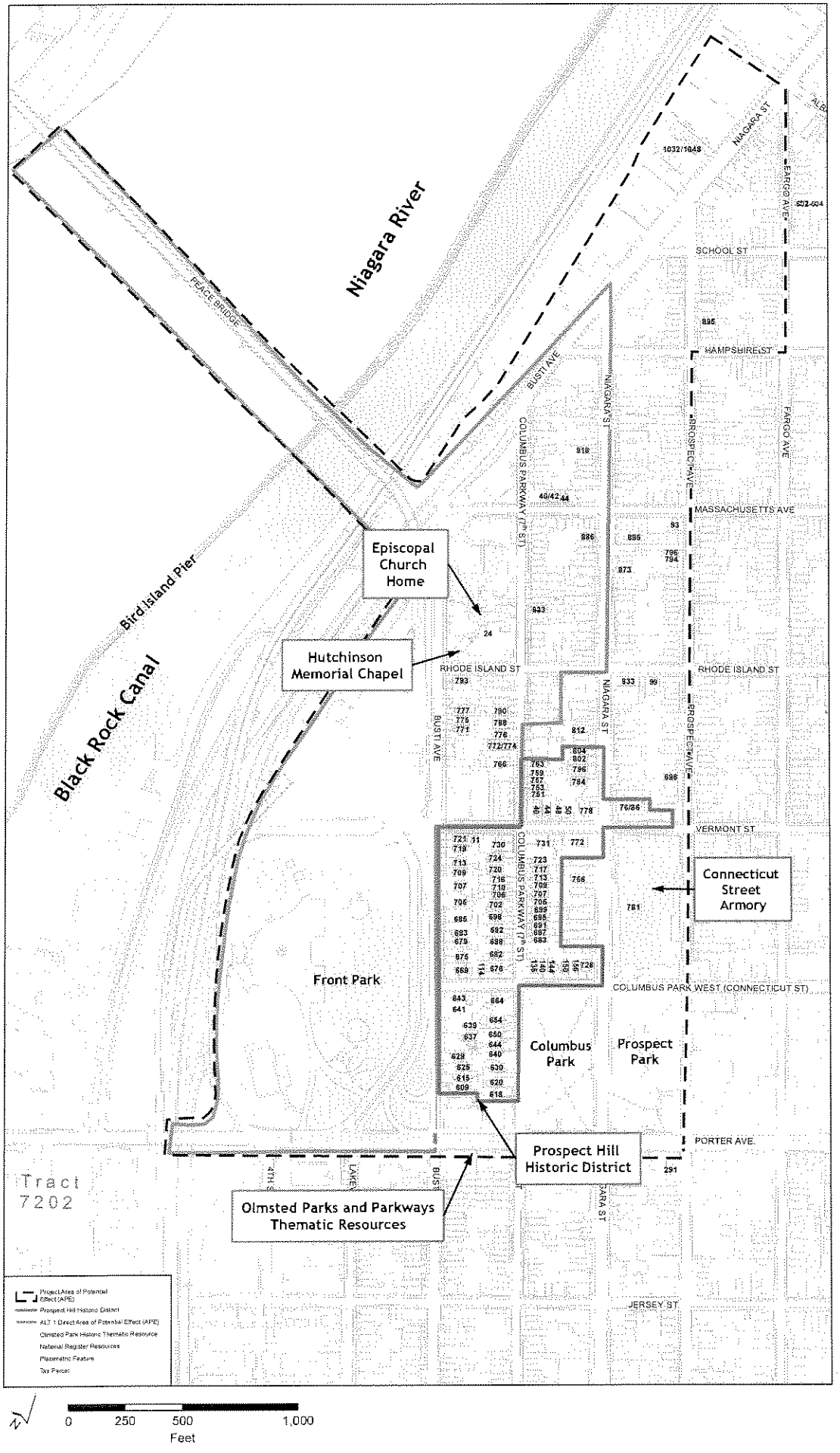
Foit-Albert Associates
2004 *Historic Resources Survey: Peace Bridge Plaza, EIS.*

National Park Service
1991 National Register Bulletin 15: *How to Apply the National Register Criteria for Evaluation.* National Park Service, Washington, D.C.

Shmookler, Leonid I., Daniel M. Cadzow, and Natasha B. Snyder
2007 *Revised Draft Phase 1A Cultural Resource Investigation of Two Proposed Alternative Designs for the U.S. Peace Bridge Plaza and Connecting Roadway System in the City of Buffalo, Erie County, New York.* Ecology and Environment, Lancaster, New York.

Smith, H. Perry (editor)
1884 *History of the City of Buffalo and Erie County.* D. Mason, Syracuse, New York.

Stone and Stewart
1866 *New Topographical Atlas of Erie County, New York.* Stone and Stewart, Philadephia.


Niagara River
PEACE BRIDGE
Bird Island Pier
Black Rock Canal
Episcopal Church Home
Hutchinson Memorial Chapel
Front Park
Columbus Park
Prospect Park
Connecticut Street Armory
Prospect Hill Historic District
Olmsted Parks and Parkways Thematic Resources
Tract 7202
NIAGARA ST
FARGO AVE
SCHOOL ST
HAMPSHIRE ST
BUST AVE
COLUMBUS PARKWAY (7TH ST)
PROSPECT AVE
MASSACHUSETTS AVE
RHODE ISLAND ST
VERMONT ST
COLUMBUS PARK WEST (CONNECTICUT ST)
PORTER AVE.
JERSEY ST
Project Area of Potential Effect (APE)
Prospect Hill Historic District
ALT 1 Direct Area of Potential Effect (APE)
Olmsted Park Historic Thematic Resource
National Register Resources
Photometric Feature
Tax Parcel
0
250
500
1,000
Feet

National Register of Historic Places Eligible Historic District

Prospect Hill Historic District

The Prospect Hill Historic District is National Register eligible under Criteria A and C. The district possesses a concentration of architectural styles popular during the period ca. 1880-1955, depicting residential growth and development in the City of Buffalo adjacent to Olmsted's Front Park and Prospect Park.

609 Busti Avenue *Contributing*	– "Gardener's Cottage" from "Elmstone" estate, ca 1870. Simple frame building with Gothic Revival detailing. – Contributing features: faces Front Park and mature tree-lined Busti Avenue, grass lawns
615 Busti Avenue *Contributing*	– Residential building, ca. 1955 – Vernacular architecture consistent with history of the district and revised period of significance.
625 Busti Avenue *Contributing*	– Residential building, ca. 1955 – Vernacular architecture consistent with history of the district and revised period of significance.
629 Busti Avenue *Contributing*	– Residential building, ca. 1920 – Contributing features: faces Front Park and mature tree-lined Busti Avenue; grass lawns; landscaping
637 Busti Avenue *Contributing*	– Residential Building, ca. 1889 – Contributing features: associated with Elmstone Estate, faces Front Park, mature trees, grass lawns, landscaping.
639 Busti Avenue* *Contributing*	– Residential building, ca. 1937 – Contributing features: faces Front Park, grass lawns, landscaping.
643 Busti Avenue *Contributing*	– Simple Four-Square residential bldg. with Prairie Style detailing ca. 1940. – Contributing features: faces Front Park and mature tree-lined Busti Avenue; grass lawns; landscaping
669 Busti Avenue *Contributing*	– Residential building, ca. 1950 – Contributing features: faces Front Park and mature tree-lined Busti Avenue; grass lawns; landscaping
675 Busti Avenue *Contributing*	– Residential building, ca.1950 – Vernacular architecture consistent with history of the district and revised period of significance
679 Busti Avenue *contributing*	– Queen Anne style residential building, ca. 1886, designed by Joseph Lyman Silsby – Contributing features: faces Front Park, slate stairs, grass lawn, landscaping
683 Busti Avenue *contributing*	– Queen Ann style residential building, ca. 1890, altered by addition of ca. 1940s enclosed front porch – Contributing features: grass lawn, stairs from lawn to sidewalk
685 Busti Avenue *Non-contributing*	– Constructed outside dates of significance – Building is less than 50 years old.
705 Busti Avenue *contributing*	– Residential building, ca. 1948, with Italian Renaissance references. – Contributing features: grass lawn, landscaping
707 Busti Avenue *contributing*	– Residential building, ca. 1950, with Italian Renaissance references. – Contributing features: grass lawn, landscaping
709 Busti Avenue *Contributing*	– Residential building, ca. 1895 – Vernacular architecture consistent with history of the district and revised period of significance
713 Busti Avenue *Contributing*	– Residential building, ca. 1950 – Vernacular architecture consistent with history of the district and revised period of significance
719 Busti Avenue *Contributing*	– Stick style residential building, 1882 – Contributing features: faces Front Park; slate walk, grass lawn; landscaping

721 Busti Avenue *Contributing*	– Stick style residential building, 1882 – Contributing features: faces Front Park; slate walk, grass lawn; landscaping
618 Columbus Parkway *Contributing*	– American Four-Square residential building, ca. 1920 – Contributing features: faces Columbus Park; mature trees, granite curbs
620 Columbus Parkway *Contributing*	– Residential building, ca. 1939 – Contributing features: faces Columbus Park; mature trees; granite curbs
630 Columbus Parkway *Contributing*	– Queen Anne Residential Bldg. ca. 1890 - Contributing features: faces Columbus Park; mature trees; granite curbs
640 Columbus Parkway *Contributing*	– Residential building, ca. 1940 – Contributing features: faces Columbus Park; mature trees; granite curbs
644 Columbus Parkway *Contributing*	– Residential building, ca. 1939 – Contributing features: faces Columbus Park; mature trees; granite curbs
650 Columbus Parkway *Contributing*	– Residential building, ca. 1939 – Contributing features: faces Columbus Park; mature trees; granite curbs
654 Columbus Parkway *Contributing*	– Residential building, ca. 1899-1925 – Contributing features: faces Columbus Park; mature trees; slate sidewalks; granite curbs
664 Columbus Parkway *Contributing*	– Residential building, 1939 – Contributing features: faces Columbus Park; mature trees; granite curbs
676 Columbus Parkway *Contributing*	– Stick style residential building, ca. 1880 – Contributing features: grass lawn, cast concrete curb around perimeter, landscaping, mature tree, hedge
682 Columbns Parkway *Contributing*	– Queen Anne style residential building, ca. 1885 – Contributing features: grass lawn, landscape, mature tree
683 Columbus Parkway *Contributing*	– Craftsman style residential building, designed by Joseph Magliore, 1928 – Contributing features: grass lawn, landscaping, mature tree
687 Columbus Parkway *Contributing*	– Craftsman style residential building, designed by Joseph Magliore, 1928 – Contributing features: grass lawn
688 Columbus Parkway *Contributing*	– Queen Anne style residential building, ca. 1880 – Contributing features: grass lawn
691 Columbus Parkway *Contributing*	– Craftsman style residential building, designed by Joseph Magliore, 1928 – Contributing features: grass lawn
692 Columbus Parkway *Contributing*	– Vernacular Victorian residential building, ca. 1883 – Contributing features: grass lawn, hedge on both sides of property
695 Columbus Parkway *Contributing*	– Craftsman style residential building, ca. 1915 – Contributing features: grass lawn
698 Columbus Parkway *Contributing*	– Second Empire style residential building, ca. 1885 – Contributing features: grass lawn
699 Columbus Parkway *Contributing*	– Craftsman style residential building, ca. 1915 – Contributing features: grass lawn

702 Columbus Parkway *Contributing*	– Second Empire style residential building, ca. 1883 – Contributing features: slate walk, grass lawn
705 Columbus Parkway *Contributing*	– "Up-Down" double residential bldg., Vernacular with Queen Anne influences ca. 1893 – Contributing features: grass lawn
706 Columbus Parkway *Contributing*	– Craftsman style residential building, designed by Frank Internicola, ca. 1925 – Contributing features: grass lawn
707 Columbus Parkway *Contributing*	– "Up-Down" double residential bldg. Vernacular with Queen Anne influences ca. 1900 – Contributing features: grass lawns, mature trees
709 Columbus Parkway *Contributing*	– "Up-Down" double residential bldg. Vernacular with Queen Anne influences ca. 1900 – Contributing features: grass lawns, mature trees
710 Columbus Parkway *Contributing*	– Craftsman style residential building, ca. 1925 – Contributing features: grass lawn
713 Columbus Parkway *Contributing*	– "Up-Down" double residential bldg. , Vernacular with Queen Anne influences ca. 1900 – Contributing features: grass lawns, mature trees
716 Columbus Parkway *Contributing*	– Wood frame Italianate residential building, ca. 1875 – Contributing features: grass lawn
717 Columbus Parkway *Contributing*	– "Up-Down" double vernacular residential bldg, ca. 1900 – Contributing features: grass lawns, mature trees
720 Columbus Parkway *Contributing*	– Italian Renaissance style residential building, designed by August Eisenwein, ca. 1896 – Contributing features: grass lawn, landscaping, mature trees
723 Columbus Parkway *Contributing*	– Residential bldg. Free classical Queen Anne ca. 1900 – Contributing features: grass lawns, mature trees
724 Columbus Parkway *Contributing*	– Colonial Revival style residential building, designed by Louis P.J. Eckel, ca. 1905 – Contributing features: grass lawn, landscaping, mature trees, and hedge
730 Columbus Parkway *Contributing*	– Craftsman style residential building, designed by Ulysses G. Orr, ca. 1909 – Contributing features: grass lawn, landscaping, and a stone wall
731 Columbus Parkway *Contributing*	– Residential bldg. Red brick, Queen Anne ca. 1888 – Contributing features: grass lawns, mature trees
751 Columbus Parkway *Contributing*	– Residential bldg. vernacular with Queen Anne detailing, ca. 1900 – Contributing features: grass lawns, mature trees
753 Columbus Parkway *Contributing*	– Vernacular residential bldg. with Queen Ann detailing ca. 1905 – Contributing features: grass lawns, mature trees
757 Columbus Parkway *Contributing*	– Vernacular residential bldg. with Queen Ann detailing ca. 1900 – Contributing features: grass lawns, mature trees
759 Columbus Parkway *Contributing*	– Queen Ann style residential bldg., ca. 1905 Contributing features: grass lawns, mature trees
763 Columbus Parkway *Contributing*	– Residential bldg. Queen Anne style ca. 1883 – Contributing features: grass lawns, mature trees

114 Columbus Park W (Connecticut Street) *Contributing*	– Residential building, ca. 1890 – Vernacular architecture consistent with history of the district and revised period of significance.
136 Columbus Park W (Connecticut Street) *Contributing*	– Colonial Revival style residential building, ca. 1920 – Contributing features: grass lawn, mature trees
140 Columbus Park W (Connecticut Street) *Contributing*	– Vernacular brick residential building, ca. 1920 – Contribnting features: grass lawn, mature trees
144 Columbus Park W (Connecticut Street) *Contributing*	– Vernacular brick residential building, ca. 1920 – Contributing features: grass lawn, mature trees
150 Columbus Park W (Connecticut Street) *Contributing*	– American Four Square residential building with Craftsman detailing, ca. 1920 – Contributing features: grass lawn, mature trees
156 Columbus Park W (Connecticut Street) *Contributing*	– Residential building, ca. 1920 – Vernacular architecture consistent with history of the district and revised period of significance .
728 Niagara Street *Contributing*	– Residential building with Italian Renaissance Revival detailing, ca. 1925 – Contributing features: faces Columbus Park, grass lawn, wrought iron fence at front perimeter of property, wood fences at side and back of property, landscaping
772 Niagara Street *Contributing*	– French Second Empire style residential building, ca. 1880 – Contributing features: grass lawn, wrought iron fence behind a chain link fence, mature trees, landscaping
778 Niagara Street *Contributing*	– Italian Renaissance Revival style residential building, designed by Charles Forrest, 1922 – Contributing features: grass lawn, perimeter hedge
784 Niagara Street *Contributing*	– Italian Renaissance Revival style commercial building, designed by Charles Forrest, 1922 – Contributing features: grass lawn, hedge, wrought iron fence, masonry piers, landscaping
796 Niagara Street *Contributing*	– Queen Anne style residential building, 1892 – Contributing features: grass lawn
802 Niagara Street *Contributing*	– Queen Anne style residential building, 1892 – Contributing features: grass lawn
804 Niagara Street *Contributing*	– Queen Anne style residential building, 1892 – Contributing features: grass lawn
11 Vermont Ave. *Contributing*	– Colonial Revival style residential building, ca. 1930 – Contributing features: grass lawn, mature tree
40 Vermont Ave. *Contributing*	– Colonial Revival style residential building, designed by William H. Boughton, 1892 – Contributing features: grass lawn, iron fence

44 Vermont Ave. *Contributing*	– Hybrid Queen Anne/Shingle style residential building, designed by William H. Boughton, ca. 1893 – Contributing features: grass lawn, landscaping
48 Vermont Ave. *Contributing*	– Shingle style residential building, designed by William H. Boughton, ca., 1892 – Contributing features: grass lawn, landscaping
50 Vermont Ave. *Contributing*	– Colonial Revival style residential building, ca. 1900 – Contributing features: grass lawn, landscaping
76/86 Vermont Avenue St. Mary's on the Hill Episcopal Church and Parish House *Contributing*	– Church and rectory complex, designed by William H. Boughton, 1892 – St. Mary's on the Hill Episcopal Church is a Gothic Revival style ecclesiastical building – St. Mary's on the Hill Parish House is a Tudor Revival style ecclesiastical building – Contributing features: grass lawn, mature trees

* 641 Busti Avenue is associated with 639 Busti Avenue. There are no buildings on 641 Busti Avenue.

NYSDOT revised JUNE 16, 2008

Historic Property	NRHP Characteristics/ Contributing Elements
National Register of Historic Places Listed Properties	
Connecticut Street Armory 184 Columbus Park West (Connecticut Street); aka 781 Niagara Street)	– (Criteria A and C) - Richardsonian Romanesque style public building (armory), designed by Captain William Lansing and Isaac Perry, 1898 – Architecturally significant as an example of a late 19th century armory, with a high degree of integrity; historically significant through association with National Guard and Italian immigrant population that constructed it – Contributing features: faces Prospect Park, concrete sidewalks, narrow lawns enclosed by low stone retaining wall, mature trees
Olmsted Parks and Parkways Thematic Resources Nomination	
Front Park Contributing - Delaware Park-Front Park System	– Developed by Olmsted between 1868 and 1876, consists of 32-acre space overlooking Lake Erie and Niagara River; contributing resources include c. 1900 stone picnic shelter, terrace, open playing fields, mature trees, a curving entrance road, several winding paths, and grassy banks
Columbus Park Contributing Delaware Park-Front Park System	– Established in 1862, incorporated into park system by Olmsted between 1868 and 1876, consists of one city block of open space; contributing features include grassy lawn, mature trees, and statue of Columbus
Prospect Park Contributing Delaware Park-Front Park System	– Established in 1862, incorporated into park system by Olmsted between 1868 and 1876, consists of one city block of limited open space with c. 1957 brick library on southern half of park and c. 1908-1960's brick Shelter House on north half; contributing features include 1908 Shelter House, grassy lawn, and mature trees
Porter Avenue Contributing Delaware Park-Front Park System	– Older city street upgraded by Olmsted to a width of 100 feet and lined with elms, connected Front Park with Delaware Park
National Register of Historic Places Eligible Properties	
Peace Bridge	– (Criteria A and C) - Early 20th century, multiple-arch and steel-plated girder bridge, 1925-1927; all aspects of bridge
New York State Barge Canal/Black Rock Canal	– (Criteria A, C and D); contributing component of the New York State Canal System; contributed to commercial enterprise and patterns of transportation associated with New York State Canal System; contributing features include adjacent Bird Island Pier and Squaw Island
Bird Island Pier	– (Criterion and C); contributed to commercial enterprise and patterns of transportation associated with New York State Canal System; contributing features include raised walkway
771 Busti Avenue	– (Criterion B)-Italianate style residential building, ca. 1865, built by Col. S.H. Wilkeson, a Civil War Veteran and is one of the oldest properties in the project area. – Contributing features: grassy lawn; mature trees, slate walkway
777 Busti Avenue	– (Criterion C)-Italianate style residential building, 1865 – Contributing features: grassy lawn; mature trees; slate walkway

793 Busti Avenue	– (Criterion C)-residential building, ca. 1886 – Contributing features: grassy lawn; landscaping
766 Columbus Parkway (7th Street)	– (Criterion C)-Residential bldg. Vernacular building with Italianate detailing ca. 1883. – Contributing Features: grassy lawns, mature trees
772-774 Columbus Parkway (7th Street)	– (Criterion C)-Residential bldg. Vernacular side-by-side multifamily residence ca. 1905. – Contributing Features: grassy lawns, mature trees
776 Columbus Parkway (7th Street)	– (Criterion C)-Stick style residential building, ca. 1885 – Contributing features: grassy lawn, landscaping, mature trees
786-788 Columbus Parkway (7th Street)	– (Criterion C)-early Queen Anne style residential building, designed by Martin Miller, ca. 1901 – Contributing features: grassy lawn, landscaping
790 Columbus Parkway (7th Street)	– (Criterion B)-ca. 1932 home of Mariano Lucca (1901-1992), a local journalist who lobbied Congress to adopt Columbus Day as a national holiday. – Contributing features: grassy lawn, landscaping
833 Columbus Parkway (7th Street)	– (Criterion C)-Residential bldg. Simple facing gable vernacular building with Italianate detailing ca. 1880. – Contributing Features: grassy lawns, mature trees
40/42 Massachusetts Street	– (Criterion C)-Queen Anne style residential building, ca. 1891 – Contributing features: grassy lawn, landscaping
44 Massachusetts Street	– (Criterion C)-Queen Anne style residential building, ca. 1890 – Contributing features: grassy lawn, landscaping, hedge
93 Massachusetts Street	– (Criterion C)-Second Empire style commercial/residential building, designed by John Neeson, ca. 1887 – Contributing features: paving to building edge
756 Niagara Street	– (Criterion C)-Shingle style residential building, ca. 1890 – Contributing features: grassy lawn, mature trees, hedge along side yard, landscaping
812 Niagara Street	– (Criterion C)-vernacular Mission style residential building, 1905 – Contributing features: grassy lawn, landscaping
833 Niagara Street	– (Criterion C) –"Niagara Hall". Brick Italianate commercial building, ca. 1892 – Contributing Features: Urban residence, zero lot line at sidewalk
873 Niagara Street	– (Criterion C). Residential bldg. Simple, brick vernacular, gable end structure with Italianate detailing, ca. 1870 – Contributing features: grassy lawn
885 Niagara Street	– (Criterion C) Classical Revival commercial Building, with rusticated sandstone ground floor and brick upper floors, ca. 1903 – Designed by Sidney H. Woodruff who also designed the Pierce Arrow Showroom at Main and Tupper Streets. – Contributing Features: Corner lot commercial building on mixed residential/commercial street.
886 Niagara Street	– (Criterion C) Vernacular Victorian residential building, ca. 1890, with a later enclosed porch – Contributing Features: grassy lawn
918 Niagara Street	– (Criterion C)-Vernacular multi-family building, ca. 1890 – Contributing features: grassy lawn
1032/1048 Niagara Street	– (Criterion C)-Industrial building, designed by Henry Osgood Holland, ca. 1905 – Contributing features: small strip of grassy lawn, mature tree

291 Porter Avenue	– (Criterion C)-Residential building, ca 1870 – Contributing features: faces Prospect Park and Porter Avenue, mature trees, landscaping
696 Prospect Avenue	– (Criterion C)-Queen Anne style residential building, ca. 1890 – Contributing features: grassy lawn, mature tree
794 Prospect Avenue	– (Criterion C)-Queen Anne residence with intact massing and detailing, ca. 1910
796 Prospect Avenue	– (Criterion C)-Italian Renaissance Revival Manufacturing building, ca. 1910
895 Prospect Avenue	– (Criterion C)-vernacular Cottage style residential building, 1905 – Contributing features: hedge, grassy lawn
602-604 Fargo Street	– (Criterion C)-Queen Anne residence with intact massing and detailing, ca. 1910 – Contributing features: grassy lawn
24 Rhode Island Street Episcopal Church Home	– (Criteria A and C)-Social History and institutional (orphanage) architecture, designed between 1880-1895 by W.H. Archer, and incorporated into a larger Colonial Revival style building designed by Henry Osgood Holland, ca. 1920 – Contributing features: grassy lawn, mature trees, landscaping – Non-contributing features: modern addition
24 Rhode Island Street Hutchinson Memorial Chapel	– (Criterion C)- Gothic Revival style ecclesiastical building, designed by W.H. Archer, 1895 – Contributing features: grassy lawn, mature trees, landscaping
99 Rhode Island	– (Criterion A)-Vernacular single bay brick masonry commercial building, ca. 1890. Owned by Vinny Fertita (1920-1935) and Sammy LaTona (1936-1980). Shoe repair shop from ca. 1920 to ca. 1980. – Contributing features: paved sidewalk

National Register of Historic Places Eligible Historic District

Prospect Hill Historic District

The Prospect Hill Historic District is National Register eligible under Criteria A and C. The district possesses a concentration of architectural styles popular during the period ca. 1880-1955, depicting residential growth and development in the City of Buffalo adjacent to Olmsted's Front Park and Prospect Park.

609 Busti Avenue *Contributing*	– "Gardener's Cottage" from "Elmstone" estate, ca 1870. Simple frame building with Gothic Revival detailing. – Contributing features: faces Front Park and mature tree-lined Busti Avenue, grass lawns
615 Busti Avenue *Contributing*	– Residential building, ca. 1955 – Vernacular architecture consistent with history of the district and revised period of significance.
625 Busti Avenue *Contributing*	– Residential building, ca. 1955 – Vernacular architecture consistent with history of the district and revised period of significance.
629 Busti Avenue *Contributing*	– Residential building, ca. 1920 – Contributing features: faces Front Park and mature tree-lined Busti Avenue; grass lawns; landscaping
637 Busti Avenue *Contributing*	– Residential Building, ca. 1889 – Contributing features: associated with Elmstone Estate, faces Front Park, mature trees, grass lawns, landscaping.
639 Busti Avenue* *Contributing*	– Residential building, ca. 1937 – Contributing features: faces Front Park, grass lawns, landscaping.
643 Busti Avenue *Contributing*	– Simple Four-Square residential bldg. with Prairie Style detailing ca. 1940. – Contributing features: faces Front Park and mature tree-lined Busti Avenue; grass lawns; landscaping

669 Busti Avenue *Contributing*	– Residential building, ca. 1950 – Contributing features: faces Front Park and mature tree-lined Busti Avenue; grass lawns; landscaping
675 Busti Avenue *Contributing*	– Residential building, ca.1950 – Vernacular architecture consistent with history of the district and revised period of significance
679 Busti Avenue *contributing*	– Queen Anne style residential building, ca. 1886, designed by Joseph Lyman Silsby – Contributing features: faces Front Park, slate stairs, grass lawn, landscaping
683 Busti Avenue *contributing*	– Queen Ann style residential building, ca. 1890, altered by addition of ca. 1940s enclosed front porch – Contributing features: grass lawn, stairs from lawn to sidewalk
685 Busti Avenue *Non-contributing*	– Constructed outside dates of significance – Building is less than 50 years old.
705 Busti Avenue *contributing*	– Residential building, ca. 1948, with Italian Renaissance references. – Contributing features: grass lawn, landscaping
707 Busti Avenue *contributing*	– Residential building, ca. 1950, with Italian Renaissance references. – Contributing features: grass lawn, landscaping
709 Busti Avenue *Contributing*	– Residential building, ca. 1895 – Vernacular architecture consistent with history of the district and revised period of significance
713 Busti Avenue *Contributing*	– Residential building, ca. 1950 – Vernacular architecture consistent with history of the district and revised period of significance
719 Busti Avenue *Contributing*	– Stick style residential building, 1882 – Contributing features: faces Front Park; slate walk, grass lawn; landscaping
721 Busti Avenue *Contributing*	– Stick style residential building, 1882 – Contributing features: faces Front Park; slate walk, grass lawn; landscaping
618 Columbus Parkway *Contributing*	– American Four-Square residential building, ca. 1920 – Contributing features: faces Columbus Park; mature trees, granite curbs
620 Columbus Parkway *Contributing*	– Residential building, ca. 1939 – Contributing features: faces Columbus Park; mature trees; granite curbs
630 Columbus Parkway *Contributing*	– Queen Anne Residential Bldg. ca. 1890 - Contributing features: faces Columbus Park; mature trees; granite curbs
640 Columbus Parkway *Contributing*	– Residential building, ca. 1940 – Contributing features: faces Columbus Park; mature trees; granite curbs
644 Columbus Parkway *Contributing*	– Residential building, ca. 1939 – Contributing features: faces Columbus Park; mature trees; granite curbs
650 Columbus Parkway *Contributing*	– Residential building, ca. 1939 – Contributing features: faces Columbus Park; mature trees; granite curbs
654 Columbus Parkway *Contributing*	– Residential building, ca. 1899-1925 – Contributing features: faces Columbus Park; mature trees; slate sidewalks; granite curbs
664 Columbus Parkway *Contributing*	– Residential building, 1939 – Contributing features: faces Columbus Park; mature trees; granite curbs

676 Columbus Parkway *Contributing*	– Stick style residential building, ca. 1880 – Contributing features: grass lawn, cast concrete curb around perimeter, landscaping, mature tree, hedge
682 Columbus Parkway *Contributing*	– Queen Anne style residential building, ca. 1885 – Contributing features: grass lawn, landscape, mature tree
683 Columbus Parkway *Contributing*	– Craftsman style residential building, designed by Joseph Magliore, 1928 – Contributing features: grass lawn, landscaping, mature tree
687 Columbus Parkway *Contributing*	– Craftsman style residential building, designed by Joseph Magliore, 1928 – Contributing features: grass lawn
688 Columbus Parkway *Contributing*	– Queen Anne style residential building, ca. 1880 – Contributing features: grass lawn
691 Columbus Parkway *Contributing*	– Craftsman style residential building, designed by Joseph Magliore, 1928 – Contributing features: grass lawn
692 Columbus Parkway *Contributing*	– Vernacular Victorian residential building, ca. 1883 – Contributing features: grass lawn, hedge on both sides of property
695 Columbus Parkway *Contributing*	– Craftsman style residential building, ca. 1915 – Contributing features: grass lawn
698 Columbus Parkway *Contributing*	– Second Empire style residential building, ca. 1885 – Contributing features: grass lawn
699 Columbus Parkway *Contributing*	– Craftsman style residential building, ca. 1915 – Contributing features: grass lawn
702 Columbus Parkway *Contributing*	– Second Empire style residential building, ca. 1883 – Contributing features: slate walk, grass lawn
705 Columbus Parkway *Contributing*	– "Up-Down" double residential bldg., Vernacular with Queen Anne influences ca. 1893 – Contributing features: grass lawn
706 Columbus Parkway *Contributing*	– Craftsman style residential building, designed by Frank Internicola, ca. 1925 – Contributing features: grass lawn
707 Columbus Parkway *Contributing*	– "Up-Down" double residential bldg. Vernacular with Queen Anne influences ca. 1900 – Contributing features: grass lawns, mature trees
709 Columbus Parkway *Contributing*	– "Up-Down" double residential bldg. Vernacular with Queen Anne influences ca. 1900 – Contributing features: grass lawns, mature trees
710 Columbus Parkway *Contributing*	– Craftsman style residential building, ca. 1925 – Contributing features: grass lawn
713 Columbus Parkway *Contributing*	– "Up-Down" double residential bldg. , Vernacular with Queen Anne influences ca. 1900 – Contributing features: grass lawns, mature trees
716 Columbus Parkway *Contributing*	– Wood frame Italianate residential building, ca. 1875 – Contributing features: grass lawn
717 Columbus Parkway *Contributing*	– "Up-Down" double vernacular residential bldg, ca. 1900 – Contributing features: grass lawns, mature trees

720 Columbus Parkway *Contributing*	– Italian Renaissance style residential building, designed by August Eisenwein, ca. 1896 – Contributing features: grass lawn, landscaping, mature trees
723 Columbus Parkway *Contributing*	– Residential bldg. Free classical Queen Anne ca. 1900 – Contributing features: grass lawns, mature trees
724 Columbus Parkway *Contributing*	– Colonial Revival style residential building, designed by Louis P.J. Eckel, ca. 1905 – Contributing features: grass lawn, landscaping, mature trees, and hedge
730 Columbus Parkway *Contributing*	– Craftsman style residential building, designed by Ulysses G. Orr, ca. 1909 – Contributing features: grass lawn, landscaping, and a stone wall
731 Columbus Parkway *Contributing*	– Residential bldg. Red brick, Queen Anne ca. 1888 – Contributing features: grass lawns, mature trees
751 Columbus Parkway *Contributing*	– Residential bldg. vernacular with Queen Anne detailing, ca. 1900 – Contributing features: grass lawns, mature trees
753 Columbus Parkway *Contributing*	– Vernacular residential bldg. with Queen Ann detailing ca. 1905 – Contributing features: grass lawns, mature trees
757 Columbus Parkway *Contributing*	– Vernacular residential bldg. with Queen Ann detailing ca. 1900 – Contributing features: grass lawns, mature trees
759 Columbus Parkway *Contributing*	– Queen Ann style residential bldg., ca. 1905 Contributing features: grass lawns, mature trees
763 Columbus Parkway *Contributing*	– Residential bldg. Queen Anne style ca. 1883 – Contributing features: grass lawns, mature trees
114 Columbus Park W (Connecticut Street) *Contributing*	– Residential building, ca. 1890 – Vernacular architecture consistent with history of the district and revised period of significance.
136 Columbus Park W (Connecticut Street) *Contributing*	– Colonial Revival style residential building, ca. 1920 – Contributing features: grass lawn, mature trees
140 Columbus Park W (Connecticut Street) *Contributing*	– Vernacular brick residential building, ca. 1920 – Contributing features: grass lawn, mature trees
144 Columbus Park W (Connecticut Street) *Contributing*	– Vernacular brick residential building, ca. 1920 – Contributing features: grass lawn, mature trees
150 Columbus Park W (Connecticut Street) *Contributing*	– American Four Square residential building with Craftsman detailing, ca. 1920 – Contributing features: grass lawn, mature trees
156 Columbus Park W (Connecticut Street) *Contributing*	– Residential building, ca. 1920 – Vernacular architecture consistent with history of the district and revised period of significance .

728 Niagara Street *Contributing*	– Residential building with Italian Renaissance Revival detailing, ca. 1925 – Contributing features: faces Columbus Park, grass lawn, wrought iron fence at front perimeter of property, wood fences at side and back of property, landscaping
772 Niagara Street *Contributing*	– French Second Empire style residential building, ca. 1880 – Contributing features: grass lawn, wrought iron fence behind a chain link fence, mature trees, landscaping
778 Niagara Street *Contributing*	– Italian Renaissance Revival style residential building, designed by Charles Forrest, 1922 – Contributing features: grass lawn, perimeter hedge
784 Niagara Street *Contributing*	– Italian Renaissance Revival style commercial building, designed by Charles Forrest, 1922 – Contributing features: grass lawn, hedge, wrought iron fence, masonry piers, landscaping
796 Niagara Street *Contributing*	– Queen Anne style residential building, 1892 – Contributing features: grass lawn
802 Niagara Street *Contributing*	– Queen Anne style residential building, 1892 – Contributing features: grass lawn
804 Niagara Street *Contributing*	– Queen Anne style residential building, 1892 – Contributing features: grass lawn
11 Vermont Ave. *Contributing*	– Colonial Revival style residential building, ca. 1930 – Contributing features: grass lawn, mature tree
40 Vermont Ave. *Contributing*	– Colonial Revival style residential building, designed by William H. Boughton, 1892 – Contributing features: grass lawn, iron fence
44 Vermont Ave. *Contributing*	– Hybrid Queen Anne/Shingle style residential building, designed by William H. Boughton, ca. 1893 – Contributing features: grass lawn, landscaping
48 Vermont Ave. *Contributing*	– Shingle style residential building, designed by William H. Boughton, ca., 1892 – Contributing features: grass lawn, landscaping
50 Vermont Ave. *Contributing*	– Colonial Revival style residential building, ca. 1900 – Contributing features: grass lawn, landscaping
76/86 Vermont Avenue St. Mary's on the Hill Episcopal Church and Parish House *Contributing*	– Church and rectory complex, designed by William H. Boughton, 1892 – St. Mary's on the Hill Episcopal Church is a Gothic Revival style ecclesiastical building – St. Mary's on the Hill Parish House is a Tudor Revival style ecclesiastical building – Contributing features: grass lawn, mature trees

* 641 Busti Avenue is associated with 639 Busti Avenue. There are no buildings on 641 Busti Avenue.

NYSDOT revised JUNE 16, 2008

3 Section 106 No Adverse Effect Determination / Finding Documentation

ATTACHMENTS

A – Map showing APE and Identified Historic Properties
B – Conceptual Plan
C – Preliminary Plans and Profiles
D – *Addendum Report: Archaeological Sensitivity and Proposal for Archaeological Testing and Monitoring*
E – *Plan for Archaeological Monitoring during Construction* (DRAFT October 2013)
F – Porter Avenue Bridge Evaluation (Bridge Abutments 2013)
G – Summary of Consulting Party Comments

SECTION 106
FINDING DOCUMENTATION

PIN 5760.80 / PR #13PR02859
NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT
TO THE US PEACE BRIDGE PLAZA
CITY OF BUFFALO, ERIE COUNTY

OCTOBER 28, 2013

I. PROJECT DESCRIPTION

The Federal Highway Administration (FHWA), in cooperation with the New York State Department of Transportation (NYSDOT), proposes a project to provide improved access to and from the US Border Port of Entry / Peace Bridge Plaza (Plaza), in the City of Buffalo, Erie County, New York. The ***New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza*** (Project) is an undertaking subject to review under Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800. FHWA is responsible for Section 106 compliance, with assistance from the NYSDOT to initiate consultation, prepare information, conduct analyses, and make recommendations for findings of eligibility and effects. The Section 106 process is being carried out in coordination with other environmental reviews, including an Environmental Impact Statement (EIS) being prepared in accordance with the National Environmental Policy Act (NEPA) of 1969.

The primary need of the Project is to address the limited direct access between the Plaza and Interstate 190. Existing direct access is limited and requires regional and international traffic to use the local street system. This limited access adds additional commercial traffic to the local streets which were originally designed to only meet the needs of local traffic. The purpose of the Project is to reduce the use of the local streets by interstate traffic and provide access to and from the existing Plaza at its current location. The primary objectives of the project are to address the need for direct access from the Plaza to the northbound lanes of Interstate 190, to redirect through traffic from Front Park, and to remove Baird Drive.

Alternatives under consideration include: (1) The no-build alternative; and (2) an alternative to construct a new ramp (Ramp D) from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive, and to provide alternate access (Ramp PN) from Porter Avenue to the Plaza. The Build Alternative includes two options for the Porter Avenue intersection at Ramp P / Ramp PN, the Build Alternative with Signalized Intersection Option and the Build Alternative with Roundabout Option.

Area of Potential Effects

The Area of Potential Effects (APE) (map attached) was established by NYSDOT and FHWA in consultation with the New York State Historic Preservation Office (SHPO) and in accordance with 800.4(a)(1) to incorporate the geographical area within which the Project may "...directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist" (36 CFR Part 800.16(d)). The APE was initially defined at a conceptual level, and revised as the project scope was modified to add new work elements.

The APE is based on a proposed scope of work for the Build Alternative that includes:

- the construction of a new ramp to the northbound Thruway I-190, designated as proposed Ramp D;

- the construction of a new Ramp PN connecting Porter Avenue to existing Ramp N;
- two options for the intersection of Porter Avenue with Ramps P and PN, either a signalized intersection or roundabout;
- the removal of Baird Drive from Front Park;
- the relocation of the Porter Avenue entrance to the Front Park drive;
- the relocation of a segment of the Shoreline Trail (Riverwalk); and
- the replacement of the existing Porter Avenue bridge over I-190 and CSX.

Located on the west side of the City of Buffalo, the APE is situated on a bluff overlooking the Niagara River, separated from the waterfront by the New York State Thruway (I-190), which runs along the river and under the Peace Bridge adjacent to Front Park and the Plaza. The project is located within a densely populated, mixed-use urban neighborhood containing residential, recreational, business and industrial components. Front Park, a city-owned public park is centrally located within the APE, providing open space within an urban setting. Outside the APE, nearby public properties include a public school, library and two parks (Columbus and Prospect Parks).

The Project APE extends east on Porter Avenue from DAR Drive to approximately 150 feet east of Busti Avenue, north to Vermont Street and the northern edge of Front Park. From the northwest corner of Front Park, the APE extends north along the outside of the Peace Bridge Plaza, terminating approximately 100 feet south of the approach to the Peace Bridge, and south along I-190 to Porter Avenue. The APE is depicted on the map designated 'Attachment A'.

The entire Project APE represents the area associated with potential indirect effects, incorporating the west-facing properties of two residential blocks on Busti Avenue opposite Front Park. This section of Busti Avenue is comprised primarily of late 19th and early 20th century properties, characterized by a fairly uniform setback and lot size. The indirect APE also includes all of Front Park, a city-owned public park situated south of the US Peace Bridge Plaza, and east of I-190.

Within the APE, a smaller area is identified for potential direct effects of physical alterations or ground disturbance associated with the proposed construction of new ramps, reconstruction of existing ramps, removal of Baird Drive, and replacement of the bridge on Porter Avenue. With the exception of a small area within Front Park, the area associated with direct effects is confined to land occupied by existing transportation facilities - the Thruway corridor, Porter Avenue, and Baird Drive.

Photo 1. Aerial view of Front Park, Porter Avenue, and Busti Avenue within the APE.

II. STEPS TAKEN TO IDENTIFY HISTORIC PROPERTIES

Identification efforts focused on a review and update of existing information from past studies, including previous cultural resource survey reports, and the NYSHPO database and site files.

Table 1 (below) summarizes studies to inventory and evaluate historic properties within the APE.

TABLE 1: STUDIES IDENTIFYING HISTORIC PROPERTIES WITHIN THE APE			
DATE	**TITLE**	**OBJECTIVE / DESCRIPTION**	**PREPARED BY**
October 2013	PIN 5760.80 – NY Gateway Connections Improvement Project to the US Peace Bridge Plaza	Addendum for revised APE - assessment of archaeological sensitivity and proposal for archaeological monitoring during construction	University at Buffalo Archaeological Survey
July 2013	PIN 5760.80 – NY Gateway Connections Improvement Project to the US Peace Bridge Plaza	Update of previously evaluated historic properties w/in the APE; assessment of archaeological sensitivity and proposal for archaeological monitoring during construction	University at Buffalo Archaeological Survey
June 2008 (Appendix D – July 2013 report)	PIN 5753.58 – Prospect Hill Historic District, Peace Bridge Expansion Project	Final documentation of historic district determined National Register eligible through Section 106 review for PIN 5753.58	University at Buffalo Archaeological Survey KTA Preservation Specialists and NYSDOT

Updated Information on Previously Evaluated Properties

All above-ground resources within the APE have been previously evaluated for National Register eligibility. In April 2013, the Archaeological Survey, State University of New York at Buffalo conducted a site visit to update information on architectural properties within the APE. The results of this study are contained in the following report:

- ***Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring.*** PIN 5760.80.101, NY Gateway Connections Improvement Project to the US Peace Bridge Plaza, City of Buffalo, Erie County, New York. Nathan Montague, M.A., and Douglas J. Perrelli, Ph.D., RPA. Reports of the Archaeological Survey, Vol. 45, No. 13, Department of Anthropology, State University of NY at Buffalo, July 2013. Prepared for: NYS Museum, NYSDOT, FHWA.

South of Porter Avenue, all 8 buildings within the APE, 50 years in age or older, were previously inventoried and determined not eligible for the National Register: 565, 567, 570, and 573 Busti Avenue; 113, 115, and 132 Lakeview Avenue (also known as 111 Porter Avenue); and 637 4th Street.

Porter Avenue Bridge

Built in 1958, the bridge carrying Porter Avenue over I-190 (BIN 5512560) was evaluated for National Register eligibility (NRE) in 2011, and determined not eligible for the National Register based on the bridge type and design of the superstructure (Montague and Perrelli 2013: 48). At that time, the masonry abutments were identified as potentially eligible archaeological resources under National Register criterion A, due to their association with the Erie Canal. In consultation with the SHPO, NYSDOT and FHWA recently determined the abutments are not considered to

be archaeological resources, but conducted further research and analysis to evaluate the potential for the abutments to meet the criteria for National Register eligibility as historic structures.

The existing bridge abutments, associated with a steel arch bridge constructed ca. 1897 over the Erie Canal, no longer retain historic integrity of design, setting, feeling, and association, and do not convey the historic character of the former 19th century canal crossing. As a result, the Porter Avenue bridge, including the abutments, was determined not eligible for listing in the National Register of Historic Places (NRHP) (Attachment F - FHWA to NYSDOT 9/16/13).

NYSDOT agreed to consider salvaging the abutments' remaining stone and architectural elements for reuse on a replacement bridge, to incorporate these materials as aesthetic elements of a context-sensitive design reflecting the history of the location and setting.

Front Park and Porter Avenue

Front Park was designed by Frederick Law Olmsted and developed between 1868 and 1876 as the Front, a 32-acre park overlooking Lake Erie and the Niagara River. Porter Avenue is a former city street incorporated into the Olmsted parkway system to connect Front Park and Columbus Park with Symphony Circle. Both are historic properties listed in the National Register of Historic Places under Olmsted Parks and Parkways Thematic Resources, as contributing resources of the NRHP-listed Delaware Park-Front Park System (90NR01217).

There are no other National Register-listed properties within the APE.

Prospect Hill Historic District

Eighteen contributing resources of the Prospect Hill Historic District are located within the Project's APE. The Prospect Hill Historic District was determined National Register eligible in 2008 as a result of the Section 106 review process for the Peace Bridge Expansion Project (PIN 5753.58.123 / PR# 01PR04982). In consultation with the SHPO , ACHP, and other consulting parties, NYSDOT and FHWA delineated district boundaries incorporating one non-contributing and 73 contributing resources, including portions of Niagara Street, Vermont Street, Columbus Parkway, Columbus Park West, and Busti Avenue (Montague and Perrelli, 2013, Appendix D) .

The Prospect Hill Historic District is a residential historic district with Columbus Parkway as its main axis. Determined National Register eligible under Criteria A and C, the district possesses a concentration of architectural styles popular during the period ca. 1880-1955, depicting residential growth and development in the city of Buffalo adjacent to the Olmsted-designed Front Park and Prospect Park. Contributing resources located within the APE for the NY Gateway Connections Improvement Project include two intact blocks of vernacular architecture along Busti Avenue extending from the southern end of the district north to Vermont Street. The scale, massing, and setback of these dwellings present a unified streetscape oriented towards Front Park, and individually, field survey in 2013 found the buildings retain the same degree of architectural integrity recorded at the time the properties were evaluated in 2008 (Montague and Perrelli 2013).

Based on the 2013 site visit and updated assessment, the SHPO and FHWA have concurred there is no change in the characteristics that qualify these previously-identified historic properties for the National Register:

- 18 contributing resources to the National Register eligible Prospect Hill Historic District: 609, 615, 625, 629, 637, 639, 643, 669, 675, 679, 683, 705, 707, 709, 713, 719, and 721 Busti Avenue; and 11 Vermont Street.

- Front Park and Porter Avenue, contributing resources of the National Register listed Olmsted Parks and Parkways Thematic Resources; elements of the NRHP-listed Delaware Park-Front Park System (90NR01217)

Archaeological Resources

There are no known or recorded archaeological resources within the APE. In July 2013, the University at Buffalo prepared a report to assess archaeological sensitivity within the direct APE as defined at that time. Following revisions to the APE, an addendum study was conducted to address areas associated with the relocation of a segment of the Shoreline Trail (Riverwalk), and with the replacement of the bridge carrying Porter Avenue over I-190 and CSX (see Attachment D).

Archaeologically sensitive areas represent likely locations associated with human activities in the past, as indicated by an analysis of historic maps, existing archaeological site file data, environmental setting, and regional histories. Within the APE, the historic literature and 19th century maps suggest historic archaeological sensitivity within the context of military, transportation, residential, industrial / commercial, public utility, and public recreation themes. Locations where buildings or structures are shown on historic maps, but are no longer standing, indicate the potential presence of archaeological sites. Subsurface investigations at these locations, designated as "Map Documented Structures (MDS)", may yield buried traces of buildings or structures, features, and/or concentrations of artifacts.

For prehistoric sites, archaeological sensitivity is indicated by the proximity of known sites or by environmental variables that indicate favorable conditions for human occupation or activities in the past. The results of background research suggest that at one time, the Project location had a high prehistoric sensitivity for all prehistoric site types, as indicated by the wide range of previously recorded sites in the vicinity (outside the APE) and presence of a natural bluff and terrace situated within the relatively level lake plain (Montague and Perrelli 2013: p. 35).

Within the APE for direct effects, the likelihood for encountering intact archaeological resources is diminished by the history of land use in the area. This includes the nearby construction of the Erie Canal, which was completed in 1825, enlarged and modified numerous times in the 19th century; construction of Fort Porter in the mid-19th century; 19th century railroad construction; and construction of the New York State Thruway over the canal in the 1950's (Montague and Perrelli 2013: 8). The extent of prior ground disturbance associated with the construction of these facilities reduces the potential for intact, culture-bearing soil deposits and suggests that if archaeological sites are present, "...they will likely occur as deeply buried deposits below fill and disturbed soil layers" (Montague and Perrelli 2013: p. 37).

III. EVALUATION OF PROJECT IMPACT ON IDENTIFIED HISTORIC PROPERTIES

Table 2 (below) summarizes proposed changes to identified historic properties within the APE under both Options for the Build Alternative, compared to 'No Build' conditions. There would be no change to identified historic properties under the No Build Alternative.

TABLE 2: SUMMARY OF PROPOSED CHANGES TO IDENTIFIED HISTORIC PROPERTIES		
Historic Property NRHP Characteristics	**Build Alternative w/ Signalized Intersection**	**Build Alternative w/ Roundabout**
Front Park: *Contributing* – NR-listed *Delaware Park – Front Park System* Developed by Olmsted between 1868 and 1876, consists of 32-acre space overlooking Lake Erie and Niagara River.	Remove Baird Drive and associated sidewalk Re-establish pedestrian walkways currently cut off by Baird Drive Relocate Porter Avenue entrance to Front Park and realign driveway Potential landscape elements to be determined in coordination with the City of Buffalo and Buffalo Olmsted Parks Conservancy	Remove Baird Drive and associated sidewalk Re-establish pedestrian walkways currently cut off by Baird Drive Relocate Porter Avenue entrance to Front Park and realign driveway Potential landscape elements to be determined in coordination with the City of Buffalo and Buffalo Olmsted Parks Conservancy
Porter Avenue: *Contributing* NR-listed – *Delaware Park – Front Park System* Older city street upgraded by Olmsted to a width of 100 feet and lined with elms, connected Front Park w/ Delaware Park	Construct new signalized intersection to access new Ramp PN and Ramp P New median divider Lane reduction from 4 to 3 lanes Pavement restriping Walkway on south side of Porter Avenue Replacement of Porter Avenue bridge Potential landscape elements to be determined in coordination with the City of Buffalo	Construct new roundabout to access new Ramp PN and Ramp P New median divider Lane reduction from 4 to 3 lanes Pavement restriping Walkway on south side of Porter Avenue Replacement of Porter Avenue bridge Potential landscape elements to be determined in coordination with the City of Buffalo
Prospect Hill Historic District NR eligible under Criteria A and C. Concentration of architectural styles popular during the period ca. 1880-1955, depicting residential growth and development in the City of Buffalo adjacent to Olmsted's Front Park and Prospect Park.	Indirect visual changes due to removal of traffic flow along Baird Avenue and potential landscape elements in Front Park, to be determined in coordination with the City of Buffalo and Buffalo Olmsted Parks Conservancy	Indirect visual changes due to removal of traffic flow along Baird Avenue and potential landscape elements in Front Park, to be determined in coordination with the City of Buffalo and Buffalo Olmsted Parks Conservancy
Prospect Hill Historic District: Contributing Resources in APE		
609 Busti Avenue "Gardener's Cottage" from Elmstone estate, ca 1870. Simple frame building with Gothic Revival detailing. Faces Front Park and mature tree-lined Busti Ave	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive

TABLE 2: SUMMARY OF PROPOSED CHANGES TO IDENTIFIED HISTORIC PROPERTIES		
Historic Property NRHP Characteristics	**Build Alternative w/ Signalized Intersection**	**Build Alternative w/ Roundabout**
Prospect Hill Historic District: Contributing Resources in APE		
615 Busti Avenue Residential building, ca. 1955.	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
625 Busti Avenue Residential building, ca. 1955.	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
629 Busti Avenue Residential building, ca. 1955. Faces Front Park and mature tree-lined Busti Ave	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
637 Busti Avenue Residential building, ca. 1889 associated with Elmstone estate. Faces Front Park	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
639 Busti Avenue Residential building, 1937 Faces Front Park	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
643 Busti Avenue Four-Square residential building with Prairie Style detailing ca. 1940. Faces Front Park and mature tree-lined Busti Avenue	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
669 Busti Avenue Residential building, ca. 1950 Faces Front Park and mature tree-lined Busti Avenue	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
675 Busti Avenue Residential building, ca. 1950	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
679 Busti Avenue Queen Anne style residential building, designed by Joseph Lyman Silsbee , 1886 Faces Front Park	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
683 Busti Avenue Queen Anne style residential building, ca. 1890	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
705 Busti Avenue Residential building, ca. 1948, with Italian Renaissance references	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
707 Busti Avenue Residential building, ca. 1950, with Italian Renaissance references	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive

TABLE 2: SUMMARY OF PROPOSED CHANGES TO IDENTIFIED HISTORIC PROPERTIES		
Historic Property NRHP Characteristics	**Build Alternative w/ Signalized Intersection**	**Build Alternative w/ Roundabout**
Prospect Hill Historic District: Contributing Resources in APE		
709 Busti Avenue Residential building, ca. 1895	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
713 Busti Avenue Residential building, ca. 1950	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
719 Busti Avenue Stick style residential building, 1882. Faces Front Park	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
721 Busti Avenue Stick style residential building, 1882 Faces Front Park	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive
11 Vermont Street Colonial Revival style residential building, ca. 1930	Improvements to viewshed due to elimination of traffic on Baird Drive	Improvements to viewshed due to elimination of traffic on Baird Drive

IV. BASIS FOR RECOMMENDED PROJECT FINDING

Measures to Avoid or Minimize Effects to Historic Properties

With an understanding of previously identified historic resources in the vicinity of the Project, proposed access improvements to the US Peace Bridge Plaza and I-190 were designed to avoid or minimize effects on the Prospect Hill Historic District, Front Park and Porter Avenue.

- New Ramp PN and modifications to existing Ramp P are within the existing I-190 ROW, and avoid the acquisition of land from Front Park.
- Modifications to Ramp N and Ramp A are confined to existing pavement, and avoid the acquisition of land from Front Park.
- The segment of Porter Avenue listed in the National Register was recently reconstructed as part of a City of Buffalo roadway improvement project. Along this segment of Porter Avenue, the Build Alternative would not add new lanes or widen the existing road.

Evaluation of Effects on Historic Properties

In consultation with the SHPO, and in coordination with FHWA, NYSDOT has applied the Criteria of Adverse Effect (36 CFR 800.5(a)(1)) and finds the Build Alternative would have '**No Adverse Effect**' on identified historic properties within the APE. The views of Consulting Parties and the public have been considered as part of this evaluation.

Written comments, correspondence, and a transcript of the Consulting Party meeting held on July 30, 2013 are part of the administrative record for the Project, and will be incorporated in an appendix to the Draft Environmental Impact Statement (DEIS).

Porter Avenue

Porter Avenue is a former city street incorporated into the Olmsted parkway system to connect Front Park and Columbus Park with Symphony Circle. Within the Project APE, the west boundary of the National Register-listed segment of Porter Avenue terminates near the southwest corner of Front Park.

Under the Build Alternative, a new ramp (Ramp PN) would be constructed from Porter Avenue to Ramp N east of the existing entrance-ramp (Ramp P) to I-190 northbound. Ramp PN would be the new route by which I-190 southbound traffic would enter the Plaza, replacing Baird Drive. Interstate traffic would travel a shorter distance than it does today along Porter Avenue to access Ramp PN, removing the southbound interstate traffic from the local-street segment alongside and through Front Park. Traffic movements at the intersection of Porter Avenue with Ramp PN and Ramp P would be controlled with either a signalized intersection (Option A) or roundabout (Option B).

If the option of a roundabout is selected, the configuration would be consistent with existing design elements used along roads that connect the various contributing elements of the Delaware Park-Front Park System, including one other location to the east along Porter Avenue, Symphony Circle (formerly The Circle), and at four locations on other connecting roads, including Gates Circle (formerly Chapin Place), Soldier's Place, Colonial Circle (formerly Bidwell Place) and Ferry Circle.

The location of proposed ramps to the Plaza and I-190 north (PN and P) are outside the west end of the National Register boundary for Porter Avenue. For the Build Alternative with a Signalized Intersection, a new traffic signal is proposed at Porter Avenue and the northbound on-ramps (Ramps P and PN). For the Build Alternative with a Roundabout Option, a new traffic signal would not be installed at this location.

Signing along Porter Avenue would be dependent on the final intersection configuration at Ramp P (i.e. signalized or roundabout). In either case the installation of road side signs is preferred to the installation of overhead signs to maintain the open view along Porter Avenue towards the River. The design of the Porter Avenue signs would be completed with an effort to minimize the size of the sign panels as much as allowed by the sign sizing criteria in the federal standards. Any landscape treatments on Porter Avenue included in this Project would be coordinated with the City of Buffalo.

Based on public comments asking for improved connections to LaSalle Park, a 13-foot wide shared-use path is proposed for the south side of Porter Avenue. The new path would be wide enough to accommodate bicyclists and pedestrians, providing a safe link between the neighborhoods adjacent to Front Park and the entrance to LaSalle Park. This path begins at Lakeshore Avenue and extends to DAR Drive, and eliminates a pedestrian crossing through the new Porter Avenue intersection at Ramp P. In addition, Fourth Street would be made one-way southbound on the block south of Porter Avenue. This change on Fourth Street would result in the local re-routing of small volumes of traffic.

Within the National Register listed segment of Porter Avenue, both Options under the Build Alternative would relocate the Front Park entrance on Porter Avenue to a new signalized 4-way intersection at Lakeview Avenue, replacing the existing entrance at Baird Drive. This intersection would provide a safe crossing from the north to the south side of the road for pedestrians using the walkway to travel from Front Park on the north side of the road to LaSalle Park and other destinations on the south side of the road. The proposed walkway is consistent with the historic function of Olmsted's circulation system, enhancing connectivity between Front Park and the rest of the City's park system.

Modifications along Porter Avenue also include the proposed removal and replacement of the bridge over the I-190 and CSX (BIN 5512560), to optimize the traffic flow to the Plaza from I-190 northbound and to allow for the construction of the new shared-use path along Porter Avenue. The replacement of the Porter Avenue Bridge has two

options depending on the type of intersection selected for the intersection located just east of the existing bridge approach. Each of two bridge options has a different number of lanes and the shoulder widths vary; however, the 13'-0" walkway is located adjacent to the eastbound travel lane in both options.

Both options for the Porter Avenue Bridge consist of the same bridge structure type, a three-span, continuous steel, multi-girder superstructure with cantilever abutments, supported on piles, and set-back behind the existing abutment walls. The existing stone abutment faces may possibly be left in place. Removal of portions of the existing substructure would be necessary to accommodate the new substructures.

BIN 5512560, the existing bridge, has been determined not eligible for the National Register, and the structure is located outside the boundary of the National Register-listed segment of Porter Avenue. In consultation with the SHPO and FHWA, and considering public input, NYSDOT would consider salvaging the abutments' remaining stone and architectural elements for reuse on a new bridge. These materials would be incorporated as aesthetic elements of a context-sensitive design reflecting the history of the location and setting.

In summary, the modifications proposed under the Build Alternative (Option A and Option B) are consistent with the historic use of Porter Avenue. These improvements would not alter the characteristics that qualify Porter Avenue for the National Register, and would not adversely affect its historic association with other contributing elements of the National Register listed Olmsted Parks and Parkways system.

Front Park

Proposed Ramp PN, providing direct access from Porter Avenue to the Plaza and I-190 north, is situated near the southwest corner of Front Park, outside the park boundary and NRHP boundary of the historic property. The proposed construction of Ramp PN and modifications to Ramp P would not negatively affect the historic character of the Olmsted design or recreational use of the Park, as this area is already occupied by transportation uses. Preliminary profile drawings of Ramp PN under the Build Alternative (Option A and Option B) show the proposed elevation of Ramp PN is largely at grade, or depressed below the existing ground surface adjacent to Front Park where it merges with modified Ramp N (see Attachment C). Therefore, the new Ramp PN and modified Ramps P and N would not cause new visual effects in this location, and would not alter the character of existing views looking northwest from Front Park towards the River.

On the east side of Front Park, Baird Drive currently provides direct access to the plaza for vehicular traffic from Porter Avenue, traversing the area of the historic Parade / Play Ground, an important landscape space within Front Park. Under existing conditions, Baird Drive impairs easy access to the park from the residential neighborhood to the east. The Build Alternative would remove Baird Drive and its associated sidewalk, providing open, unobstructed views within the park by eliminating the pavement and through-traffic from the green space. Existing park walkways which are currently severed by Baird Drive would be re-connected to the Busti Avenue sidewalk, providing improved pedestrian access and connectivity with the adjacent residential neighborhood, including properties within the Prospect Hill Historic District.

In addition to the removal of Baird Drive, the current park entrance from Porter Avenue would be relocated and aligned with the intersection of Lakeview Terrace, providing improved vehicular access to the park and pedestrian safety with crosswalks at a signalized intersection. Compared to existing conditions, the realigned driveway would add a minimum amount of new pavement to the park (0.1 acres). When compared with the removal of existing park driveway and Baird Drive, this change would result in a net gain of 1.8 acres of existing pavement removed and returned to parkland.

As a result of eliminating through traffic from Front Park, converting pavement to green space, and improving pedestrian access, safety, and connectivity with the residential neighborhood and historic district, the Build Alternative would result in a positive effect on the historic character of the Park and its historic use within the context of the residential neighborhood. The removal of Baird Drive from the historic landscape of the Parade / Play Ground would enhance the Park's integrity of design and setting.

Changes to Front Park proposed as part of the Build Alternative would not preclude the future implementation of any aspect of the *Buffalo Olmsted Park System: Plan for the 21st Century (*Buffalo Olmsted Parks Conservancy and City of Buffalo 2008*)*. Any new landscape elements included in this Project would be developed in coordination with the City of Buffalo and the Buffalo Olmsted Parks Conservancy.

In summary, the Build Alternative would result in no adverse effects to Front Park.

Prospect Hill Historic District

The Prospect Hill Historic District was determined National Register eligible in 2008, based on its concentration of architectural styles popular during the period from ca. 1880 to 1955, depicting residential growth and development adjacent to the Olmsted-designed Front Park and Prospect Park. While the Project would have no direct effects on the Prospect Hill Historic District, proposed changes within Front Park would have indirect effects resulting in a positive change to the historic setting. Contributing properties along Busti Avenue face Front Park, and under existing conditions, are subject to visual and auditory intrusions associated with through traffic on Baird Drive. The removal of Baird Drive and resulting return of green space would improve the viewshed, and along with proposed changes to pedestrian walkways within the park, would improve pedestrian access and enhance the historic association between Front Park and the historic district.

The Build Alternative would not adversely affect the Prospect Hill Historic District. Indirect effects associated with proposed changes within Front Park would enhance the historic setting of the Prospect Hill Historic District and its contributing resources adjacent to the Park.

Archaeological Sensitivity

Project-related activities which may affect potential archaeological resources include ground disturbance associated with proposed reconfiguration of points of ingress to and egress from the Plaza (Ramps C and D), the construction of new Ramp PN and modifications to Ramp P and N, the construction of a signalized intersection or roundabout on Porter Avenue, and the replacement of the Porter Avenue bridge. In addition, the direct APE includes an area associated with a proposed crossing of the Shoreline Trail (Riverwalk) over the CSX Railroad north of its existing location, and realignment of the Shoreline Trail to turn south along the Black Rock Canal, extending the trail directly along the waterfront to connect to the existing alignment south of its existing underpass beneath I-190. The precise depth of excavation for bridge and ramp foundations is not known at this time.

There are no identified (previously recorded) archaeological sites within the APE for direct effects. Due to the inaccessibility of areas beneath paved and other impervious surfaces associated with existing transportation facilities, archaeological monitoring during construction is the only feasible method of investigating the potential presence of buried resources within the direct APE for this Project. Documented land alterations and the presence of deep fill soils indicate that any potential archaeological deposits would be found at depths beyond the limits of hand testing. The SHPO and FHWA have concurred with the recommendation for archaeological monitoring during construction (SHPO to NYSDOT July 18, 2013 and FHWA to NYSDOT July 25, 2013).

This method involves the close observation of construction excavations by qualified archaeologists to examine exposed soils for any evidence of features, structures, artifacts, or other remains associated with human activity. Within the context of the existing urban environment, monitoring during construction accommodates the presence of existing pavement and utilities, safety issues, and the need to maintain functioning infrastructure and services. By coordinating archaeological investigations with construction activities, disruptions to the traveling public and community are minimized, while ensuring that archaeological resources are identified and documented.

In accordance with established standards and procedures, a Draft *Plan for Archaeological Monitoring during Construction* (Attachment E) outlines the methodology, coordination procedures and protocol for consultation in the event that cultural remains are encountered. As the Project design is advanced, the current draft plan for archaeological monitoring will be refined and updated, consistent with established professional standards and guidelines for the investigation, documentation, and appropriate treatment of any archaeological resources encountered during construction.

Effect Finding

Build Alternative (Option A and Option B): The NYSDOT in coordination with FHWA finds ***No Adverse Effect*** on properties listed, or determined eligible for listing in the National Register of Historic Places under the Build Alternative with Signalized Intersection, and under the Build Alternative with Roundabout. Based on the proposed scope of work under the Build Alternative, the Project would not alter, directly or indirectly, the characteristics that qualify identified historic properties for listing in the NRHP.

The proposed finding includes a commitment to implement archaeological monitoring during construction, to ensure that potential cultural deposits, if any, would be appropriately addressed in accordance with Section 106 obligations. As the project is progressed through the final design phase, the Draft *Plan for Archaeological Monitoring during Construction* will be refined and finalized. Contract documents will incorporate the *Plan for Archaeological Monitoring during Construction*, as well as procedures and protocols for oversight of its implementation.

V. CONSULTATION AND PUBLIC INVOLVEMENT

Federally-recognized tribes

The Project is located off tribal lands. The Seneca Nation of Indians and the Tonawanda Seneca Nation were identified as having a consultative role in accordance with 36 CFR Part 800.2(c)(ii), since both have previously identified a geographical area of interest for Section 106 consultation that includes the Project location in the City of Buffalo, Erie County.

FHWA initiated consultation with both Nations by letter dated June 18, 2013, inviting representatives of the Seneca Nation and Tonawanda Seneca Nation to meet with FHWA and NYSDOT to discuss and consider their views concerning the Project and its potential to affect properties of religious and cultural significance to the Nations. The invitation to meet was also extended by NYSDOT through subsequent telephone and e-mail messages in June and July 2013. The Seneca Nation and Tonawanda Seneca Nation were invited to participate in the general Consulting Party meeting held on July 30, 2013 but were unable to attend. All meeting materials and handouts were sent to the Nations by NYSDOT on August 15, 2013.

The Seneca and Tonawanda Seneca were provided an opportunity to review the draft documentation for the preliminary assessment of effects sent to all Consulting Parties on July 29, 2013. To date, there have been no written

comments from the Seneca Nation or Tonawanda Seneca Nation, and they have declined, or not responded to offers for separate consultation meetings.

Advisory Council on Historic Preservation (ACHP)

In response to a formal invitation from the FHWA to participate in Section 106 consultation for this Project, the Advisory Council on Historic Preservation offered to provide technical assistance, and participated in the Section 106 Consulting Party meeting held on July 30, 2013. NYSDOT and FHWA have provided Section 106 documentation for review by the ACHP, concurrently with the SHPO, and shared Consulting Party comments with both the SHPO and ACHP, for consideration in the evaluation of the Project's effects on historic properties.

Other Consulting Parties

FHWA approved requests for Consulting Party status from the following individuals and organizations:

- Buffalo Olmsted Parks Conservancy
- Kathleen R. Mecca, President - Niagara Gateway Columbus Park Association
- Clinton Brown, President – Clinton Brown Company Architecture, PC
- Catherine Faust, architect
- Linda J. DeTine, homeowner
- Kate Cody, homeowner
- Preservation League of New York State
- Carole D. Perla, homeowner
- Elizabeth A. Martina – Niagara Gateway Columbus Park Association and Prospect Hill Neighborhood Alliance
- Matthew Ricchiazzi – Change Buffalo PAC
- Joyce DiChristina, homeowner
- Alan Oberst – Vision Niagara
- Tim Tielman – Campaign for Greater Buffalo History, Architecture and Culture
- Daniel Culross – KCA & Allentown Association
- Peter Joseph and Joanne Certo, homeowners
- Jason Williams, Director of Operations – Preservation Buffalo Niagara,
- Peter J. Merlo, Engineer – City of Buffalo.

These Consulting Parties were provided with project information and documentation pertaining to the identification of historic properties and assessment of effects, with an opportunity to provide their views and concerns regarding the Project's effects on historic properties. Consulting parties were also provided an opportunity to articulate their views, including measures to avoid, minimize, or mitigate the Project's effects on historic properties, at a Section 106 Consulting Party meeting held in Buffalo, New York on July 30, 2013. In consultation among the SHPO, ACHP, FHWA, and NYSDOT, the views of Consulting Party members were considered during the process of evaluating the Project's effects on historic properties (see Attachment G).

Public Involvement

Section 106 requirements for public involvement are being met in coordination with the requirements under the National Environmental Policy Act (NEPA) for an Environmental Impact Statement (EIS) and established NYSDOT procedures. During the Scoping Phase of the NEPA process, the public had the opportunity to provide input on the alternatives under consideration, as well as the social, economic, and environmental issues that the alternatives may

have on the project area. Public comments pertaining to the project's potential effects on historic and cultural resources have been recorded and considered as part of the Section 106 process.

Public involvement activities include:

- NEPA Public Scoping Meeting (June 11, 2013)
- NYSDOT public web site
- Individual meetings with stakeholders, documented in the DEIS
- Public Information Meeting – October 15, 2013
- Public Hearing – December 18, 2013 (scheduled)

Section 106 Consulting Party members were notified of the October 15, 2013 Public Information Meeting by e-mail.

The Section 106 Finding Documentation will be made available to the public as part of the DEIS, schedule for mid-November 2013.

VI. ATTACHMENTS

- A - Map showing APE and Identified Historic Properties
- B - Conceptual Plan
- C - Preliminary Plans and Profiles
- D - *Addendum Report: Archaeological Sensitivity and Proposal for Archaeological Testing and Monitoring*
- E – *Plan for Archaeological Monitoring during Construction* (DRAFT October 2013)
- F - Porter Avenue Bridge Evaluation (Bridge Abutments 2013)
- G – Summary of Consulting Party Comments

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza

Section 106 Finding Documentation

Attachment A: Map Showing Area of Potential Effects (APE) and Identified Historic Properties

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NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza

Cultural Resources

Area of Potential Effect (APE)

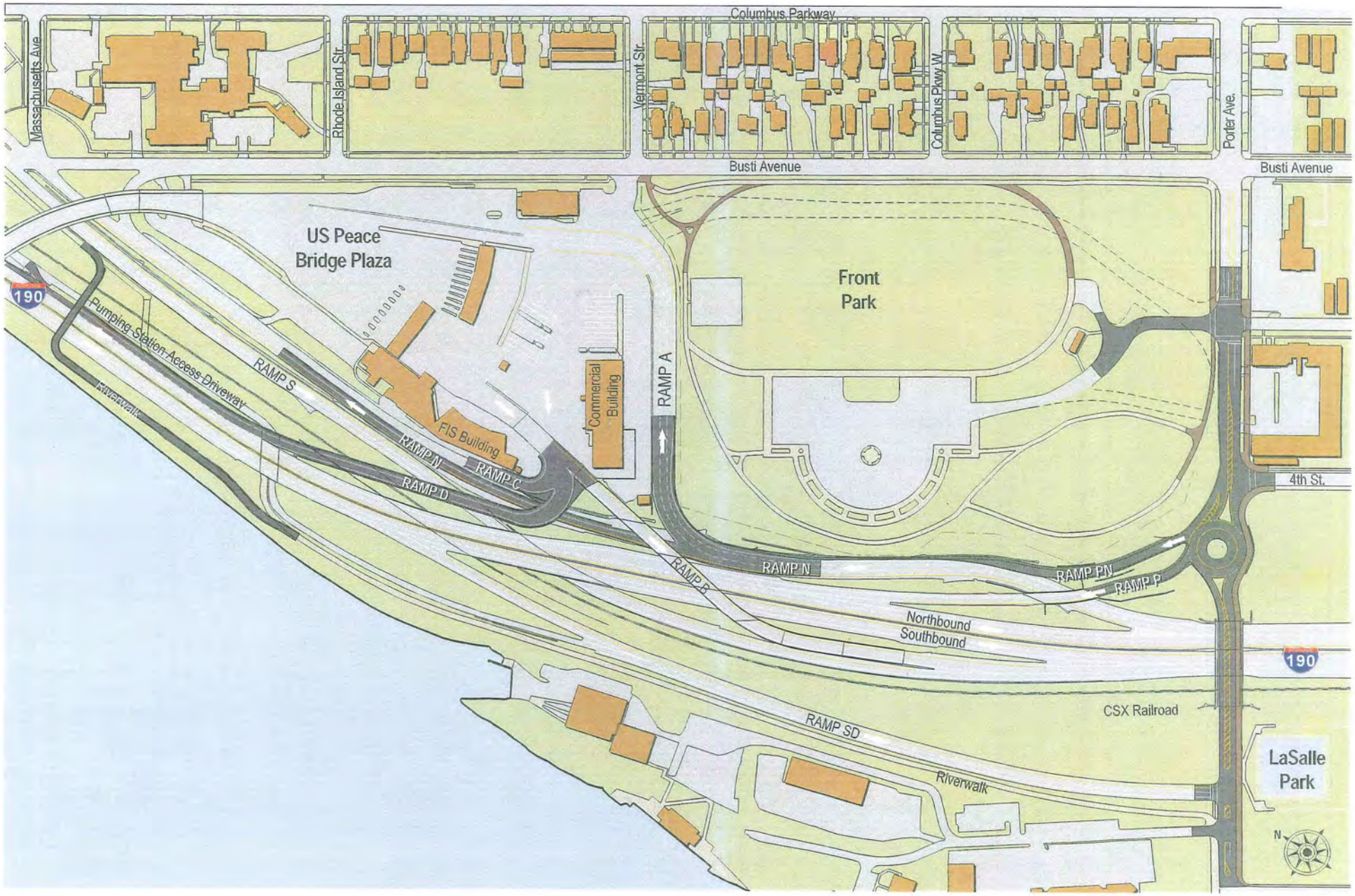
Erie County, New York

- Direct APE
- Project APE
- Prospect Hill Historic District
- Olmsted Park Historic Thematic Resource
- National Register Resources

SOURCE Ecology and Environment, Inc. September 30, 2013

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza

Section 106 Finding Documentation
Attachment B: Conceptual Plan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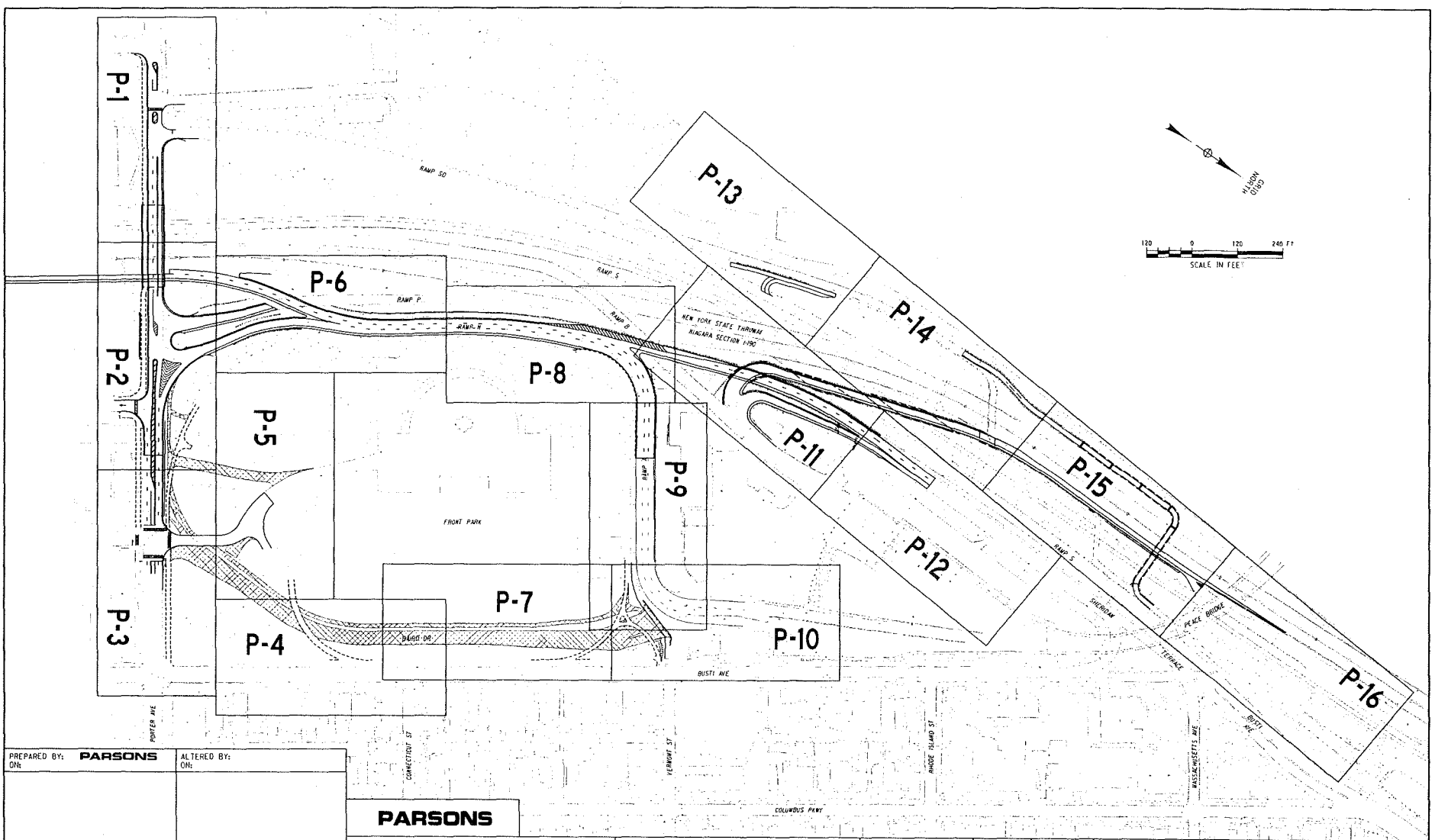
Rhode Island Str.
Vermont Str.
Columbus Pkwy W.
Porter Ave.
Busti Avenue
Busti Avenue
US Peace
Bridge Plaza
Front
Park
190
Pumping Station Access Driveway
Riverwalk
RAMP S
FIS Building
RAMP N
RAMP C
RAMP D
Commercial
Building
RAMP A
RAMP B
RAMP N
RAMP PN
RAMP P
4th St.
Northbound
Southbound
190
CSX Railroad
RAMP SD
Riverwalk
LaSalle
Park
N

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza

Section 106 Finding Documentation
Attachment C: Preliminary Plans and Profiles



PREPARED BY: PARSONS
ON:

ALTERED BY:
ON:

PARSONS

AS BUILT REVISIONS
DESCRIPTION OF WORK:

SIGNATURE DATE

NY GATEWAY CONNECTIONS
IMPROVEMENT PROJECT TO THE
US PEACE BRIDGE PLAZA

COUNTY: ERIE COUNTY, NY

PIN 5760.80
PS&E DATE

BRIDGES

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ALL DIMENSIONS IN Ft UNLESS OTHERWISE NOTED

DETAIL PLANS - SHEET LAYOUT
SIGNALIZED INTERSECTION OPTION

CONTRACT NUMBER
D031040-01

DRAWING NO. TITLE
SHEET NO.

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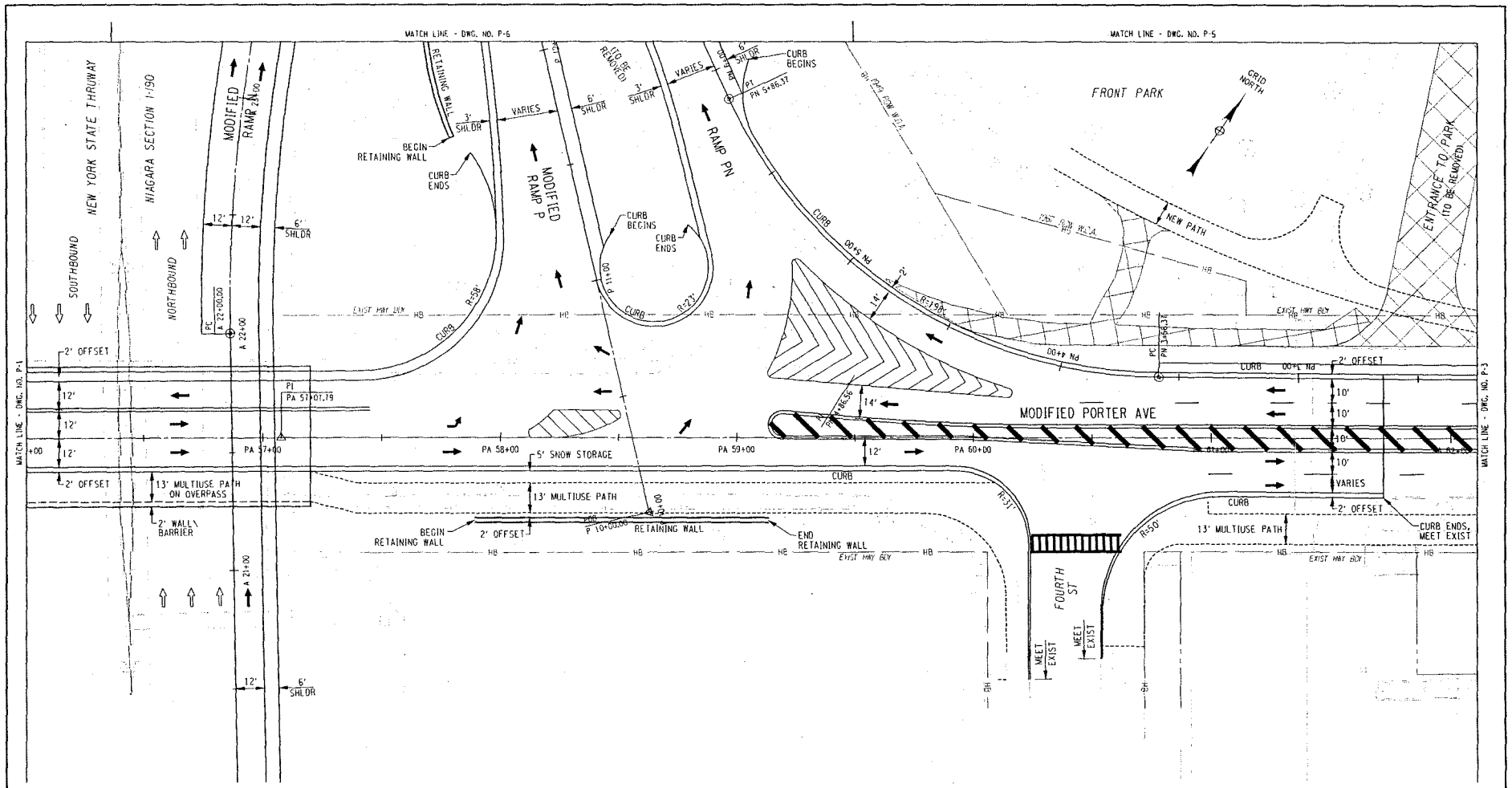

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NY GATEWAY CONNECTIONS
IMPROVEMENT PROJECT TO THE
US PEACE BRIDGE PLAZA

COUNTY: ERIE COUNTY, NY

PIN 5760.80
PS&E DATE

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DETAIL PLANS
SIGNALIZED INTERSECTION OPTION

CONTRACT NUMBER D031040-01
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SHEET NO.

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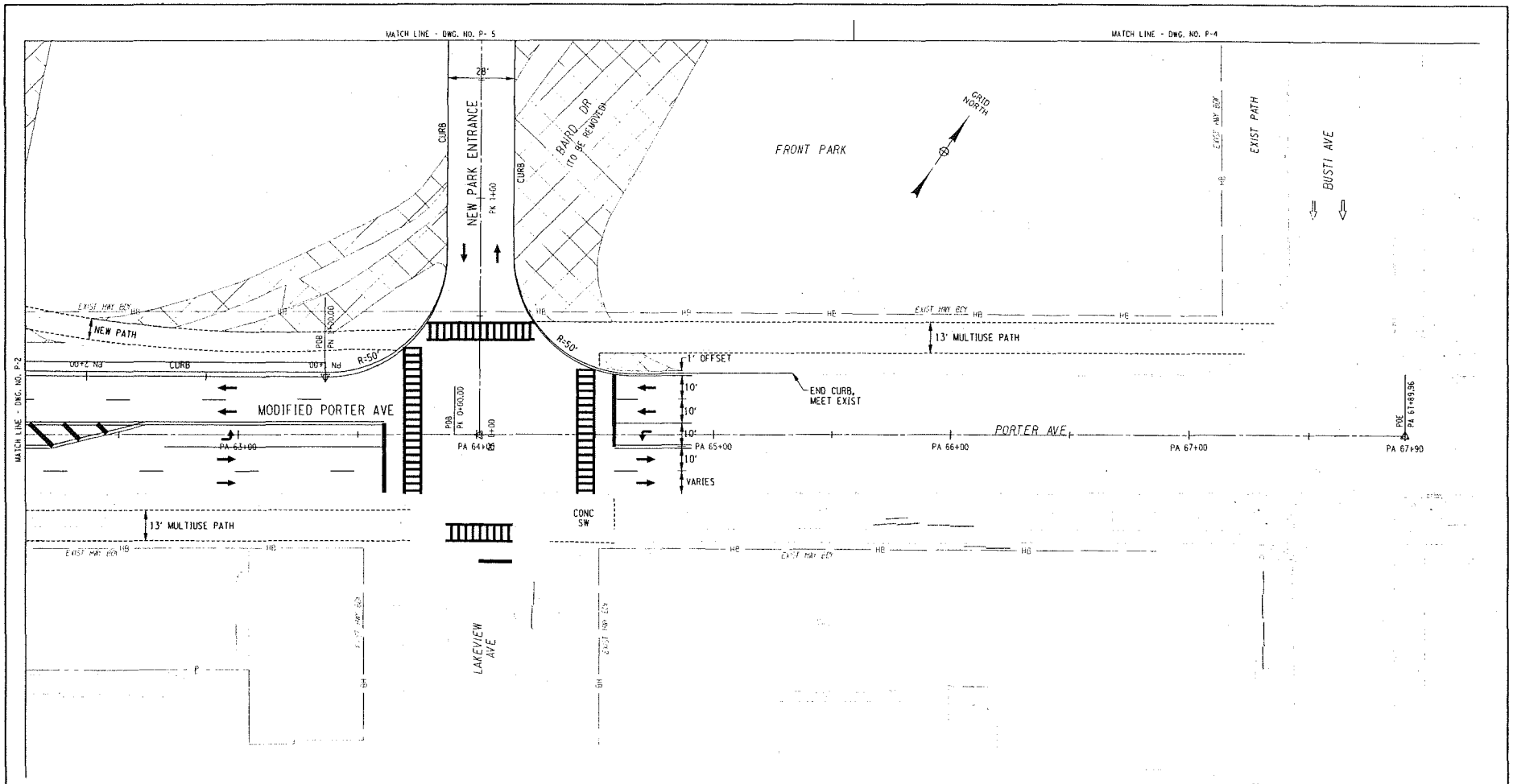

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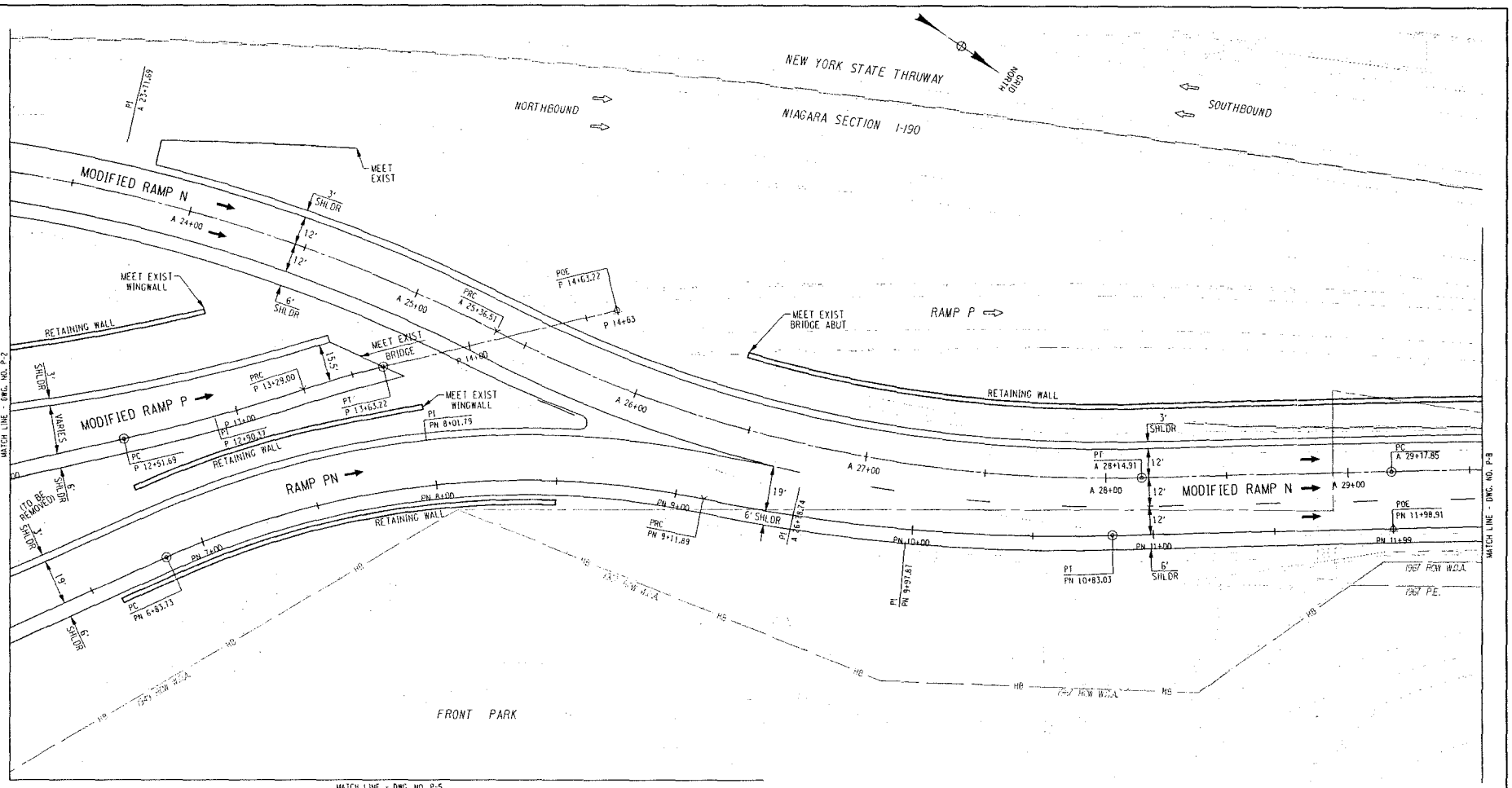

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NY GATEWAY CONNECTIONS
IMPROVEMENT PROJECT TO THE
US PEACE BRIDGE PLAZA

COUNTY: ERIE COUNTY, NY

PIN 5760.80
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DETAIL PLANS
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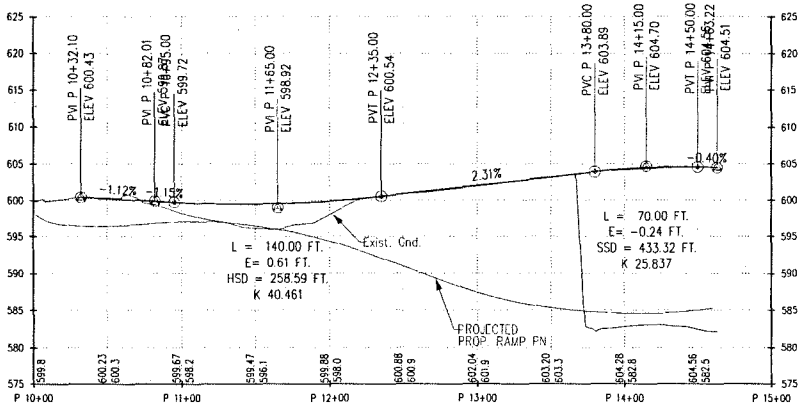

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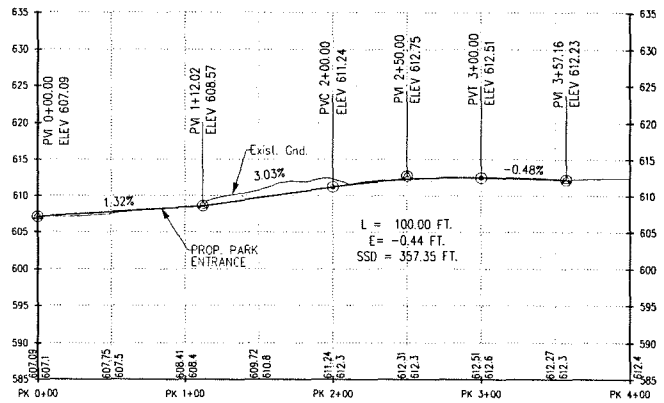

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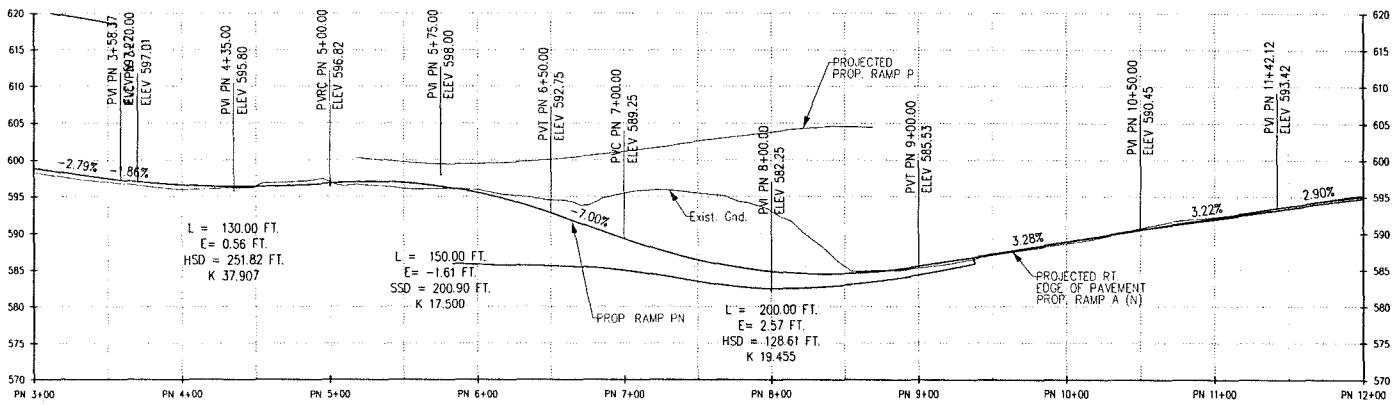

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NEW YORK GATEWAY CONNECTIONS
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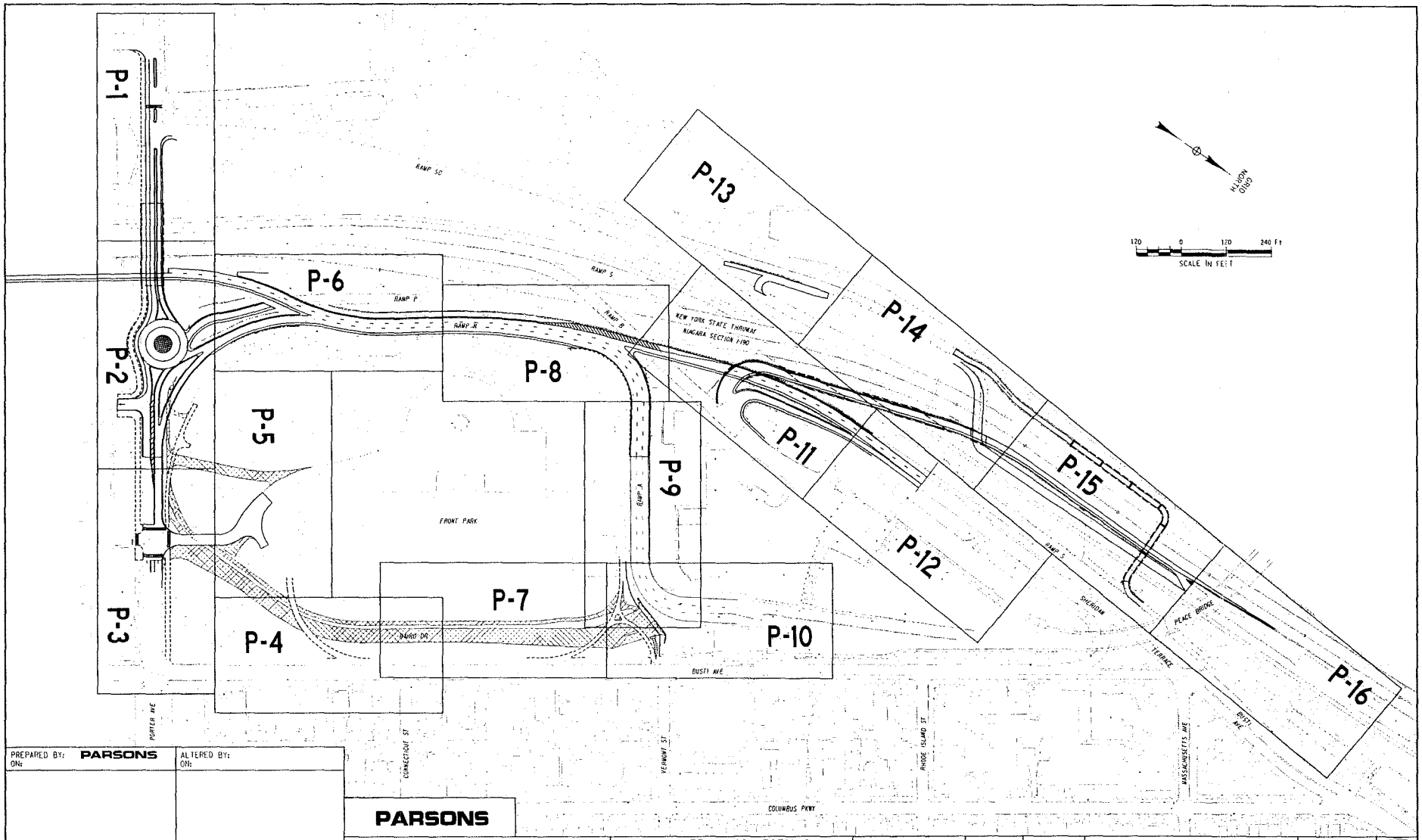

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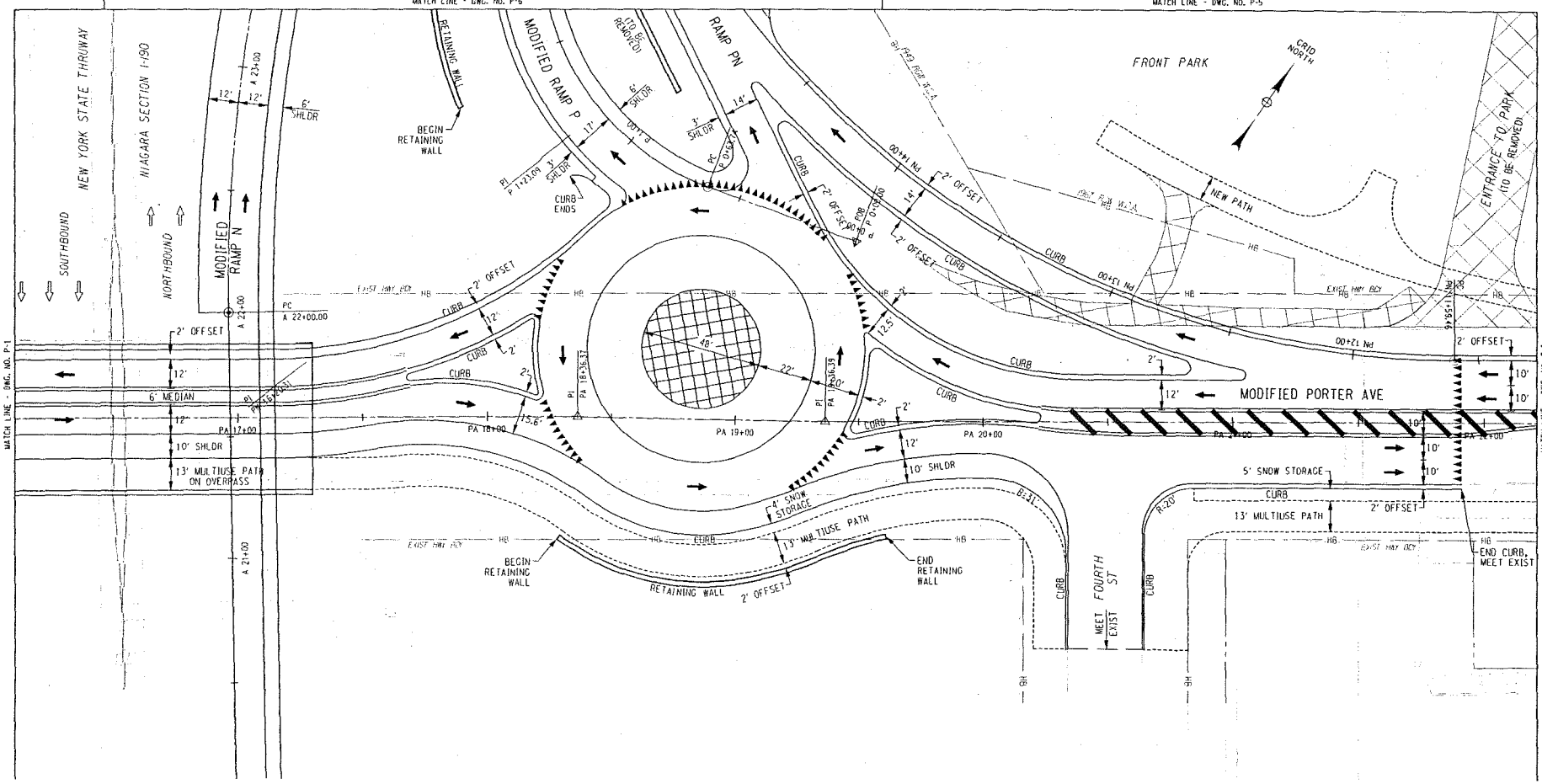

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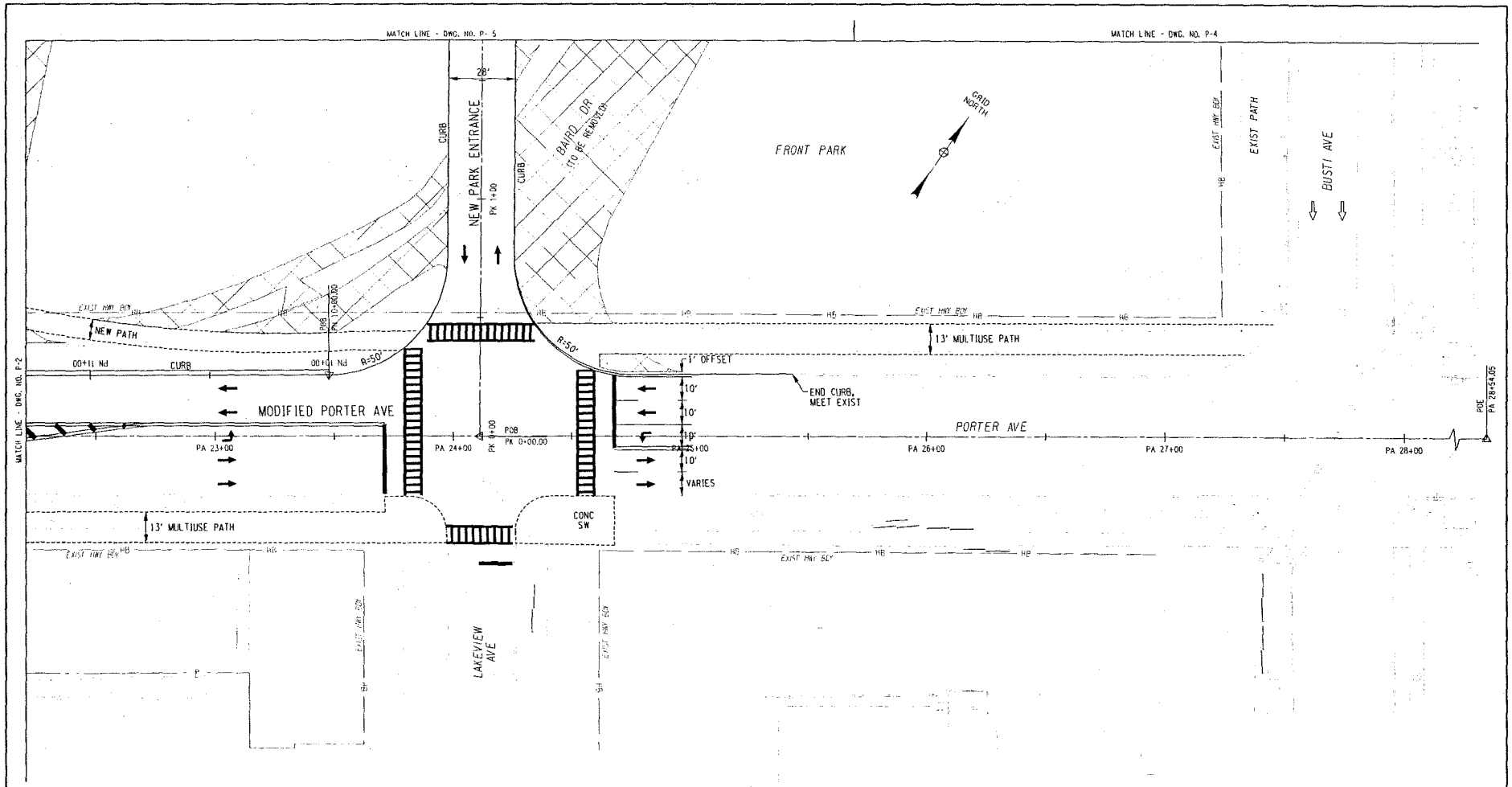

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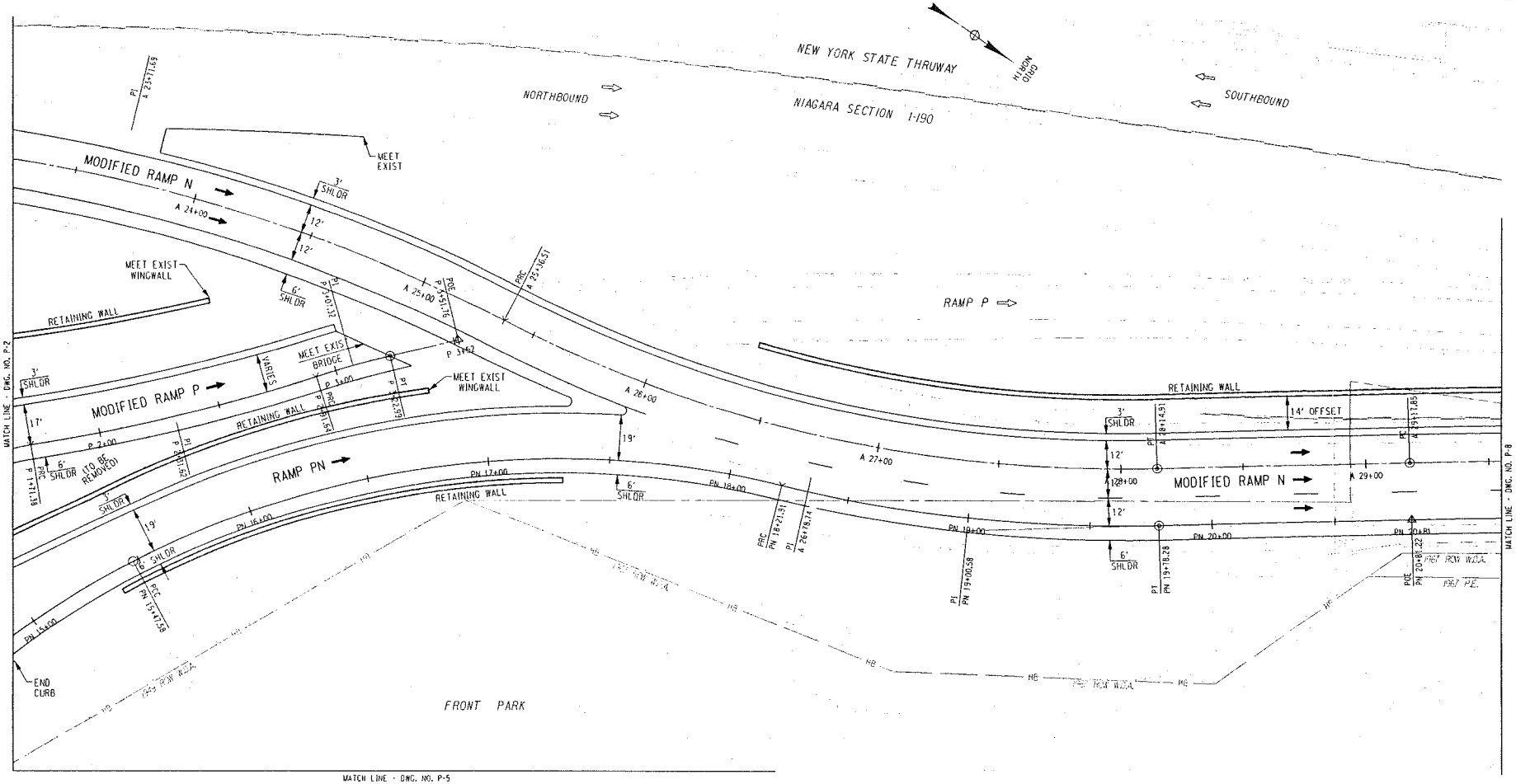

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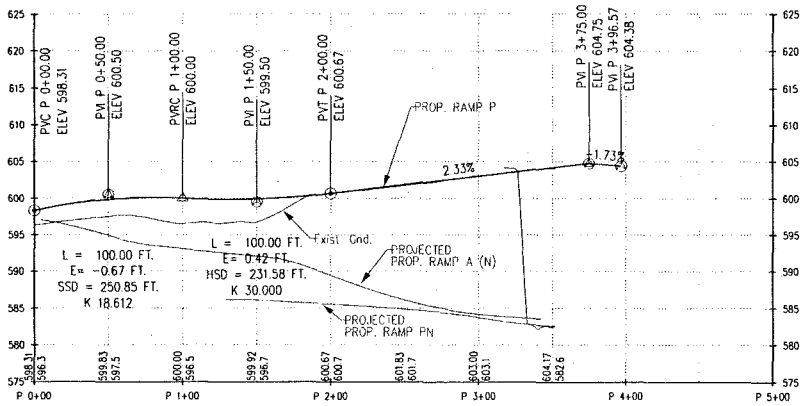

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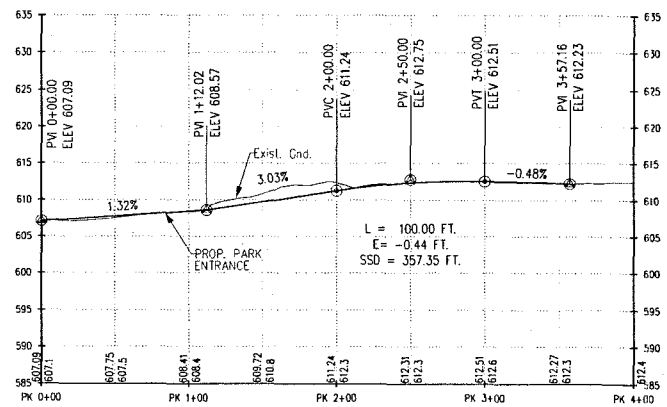

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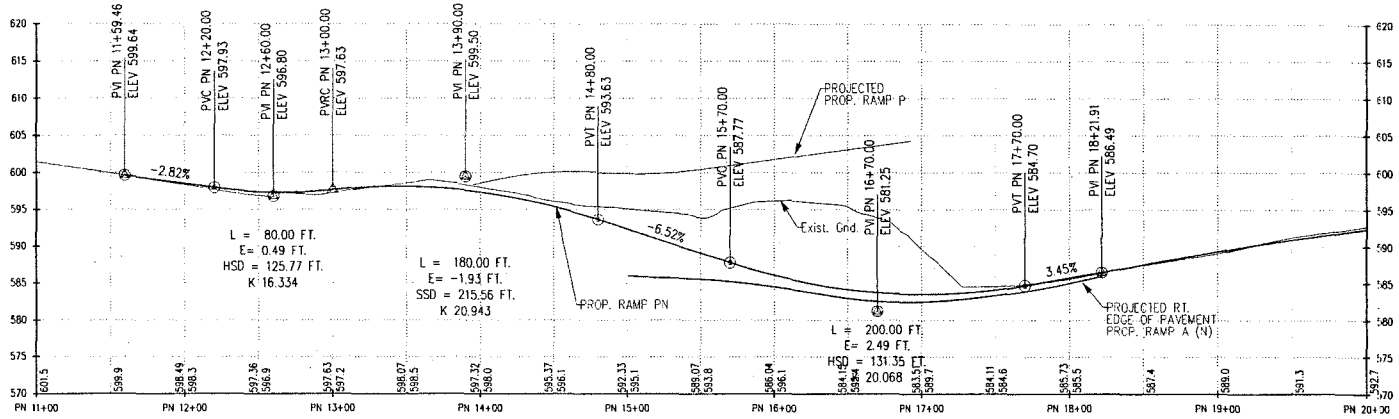

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NEW YORK GATEWAY CONNECTIONS
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U.S. PEACE BRIDGE PLAZA

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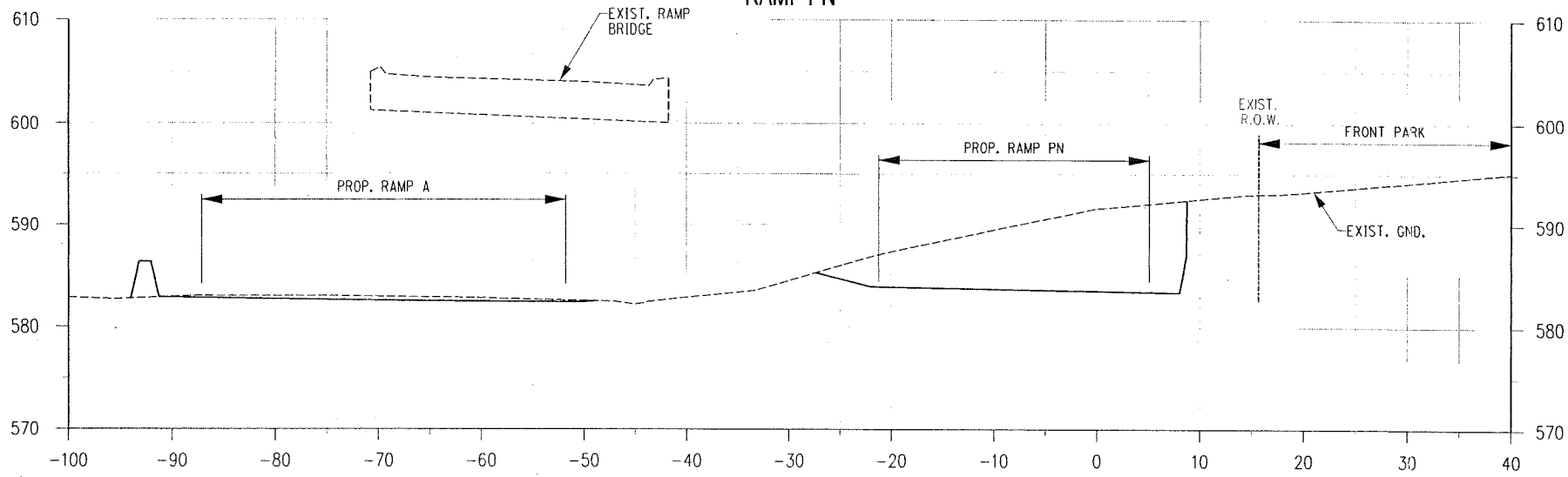

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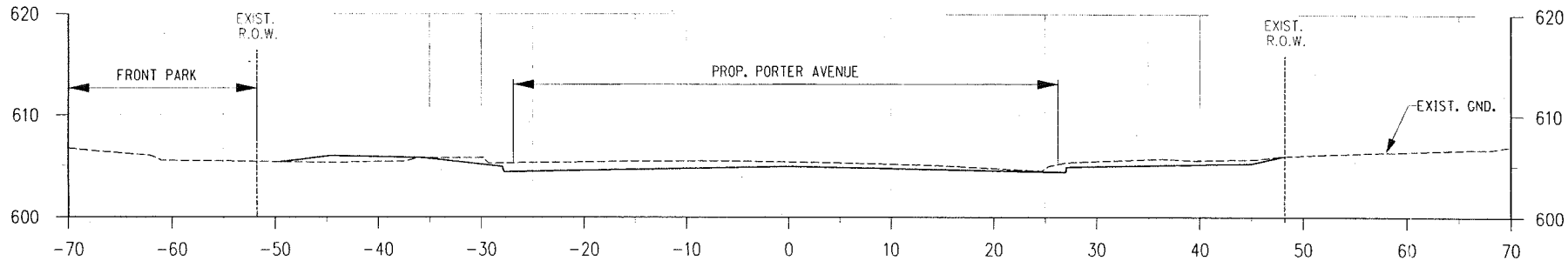

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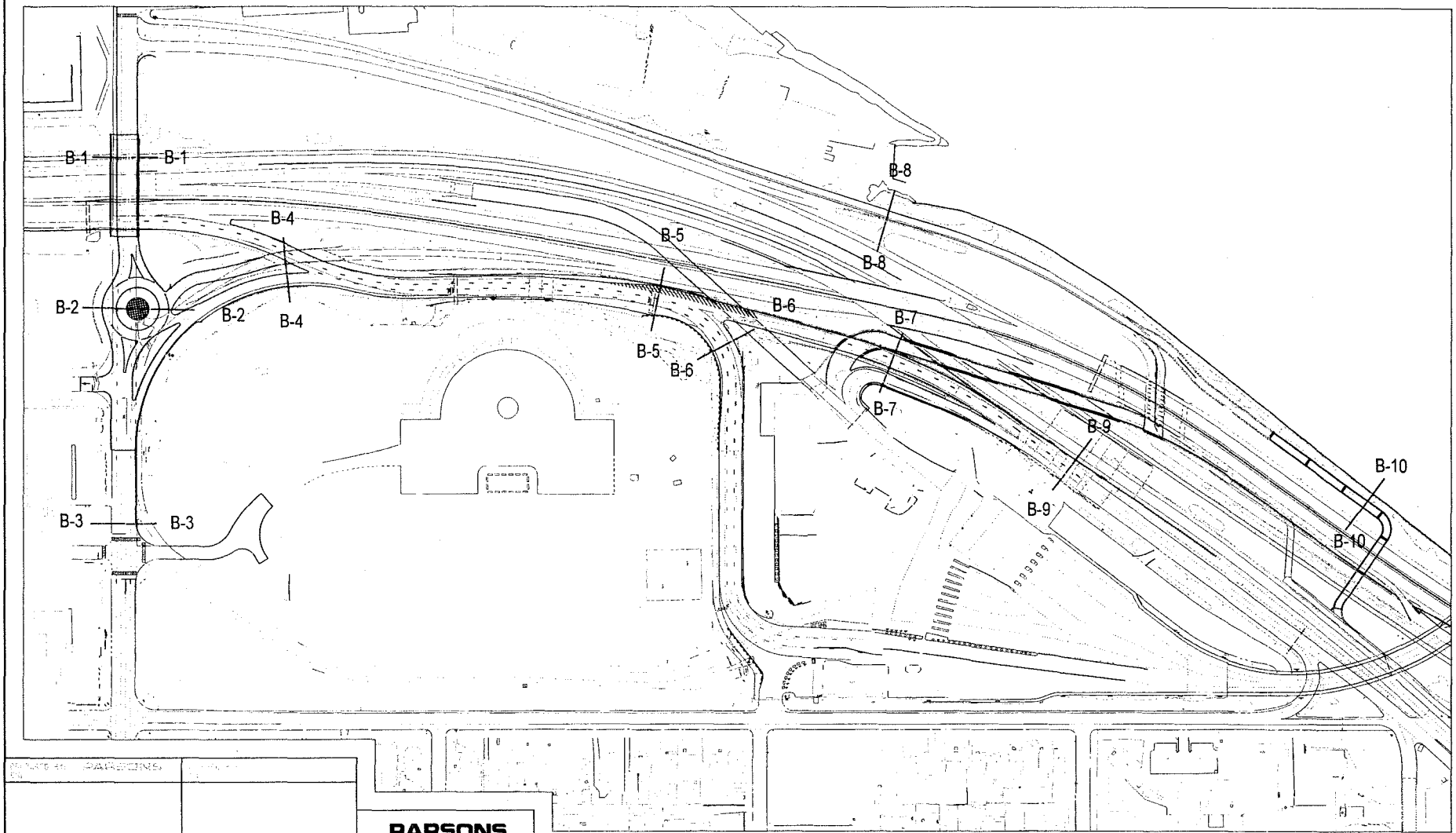

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NY GATEWAY CONNECTIONS
IMPROVEMENT PROJECT TO THE
US PEACE BRIDGE PLAZA

CROSS-SECTION
KEY PLAN

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NY Gateway Connections Improvement Project to the US Peace Bridge Plaza

Section 106 Finding Documentation
Attachment D:

Addendum Report: Archaeological Sensitivity and Proposal for Archaeological Testing and Monitoring

DOT Program Year 2013-2014

Addendum Report: Archaeological Sensitivity and Proposal for Archaeological Testing and Monitoring

PIN 5760.80.101

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
City of Buffalo
Erie County, New York

RAS 45(21)

by
Nathan Montague, MA,
and
Douglas J. Perrelli, Ph. D., RPA

Douglas J. Perrelli, Ph. D., RPA
Principal Investigator

Reports of the Archaeological Survey, Volume 45, Number 21
Department of Anthropology, State University of New York at Buffalo

October 2013

Prepared for:
New York State Museum
New York State Department of Transportation
Federal Highway Administration

INTRODUCTION

This report supplements the previous report entitled "Update of Previously Inventoried Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring (Montague and Perrelli 2013). The revision accommodates recent changes to the direct Area of Potential Effect (APE) to incorporate additional areas associated with the replacement of the Porter Avenue Bridge over I-190 (BIN 5512560), and relocation of a portion of the Riverwalk just south of the Peace Bridge. This report provides an assessment of archaeological sensitivity and recommendations for identifying archaeological resources in two recently added areas only. Note that no previously-documented National Register Listed (NRL) or Eligible (NRE) archaeological sites are located within the APE for direct effects.

The project is located in the City of Buffalo (MCD 02940), Erie County, New York (Figure 1). Figure 2 shows the revised APE on the 1965 *Buffalo, N.Y.-Ont.* USGS 7.5 Minute Series Quadrangle. Photos 1-4 provide representative views of the APE. The photos depict conditions at the time of field visits in April, 2013. This report reviews two distinct areas recently added to the project, described throughout the report as the southern parcel and the northern parcel (Figure 2).

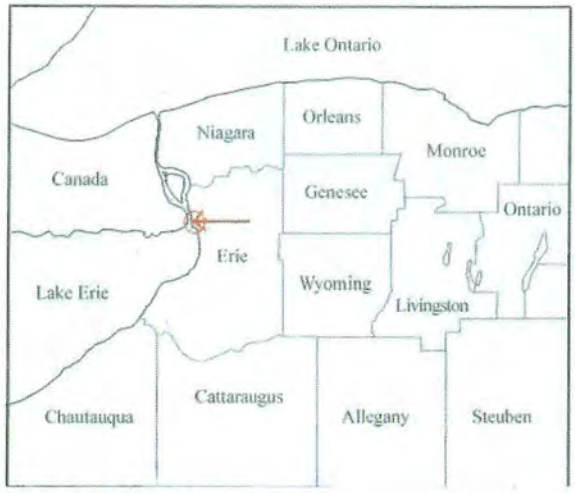


Figure 1. General location of the project in western New York State.

Figure 2. Location of the revised APE (outlined in green) on the 1965 *Buffalo, NW, N.Y. -Ont.* USGS 7.5 Minute Quadrangle. The revised APE incorporates two additional locations (outlined in dark green), described in this report as the southern parcel (indicated by lower arrow) and the northern parcel (indicated by upper arrow).

Photo 1. Bird's Eye View of the northern parcel of the revised APE, facing north. The project proposes to relocate a portion of the Riverwalk (center) in this area. The water's edge represents the former Erie Canal tow path.

Photo 2. Bird's Eye View of the southern parcel of the revised APE, facing east. The project proposes to replace the Porter Avenue Bridge (BIN 5512560), located in the lower center portion of the image.

Photo 3. View of the northern parcel of the revised APE, facing south. The project proposes to relocate this portion of the Riverwalk.

Photo 4. View of the southern parcel of the revised APE, facing northwest. The bridge abutment shown was constructed in 1897 for a former Porter Avenue bridge over the Erie Canal (Historic Photo 6). If they still exist *in situ*, canal walls will be found below the railroad bed at the west end of the bridge.

The project lies within a heavily urbanized setting with the earliest recorded development occurring at the end of the 18th century near the current location of the Peace Bridge. The former alignment of the Erie Canal, completed in 1825 and subsequently enlarged and modified numerous times in the 19th and 20th centuries, is located within the southern parcel of the revised Area of Potential Effect (APE) for direct effects, at the Porter Avenue Bridge. The Canal was abandoned and then filled and paved over in the 1950s during the construction of the New York State Thruway. The northern parcel of the revised APE for direct effects is situated between I-190 to the east and the National Register Eligible (NRE) New York State Barge Canal/Black Rock Canal. The landscape associated with the northern parcel was modified by canal-related activities and the construction of Fort Porter in the middle of the 19th century, and by railroad bed realignment and landscaping in the second half of the 19th century (Historic Photos 1-6, Figures 3-9).

Disturbances associated with construction, renovation, landscaping, and modernization over the past 200 years have likely resulted in a complex soil stratigraphy reflecting the varied uses of the project area. Fill soils, especially within the alignment of the former Erie Canal, structures related to the I-190 highway, and the Porter Avenue Bridge are almost certainly present.

Despite the extensive disturbances found throughout the APE, deeply buried deposits with archaeological potential could exist below surface layers lacking such material. The alignment of the former Erie Canal lies within the southern parcel of the revised APE for direct effects and its dredgings may have been redeposited in the revised APE, including the approaches to the bridge. Cultural material might be recovered through hand excavations in some areas, such as along the former Erie Canal tow path in the northern area, but it seems more likely that significant archaeological deposits will be chance discoveries at depths below the present ground surface during construction monitoring.

Historic maps were examined for evidence of previous development in the revised APE for direct effects including early road alignments and other indications of historic activity. Map Documented Structures are plotted on the Project Area Map (Figure 13). Map Documented Structures (MDS) are locations of archaeological sensitivity associated with structures that appear on historic maps and are no longer standing. MDS locations indicate a potential for archaeological resources, but are not identified as sites until the presence of cultural materials is confirmed through subsurface investigations.

The following maps were examined: 1829 *Map of a Part of the Niagara River and Plan of the Proposed Harbour at Black Rock* (Figure 3), 1836 *Map of the Village of Black Rock, Erie County* (Figure 4), 1866 *New Topographical Atlas of Erie County, N.Y.* (Figure 5), 1872 *Atlas of the City of Buffalo* (Figure 6), 1894 *Atlas of the City of Buffalo, Erie County, New York* (Figure 7), 1925 *Fire Insurance Map of Buffalo, New York* (Figure 8), and 1951 *Fire Insurance Map of Buffalo, New York* (Figure 9).

None of the historic maps consulted show buildings in the revised APE for direct effects. All of the historic maps depict structures, including the Erie Canal (MDS 1, Historic Photo 1), in the revised APE for direct effects. Although not always depicted on historic maps, a bridge over the Erie Canal carrying Porter Avenue (formerly York Street) has been in place since at least 1836. The Buffalo and Black Rock Railroad (later New York Central) is shown passing through the revised APE for direct effects on the 1836 map and all subsequent maps, although it was realigned west of the Erie Canal sometime after 1836 (MDS 2, Historic Photo 1). Improvements made in the area in the first half of the nineteenth century were associated with the construction and enlargement of the Erie Canal and the Black Rock Canal, a railroad, and the construction of Fort Porter.

A section of the Erie Canal (MDS 1) passes through the southern parcel of the revised APE. It was completed in 1825. Its original dimensions included a surface width of 40 feet along most of its length. Due to increased traffic, the canal was enlarged between 1836 and 1862 to a width of 70 feet at the surface. The second enlargement of the Erie Canal took place between 1896 and 1898. The existing abutments for the Porter Avenue Bridge over the canal were originally constructed in 1897, in the course of the second enlargement (Historic Photo 6). Canal traffic stopped on the section of the canal in the project area in 1918. That was the year the New York State Barge Canal was completed, terminating in Tonawanda, New York. The last section of canal was filled-in in the 1950s during construction of the New York State Thruway. The abutments remain as supports for the current Porter Avenue Bridge over the I-190 (Photo 4, Shmookler et al. 2007: 5-20, 21).

The Buffalo and Black Rock Railroad (MDS 2) was constructed along the beach between the Village of Buffalo and the Black Rock ferry station, at the foot of the current Ferry Street. It passed through the southern parcel of the revised APE for direct effects. It was Buffalo's first railroad and began operating in 1834. A horse-drawn railcar was pulled along a three mile long track consisting of four-inch thick wood rails covered with a thin strip of iron (Shmookler et al. 2007: 5-19).

The New York Central Railroad took over the Buffalo and Black Rock Railroad tracks in the 1850s and the tracks were moved to the west side of the canal and adjacent to the western end of the southern parcel of the revised APE for direct effects. North of Vermont Street, the railroad line was moved further inland, a project that probably involved removal of some of the bluff within the northern parcel of the revised APE for direct effects (Historic Photos 2, 3, Shmookler et al. 2007: 5-20).

The National Register Eligible (NRE) New York State Barge Canal/Black Rock Canal is depicted as a part of the Erie Canal on all historic maps and its canal walls and towpath form the western boundary of the northern parcel of the revised APE for direct effects (Historic Photos 1-6). Construction on the New York State Thruway in the area took place from 1953 to 1956. The portion of the Thruway in the southern parcel of the revised APE was built on top of the Erie Canal bed and the highway's associated embankments cover much of the northern parcel of the revised APE (Historic Photo 5). In 1960, new Porter Avenue ramps gave motorists access to the bridge from the Thruway. Other ramps to and from the Peace Bridge Plaza were were constructed in 1971 and 1991 (Spear 1977: 90; Pierce 1996: 6-35).

Historic map evidence documents several transportation-related structures that were situated in or adjacent to the revised APE for direct effects. Archaeological resources that may be present in the revised APE for direct effects include the buried Erie Canal and canal-related features and artifacts and railroad structural remains. Additional resources include the towpath for the NRE Black Rock Canal. Much of the archaeological potential of the revised direct APE appears severely diminished by historic and modern land use practices.

Archaeological resources, especially those related to the NRE Black Rock Canal towpath, may be encountered in the northern parcel of the revised APE along its western boundary where modern fill for the highway embankment appears to be shallow in depth. In the rest of the revised APE, archaeological resources are unlikely to be encountered unless the proposed work includes deep excavations. If deep excavations occur in the course of the proposed work, structural remains could be found, if present, as well as related features and artifacts, assuming the presence of some buried but intact soil horizons.

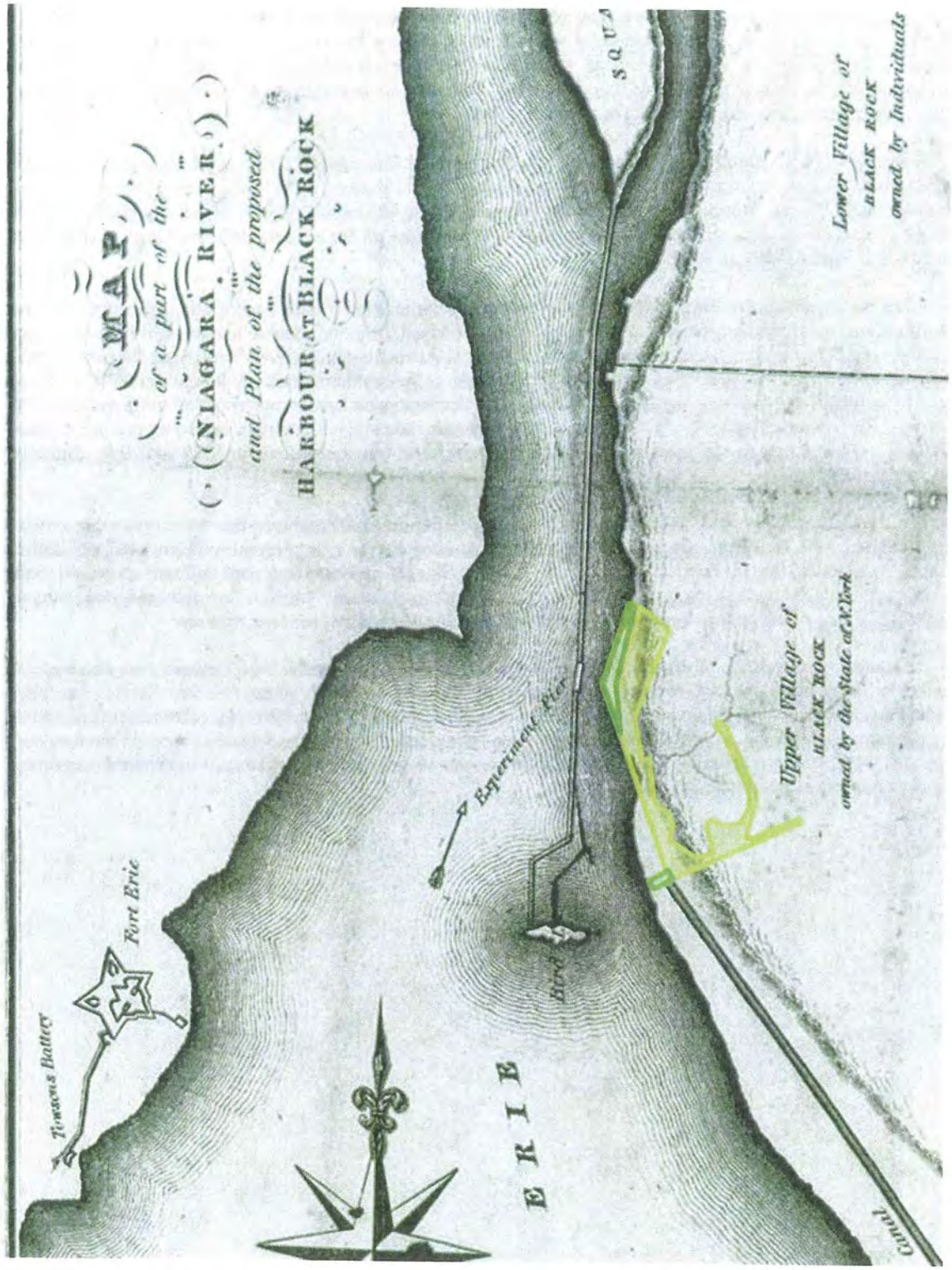


Figure 3. 1829 *Map of a Part of the Niagara River and Plan of the Proposed Harbour at Black Rock.* The revised APE for direct effects includes two additional parcels, shown in dark green.

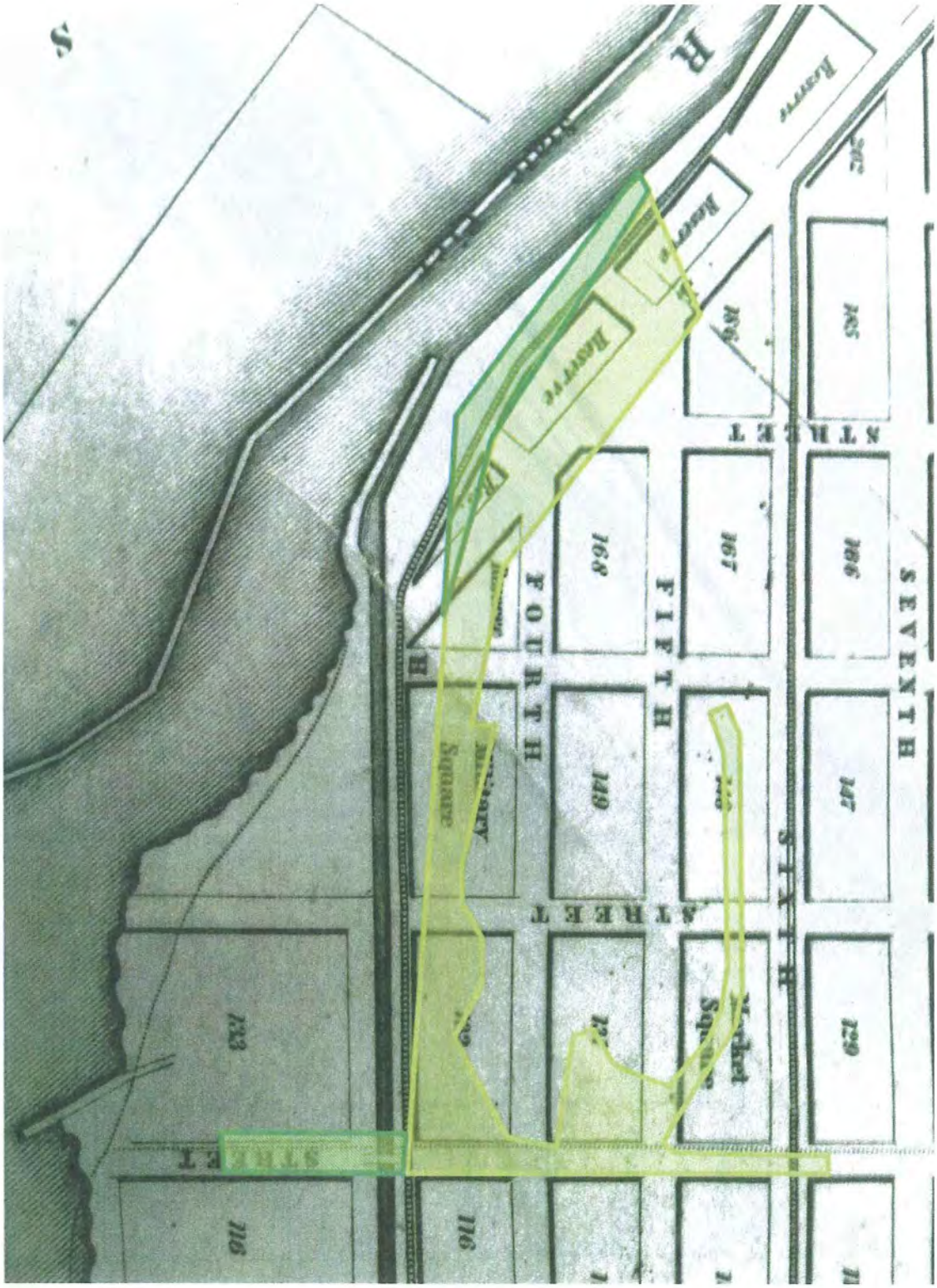


Figure 4. 1836 *Map of the Village of Black Rock, Erie County* (Lovejoy).
The revised APE for direct effects includes two additional parcels, shown in dark green.

Figure 5. 1866 *New Topographical Atlas of Erie County, N.Y.* (Stone & Stewart).
The revised APE for direct effects includes two additional parcels, shown in dark green.

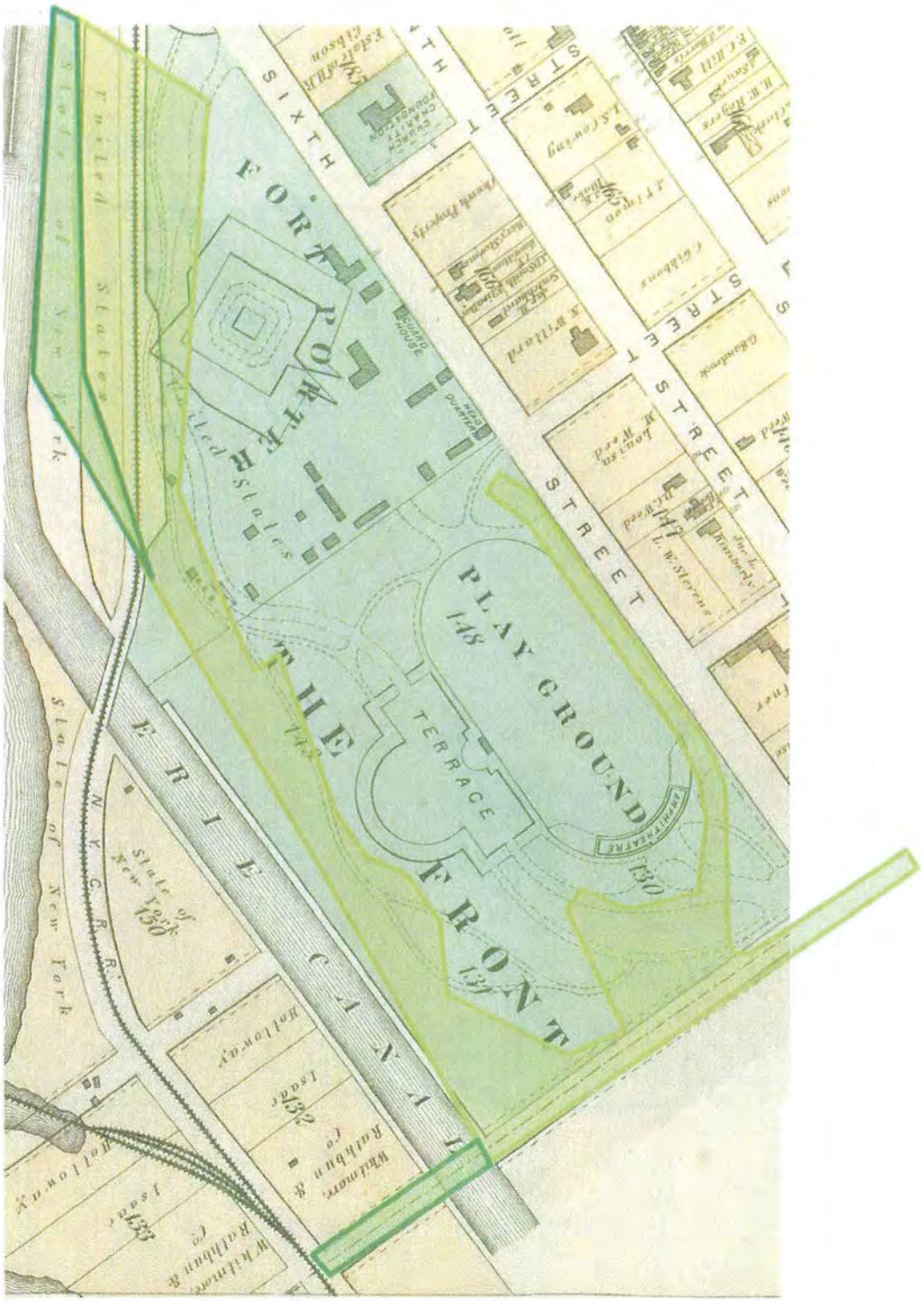


Figure 6. 1872 *Atlas of the City of Buffalo* (Hopkins).
The revised APE for direct effects includes two additional parcels, shown in dark green.

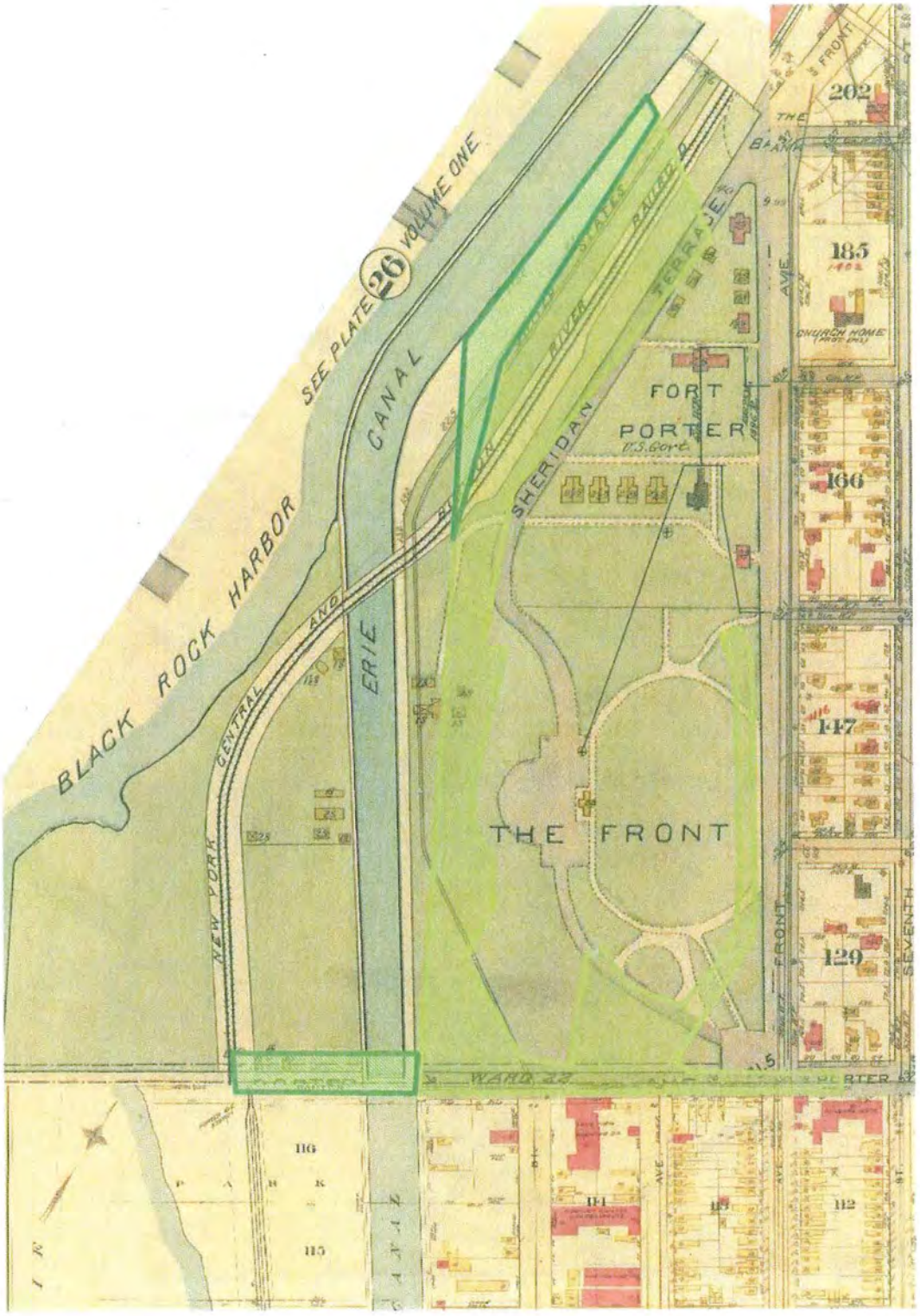


Figure 7. 1894 *Atlas of the City of Buffalo, Erie County, New York* (Brown).
The revised APE for direct effects includes two additional parcels, shown in dark green.

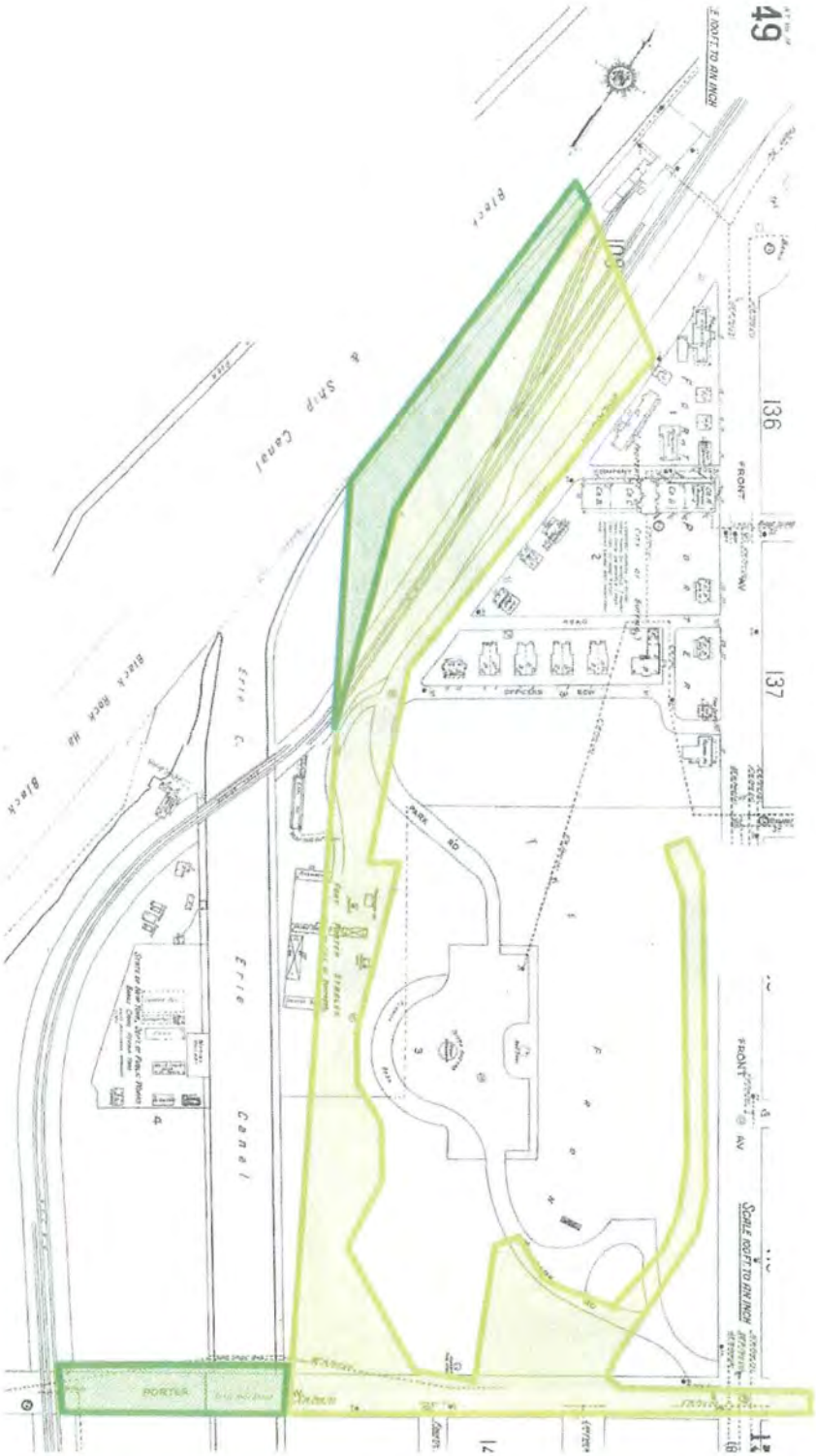


Figure 8. 1925 *Fire Insurance Map of Buffalo, New York* (Sanborn Map Company). The revised APE for direct effects includes two additional parcels, shown in dark green.

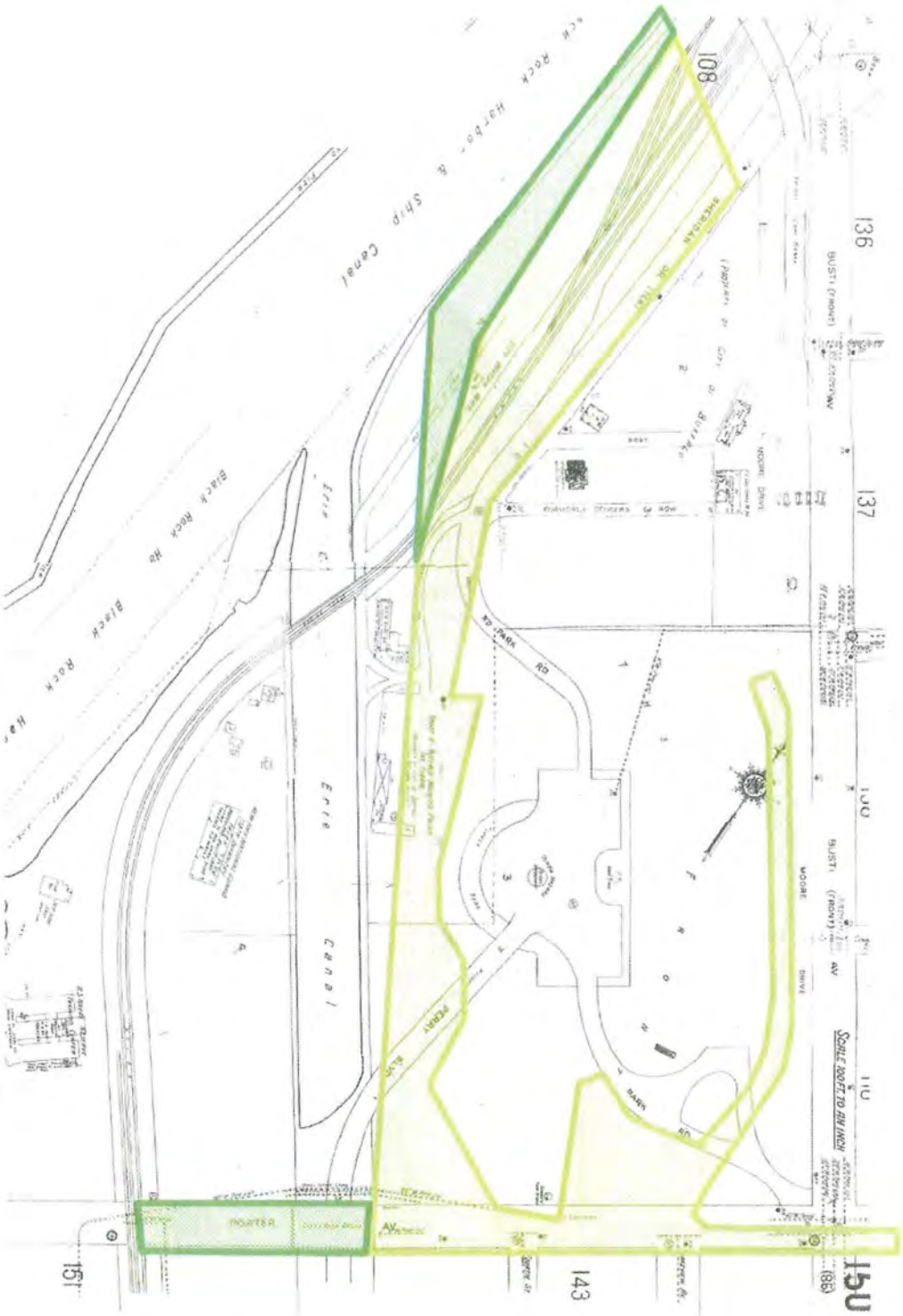
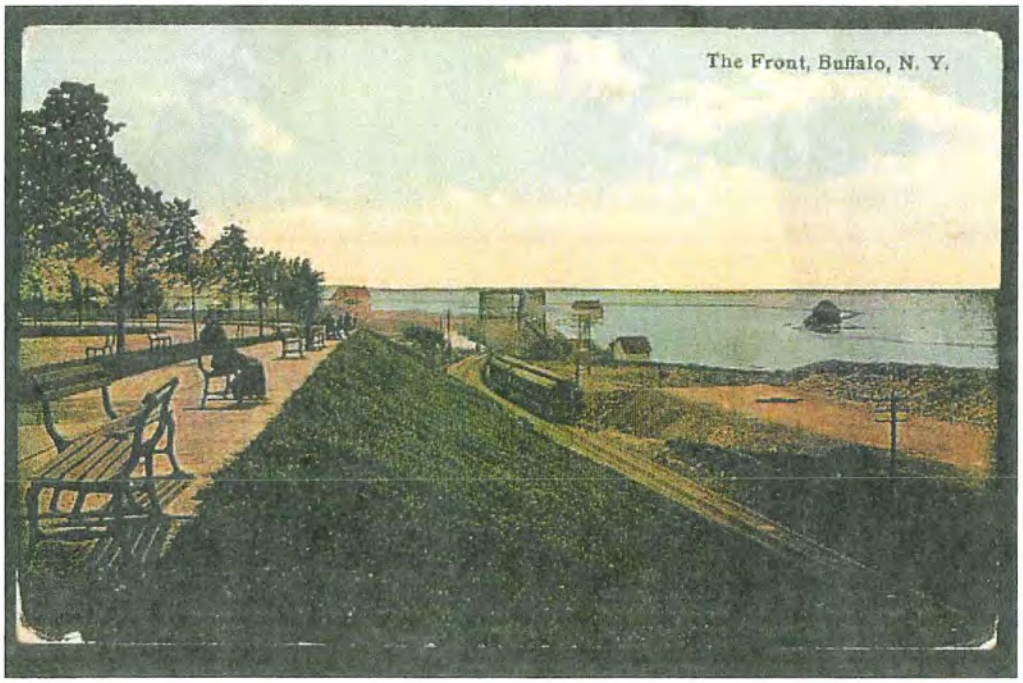


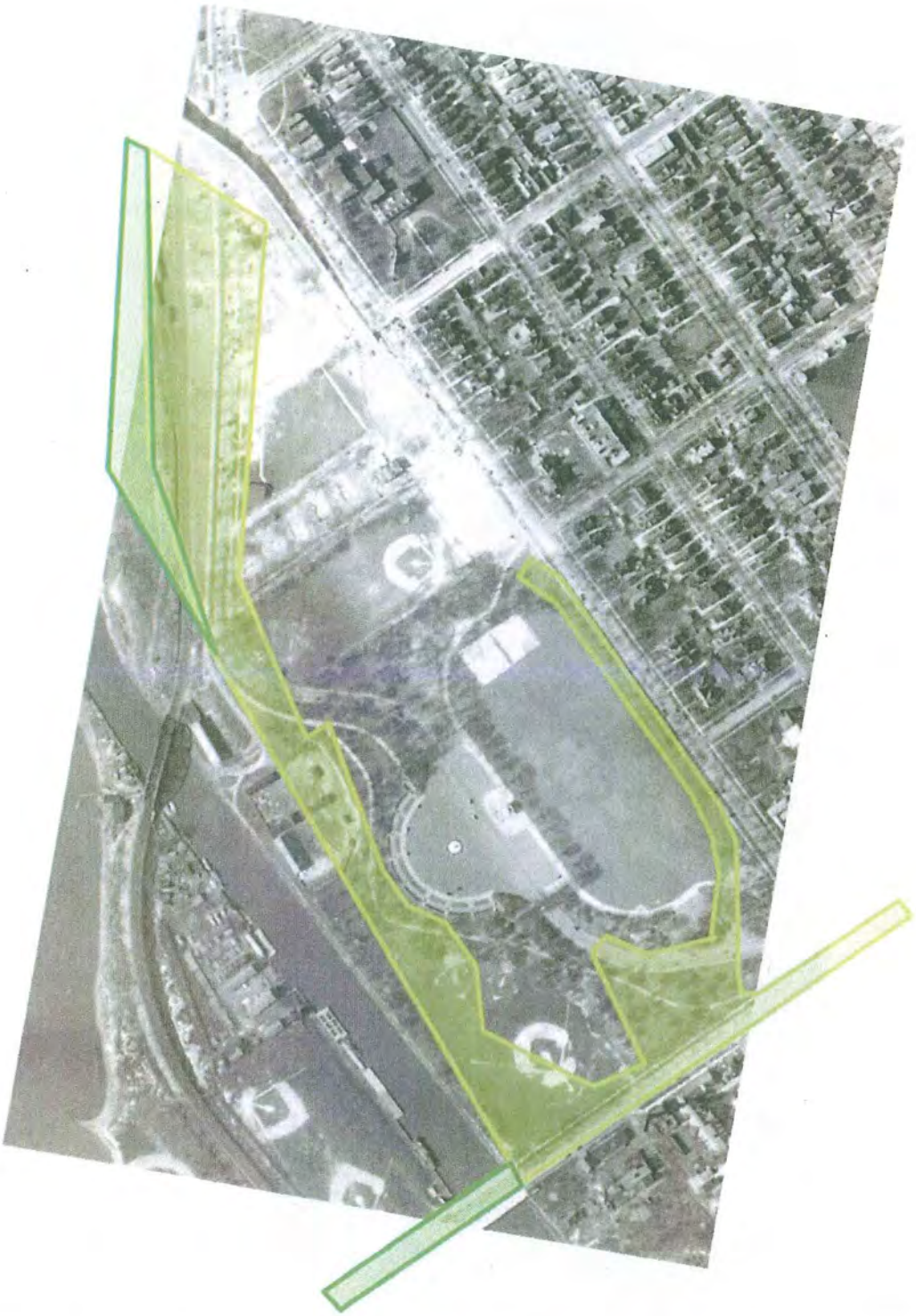
Figure 9. 1951 *Fire Insurance Map of Buffalo, New York* (Sanborn Map Company). The revised APE for direct effects includes two additional parcels, shown in dark green.

Historic Photo 1. Circa early 20th century view of the Erie Canal (background) and the Black Rock Canal (foreground). The canal towpath lies on the shoreline and adjacent to the northern parcel of the revised APE.

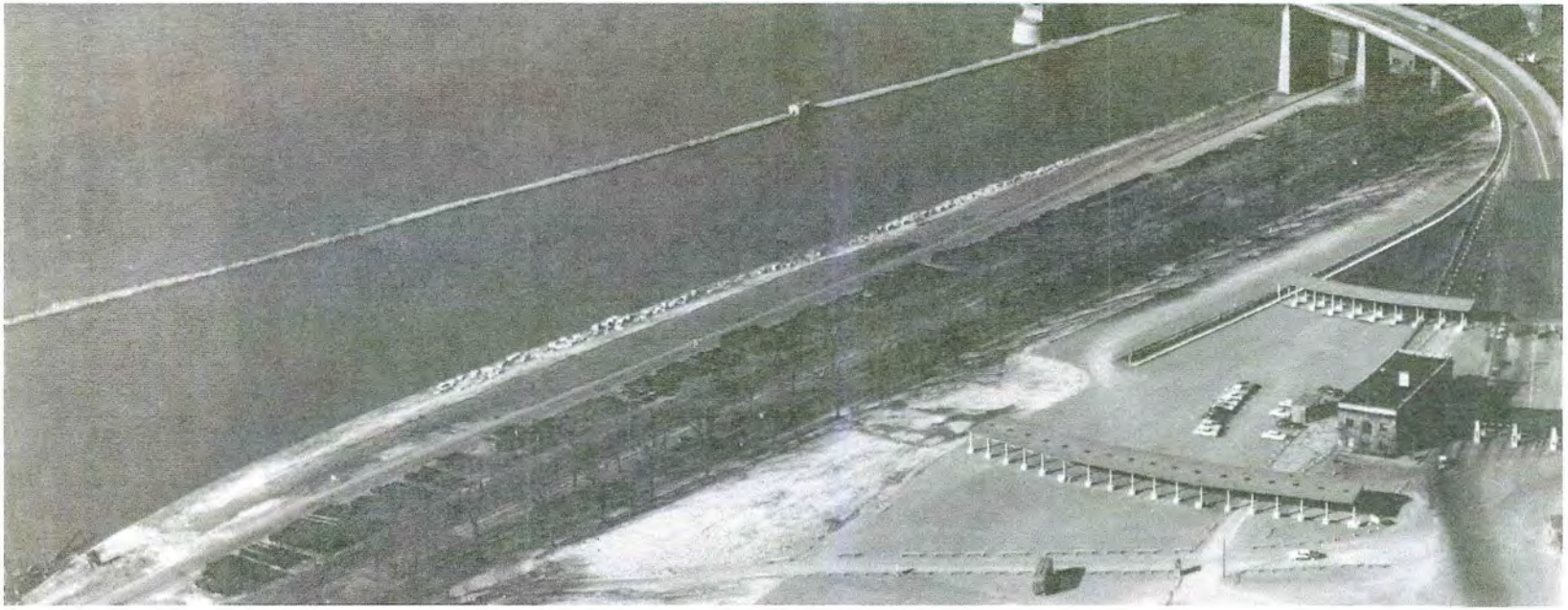


Historic Photo 2. Circa 1900 view of the northern parcel of the revised APE, facing southwest.

Historic Photo 3. Circa 1900 view of the northern parcel of the revised APE, facing north.



Historic Photo 4. 1927 Aerial View overlaid with two additional parcels included in the revised APE (dark green parcels). The canal in this area was buried in the course of highway construction in the 1950s. The Erie Canal alignment lies within the southern parcel of the revised APE for direct effects, at the Porter Avenue Bridge.



Historic Photo 5. 1955 Aerial Photograph of the northern parcel of the revised APE.

Historic Photo 6. May 4, 1915 photo of the Porter Avenue Bridge over the Erie Canal, facing north.

Background research suggests that the revised APE has a high prehistoric sensitivity for all site types. A range of previously recorded archaeological sites exist nearby. There is a bluff and terrace adjacent to the revised APE, uncommon topographic features within the relatively level lake plain. Historic and modern land use have likey had a negative impact on archaeological sensitivity. However, previously unrecorded sites have been identified in nearby settings that are also heavily urbanized (Shmookler et al. 2007: 7-4).

The historic sensitivity is high in the vicinity of the revised APE, especially in areas around Map Documented Structure (MDS) locations and structures more than fifty years old. Development beginning in the early nineteenth century and continuing today has likely impacted much of the revised APE but it is possible that historic sites may be present below fill and modern construction impacts. Historic photos, documents, and maps help to identify transportation and military structures that were situated in or adjacent to the revised APE. Deeply buried deposits may include evidence such as towpath features, buried traces of canal and railroad beds, and pre-asphalt paving road beds made of brick, stone, macadam or wooden logs and/or planks, as well as the foundations, piers and and/or footings of the former canal bridges. Additional artifacts and features include buried 19th century wooden or ceramic water pipes. If present, intact archaeological deposits from these contexts have the potential to provide a rich, varied record of the growth and development of the project area through time. However, the integrity of any potential archaeological sites is unknown at this time.

The major transportation related context located within the revised APE for direct effects is the Erie Canal and the NRE Black Rock Canal. Potential associated archaeological deposits may include the canal's masonry or concrete walls, mooring hardware, as well as the towpath that ran along both canals' eastern sides.

The 1955 NYSDOT construction plans were examined to determine the location of the Erie Canal relative to the revised APE (Figures 10-12). The plans show canal walls in relation to the I-190 and associated ramps. Sheet 3 depicts plan and profile views of the area between Porter Avenue and the Peace Bridge (Figure 11). The profile view depicts the pre-1955 ground surface and the level of the I-190 as built, showing which areas that had been filled-in, and which areas have been graded to lower the profile. Sheets 19 and 21 depict detailed plan views of the same area between Porter Avenue and the Peace Bridge, again depicting the I-190 as built. Sheet 19 shows the north edge of the Erie Canal and the existing access ramp (Figure 12). The alignment of the canal as shown is located within the revised APE for direct effects.

Given the level of prior disturbance and the impervious nature of much of the revised APE for direct effects, archaeological field methods are limited to construction monitoring and a small number of shovel tests. A subsurface examination of all grassy and soil-covered parts of the study area corresponding to the tow path of the Erie Canal and Black Rock Canal should be conducted with a series of shovel test pits (STPs) placed at 5-7.5 m (16-25 ft) intervals. This area is depicted as a red dashed line on the project area map (Figure 13). The purpose of this testing is to determine if any deposits related to the canal towpath, such as artifact scatters, sheet middens and historic features, remain intact. Despite a low probability of finding intact deposits, this strategy is recommended due to the importance such deposits would possess. About 36 shovel test pits are recommended to test this area, assuming a single transect with test pits at 7.5 m (25 ft) intervals. Archaeological monitoring during construction is recommended for the remainder of the revised APE for direct effects near MDS locations and where deep excavations will occur.

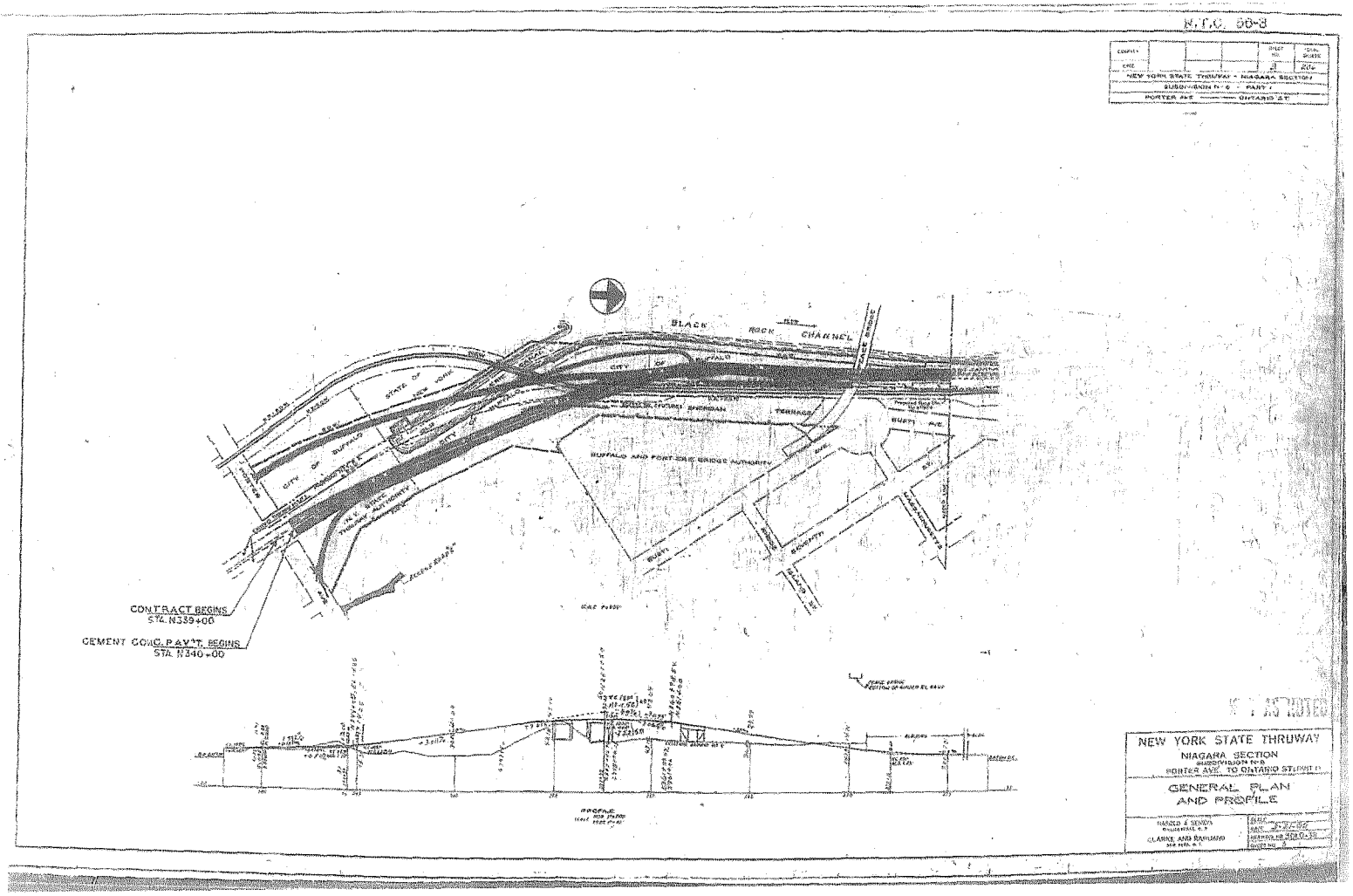


Figure 10. General Plan and Profile Sheet No. 3, New York State Thruway, Niagara Section, dated 3-21-55.

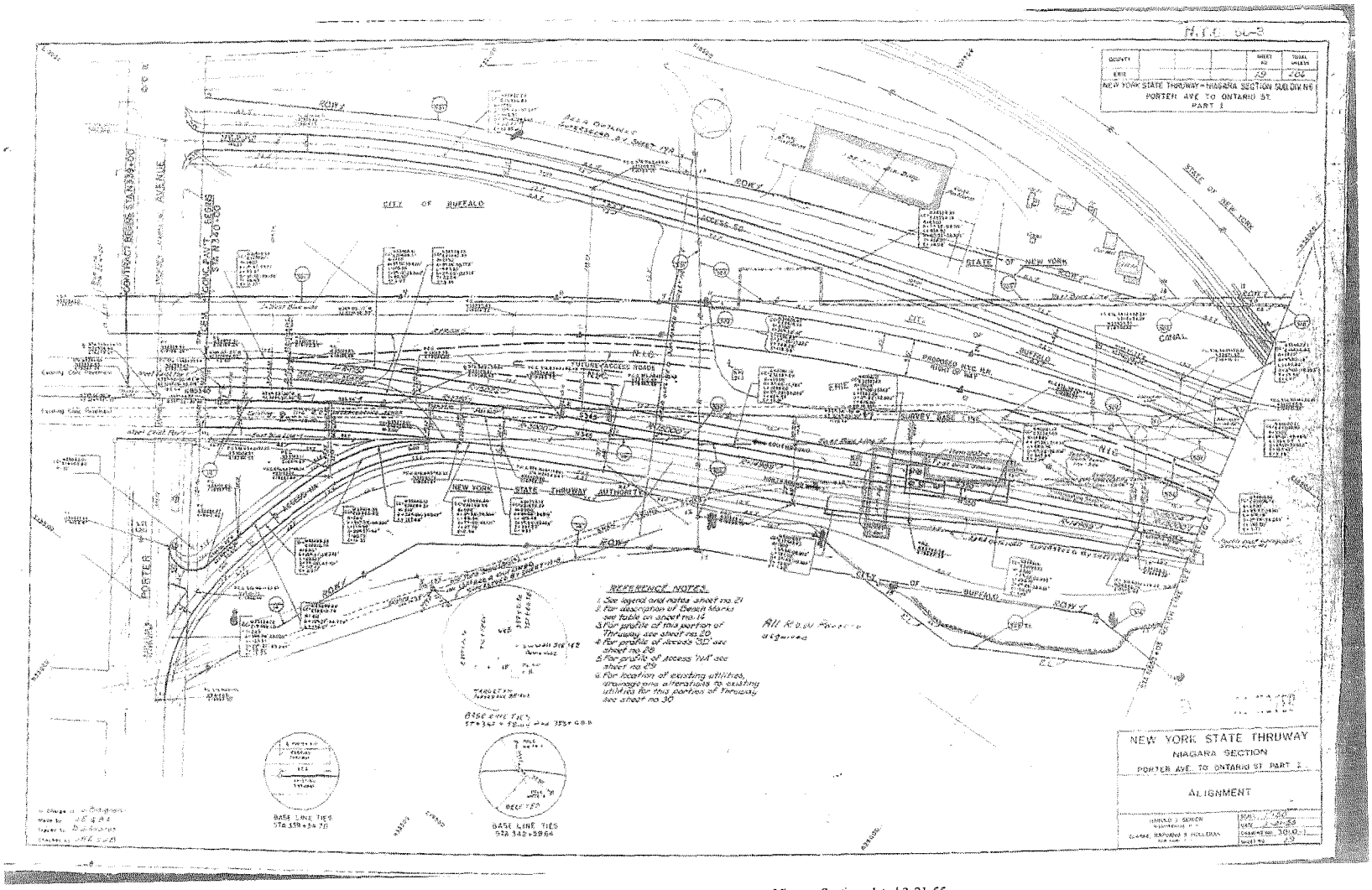


Figure 11. Alignment Sheet No. 19, New York State Thruway, Niagara Section, dated 3-21-55.

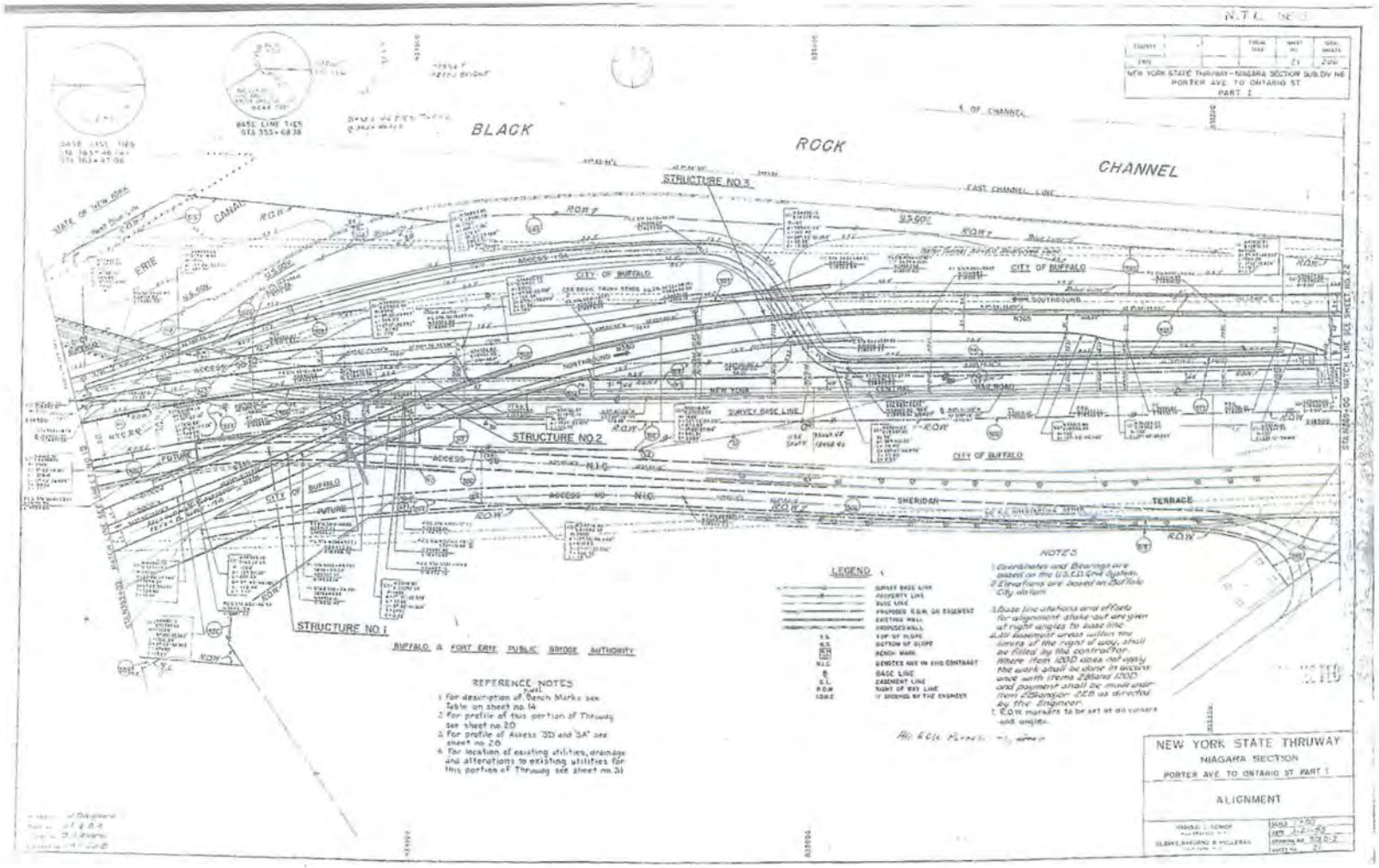
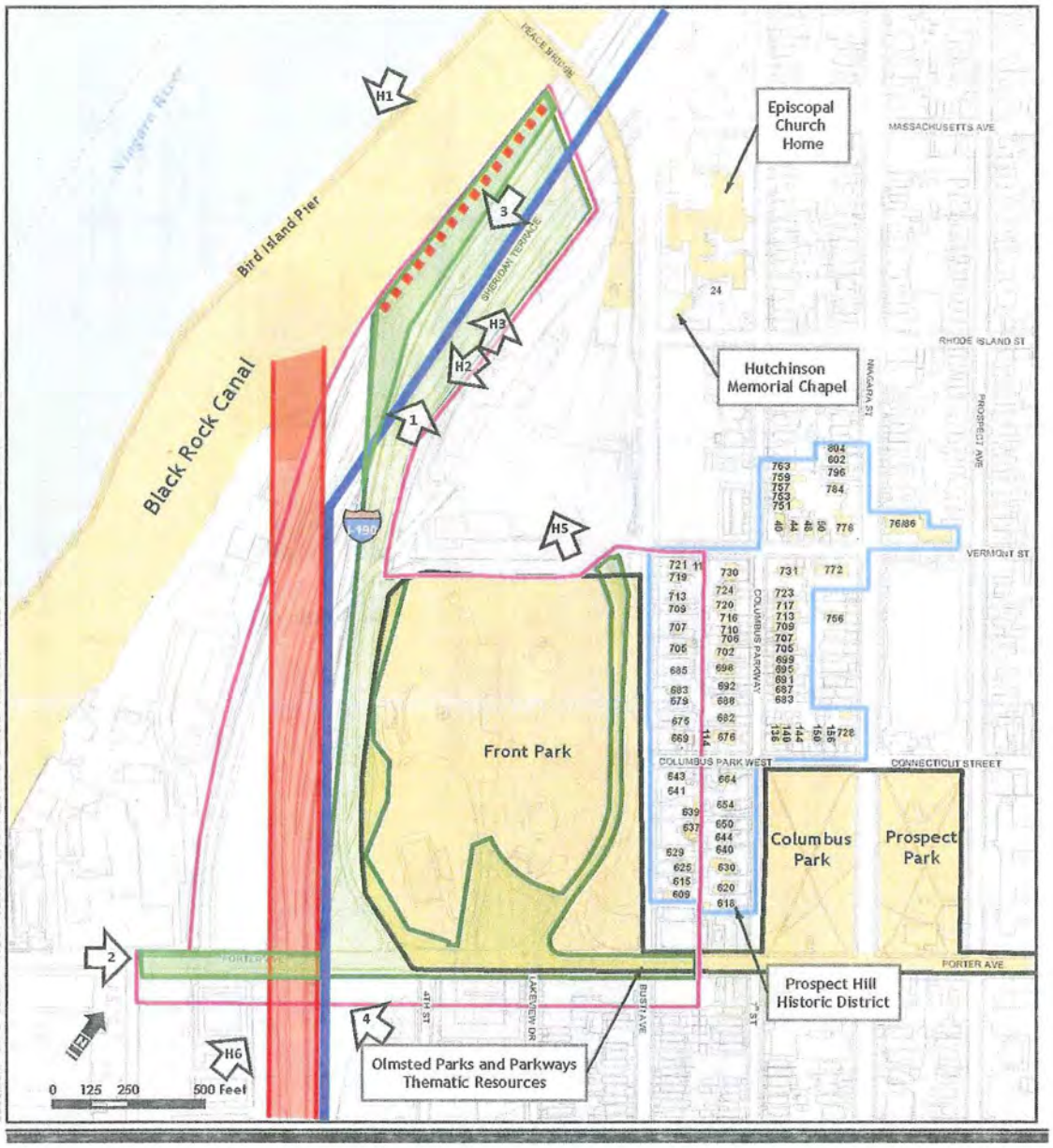


Figure 12. Alignment Sheet No. 21, New York State Thruway, Niagara Section, dated 3-21-55.



Direct APE
Project APE
Prospect Hill Historic District
Olmsted Park Historic Thematic Resource
National Register Resources
Photo Angle (H = Historic Photo)
Former Bed of the Erie Canal (MDS 1)
Buffalo and Black Rock Railroad (MDS 2)
Revised Direct APE
Area of Recommended Shovel Testing

NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza
Cultural Resources
Area of Potential Effect (APE)
Erie County, New York

SOURCE Ecology and Environment, Inc.
September 30, 2013

Figure 13. Revised Project Area Map.

REFERENCES CITED

Brown, James P.
1894 *Atlas of the City of Buffalo, Erie County, New York.* American Atlas Company, New York.

Buffalo and Erie County Historical Society
n. d. Photograph Collection, Buffalo, New York.

Buffalo and Fort Erie Public Bridge Authority
2002 *Gateways: The Peace Bridge Celebrates its 75th anniversary.* Buffalo and Fort Erie Public Bridge Authority, Buffalo, New York.
n. d. Photographs and History Files.

Hopkins, G.M.
1872 *Atlas of the City of Buffalo.* Buffalo, New York.

Lovejoy, Henry
1836 *Map of the Village of Black Rock, Erie County.* Black Rock Land & Rail Road Company. Ms. on file, Buffalo and Erie County Historical Society.

Montague, Nathan and Douglas J. Perrelli
2013 Update of Previously Inventoried Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring for PIN 5760.80.101, NY Gateway Connections Improvement Project to the US Peace Bridge Plaza, City of Buffalo, Erie County, New York. *Reports of the Archaeological Survey, Volume 45, Number 13*, SUNY Buffalo.

Pierce, Carolyn
1996 *Stage 1A Cultural Resource Investigation for the Peace Bridge Plaza and Connecting Roadway System Design Phases I-IV, PIN 5753.58 City of Buffalo, Erie County, New York.* Pratt & Huth, Williamsville, New York.

Sanborn Map Company
1925 *Fire Insurance Map of Buffalo, New York.* Sanborn Map Company, Pelham, New York.
1951 *Fire Insurance Map of Buffalo, New York.* Sanborn Map Company, Pelham, New York.

Shmookler, Leonid I., Daniel M. Cadzow, and Natasha B. Snyder
2007 *Appendix E: Phase 1A Cultural Resource Investigation, Peace Bridge Expansion Project.* Ecology and Environment, Lancaster, New York.

Spear, A.W.
1977 *The Peace Bridge: 1927-1977 and Reflections of the Past.* Buffalo and Fort Erie Public Bridge Authority, Peace Bridge Plaza, Buffalo, New York.

Stone & Stewart
1866 *New Topographical Atlas of Erie County, N.Y.* Stone & Stewart, Philadelphia.

United States Geological Survey
1965 *Buffalo, N.Y.-Ont.* USGS 7.5 Minute Series Quadrangle.

INTERVIEWS

NYSDOT

NYSDOT Office of Environment, provided information about the project, scope of work for cultural resources, and area of potential effects (APE) for the project.

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza

Section 106 Finding Documentation

Attachment E: Plan for Archaeological Monitoring during Construction

Plan for Archaeological Monitoring During Construction

for

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza

PIN 5760.80.101
PR #13PR02859

City of Buffalo
Erie County, New York
MCD 02940

by
Douglas J. Perrelli, Ph. D., RPA
Principal Investigator

Reports of the Archaeological Survey, Volume 45, Number 22
Department of Anthropology, State University of New York at Buffalo

October 2013

Prepared for:
New York State Museum
New York State Department of Transportation
Federal Highway Administration

Plan for Archaeological Monitoring during Construction
NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
City of Buffalo, Erie County, New York

The Federal Highway Administration (FHWA), in cooperation with New York State Department of Transportation (NYSDOT), proposes a project to provide improved access to and from the US Border Port of Entry/Peace Bridge Plaza (Plaza), in the City of Buffalo, Erie County, New York (MCD 02940). The New York Gateway Connections Improvement Project to the US Peace Bridge Plaza (Project) is a federal-aid transportation project subject to review under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800.

The NY Gateway Connections project area is located in the West Side neighborhood of the City of Buffalo, Erie County, New York. The project area is situated on a bluff overlooking the Niagara River, separated from the waterfront by the New York State Thruway (I-190) which runs along the river and under the Peace Bridge adjacent to Front Park and the Plaza. The project area is adjacent to Front Park, which was designed by Frederick Law Olmsted as part of a citywide park and parkway system opened in 1868, and provides open green space in the urban setting. A densely populated mixed-use urban neighborhood is situated to the south and east of Front Park.

In coordination with FHWA, and in consultation with NYSHPO, NYSDOT established the Project's Area of Potential Effect (APE)- defined as "...the geographical area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist (36 CFR 880.16[d]). Within the Project APE, a smaller area was delineated for potential direct effects, meaning physical alterations or ground disturbance caused by the proposed construction of new ramps, the removal of Baird Drive, modifications to Porter Avenue in the vicinity of existing ramps, the relocation of the Porter Avenue entrance to Front Park, minor realignment of Front Park Drive, the replacement of the Porter Avenue bridge over I-190 and CSX (BIN 5512560) and the relocation of a portion of the Shoreline Trail (formerly the Riverwalk). The overwhelming majority of direct effects are associated with lands previously disturbed and occupied by existing transportation facilities including the I-190 corridor, Porter Avenue, and Baird Drive.

As recommended in the report entitled *Update of Previously Inventoried Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring* (Montague and Perrelli 2013) archaeological monitoring is proposed within the APE for direct effects in proximity to Map Documented Structure (MDS) locations and where deep excavations will occur. Two areas of high historic archaeological potential are identified for archaeological monitoring in particular. One large area is on the northern side of the direct APE along Sheridan Terrace where numerous MDS occur in association with the terrrace and the former Fort Porter. A second area in the southwest corner of the direct APE, along Porter Avenue, is in proximity to the former Erie Canal. In addition to monitoring, a small amount of shovel testing is recommended for the grassy area at the north end of the direct APE where the realigment of the Riverwalk may have impacts. This precaution is being taken because of the potential for near-surface deposits associated with the former tow path of the Erie Barge Canal and Black Rock Canal to be intact. In accordance with the Section 106 Finding Documentation, archaeological monitoring will be conducted where the depth of construction activity may affect deeply buried deposits where archaeological resources may be present (Figure 2).

NYSDOT requested an archaeological monitoring plan be developed for the proposed improvements as described for excavations as per plans provided by NYSDOT. Archaeological monitoring and potential data recovery will be implemented during construction for portions of the project area not accessible for archaeological testing prior to construction. The depth of impact is dependent upon the final depth of construction at various locations. Archaeological testing will be performed in a small sub-area of the Project where near surface deposits associated with the Erie Canal Towpath may be intact, followed by construction monitoring for deeper impacts in this area as needed. Data recovery in accordance with this Plan may be implemented if potentially NRE deposits are found during field testing of the towpath or the monitoring of construction excavations for the infrastructure improvements.

Design modifications and refinements are anticipated as the project progresses through the final design and into construction. Any such changes, both prior to and during construction, should be communicated to the

archaeologist for appropriate revisions to this *Plan for Archaeological Monitoring During Construction*. All field investigations and the final report will be completed by 36 CFR 61 qualified professional archaeologists, in accordance with the New York State Education Department's *Work Scope Specifications* under interagency agreement with NYSDOT, and in accordance with the professional standards of the New York Archaeological Council and the New York Office of Parks, Recreation and Historic Preservation.

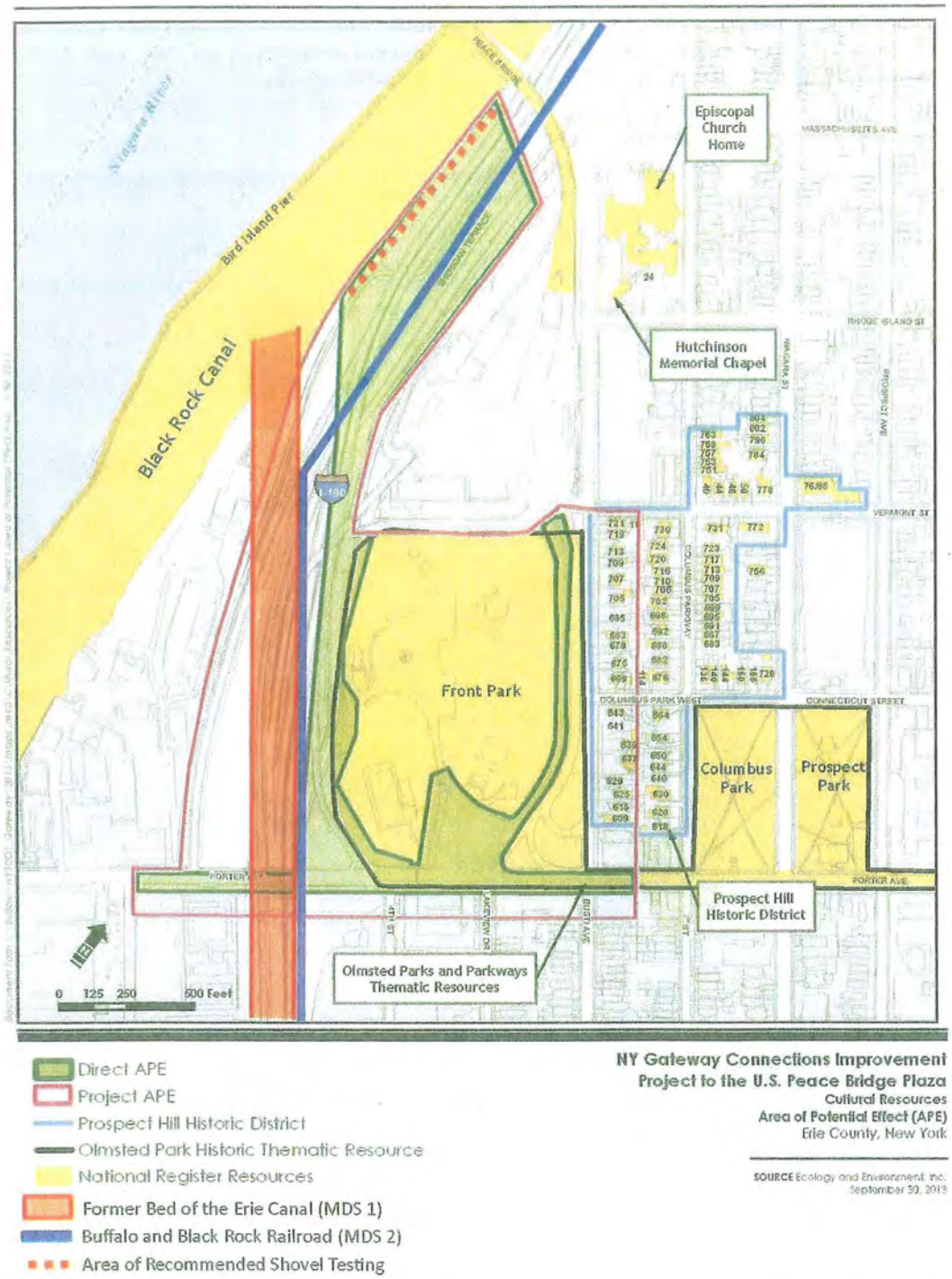


Figure 1. Project Location for PIN 5760.80.101, NY Gateway Connections Improvement Project to the US Peace Bridge Plaza, City of Buffalo, Erie County, New York (MCD 02940) showing APE.

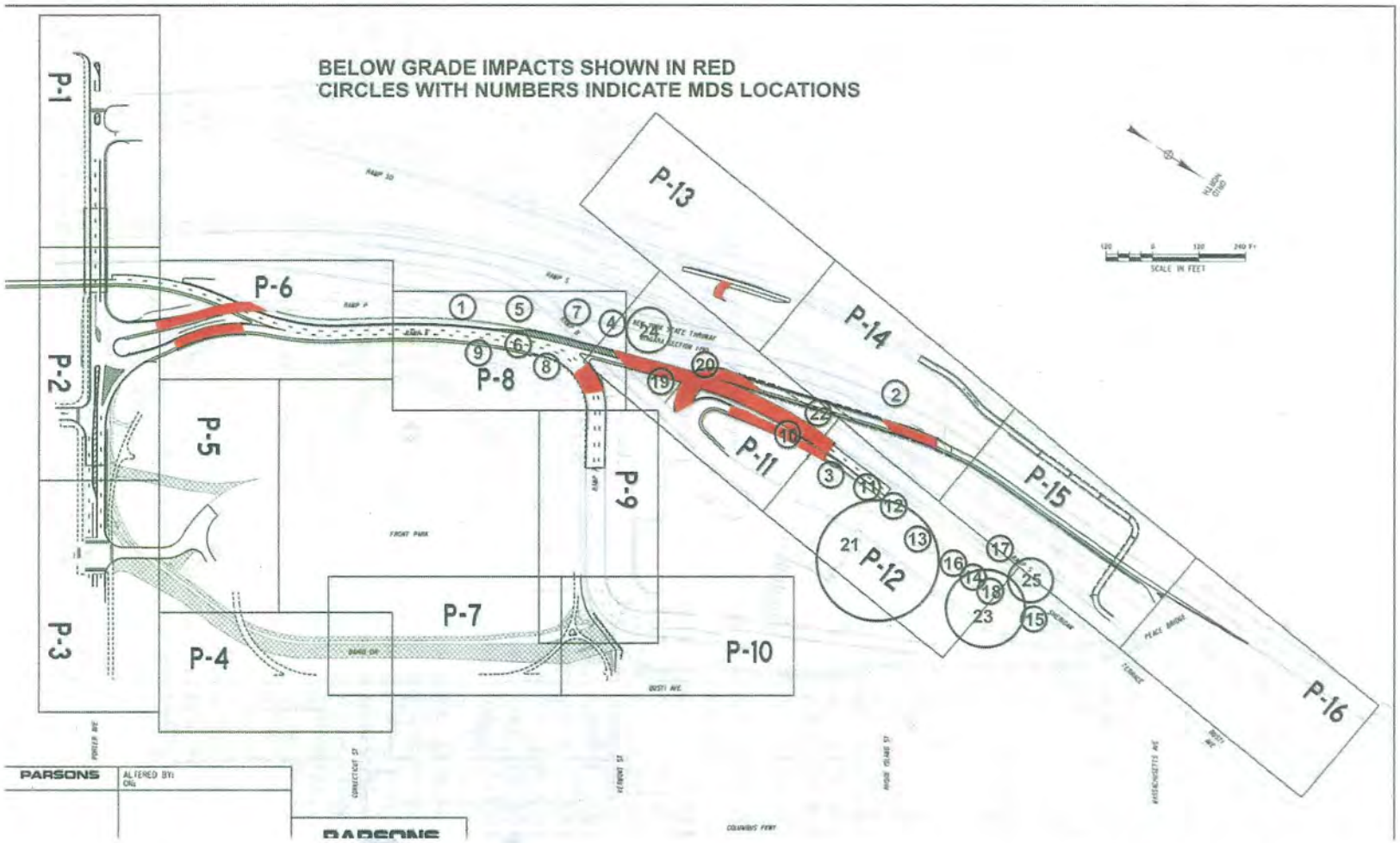


Figure 2. Location of proposed deep construction impacts for PIN 5760.80.101, NY Gateway Connections Improvement Project to the US Peace Bridge Plaza, City of Buffalo, Erie County, New York (MCD 02940).

HISTORIC RESOURCES DOCUMENTATION

The PIN 5760.80.101 APE possesses a high historic sensitivity, especially in those areas around Map Documented Structures (MDS), which are locations where buildings or structures are shown on historic maps, but are no longer standing and hence indicate the potential presence of archaeological sites. Subsurface investigations at these locations may yield buried traces of buildings or structures, features, and/or concentrations of artifacts. MDS locations indicate archaeological sensitivity, but are not identified as archaeological sites until their presence is confirmed through field investigations.

The APE for direct effects encompasses a broad range of potential archaeological resources associated with military, transportation, residential, industrial / commercial, public utility, and public recreation related contexts (Figure 3). Significant historic Canal-related sites have been found in Buffalo's downtown area, specifically at the Inner Harbor (Dean and Barbour 1998). Although the Erie Canal-Grand Canal Prime Slip & Commercial Slip Areas Site lies 2.7 km (1.7 mi) south of the APE, its 19th and 20th century canal-associated features are informative for the current study given that the Erie Canal is known to be buried in the APE and could be directly affected (A02940.004623). Here there is the potential for intact structural remains to be buried beneath fill in this urban setting.

Military contexts identified within the APE include the c.1841-1926 Fort Porter, a mid 20th century National Guard barracks, and several War of 1812 era fortifications located near the APE's northern end and center A wide variety of structures associated with Fort Porter have been documented including stables, a blacksmith shop, storehouses, ammunition sheds, a wagon house, one or more block-houses, a coal shed, enlisted men's barracks, and a row of officers' houses. Additional structures include cisterns, privies, refuse dumps, fence-lines, roads, paths, and parade grounds located at the fort's southern end.

Buried traces of these structures and landscape features may be present in the form of in-filled building foundations, well and privy pits, stone walls and rows of postholes. Sheet middens containing arms related artifacts, food remains, clothing, and personal artifacts may be identifiable even in disturbed soils. Additionally, transportation related artifacts, such as wagon parts, horse shoes and harness-related equipment may be found in the vicinity of the fort's stables, while evidence of fire-damage may be found in the vicinity of the blockhouse that burned in the 1860s. Buried traces of mid-19th century earthworks and a moat from the fort, if intact would be along Sheridan Terrace near the northwest corner of Front Park, within the APE for direct effects. These defensive works may be archaeologically visible in the form of wide linear ditches. Other potential structure types including laundry, kitchen, hospital, prison, and other support facilities associated with the unlabeled Fort-related buildings shown on the 1872 Hopkins atlas map. Many of these buildings were removed during a late 19th century reconstruction. The research potential of military contexts lay in the diversity of different types of structures and activity areas.

Transportation related structures and landscapes are identified in the APE limits including the extant New York Central & Hudson Railroad grade, bed, and tracks. Potential archaeological remains include buried traces of former railroad beds as well as pre-asphalt paving road beds made of brick, stone, macadam or wooden logs and/or planks, as well as the foundations, piers and and/or footings of the former canal bridges. If intact physical remains of transportation contexts such as the Erie Canal are present, their research potential would include historical construction methods and materials used in their initial construction, as well as in subsequent renovations that occurred over the course of the 19th and early 20th centuries. This includes the re-use and recycling of building materials from one iteration of the canal to the next.

Public utility contexts include the "old" Buffalo water works along with pipe networks and associated support areas, including MDS 2. Other public utility contexts include buried late 19th and early 20th century sewer pipes and electric lines. Potential archaeological contexts include buried 19th century wooden or ceramic water pipes and foundation walls and any remaining boilers or pumping machinery used in the old water works.

The APE has a high prehistoric sensitivity for all prehistoric site types. A wide range of previously recorded archaeological site types exist nearby. There is a bluff and terrace within the project limits, an uncommon topographic feature within the relatively level lake plain. Historic and modern land use has negatively impacted and therefore drastically reduced archaeological sensitivity but the potential for deeply buried sites remains. Previously

unrecorded sites have been identified in nearby settings that are also heavily urbanized (Shmookler et al. 2007:7-4). Construction monitoring will ensure that any deeply buried deposits encountered during construction are identified, evaluated, and appropriately documented. Deeply buried deposits may include post molds and other feature evidence of former habitation structures, along with refuse pits, middens, and artifact concentrations from more ephemeral land use.

DRAFT

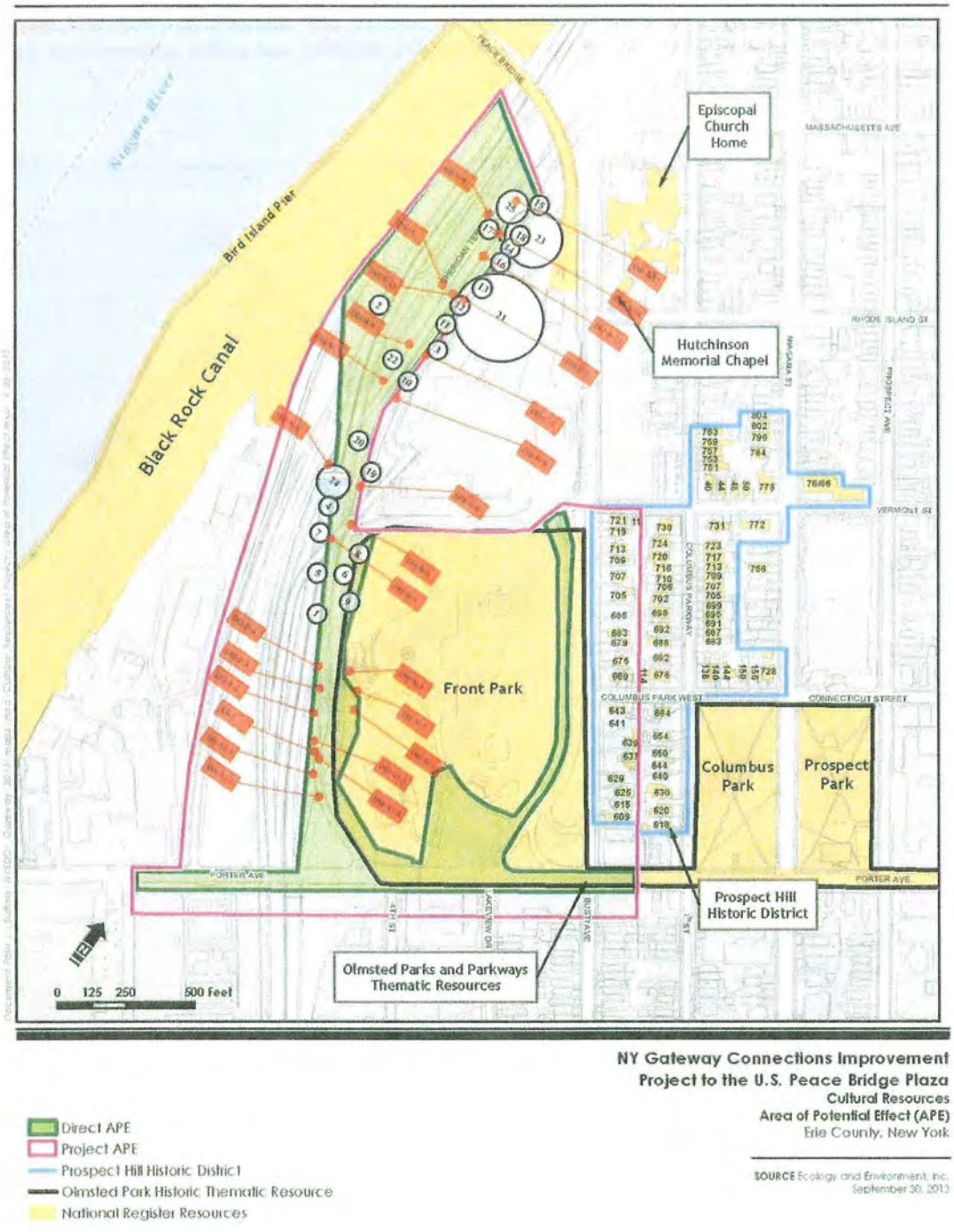


Figure 3. Project Location for PIN 5760.80.101, NY Gateway Connections Improvement Project to the US Peace Bridge Plaza, City of Buffalo, Erie County, New York (MCD 02940) showing MDS locations and soil boring locations referred to in text and tables.

Potential Archaeological Resources in Direct APE

Despite the potential for historic and prehistoric archaeological resources to exist within the direct APE, there are no known, intact archaeological sites within the APE. Two areas of high historic archaeological potential are identified, one large area covering much of the north half and another at the south end of the direct APE as shown on Figure 3. The north end of the direct APE is in close proximity to MDSs 2, 3, 10-18, 21-23, and 25. All of these MDS locations, including a former cemetery associated with Fort Porter, are clustered along Sheridan Terrace. The southwest corner of the APE represents the area overlapping the former Erie Canal and other transportation structures described above.

Historic Canal Remains in APE for Direct Effects

The major transportation related context located near the APE for direct effects is the Erie Canal, which runs through the southern half of the APE for direct effects. Potential associated archaeological deposits may include the canal's masonry or concrete walls, mooring hardware, as well as the towpath that ran along the canal's eastern side.

The section of the Erie Canal (MDS 1) that passes through the APE was completed in 1825. Its original dimensions included a surface width of 40 feet along most of its length. Due to increased traffic, the canal was enlarged between 1836 and 1862 to a width of 70 feet at the surface. The second enlargement of the Erie Canal took place between 1896 and 1898. The existing abutments for the Porter Avenue Bridge over the canal were originally constructed in 1897, in the course of the second enlargement. Canal traffic stopped on the section of the canal in the project area in 1918. That was the year the New York State Barge Canal was completed, terminating in Tonawanda, New York. The last section of canal was filled-in in the 1950s during construction of the New York State Thruway. The abutments remain as supports for the current Porter Avenue Bridge over the I-190. FHWA, in coordination with NYSDOT, and in consultation with SHPO, has determined the abutments are not National Register eligible structures (FHWA 2013).

The Buffalo and Black Rock Railroad (MDS 2) was constructed along the beach between the Village of Buffalo and the Black Rock ferry station, at the foot of the current Ferry Street. It passed through the APE for direct effects. It was Buffalo's first railroad and began operating in 1834. A horse-drawn railcar was pulled along a three mile long track consisting of four-inch thick wood rails covered with a thin strip of iron (Shmookler et al. 2007: 5-19). The New York Central Railroad took over the Buffalo and Black Rock Railroad tracks in the 1850s and the tracks were moved to the west side of the canal in the APE for direct effects. North of Vermont Street, the railroad line was moved further inland, a project that probably involved removal of some of the bluff at the northern end of the APE for direct effects (Shmookler et al. 2007:5-20). The portion of the Thruway in the APE was built on top of the Erie Canal bed and the highway's associated embankments cover much of the APE. In 1960, new Porter Avenue ramps gave motorists access to the bridge from the Thruway. Other ramps to and from the Peace Bridge Plaza were constructed in 1971 and 1991 (Spear 1977: 90; Pierce 1996: 6-35, Montague and Perrelli 2013).

The 1955 NYSDOT construction plans were examined to determine the location of the Erie Canal relative to the APE (Figures 4-6). The plans show canal walls in relation to the I-190 and associated ramps. Sheet 3 depicts plan and profile views of the area between Porter Avenue and the Peace Bridge (Figure 4). The profile view depicts the pre-1955 ground surface and the level of the I-190 as built, showing which areas that had been filled-in, and which areas have been graded to lower the profile. Sheets 19 and 21 depict detailed plan views of the same area between Porter Avenue and the Peace Bridge, again depicting the I-190 as built. Sheet 19 shows the north edge of the Erie Canal and the existing access ramp (Figure 5). The alignment of the canal as shown is located west of the alignments of the I-190 ramp and within the APE for direct effects at the Porter Avenue Bridge. The former alignment of the Erie Canal was completed in 1825 and subsequently enlarged and modified numerous times in the 19th and 20th centuries the APE for direct effects. The Canal was abandoned and then filled and paved over in the 1950s during the construction of the New York State Thruway.

Historic Sheridan Terrace and Fort Porter Remains in APE for Direct Effects

The north end of the direct APE is in close proximity to MDSs 2, 3, 10-18, 21-23, and 25. All of these MDS locations, including a former cemetery associated with Fort Porter, are clustered along Sheridan Terrace as shown on Figure 3. A portion of the northern half of the APE for direct effects is situated between I-190 to the east and the NRE New York State Barge Canal/Black Rock Canal. The landscape was modified by canal-related activities and the construction of Fort Porter in the middle of the 19th century, and by railroad bed realignment and landscaping in the second half of the 19th century. The National Register Eligible (NRE) New York State Barge Canal/Black Rock Canal are part of the Erie Canal in this area and former canal walls and the towpath form the western boundary of this northern part of the APE for direct effects. Construction on the New York State Thruway in the area took place from 1953 to 1956. Archaeological resources, especially those related to the NRE Black Rock Canal towpath, may be encountered in this location, along its western boundary where modern fill for the highway embankment appears to be shallow in depth.

Other Potential Historic Resources in APE for Direct Effects

Additional potential cultural resources are suggested by information gained from soil boring logs provided by NYSDOT as presented in Figure 3 and Table 1. Throughout the APE for direct effects, deep fill and some natural deposits are documented by soil borings to depths between 7.5-15 m (25-50 ft) below ground surface. Soil boring information is derived from a compilation of available information for the Project, including twelve (12) new borings progressed by the NYSDOT Region 5 Geotechnical Group in June 2013, fifty-eight (58) record subsurface explorations progressed between 1965 and 1969, and geologic and soil maps (NYSDOT Geotechnical Engineering Bureau, August 2013).

Soil borings listing fractured stone may refer to demolished foundation material and fragments of architectural debris, but could also represent bedrock fragments. This notation was found in association with soil borings DH-S-9 and DH-N-9 near the north end of the direct APE at depths of less than two meters (5 ft) below ground surface. Similar notations were found at much deeper depths in soil borings DH-B-5 and DH-B-6 nearer the midpoint of the direct APE. Here such material is found at depths up to 10 m (32 ft) below ground surface. Dark stains that could represent archaeological features are noted as black silt less than two meters (5 ft) below ground surface in soil boring DH-N-9 and DH-B-5. Black sand, black silt and brick fragments were noted in soil borings DH-N-6, DH-S1-5, DH-P-3 and DH-P-2 at relatively shallow depths below ground surface. Most of these locations do not appear to coincide directly with MDS locations, but MDSs are located nearby. Soil boring logs show deep fill throughout much of the APE with a general trend of deeper fill deposits at the north end of the project area, related to the need for more in-filling of the steeper bluff, and shallower deposits at the south end where topographic relief and the need for in-filling was less (Figure 3, Table 1). Construction plans show the likely depth of fill over the canal to be about 15-20 feet at the south end of the APE (Figure 7). Fill depths in northern portions of the APE could be much deeper.

Potential for Deeply Buried Deposits

If intact archaeological deposits are to be found within the direct APE, they will likely occur as deeply buried deposits below fill and disturbed soil layers. The vertical dimensions of the APE for direct effects, defined here as the depth of planned ground-disturbing construction impacts, has been provided in the form of geotechnical data (NYSDOT Geotechnical Engineering Bureau, August 2013).

Table 1. Soil Boring Log Summary (New York Department of Transportation Geotechnical Engineering Bureau 1965-1969). Boring Locations are Plotted on Figure 3.

Soil Boring Code	Location and Description of Associated MDS and Potential Cultural Resources	Soil Boring Log Summary in Depth Below Ground Surface And in Stratigraphic Sequence
AH-L-4	north end of APE west of plaza near MDS 25 Fort Porter Battery "J" 1836	trace topsoil 11.5 ft brown sand Bedrock
DH-L-12	north end of APE west of plaza MDS 25 Fort Porter Battery "J" 1836	1 ft brown fine sandy silt 50 ft brown fine silty sand
DH-S-13	north end of APE west of plaza	43 ft brown silt/red-brown silty loam limestone bedrock
DH-S-14	north end of APE west of plaza MDS 17 1 story frame building 1894	48 ft brown silt/red-brown silty loam limestone bedrock
DH-S-11	north end of APE west of plaza, nearing midsection of project area MDS 12 Fort Porter Headquarters 1925	32 ft brown silt/red-brown silty loam limestone bedrock at 32 ft
DH-C-5	north end of APE west of plaza, nearing midsection of project area MDS 12 Fort Porter Headquarters 1925	30 ft brown silt/red-brown silty loam limestone bedrock at 30 ft
TP-L-1	north end of APE west of plaza, nearing midsection of project area near MDS 12 Fort Porter Headquarters 1925	thin topsoil 21 ft red-brown silty sand Limestone bedrock
DH-S-9	north end of APE west of plaza, nearing midsection of project area north of MDS 22 Fort Porter structure 1872	1 ft topsoil 5 ft brown silt with fractured stone 20 ft red-brown silty sand with fractured stone limestone bedrock at 30 ft
DH-S-7	north end of APE west of plaza, nearing midsection of project area south of MDS 22 Fort Porter structure 1872	pavement surface Slag-fill pavement sub-base 15 ft red-brown silt, stone sand and clay limestone bedrock at 18.5 ft
DH-N-9	north end of APE west of plaza, nearing midsection of project area south of MDS 10 Fort Porter Officers Quarters 1925	5 ft red-brown silt and fractured stone Black silt at 5 ft 23 ft red-brown silt and fractured stone limestone bedrock
DH-N-6	Near APE midpoint between Front Park and plaza in ramps area Between MDS 19 blacksmith shop and stable 1872 and MDS 24 Fort Porter Battery "H" 1836	red-brown silt and fractured stone Black silt at 0.38 ft 15 ft red-brown silt 1 ft layered sand limestone bedrock at 16 ft
DH-B-6	At APE midpoint in NW corner Front Park No MDS	32 ft red-brown silt and fractured stone limestone bedrock at 32 ft
DH-B-5	At APE midpoint in NW corner Front Park MDS 7 Fort Porter 1 story wood frame stables 1894 Stables and barracks 1925	32 ft red-brown silt and fractured stone Black silt at 5 ft limestone bedrock at 32 ft
DH-S1-5	South end APE in ramps No MDS	Fill Black sand at 1 ft

Table 1. Soil Boring Log Summary (New York Department of Transportation Geotechnical Engineering Bureau 1965-1969). Boring Locations are Plotted on Figure 3.

		19 ft sand 12 ft silt limestone bedrock at 32 ft
DH-S1-4	South end APE in ramps No MDS	1-5 ft rubble Sand and silt Limestone bedrock
DH-P-4	South end APE in ramps No MDS	13 ft brown silt Brick and wood at 5 ft Bedrock at 13 ft
DH-P-3	South end APE in ramps No MDS	25 ft brown silt Black silt and brick at 0.32 ft wood at 5 ft Bedrock at 25 ft
DH-P-2	South end APE in ramps No MDS	Brown silt Trace of brick at 5 ft Bedrock
RS-1	South end APE SW of Front No MDS	solid limestone bedrock with voids (?)

DRAFT

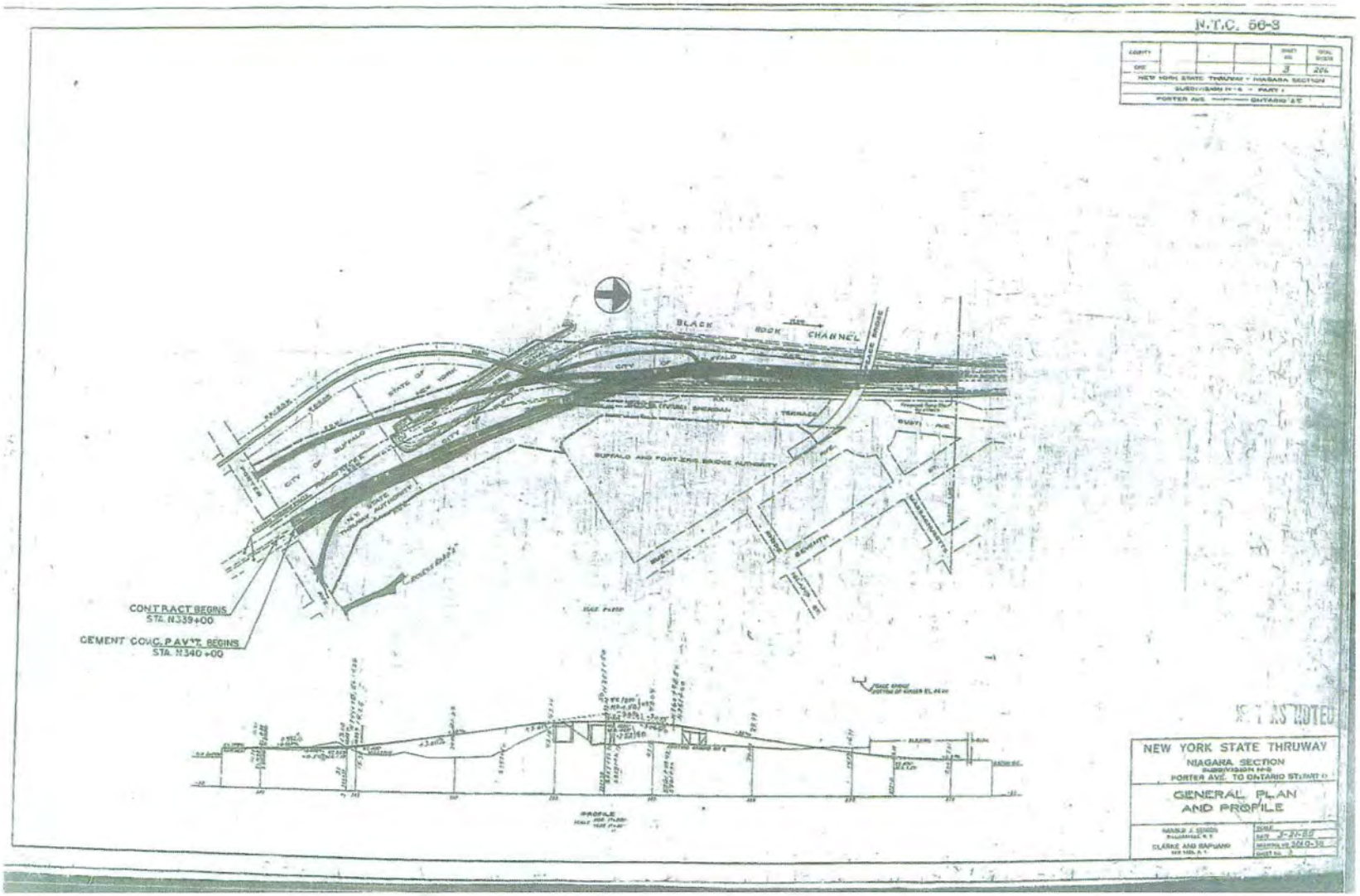


Figure 4. General Plan and Profile Sheet No. 3, New York State Thruway, Niagara Section, dated 3-21-55.

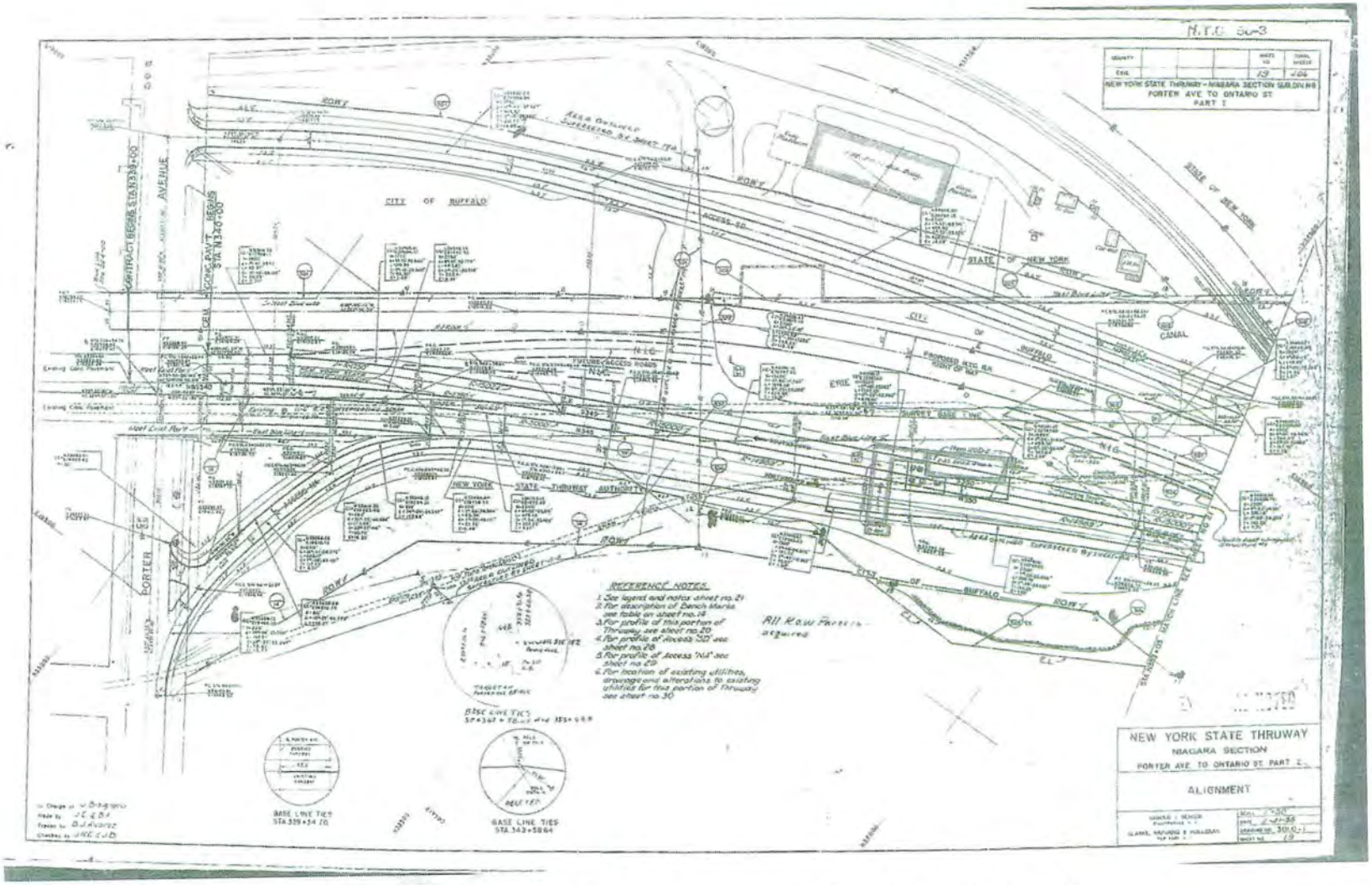


Figure 5. Alignment Sheet No. 19, New York State Thruway, Niagara Section, dated 3-21-55.

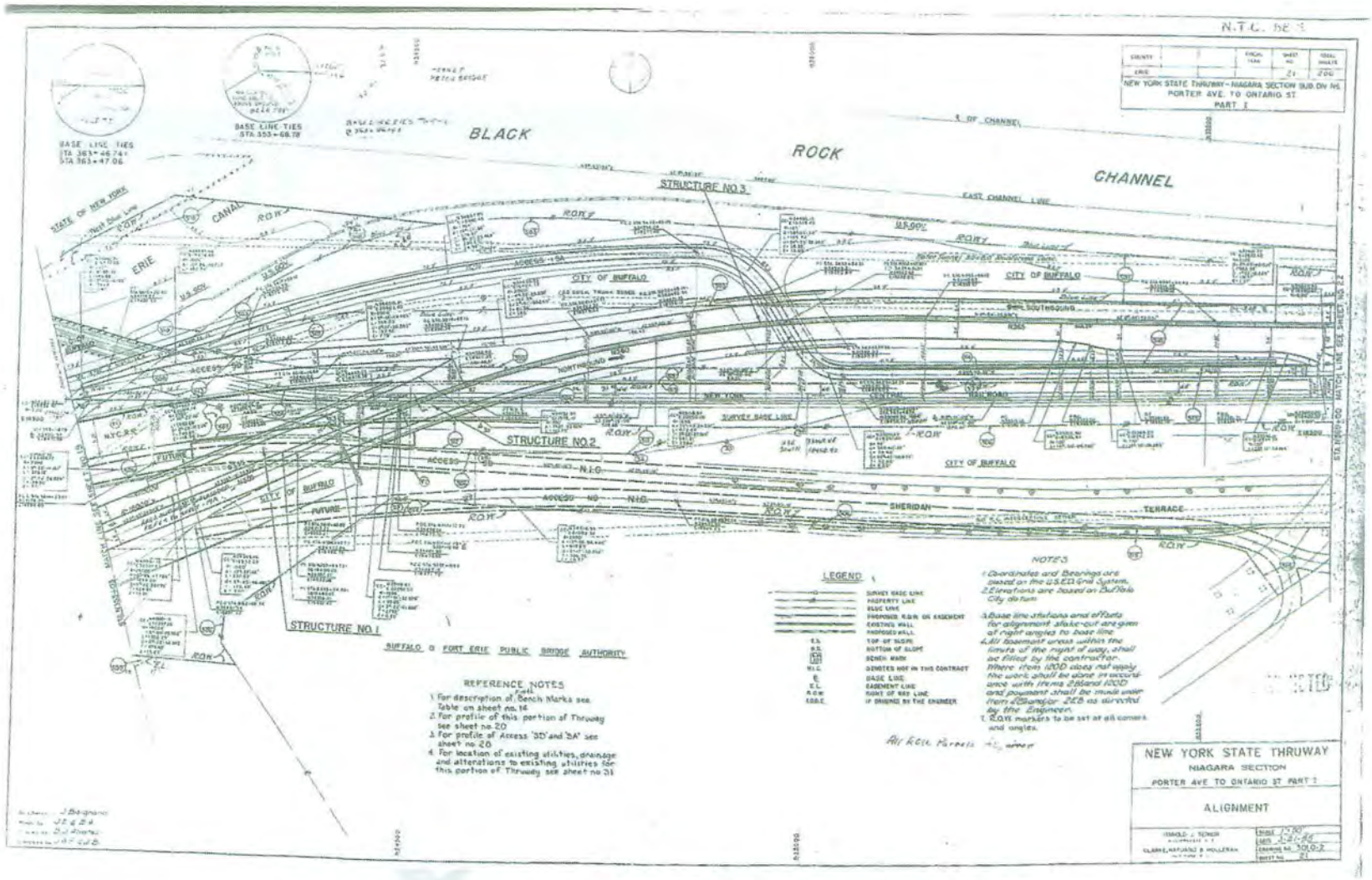


Figure 6. Alignment Sheet No. 21, New York State Thruway, Niagara Section, dated 3-21-55.

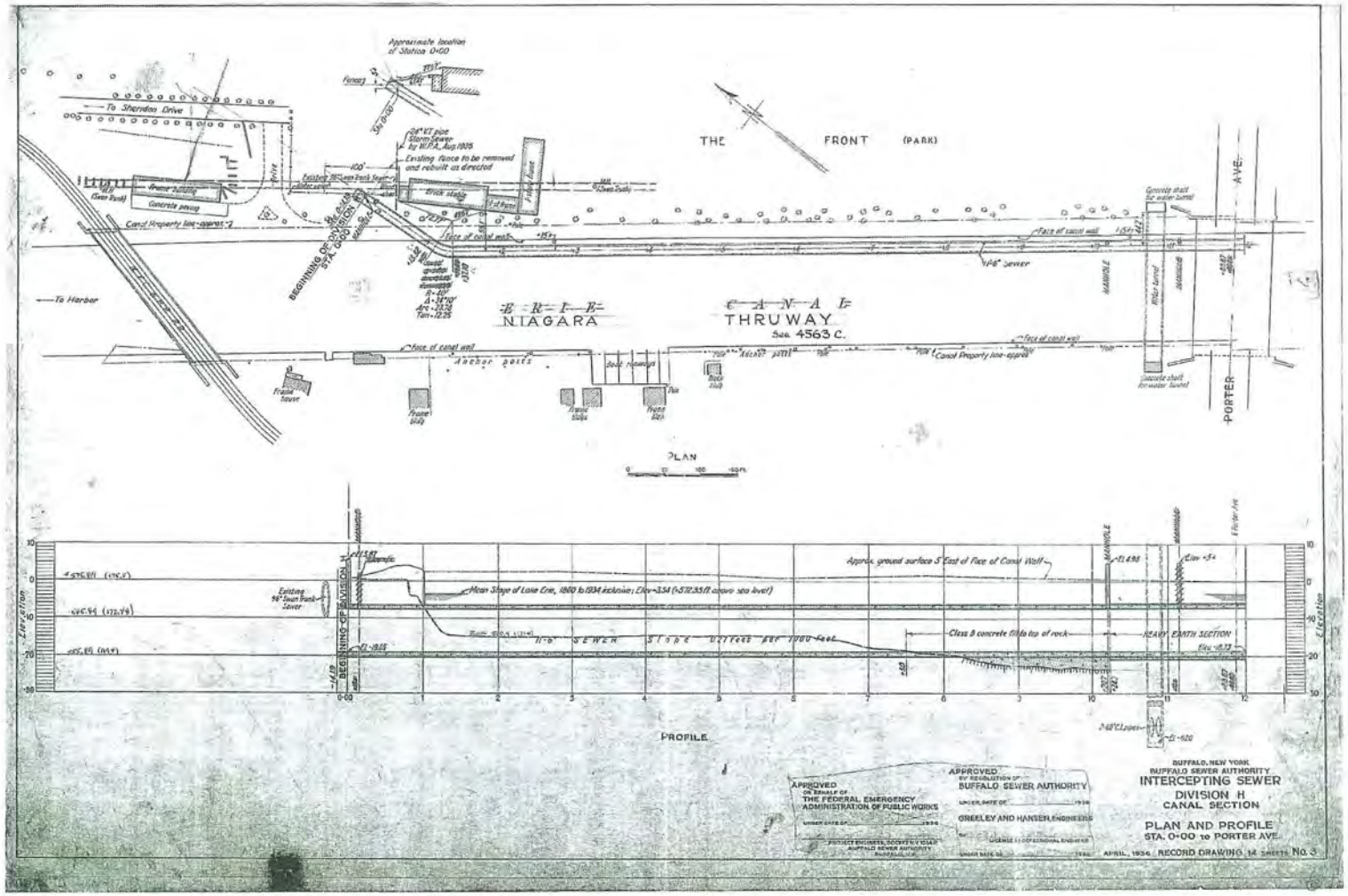


Figure 7. 1936 Erie Canal Sewer Interceptor Map showing approximately 20 feet (6.1 m) of fill near Porter Avenue between the ground surface and the bedrock exposed at the bottom of the canal.

TESTING RECOMMENDATIONS

Given the level of prior disturbance and the impervious nature of much of the APE for direct effects, archaeological field methods are limited to construction monitoring and a small number of shovel tests. A subsurface examination of all grassy and soil-covered parts of the study area corresponding to the tow path of the Erie Canal and Black Rock Canal is proposed with a series of shovel test pits (STPs) placed at 5-7.5 m (16-25 ft) intervals. This area is depicted as a red dashed line on the project area map (Figure 1). The purpose of this testing is to determine if any deposits related to the canal towpath, such as artifact scatters, sheet middens and historic features, remain intact. Despite a low probability of finding intact deposits, this strategy is recommended due to the importance such deposits would possess in predicting what might be encountered during monitoring. In addition, the excavation of such shovel test pits will confirm the presence/absence of fill within the project area and provide information about the soils that might not otherwise be available for soil borings alone. About 36 shovel test pits are recommended to test this area, assuming a single transect with test pits at 7.5 m (25 ft) intervals. Archaeological monitoring during construction is recommended for the APE for direct effects near MDS locations where deep excavations will occur as presented in Figure 3.

PROTOCOL AND PROCEDURES FOR CONSULTATION AND DATA RECOVERY

Consultation regarding treatment and potential data recovery may be required if the archaeological monitors encounter potentially NRE deposits within the APE. As a result of the consultation, the Data Recovery Protocol described below may be implemented in accordance with this plan.

Consultation Protocols

1. The Principal Investigator/Archaeologist will immediately notify the EIC regarding archaeological deposits that warrant further investigation and provide a preliminary estimate of the expected down time to investigate, identify and assess the deposits.

2. The Principal Investigator/Archaeologist will notify the Project Manager or designee by telephone regarding the nature and location of potentially NRE deposits and provide an estimate of time that would be needed to document and recover significant data.

3. NYSDOT will notify SHPO and FHWA, and convey all available information about the resource and proposed treatment. In the event that Native American cultural deposits are identified, NYSDOT or FHWA will notify the Seneca Nation of Indians and Tonawanda Seneca Nation.

4. Data recovery work will only be implemented with authorization by NYSDOT in consultation with SHPO, FHWA, and tribal nations.

5. If data recovery is authorized, the Principal Investigator will submit a preliminary scope of work and budget for the data recovery to the Project Manager. The Project Manager or designee will assess the impact of a temporary suspension of construction activities and decide how best to proceed to facilitate the project. If data recovery will not begin immediately, the EIC will coordinate with the contractor to secure the site.

Data Recovery Protocol

Data recovery may consist of archaeological recording of information observed in construction excavations. The Data Recovery would be triggered if intact portions of recognizable structures, landscapes or archaeological sites are present within the APE for direct effects and will be impacted by planned construction activity. The unanticipated discovery of archaeological sites and features during monitoring will require an assessment of the integrity and extent of the associated site or feature.

In general, data recovery of sites and features will be limited to the excavation work limits. Data Recovery consists of the documentation of sites and features via profiles, drawings and photos during excavation. Several days may be necessary to document archaeological features and sites within the APE for direct effects. Depending on the number and location of construction excavations, and in coordination with the EIC, data recovery activities may potentially be conducted concurrently in more than one location, or as archaeological monitoring of construction is occurring in other parts of the project area.

Trenches up to 1.5 m (5 ft) deep are accessible to archaeologists for direct inspection and recording. If excavations have to exceed the 1.5 m (5ft) depth, then the sidewalls of the trench must either be sloped or shored to protect workers in the trench. The shoring methods will be determined based on need and depth of construction impacts and determined by the contractor. If archaeological data recovery is necessary at depths below 1.5 m (5 ft), the recordation of the uppermost 1.5 m (5 ft) of deposits is necessary before any shoring is installed to the depth of the installation. Shoring placed alongside trenches must be placed to minimize the disturbance of the archaeological deposits at the base of the trench.

Another way of conducting archaeology at depths below 1.5 m (5 ft) consists of the initial trench excavation to 1.5 m (5 ft), archaeological inspection and recording of the exposed soil profile, and then the placement of a trench box (shield) to the 1.5 m (5 ft) depth if the depth of impact changes in order to continue archaeological excavation by hand below this depth.

CONTRACTOR ASSISTANCE AND CONSIDERATIONS

Archaeological Monitoring and Contractor Special Notes

1. Archaeologists may ask the EIC to halt the monitoring process at any time if archaeologically sensitive materials are encountered.

2. Archaeologists may require the equipment operator to slow excavations in select areas to evaluate soils for the presence of potentially sensitive archaeological features. Archaeologists will need to enter the excavations to record and inspect soils and deposits. Most recording may be done at the completion of excavation in an area but archaeologists may need to enter the excavation at other times to record data or inspect materials or soil deposits. These short term interruptions may take from 15 to 30 minutes or less.

3. If shoring of the excavations is necessary, archaeologist may require a temporary halt to monitoring at a 1.5m (5 ft) to document and record the excavations prior to any damages that may occur during shoring.

4. The contractor may need to keep the excavations dry from ground water via pumping.

5. The discovery of significant archaeological remains may require monitoring of construction to stop for longer periods of time for data recovery. The time frame for data recovery will depend on the nature of the remains and the required level of documentation.

6. In general the contractor should expect delays due to the discovery and documentation of archaeological features and/or deposits during monitoring.

Contractor Responsibilities

1. The contractor is required to maintain a safe work area for the archaeologists in compliance with Occupational Safety and Health Administration (OSHA) standards.

2. If excavations need to proceed beyond 1.5 m (5ft) than either a 2:1 slope for construction excavations to maintain a safe slope gradient or shoring as per OSHA standards for excavations is needed. The contractor will provide the box or shoring and pumps to prevent the excavations from flooding.

3. The discovery of significant, NRE archaeological remains may initiate data recovery excavations. If data recovery is required it may be necessary to leave excavations open overnight or for longer periods of time. It is the contractor's responsibility to secure the excavations during this period and provide adequate covering.

4. The contractor will provide heavy machinery, an operator, and other equipment necessary for monitoring and data recovery.

5. NYSDOT will provide a construction plan and schedule to the Principal Investigator/Archaeologist that accommodates the requirements of the Archaeological Monitoring Plan and contains sufficient detail on operation, materials, equipment, and excavation support systems to allow archaeologists to plan for the implementation of the Archaeological Monitoring Plan.

6. Archaeologists should be notified at least one-week in advance of the start of construction to prepare for implementation of the Archaeological Monitoring Plan based on scheduled construction activities

Archaeologist Responsibilities

1. Archaeologists will comply with the health and safety plan for the project and will be required to wear appropriate safety apparel and personal protective equipment required by this plan.

2. Archaeologists will only enter excavations deemed safe by the contractor and/or the EIC.

3. Archaeologists will conduct monitoring and data recovery in a time-efficient manner so that undue delays are not incurred.

4. Archaeologists will conduct all field operations in a professional manner in accordance with professional standards of the New York Archaeological Council (NYAC) and the New York Office of Parks, Recreation and Historic Preservation and in compliance with the *New York State Education Department's Cultural Resource Survey Program Work Scope Specifications for Cultural Resource Investigations on NYSDOT projects* (March 2004).

OTHER DATA RECOVERY PROTOCOLS

In the event that data recovery is necessary there are other specific protocols that will be followed for the recovery of artifacts, curation of collections, analysis of cultural material, identification of human remains, public outreach, and generation of the final report.

Laboratory Processing

All artifacts will be washed, inventoried, and cataloged. Fragile material will be dry brushed. Cataloging will be dependent on the types of materials. The prehistoric artifacts will be assigned to one of the seven material classes: chipped stone, ground stone, pottery, shell, bone, and other (e.g. grayish-black chert Otter Creek projectile point). Approximate periods of use and/or information concerning cultural tradition will be recorded when appropriate. Historic artifacts will be cataloged according to a system based on South's classification (South 1976). Each artifact will be first classified as domestic (faunal, ceramic, bottle glass, table glass etc.), heating or lighting (coal, lamp chimney glass, etc.), personal (kaolin pipes, buttons, toys, etc.) or architectural (brick, mortar, concrete, flat or window glass, and nails). These general categories will be divided to specific groups, based on manufacturing techniques, (redware, creamware, pearlware, whiteware, hand blown bottles, molded bottles, wrought, cut or wire nails, hand- made or machine made bricks etc.). Finally the artifacts will be subdivided by pattern, form and function (edge decorated Pearlware plate, transfer printed whiteware cup, plain whiteware bowl, molded ironstone platter, olive hand blown bottle, aqua molded bottle, clear screw top bottle, etc.). Where possible time ranges or manufacturing dates will be assigned to these artifacts.

Curation of Collections

Assuming that all archaeological investigations and recovery of significant data will occur on State lands, all artifacts, field notes, maps and other documentation will be considered for accession by the New York State Museum (NYSM), in accordance with NYSM Accessions Policy and Standards.

REPORT SCHEDULE

An end of field letter will be submitted to the NYSDOT within five days of the completion of fieldwork. A sufficient number of copies will be provided for NYSDOT to forward to the NYSHPO, FHWA, and Tribal Nations in the event that a Native American site is identified. A draft report prepared in accordance with NYAC and NYSED Work Scope Standards will be submitted to NYSDOT for approval within one year of the completion of fieldwork. This report will include sections on the history, plans and contracts for any historic structural remains identified, field and laboratory methods, excavation results, artifact analysis, and interpretation. After NYSDOT has approved the report, a copy will be submitted to SHPO for comment. After both NYSDOT and NYSHPO have approved the draft, the report will be finalized and copies will be made available for distribution to local and state repositories to be determined in consultation with SHPO and FHWA.

PUBLIC OUTREACH

Project conditions will involve an active construction site and proximity to highways, precluding the feasibility of allowing the public to observe archaeological investigations in progress. Based on the nature of discoveries and public interest, NYSDOT will consider appropriate methods and venues for the dissemination of information to the public regarding the status and results of archaeological monitoring, which may include posting information on the Project web site, interpretive talks by archaeologists, development and distribution of educational materials, interpretive signs, displays, or videos.

Once the quality of results is known, public presentations for local, regional and state associations may be given. Once the completed report has been reviewed by NYSDOT and NYSHPO, it may be published in a copy-edited perfect-bound volume with half tone photographs for distribution to the New York state archaeological community and other interested parties. Detailed appendices may be excluded from this publication. Sponsorship on the excavations and the publication of this volume by FHWA and NYSDOT will be acknowledged on the cover.

PROCEDURES IN THE EVENT OF AN INADVERTENT DISCOVERY OF HUMAN REMAINS DURING CONSTRUCTION

In the event that human remains are encountered during construction excavations, the following guidelines will be followed:

1. If a burial or human remains are encountered during construction, the Principal Investigator will notify the Engineer-in-Charge and the State Archaeologist at the NYSM (Christina Rieth) or her designate. Construction activities will halt immediately in the location and be rescheduled to avoid disturbing the area. The remains will be left in place and protected from further damage until treatment and disposition is determined.

2. The State Archaeologist will notify the Project Manager or designee.

3. The county coroner/medical examiner, local law enforcement, the FHWA, SHPO, SNI THPO, Tonawanda Band of Seneca, DOT and other appropriate agencies will be notified by NYSDOT. The coroner and local law enforcement will make the official ruling on the nature of the remains, being either forensic or archaeological.

4. If the remains are determined to be archaeological the State Archaeologist will arrange for analysis by a bio-archaeologist to identify the remains. If the remains are determined to be Native American, NYSDOT will contact the appropriate tribal NAGRPA representatives to participate in consultation regarding potential avoidance, removal or reburial of remains.

5. If the remains are determined not to be Native American, avoidance is still the preferred option. If these remains cannot be avoided, municipal officials will be notified to participate in discussions regarding removal and reburial of the remains.

6. The results of this work will be summarized in the final report.

REFERENCES CITED

Brown, James P.
1894 *Atlas of the City of Buffalo, Erie County, New York.* American Atlas Company, New York.

Buffalo and Erie County Historical Society
n. d. Photograph Collection, Buffalo, New York.

Buffalo and Fort Erie Public Bridge Authority
2002 *Gateways: The Peace Bridge Celebrates its 75th anniversary.* Buffalo and Fort Erie Public Bridge Authority, Buffalo, New York.
n. d. Photographs and History Files.

Buffalo Sewer Authority
1936 *Erie Canal Sewer Interceptor Map.*

Hopkins, G.M.
1872 *Atlas of the City of Buffalo.* Buffalo, New York.

Lovejoy, Henry
1836 *Map of the Village of Black Rock, Erie County.* Black Rock Land & Rail Road Company. Ms. on file, Buffalo and Erie County Historical Society.

Montague, Nathan and Douglas J. Perrrelli
2013 Update of Previously Inventoried Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring for PIN 5760.80.101, NY Gateway Connections Improvement Project to the US Peace Bridge Plaza, City of Buffalo, Erie County, New York. *Reports of the Archaeological Survey, Volume 45, Number 13*, SUNY Buffalo.

NYSDOT Geotechnical Engineering Bureau
2013 Geotechnical Data Report for PIN 5760.80, NY Gateway Connections Improvement Project to the US Peace Bridge Plaza, August 16, 2013.

Pierce, Carolyn
1996 *Stage 1A Cultural Resource Investigation for the Peace Bridge Plaza and Connecting Roadway System Design Phases I-IV, PIN 5753.58 City of Buffalo, Erie County, New York.* Pratt & Huth, Williamsville, New York.

Sanborn Map Company
1925 *Fire Insurance Map of Buffalo, New York.* Sanborn Map Company, Pelham, New York.
1951 *Fire Insurance Map of Buffalo, New York.* Sanborn Map Company, Pelham, New York.

Shmookler, Leonid I., Daniel M. Cadzow, and Natasha B. Snyder
2007 *Appendix E: Phase 1A Cultural Resource Investigation, Peace Bridge Expansion Project.* Ecology and Environment, Lancaster, New York.

Spear, A.W.
1977 *The Peace Bridge: 1927-1977 and Reflections of the Past.* Buffalo and Fort Erie Public Bridge Authority, Peace Bridge Plaza, Buffalo, New York.

Stone & Stewart
1866 *New Topographical Atlas of Erie County, N.Y.* Stone & Stewart, Philadelphia.

United States Geological Survey
1965 *Buffalo, N.Y.-Ont.* USGS 7.5 Minute Series Quadrangle.

INTERVIEWS

NYSDOT

NYSDOT Office of Environment, provided information about the project, scope of work for cultural resources, and area of potential effects (APE) for the project.

DRAFT

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza

Section 106 Finding Documentation
Attachment F: Porter Avenue Bridge Evaluation (Bridge Abutments 2013)

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

WWW.DOT.NY.GOV

JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 27, 2013

Mr. John A. Bonafide
Director, Technical Preservation Services Bureau
Division for Historic Preservation
New York State Office of Parks, Recreation and Historic Preservation
Peebles Island State Park
P.O. 189
Waterford, NY 12188-0189

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – BIN 5512560 (PORTER AVENUE BRIDGE OVER I-190 & CSX)

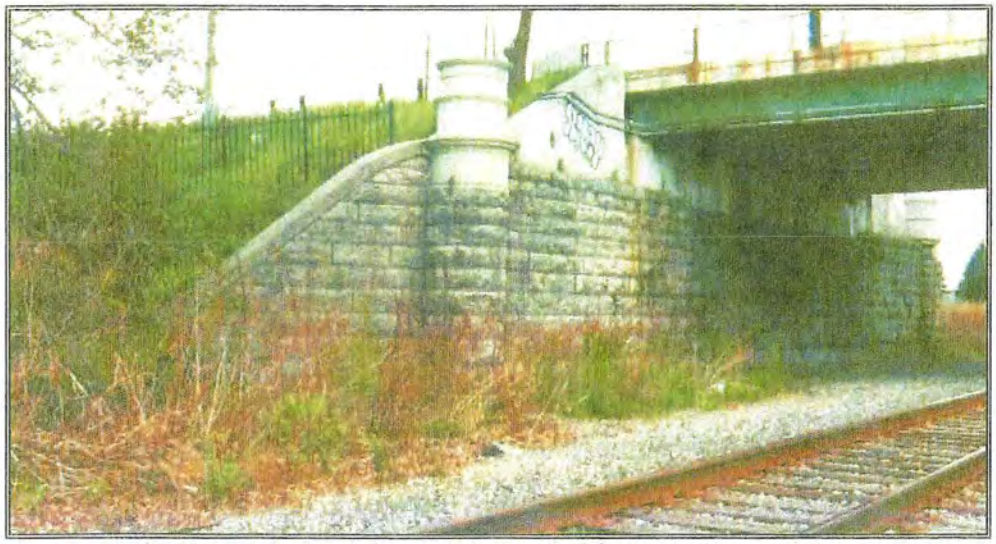
Dear Mr. Bonafide:

On July 5, 2013, the New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) submitted the following report for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza (Project)*, for review by the New York State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800.

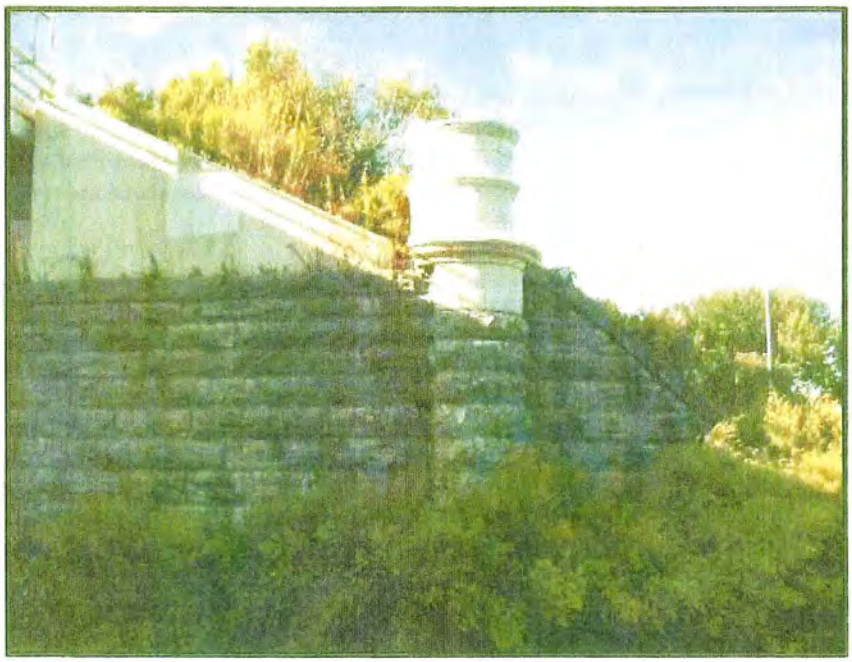
- ***Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring.*** PIN 5760.80.101, NY Gateway Connections Improvement Project to the US Peace Bridge Plaza, City of Buffalo, Erie County, New York. Nathan Montague, M.A., and Douglas J. Perrelli, Ph.D., RPA. Reports of the Archaeological Survey, Vol. 45, No. 13, Department of Anthropology, State University of NY at Buffalo, July 2013. Prepared for: NYS Museum, NYSDOT, FHWA.

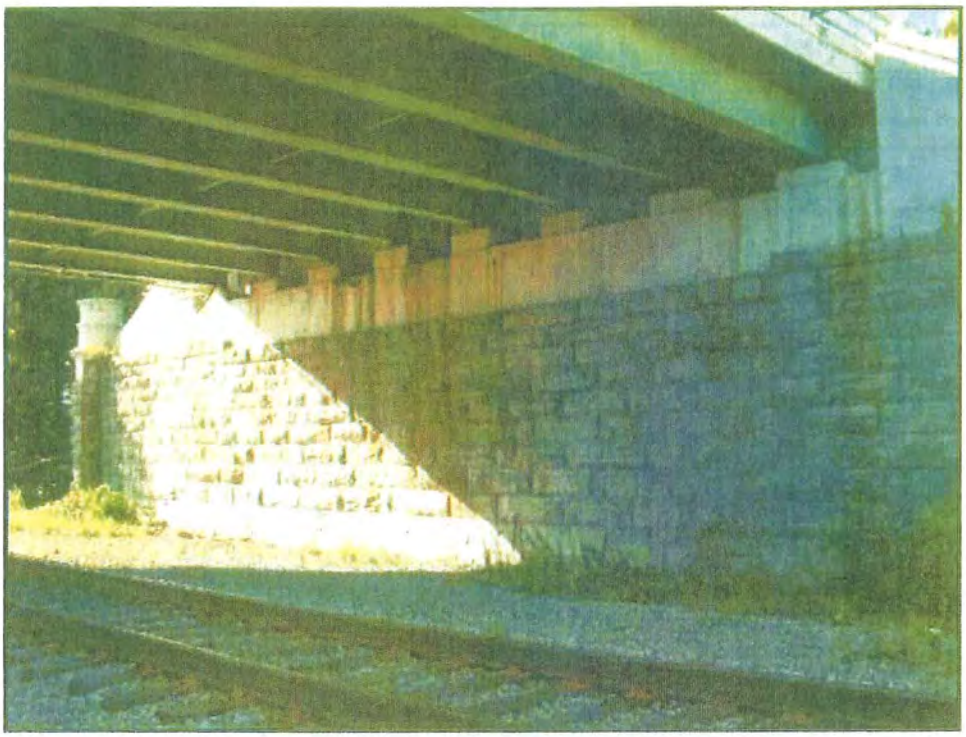
By letter dated July 18, 2013, the New York State Historic Preservation Office (SHPO) concurred with the findings and recommendations provided in this report. Built in 1958, the bridge carrying Porter Avenue over I-190 (BIN 5512560) was previously evaluated for National Register eligibility (NRE) in 2011, and determined not eligible for the National Register based on the bridge type and design of the superstructure (Montague and Perrelli 2013: 48).

At that time, the masonry abutments were identified as potentially eligible archaeological resources under National Register criterion A, due to their association with the Erie Canal. In consultation with the SHPO, NYSDOT and FHWA have recently determined the abutments are not considered to be archaeological resources, but have conducted further research and analysis to evaluate the potential for the abutments to meet the criteria for National Register eligibility as historic structures.



Looking northwest at the west abutment of the Porter Avenue bridge.





Concrete pad at base of west abutment.

View looking northeast from the west end of BIN 5512560, Porter Avenue over I-190 and CSX.

BIN 5512560 crosses I-190 and the CSX rail line in the former location of a single span, steel arch bridge built in 1897. A state law passed in 1895 authorized the construction of a new bridge over the Erie Canal at Porter Avenue, along with the necessary abutments and approaches (New York State 1895: 394-395). [1] As shown on 1936 and 1956 plans, the 1897 bridge abutments were located just outside the east and west canal blue lines (property lines).

From the Annual report of the State Engineer and Surveyor, February 7, 1898 (pages 267-268):

> The money used in building this bridge was furnished, in part, by the State and in part by the city of Buffalo. Porter Avenue, where it crosses the Erie Canal, is a part of the Park system of Buffalo, and a bridge larger and more artistic than would otherwise have been built was deemed necessary.
>
> The bridge as built is a riveted steel arch of 186 feet span between pin centers and a 15-foot rise of arch. It has one roadway 50 feet side and two sidewalks each 25 feet side. The roadway is paved with asphalt and the sidewalk with concrete topped with crushed granite laid in 5-foot squares, both pavement and sidewalks being guaranteed for five years. Cast-iron ornamental work is applied to the two outside girders, the design consisting of pilasters with intervening panels, capitals surmounting the pilasters and a projecting cornice at the level of the sidewalk. A cast-iron balustrade with panels supporting ornamental posts carrying a pipe railing, extends along each side of the bridge and terminates in the masonry buttresses at each end. These buttresses support the electrolier posts, each of the four posts carrying three clusters of three 50-candle power incandescent electric lights each. A large globe of opalescent glass set in a wrought iron basket encloses each cluster of lights.
>
> The abutments of the bridge are founded on piles and are built of concrete faced with rock pointed limestone. The wings curved and coped with bush hammered limestone. The ends of the wings are topped by bush hammered limestone balls, four feet in diameter. A circular buttress of bush hammered limestone is on each end of the abutments. The bridge, as completed, presents a fine appearance, and, up to date, there has been no sign of settlement.

Contract No. 1 – Completed Work, Vicinity of Porter Avenue, August 7, 1897.

[1] This location is associated with the alignment of the original Erie Canal, completed in 1825, and the enlarged Erie Canal, built between 1836 and 1862, documented on historic maps dating to 1829, 1836, 1866, 1872, 1894, and 1925 (Montague and Perrelli 2013: 20-25).

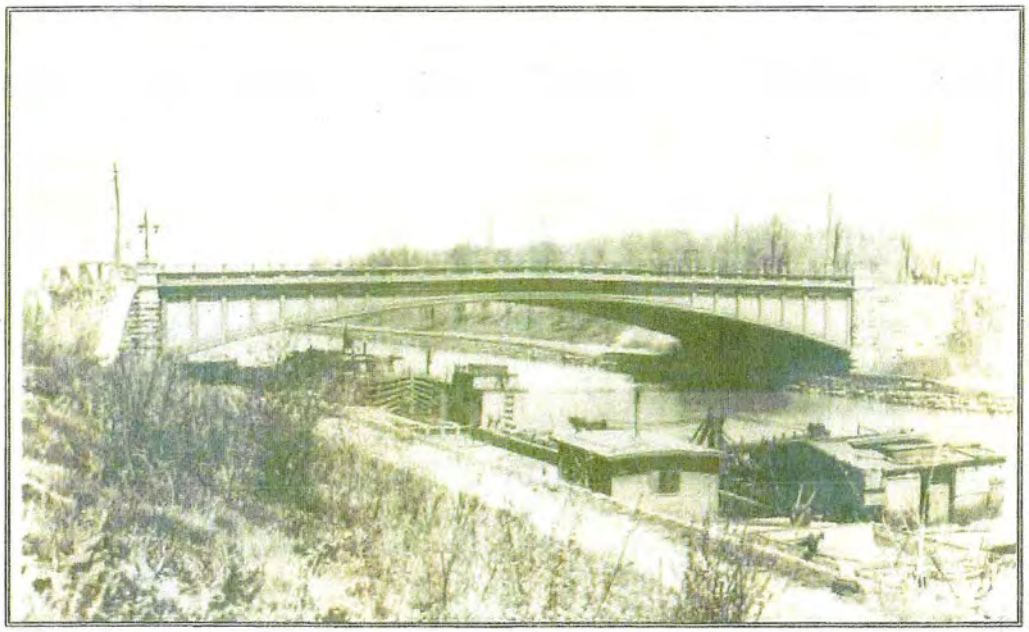
South Side of Porter Avenue Bridge, Buffalo, N.Y. Length of span, 186 feet; width of roadway, 50 feet; width of walks, 25 feet; clear height at center above water surface, 26-1/2 feet.

With the completion of the Barge Canal in 1918, the original alignment of the Erie Canal was abandoned. The section of the Erie Canal beneath Porter Avenue was filled in some time before the construction of I-190 (As-Built plan sheet, 1956).

No record has been found to document when the 1897 steel arch was removed. Since the 1957 contract documents do not specify removal of the superstructure, it appears the steel arch was no longer extant at that time. The 1956 as-built plans indicate that Porter Avenue provided a detour for a grade crossing which was eliminated with the construction of the existing bridge and relocation of the rail line at this location.

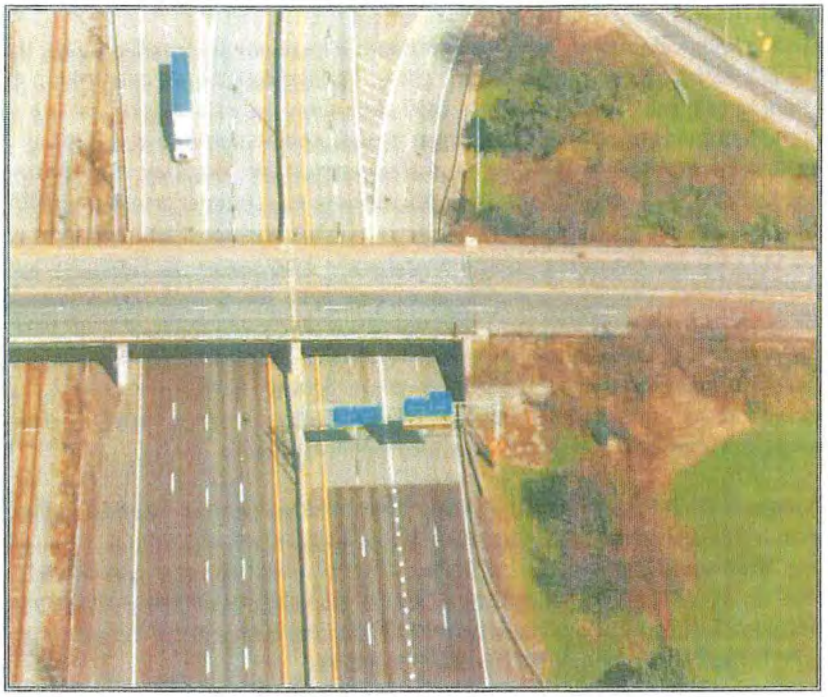
Substructure Notes on the 1956 plans indicate that Porter Avenue abutments were "to be built up from existing masonry abutments which are founded on timber piles" (NTC 57-11, 1956). The contract documents do not specify retaining the existing stone blocks in place or re-setting existing stone. Current NYSDOT records indicate the existing bridge was built on continuous spread footings on earth, with no piles. Photographs of existing conditions show the existing masonry abutments set on a concrete pad, consistent with the Department's structures inventory information.

Based on available records and the professional assessment of NYSDOT engineers, the existing abutments were constructed on the location of the 1897 abutments, incorporating part of the original base. The existing abutments are estimated to contain approximately 40 percent of the original stone from the earlier bridge. Though not recorded in available documents, it appears the original backwall and structure down to the bridge seat were removed at some point, possibly when the steel arch superstructure was removed. The existing abutments are concrete structures with a stone fascia composed of the original rough-faced ashlar blocks.

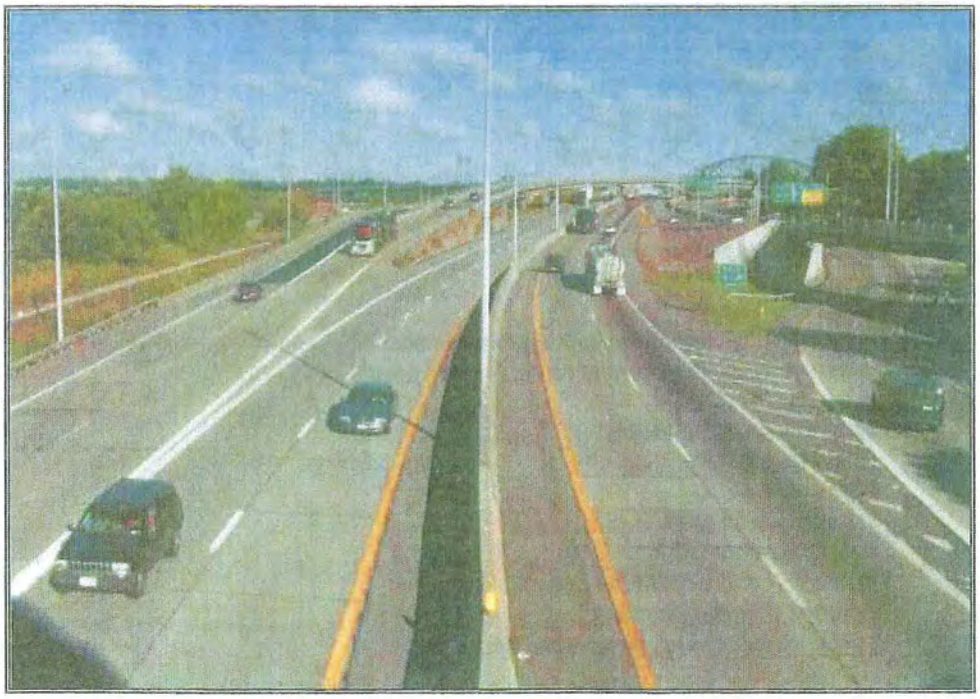


View from the south of Porter Avenue over the Erie Canal, ca. 1915.

View from the north of Porter Avenue over I-190, April 2013.



Aerial view, Porter Avenue bridge from the south, 2013.



View of the I-190 corridor, looking north from the Porter Avenue bridge.

The existing bridge abutments represent a structural fragment of an earlier bridge that carried Porter Avenue over the Erie Canal. As components of an "artistic" bridge design developed within the context of the (Olmsted) Park system and canal, the original 1897 abutments were consistent with the scale, proportion, and massing of the late 19th century steel arch bridge. The abutment materials and aesthetic treatments complimented the decorative elements on the original superstructure. However, the original design intent was lost with the removal of the steel arch and modifications to the abutments in the mid-20th century.

The BIN 5512560 abutments represent a period in the 1950's when the landscape surrounding the abandoned canal was undergoing transformation to accommodate 20th century transportation facilities. New construction for the NYS Thruway (I-190) and relocation of the NY Central Railroad resulted in modifications to the natural as well as the built environment, including a loss of physical features associated with the 19th century canal. Within the context of the modern Interstate highway corridor, the existing Porter Avenue bridge abutments no longer retain historic integrity of design, setting, feeling, and association, and do not convey the historic character of the former 19th century canal crossing.

In summary, NYSDOT finds the existing Porter Avenue bridge abutments are not eligible for the National Register, and concludes that BIN 5512560 is not considered a 'historic property' under Section 106, nor a Section 4(f) 'historic site' as defined in 23 CFR Part 774.17. In the event of a proposal to replace BIN 5512560, NYSDOT would consider salvaging the abutments' remaining stone and architectural elements for reuse on a new bridge, for the purpose of incorporating these materials as aesthetic elements of a context sensitive design reflecting the history of the location and setting.

We respectfully request the written concurrence of the SHPO with the updated finding for the Porter Avenue bridge as 'not eligible' for the National Register of Historic Places. To maintain the project schedule, we would appreciate your response, in writing, by August 30, 2013.

Please forward any questions or comments to my attention at Dan.Hitt@dot.ny.gov.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Attachments: List of Sources
Porter Avenue Elevation and Abutments (As-Built Plans and Elevations 1956)
Intercepting Sewer Plan and Profile, Record Drawing 14, Sheet No. 3

cc: Brian Yates, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
Thomas Donohue, Parsons
James Griffis, Ecology and Environment, Inc.

LIST OF SOURCES

Buffalo and Erie County Historical Society
Photograph Collection, Buffalo, New York.

Buffalo Sewer Authority
1936 Intercepting Sewer Division H, Canal Section, Plan and Profile. Sta. 0+00 to Porter Avenue. Record Drawing 14, Sheet No. 3.

New York State
1895 Laws of the State of New York, Volume 1. Albany.

Sanborn Map Company
1925 Fire Insurance Map of Buffalo, New York. Sanborn Map Company, Pelham, New York.
1951 Fire Insurance Map of Buffalo, New York. Sanborn Map Company, Pelham, New York.

State of New York in Assembly
1898 Annual Report of the State Engineer and Surveyor. No. 67. Albany, February 7, 1898.

State of New York, Department of Public Works, Division of Construction
1956 For Constructing the Elimination of the Grade Crossing of the NY Central RR & Porter Avenue: City of Buffalo, Niagara Section: Subdivision N-5, Erie County. NTC 57-11, As-Built and As-Design SHS.

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

August 29, 2013

Mr. Daniel P. Hitt, RLA
Co-Director, Office of Environment
State of New York Department of Transportation
50 Wolf Road
Albany, New York 12232

Re: FHWA, DOT **PIN 5760.80**
Determination of Eligibility: Porter Avenue Bridge Abutments
New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza- PIN 5760.80/ 13PR02859, City of Buffalo, Erie County, New York: Section 106 Review Process – BIN 5512560
(Porter Avenue Bridge Over I-190 & CSX)

Dear Mr. Hitt:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the submitted letter for the Determination of Eligibility for the Porter Avenue Bridge Abutments received by our office August 27, 2013. We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966, *as amended*, and its implementing regulations *36 C.F.R. Part 800 – Protection of Historic Properties.*

The masonry abutments were previously identified as potentially eligible archaeological resources under National Register Criterion A due to their association with the Erie Canal. However, through consultation with our office (SHPO) and the Federal Highway Administration (FHWA), it was determined that the abutments are not considered to be archaeological resources. However, it was determined that further research was necessary to evaluate the potential for these resources to meet the criteria for National Register eligibility as historic structures.

Additional information was obtained regarding the structural history of the masonry abutments. Based upon the information provided, it is clear that the abutments have undergone significant modification since their original construction. The BIN 5512560 abutments represent a period in the 1950s when landscape surrounding the abandoned canal was undergoing transformation to accommodate 20th century transportation facilities. New construction for the NYS Thruway and relocation of the NY Central Railroad resulted in modifications to the built environment. This includes a loss of physical features associated with the 19th century canal. As such, it is determined that the bridge abutments no longer retain historic integrity of design, setting, feeling, and association, and do not convey the historic character of the former 19th century canal crossing.

Based upon the provided information, our office concurs with the updated determination of eligibility for the Porter Avenue Bridge as not eligible for the listing in National Register of Historic Places. Further, the abutments are not considered a Section 4(f) 'historic site' as defined in 23 CFR Part 774.17.

Should you have any questions, please feel free to contact me at (518) 237-8643.

Sincerely,

John Bonafide
Director
Bureau for Technical Preservation Services

cc: Carol Legard, ACHP (*email only*)
Hans Anker, FHWA (*email only*)
Robert Davies, FHWA (*email only*)
Mary Santangelo, NYSDOT (*email only*)
Daniel Streett, NYSDOT (*email only*)
Kimberly Lorenz, NYSDOT Region 5 (*email only*)

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

WWW.DOT.NY.GOV

JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

September 3, 2013

Hans Anker, P.E.
Senior Area Engineer
Federal Highway Administration
Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, New York 12207

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: DETERMINATION OF ELIGIBILITY – PORTER AVENUE BRIDGE ABUTMENTS

Dear Mr. Anker:

On August 27, 2013, the New York State Department of Transportation submitted an updated evaluation of National Register eligibility for the bridge carrying Porter Avenue over I-190 and CSX (BIN 5512560), to the New York State Historic Preservation Office (SHPO) and the Federal Highway Administration (FHWA). While the bridge was previously determined not eligible for the National Register, it was determined that further research was necessary to evaluate the potential for the masonry abutments to meet the criteria for National Register eligibility as historic structures.

Additional information on the structural history indicates the masonry abutments have undergone significant modification since their original construction as part of a bridge crossing the Erie Canal, ca. 1897. The abutments witnessed a period in the 1950s when the landscape surrounding the abandoned canal was undergoing transformation to accommodate 20th century transportation facilities. New construction for the NYS Thruway and relocation of the NY Central Railroad resulted in modifications to the built environment. This included a loss of physical features associated with the 19th century canal. As such, it is determined that the bridge abutments no longer retain historic integrity of design, setting, feeling, and association, and do not convey the historic character of the former 19th century canal crossing.

Based upon the provided information, the SHPO concurred with the updated evaluation by letter dated August 29, 2013.

We respectfully request FHWA concurrence with the updated determination of eligibility for the Porter Avenue Bridge as not eligible for listing in the National Register of Historic Places. In addition, we request FHWA concurrence that the bridge abutments are not considered a Section 4(f) 'historic site', as defined in 23 CFR Part 774.17.

Please forward any questions or comments to my attention at Dan.Hitt@dot.ny.gov.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures: SHPO letter – August 29, 2013

cc: Robert Davies, FHWA
John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP / SHPO
Carol Legard, ACHP
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
Thomas Donohue, Parsons
James Griffis, E&E, Inc.

U.S. Department of Transportation
Federal Highway Administration

New York Division

Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207
518-431-4127
518-431-4121
NewYork.FHWA@dot.gov

September 16, 2013

In Reply Refer To:
HED-NY

Mr. Daniel Hitt
Acting Co-Director, Office of Environment
New York State Department of Transportation
50 Wolf Road, POD 4-1
Albany, NY 12232

Subject: PIN 5760.80 N.Y. Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza, City of Buffalo, Erie County, Section 106–Determination of Eligibility

Dear Mr. Hitt:

We have reviewed your September 3 letter and SHPO concurrence letter dated August 29 regarding the determination of eligibility for the Porter Avenue Bridge Abutments on the subject project. For the reasons outlined, we concur with your determination that the Porter Avenue Bridge is not eligible for listing in the National Register of Historic Places. In addition, we concur that the bridge abutments are not a Section 4(f) 'historic site' as defined in 23 CFR Part 774.17.

If you have any questions, please contact me at (518) 431-8896.

Sincerely,

Hans Anker, P.E.
Senior Area Engineer

cc: John Bonafide, New York State Office of Parks, Recreation, and Historic Preservation
Carol Legard, ACHP
Daniel Street, NYSDOT
Kimberly Lorenz, NYSDOT Region 5

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza

Section 106 Finding Documentation
Attachment G: Summary of Consulting Party Comments

NY GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
SECTION 106 COMMENT PERIOD ENDING AUGUST 30, 2013
SUMMARY OF COMMENTS RECEIVED

COMMENT	NAME / AFFILIATION	SUMMARY OF COMMENTS	RESPONSE
KM-1	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	"The DOT's preliminary findings that the Gateway project will have no adverse impact on Front Park or the surrounding historic area is arbitrary and capricious. The community rejects this finding as premature and prejudicial." (p. 5)	The purpose of the preliminary assessment was to solicit input from Consulting Party members on Project effects. FHWA had not made a finding of effect at the time this comment was submitted, on August 28, 2013.
KM-2	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	The Project will have 'adverse historic impacts'.	An "effect" under Section 106 means an alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register of Historic Properties. The Project will not have an Adverse Effect.
KM-3	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	The EPA, The Clean Air Coalition, the National Trust for Historic Preservation and others have offered 'other viable alternatives' which NYSDOT and FHWA have failed to consider.	This is not supported by the Project record, and the letter does not specifically identify these 'other viable alternatives'. As a rule, if an alternative does not satisfy the purpose and need for the action, it is not included in the analysis as a reasonable alternative.
KM-4	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	The Project will turn historic Porter Avenue into "an induced traffic route"and the removal of Baird Drive "will only increase traffic congestion to the Peace Bridge not eliminate or mitigate it."	The proposed Build Alternative options would not be expected to induce traffic. A traffic analysis has been conducted in accordance with NYSDOT and FHWA guidance and will be documented in the EIS. While the Build Alternative would remove Baird Drive from Front Park, it also proposes the addition of a new entrance ramp (Ramp D), providing direct access from the Plaza to northbound I-190, and a new ramp (Ramp PN) from Porter Avenue to the existing I-190 northbound exit ramp (Ramp N) to the Plaza. The combination of these new ramps would allow the removal of Baird Drive. Further details on the project's potential traffic impacts, including potential impacts to local streets such as Porter Avenue, will be provided in the EIS.
KM-5	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	NYSDOT and FHWA have failed to demonstrate how the Project will be funded before beginning the Scoping and Section 106 process. (p. 3)	Consideration of funding is not part of the Section 106 consultation process. The Project is fully funded.

COMMENT	NAME / AFFILIATION	SUMMARY OF COMMENTS	RESPONSE
KM-6	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	"The community believes that the DOT has not released or disclosed all of the engineering plans that involve the section of the Thruway adjacent to Front Park leading to the Peace Bridge." (p. 3)	Concepts initially identified during Scoping have been more fully developed and designed in the Preliminary Engineering phase. Preliminary plans, as well as an analysis and assessment of the social, economic and environmental impacts will be documented in the Draft EIS and made public.
KM-7	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	Archeological Findings - "The community rejects the findings of Douglas Perrelli." (p. 4)	To clarify roles and responsibilities in the Section 106 process, FHWA in coordination with NYSDOT, is responsible for all Section 106 findings of eligibility and effect. No archaeological findings have been made for this Project to date. The University at Buffalo through the NYSED/ NYS Museum, is under contract to NYSDOT. As the Principal Investigator for the cultural resource study, Dr. Perrelli made recommendations to NYSDOT and FHWA regarding archaeological sensitivity and methodology for archaeological investigations. The report was reviewed and approved by NYSDOT. The SHPO and FHWA have concurred with the report's recommendations for archaeological monitoring during construction.
KM-8	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	The NGCPA objects to the Report (Montague and Perrelli) "...because it uses the same flawed information from the 2007 Pearce Bridge Expansion report which is no longer applicable to this project."	The historic district boundaries were established through the Section 106 process for the Peace Bridge Expansion Project, with input from both the SHPO and Consulting Parties. The evaluation was based on the National Register Criteria for Evaluation (36 CFR 60.4(a)-(d)), objective criteria used to evaluate properties for eligibility for listing in the National Register of Historic Places, and on National Park Service/ NRHP guidance. The process of evaluating historic properties is not specific to a particular project or Section 106 undertaking. Therefore, the previous eligibility determination for the historic district remains valid.
KM-9	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	"The community is doubtful that Mr. Perrelli can objectively evaluate the adverse impact on Prospect Hill historic district independent of the desired outcomes set forth by the DOT." (p. 4)	To clarify roles and responsibilities in the Section 106 process, FHWA in coordination with NYSDOT, is responsible for all Section 106 findings of effect. Comment reflects personal opinion and is not relevant to the Section 106 process.

COMMENT	NAME / AFFILIATION	SUMMARY OF COMMENTS	RESPONSE
KM-10	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	"The Prospect Hill community objects to DOT using different standards and practices to evaluate historically significant findings at Delaware Park vs. Front Park." (p. 4)	All archaeological investigations for NYSDOT projects comply with accepted professional standards: *New York State Department of Education Work Scope Specifications for Cultural Resource Investigations* (2004), and the *New York Archaeological Council (NYAC) Standards for Cultural Resource Investigations* (2004). The NYS standards have been reviewed by the National Park Service, and found to be consistent with the *Secretary of the Interior's Standards for Archaeology and Historic Preservation*. The development of a project-specific methodology by a qualified professional archaeologist is consistent with accepted standards. In this case, the methodology for archaeological survey in Delaware Park is not relevant. For this Project, archaeological monitoring during construction has been determined appropriate methodology due to the likely depth of archaeological deposits, presence of deep fill soils, and inaccessibility of areas beneath paved and other impervious surfaces. The SHPO and FHWA have concurred with this recommendation.
KM-11	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	DOT should work toward mitigating the past 75 years of "... transportation mistakes so that the vision of Frederick Law Olmsted can finally be realized." (p. 5)	NYSDOT and FHWA acknowledge the historic importance of Front Park as part of the Olmsted-designed park system in the City of Buffalo, and efforts have been made to avoid or minimize negative effects on the National Register listed resource. As summarized in the Section 106 Finding Documentation, the Project will have a positive effect on Front Park as a result of the removal of Baird Drive, elimination of through traffic, return of green space, and improved connectivity through the re-connection of pedestrian walkways in the Park with Busti Avenue. These changes provide an opportunity for the future implementation of elements of *The Buffalo Olmsted Park System: Plan for the 21st Century* by the City. A complete restoration of Front Park, and proposals such as the replacement of the Niagara section of the NYS Thruway with an at-grade waterfront boulevard are outside the scope of this project.
KM-12	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	"Restore air quality to healthy levels vs. unhealthy levels of diesel exhaust"	Comment is outside the scope of Section 106 consultation. An air quality analysis will be included in the EIS.
KM-13	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	The NGCPA cites coordination between NYSDOT and Town of Hamburg officials and residents as an example of successful collaboration to create a pedestrian friendly community (p. 7)	Comment noted. The Build Alternative includes the relocation of the Porter Avenue entrance to Front Park to a signalized intersection with crosswalks, and a walkway on the south side of Porter Avenue as improvements to address the community's concerns for pedestrian safety and access to the neighborhood parks (including LaSalle Park).

COMMENT	NAME / AFFILIATION	SUMMARY OF COMMENTS	RESPONSE
KM-14	Kathleen Mecca / Niagara Gateway Columbus Park Association (NGCPA)	"The Preliminary Assessment Findings fails to take into account the degree of historical losses already suffered by this community." (p. 8)	As indicated in the preliminary assessment of effects, the Project does not propose the removal of any historic buildings or structures that would contribute to the recent loss of historic properties in the neighborhood, or disrupt the intact streetscape within the Prospect Hill Historic District on Busti Avenue.
LD-1	Linda DeTine (Property Owner)	"The park users 'gain' an acre of green space at the back, and suffer a gain of trucks between them and the water. That is an adverse effect." "In short, this project will further destroy Olmsted's Front Park, impose further 'transportation use' harm on the area residents, and assuredly have an enormous adverse effect on the surrounding historic resources."	The construction of two new ramps, Ramp D and Ramp PN, will allow the removal of Baird Drive. The removal of Baird Drive will eliminate through traffic from the Park and the removal of the traffic signal at the intersection of Baird Drive and Ramp A will result in less idling traffic. The Project would reduce traffic entering the Plaza by way of local streets, a positive effect on nearby historic resources.
LD-2	Linda DeTine (Property Owner)	It is not possible to gauge effects on Front Park views without elevations of proposed ramps or renderings showing the effect on the view shed. The assessment that effects of the new ramps will be "similar to existing conditions and not alter the 'character' of existing views from the park are ... subjective and vague."	The placement and design of the ramps would not interfere with the existing viewshed, and all practical efforts have been made to minimize any visual interference. Engineering details such as elevations of the ramps and an analysis of the viewshed will be presented in the EIS, along with preliminary plans and profiles. Preliminary profile drawings of Ramp PN under the Build Alternative (Option A and Option B) show the proposed elevation of Ramp PN is largely at grade, or depressed below the existing ground surface adjacent to Front Park where it merges with modified Ramp N.
LD-3	Linda DeTine (Property Owner)	The Draft Finding Documentation's assessment that there will be "no impact on the recreational use of the Park because the area in question is already occupied by transportation use" ... "ignores the importance of scale and density of use in assessing effects."	The combination of two new ramps, Ramp D and Ramp PN, would allow the removal of Baird Drive from Front Park. This would allow for expanded use of soccer fields in Front Park, and add 4.3 additional acres of contiguous park area. The elimination of through traffic and reconnection of pedestrian walkways within Front Park would also increase the safety of children, neighborhood residents, and other members of the public using the park for recreational purposes.
PL-1	Tania Werbizky / Preservation League of NYS	"Given its limited scope but its undeniable association with and physical connection to the overall Plaza project, the presentation of the NY Gateway Connections Improvement Project can only be viewed as an act of segmentation, thus in violation of the State Environmental Quality Review Act."	Advancement of this project does not lead to any subsequent project. The project has independent utility and logical termini, and does not restrict consideration of alternatives for other reasonably foreseeable transportation improvements within the area. If a future project is proposed, it must undergo all applicable NEPA and SEQRA processes.

COMMENT	NAME / AFFILIATION	SUMMARY OF COMMENTS	RESPONSE
PL-2	Tania Werbizky / Preservation League of NYS	The Project adds to the cumulative negative impacts of the overall Peace Bridge Plaza project.	The EIS will consider the potential cumulative impacts of all planned and funded projects.
PL-3	Tania Werbizky / Preservation League of NYS	The FHWA's view of "profound impacts" on historic resources for the Peace Bridge Expansion project is pertinent to this review as well.	The NY Gateway Connections Improvement Project to the US Peace Bridge Plaza is an independent action and separate undertaking under Section 106.
PL-4	Tania Werbizky / Preservation League of NYS	The APE is too narrowly defined to allow for meaningful review of impacts on the neighborhood and its historic resources since "real-world experience and common sense" link this project to the overall Peace Bridge Plaza project.	The APE for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza is based on the scope of work under the Build Alternative for this Project.
BOPC-1	Buffalo Olmsted Parks Conservancy	The BOPC is in favor of proposed changes in Front Park – the elimination of Baird Drive and realignment of the Park entrance.	Comment noted.
BOPC-2	Buffalo Olmsted Parks Conservancy	The BOPC takes exception to the assessment that reconfiguration of Ramps PN and P will have no negative impacts on Front Park. They agree there will be no further obstruction of existing views, but have concerns that "... adding additional traffic to the area and additional roadways closer to the park will have an indirect impact on the historic character of the southwest corner of the park." The BOPC suggests a landscape retaining wall shielding the park from the sights and sounds of the Peace Bridge traffic.	Comment noted. The EIS will include a noise impact analysis, and will address the potential for additional landscape elements to minimize indirect visual effects.
BOPC-3	Buffalo Olmsted Parks Conservancy	The BOPC is "not convinced" that a roundabout is appropriate for this location (though reminiscent of historic Olmsted features in other parts of the parks system).	Comment noted.
BOPC-4	Buffalo Olmsted Parks Conservancy	The BOPC is not in favor of relocating the multimodal trail to the south side of Porter Avenue. They would prefer efforts be made to control traffic and make for safe, direct access from Front Park to the Porter Avenue Bridge on the north side to connect the existing bike trail, the existing Riverwalk Trailhead, and Front Park.	Comment noted. The Project would construct a new walkway along the south side of Porter Avenue to remove bicycle traffic from the Porter Avenue traffic stream, and eliminate bicycle and pedestrian crossings on Ramps P and PN.
BOPC-5	Buffalo Olmsted Parks Conservancy	The BOPC cites the historic significance of the existing stone abutments of the Porter Avenue bridge and the "ornate bridge that once crossed the Erie Canal in this location. Efforts should be made to reconstruct this bridge with this future character in mind." The BOPC notes that Porter Ave. is an important corridor to the waterfront and should be treated with dignity.	Comment noted. The Porter Avenue bridge abutments have been determined not eligible for the National Register. However, NYSDOT has agreed to consider salvaging the abutments' remaining stone and architectural elements for reuse on a new bridge, for the purpose of incorporating these materials as aesthetic elements of a context-sensitive design reflecting the history of the location and setting.

COMMENT	NAME / AFFILIATION	SUMMARY OF COMMENTS	RESPONSE
PBN-1	Preservation Buffalo Niagara / J. Wilson	Concern that several adverse impacts will occur as a result of the Project. PBN states that construction of the proposed ramps along the SW boundary of Front Park will obstruct the principle view of Lake Erie, the waterfront and the Niagara River. The Project will have an adverse impact on this historic resource by obscuring these principle views as the original design had intended.	The placement and design of the ramps would not interfere with the existing viewshed, and all practical efforts have been made to minimize any visual interference. Engineering details such as elevations of the ramps and an analysis of the viewshed will be presented in the EIS, along with preliminary plans and profiles. Preliminary profile drawings of Ramp PN under the Build Alternative (Option A and Option B) show the proposed elevation of Ramp PN is largely at grade, or depressed below the existing ground surface adjacent to Front Park where it merges with modified Ramp N.
PBN-2	Preservation Buffalo Niagara / J. Wilson	The proposed ramps along the SW boundary of Front Park will obstruct principle waterfront views "as originally intended for the residential properties that are directly adjacent to the park along Busti Avenue."	The Prospect Hill Historic District, including contributing resources on Busti Avenue, was determined National Register eligible under Criteria A and C, for its concentration of architectural styles popular during the period circa 1880-1955, depicting residential growth and development in the city of Buffalo adjacent to the Olmsted-designed Front Park and Prospect Park. The district does not qualify for the National Register on the basis of its potential views of the waterfront from Busti Avenue.
PBN-3	Preservation Buffalo Niagara / J. Wilson	PBN also asserts that the proposed ramp configuration would "force wide-load trucks to use local streets including Busti Avenue", causing wide-load trucks and other traffic to obscure principle views from Bust Avenue properties as originally intended.	The purpose of the project is to reduce the use of the local streets by interstate traffic, including trucks. Potential traffic impacts will be analyzed and presented in the EIS.
PBN-4	Preservation Buffalo Niagara / J. Wilson	PBN believes the boundaries of the APE should be expanded, based on the organization's initiative to "establish a Local, State and National Register Historic District in the Prospect Hill neighborhood", including both properties within the APE and outside of it.	The APE, which is based on the scope of work and potential effects of this Project, includes contributing resources within the Prospect Hill Historic District. It is not necessary for the APE to include the PHHD in its entirety; the Project's effects on the district have been considered as part of the Section 106 review process.
PHNA-1	Prospect Hill Neighborhood Alliance Public / not a Consulting Party	The PHNA contends the Project should be removed from funding considerations by the USDOT because it would introduce "incompatible visual, atmospheric and audible elements into the historic area in which this Project is located."	Comment noted. Based on the proposed scope of work under the Build Alternative, the Project would not alter, directly or indirectly, the characteristics that qualify identified historic properties for listing in the NRHP.
PHNA-2	Prospect Hill Neighborhood Alliance Public / not a Consulting Party	Project alterations are inconsistent with the vision of the historic Olmsted Parkway Porter Avenue	Proposed improvements would not alter the characteristics that qualify Porter Avenue for the National Register, and would not adversely affect its historic association with other contributing elements of the National Register listed Olmsted Parks and Parkways system.

COMMENT	NAME / AFFILIATION	SUMMARY OF COMMENTS	RESPONSE
PHNA-4	Prospect Hill Neighborhood Alliance Public / not a Consulting Party	For consideration, the PHNA submits the design for Porter Avenue presented in the Buffalo Waterfront Corridor Initiative	Comment noted.
PHNA-5	Prospect Hill Neighborhood Alliance Public / not a Consulting Party	Project ignores previous community-based planning decisions for Porter Avenue vetted between 2004-2007	The Build Alternative for this Project was developed based on an identified transportation need which is more narrowly defined than the community-based planning goals of the corridor initiative. Reducing the use of local streets by Interstate traffic and removing through traffic from Baird Drive are consistent with the Buffalo Corridor objectives, but elements of the goals for waterfront gateway design are outside the scope of this Project. No aspect of the proposed Project would preclude the development and implementation of the community's general urban design goals.

4 Interagency Consultation, Coordination, and Correspondence

Chronological Listing of Section 106 Interagency Consultation, Coordination and Correspondence

Number	Date	From:		To:		Subject:
		Name	Agency	Name	Agency	
1	10-May-13	Robert Davies	FHWA	Carol Legard	ACHP	Inviting ACHP to participate in Section 106 process
2	18-Jun-13	Hans Anker	FHWA	Melissa Bach	Seneca Nation of Indians	Initiating Section 106 consultation
3	18-Jun-13	Hans Anker	FHWA	Chief Darwin Hill	Tonawanda Seneca	Initiating Section 106 consultation
4	19-Jun-13	Charlene Dwin Vaughn	ACHP	Hans Anker	FHWA	ACHP offers to provide technical assistance for Section 106 process and attend Consulting Parties meeting
5	19-Jun-13	Daniel Hitt	NYSDOT	John Bonafide	NYSHPO	Request for NYSHPO's concurrence with NYSDOT's draft Project APE
6	21-Jun-13	John Bonafide	NYSHPO	Daniel Hitt	NYSDOT	NYSHPO's concurrence with NYSDOT's draft Project APE
7	28-Jun-13	Daniel Hitt	NYSDOT	Hans Anker	FHWA	Request FHWA's review and concurrence with established APE
8	2-Jul-13	Hans Anker	FHWA	Daniel Hitt	NYSDOT	FHWA concurrence with definition of the APE as documented on 6/25/13
9	2-Jul-13	Daniel Hitt	NYSDOT	John Bonafide	NYSHPO	Request for NYSHPO's concurrence with NYSDOT's revised APE
10	3-Jul-13	Daniel Hitt	NYSDOT	Hans Anker	FHWA	Request FHWA's review and concurrence with revised APE

Chronological Listing of Section 106 Interagency Consultation, Coordination and Correspondence

Number	Date	From:		To:		Subject:
		Name	Agency	Name	Agency	
11	3-Jul-13	John Bonafide	NYSHPO	Daniel Hitt	NYSDOT	NYSHPO's concurrence with NYSDOT's revised APE
12	5-Jul-13	Daniel Hitt	NYSDOT	Hans Anker	FHWA	Request FHWA approval of Consulting Party requests
13	5-Jul-13	Daniel Hitt	NYSDOT	John Bonafide	NYSHPO	Request SHPO concurrence with findings and recommendations in SUNY/Buffalo's *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*
14	10-Jul-13	Hans Anker	FHWA	Daniel Hitt	NYSDOT	Approval of Consulting Party Status for 19 organizations or individuals
15	10-Jul-13	Hans Anker	FHWA	Daniel Hitt	NYSDOT	FHWA concurrence with revisions to the original APE
16	11-Jul-13	Robert Davies	FHWA	Thomas W. Frank	Letter	Denial of Consulting Parties Status

Chronological Listing of Section 106 Interagency Consultation, Coordination and Correspondence

Number	Date	From:		To:		Subject:
		Name	Agency	Name	Agency	
17	12-Jul-13	Daniel Hitt	NYSDOT	Consulting Parties	--	Invitation to the July 30, 2013 Consulting Parties Meeting and transmittal of the Project's Area of Potential Effect (APE) and SUNY/Buffalo's *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*.
18	12-Jul-13	Sylvia Jones	NYSDOT	Chief Darwin Hill	Tonawnada Seneca Nation	Invitation to the July 30, 2013 Consulting Parties Meeting and transmittal of the Project's Area of Potential Effect (APE) and SUNY/Buffalo's *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*
19	12-Jul-13	Sylvia Jones	NYSDOT	Melissa Bach	Seneca Nation of Indians	NYSHPO concurrence with the findings of SUNY/Buffalo's *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*

Chronological Listing of Section 106 Interagency Consultation, Coordination and Correspondence

Number	Date	From:		To:		Subject:
		Name	Agency	Name	Agency	
20	18-Jul-13	John Bonafide	NYSHPO	Daniel Hitt	NYSDOT	SHPO concurs with findings and recommendations in SUNY/Buffalo's *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*
21	19-Jul-13	Daniel Hitt	NYSDOT	Hans Anker	FHWA	Request for FHWA concurrence with eligibility of historic properites within the APE and recommendation for archaeological monitoring during construction
22	25-Jul-13	Hans Anker	FHWA	Daniel Hitt	NYSDOT	Concurrence with eligibility findings and recommendation for archaeological monitoring during construction in July 2013 report
23	29-Jul-13	Daniel Hitt	NYSDOT	Consulting Parties	--	Transmittal of Preliminary Assessment of Effects
24	29-Jul-13	Sylvia Jones	NYSDOT	Melissa Bach	Seneca Nation of Indians	Transmittal of Preliminary Assessment of Effects
25	29-Jul-13	Sylvia Jones	NYSDOT	Chief Darwin Hill	Tonawanda Seneca	Transmittal of Section 106 Documentation Package

Chronological Listing of Section 106 Interagency Consultation, Coordination and Correspondence

Number	Date	From:		To:		Subject:
		Name	Agency	Name	Agency	
26	1-Aug-13	Daniel Hitt	NYSDOT	Elizabeth Merritt	National Trust for Historic Preservation	Transmittal of July 30, 2013 Consulting Parties Meeting Transcript and Section 106 materials
27	15-Aug-13	Daniel Hitt	NYSDOT	Consulting Parties	--	Transmittal of July 30, 2013 Consulting Parties Meeting Transcript; no extension of 30 day comment period
28	15-Aug-13	Sylvia Jones	NYSDOT	Melissa Bach	Seneca Nation of Indians	Transmittal of July 30, 2013 Consulting Parties Meeting Transcript and other meeting materials
29	15-Aug-13	Sylvia Jones	NYSDOT	Chief Darwin Hill	Tonawanda Seneca	Transmittal of July 30, 2013 Consulting Parties Meeting Transcript and other meeting materials
30	27-Aug-13	Daniel Hitt	NYSDOT	John Bonafide	NYSHPO	Request for concurrence - updated determination of eligibility for Porter Avenue Bridge Abutments
31	29-Aug-13	John Bonafide	NYSHPO	Daniel Hitt	NYSDOT	SHPO concurs with updated determination of Porter Avenue Bridge as not NRHP eligible.
32	3-Sep-13	Daniel Hitt	NYSDOT	Hans Anker	FHWA	Request concurrence that Porter Avenue Bridge abutments are not eligible for listing on the NRHP and not a Section 4(f) historic site.

Chronological Listing of Section 106 Interagency Consultation, Coordination and Correspondence

Number	Date	From:		To:		Subject:
		Name	Agency	Name	Agency	
33	16-Sep-13	Hans Anker	FHWA	Daniel Hitt	NYSDOT	FHWA's detrmines that Porter Avenue Bridge abutments are not eligible for listing on the NRHP and not a Section 4(f) historic site.
34	28-Oct-13	Daniel Hitt	NYSDOT	John Bonafide	NYSHPO	Request for concurrence - No Adverse Effect Finding (see Section 3 of this Appendix)
35	4-Nov-13	John Bonafide	SHPO	Daniel Hitt	NYSDOT	SHPO concurs with No Adverse Effect Finding
36	7-Nov-13	Daniel Hitt	NYSDOT	Hans Anker	FHWA	Request concurrence with No Adverse Effect Finding
37	7-Nov-13	Hans Anker	FHWA	Daniel Hitt	NYSDOT	No Adverse Effect Determination
38	8-Nov-13	Sylvia Jones	NYSDOT	Chief Darwin Hill	Tonawnada Seneca Nation	Transmittal of Section 106 Finding Documentation Package
39	8-Nov-13	Sylvia Jones	NYSDOT	Melissa Bach	Seneca Nation of Indians	Transmittal of Section 106 Finding Documentation Package
40	8-Nov-13	Daniel Hitt	NYSDOT	Consulting Parties	--	Transmittal of Section 106 Finding Documentation Package

U.S. Department of Transportation
Federal Highway Administration

New York Division

Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207
518-431-4127
Fax: 518-431-4121
New York.FHWA@dot.gov

May 10, 2013

In Reply Refer To:
HED-NY

Ms. Carol Legard, Historic Preservation Specialist
Office of Federal Agency Programs
Advisory Council on Historic Preservation
The Old Post Office Building, Suite 809
1100 Pennsylvania Avenue NW
Washington, DC 20004

Subject: PIN 5760.80, NY Gateway Connections Improvement to the US Peace Bridge Plaza
City of Buffalo, Erie County, New York

Dear Ms. Legard:

We would like to formally invite you to participate in the Section 106 consultation process for the subject project.

The New York State Department of Transportation, in cooperation with the Federal Highway Administration, will prepare an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) on a proposal to provide improved access to and from the US Border Port of Entry / Peace Bridge Plaza (Plaza), in the City of Buffalo, Erie County, New York. The primary need of the project is to address the limited direct access between the Plaza and Interstate 190. Existing direct access is limited and requires regional and international traffic to use the local street system. This limited access adds additional commercial traffic to the local streets which were originally designed to only meet the needs of local traffic. The purpose of the Project is to reduce the use of the local streets by interstate traffic and provide access to and from the existing Plaza at its current location. The primary objectives of the project are to address the need for direct access from the Plaza to the northbound lanes of Interstate 190, to redirect through traffic from Front Park, and to remove Baird Drive.

Alternatives under consideration include:

1) the no-build alternative; and
2) an alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive, and to provide alternate access from Porter Avenue to the Plaza.

The NEPA Notice of Intent was published in the Federal Register on May 6, 2013.

As you are aware from your involvement in previous projects in the vicinity of the Peace Bridge Plaza, there are several historic resources in the vicinity of the project area that will be

considered and analyzed under the Section 106 process for the subject project. In addition, the local community is very active in participating in the NEPA/EIS and Section 106 consultation process.

We strongly encourage and request the Council to participate in the Section 106 consultation process in order to ensure that the EIS adequately address potential impacts, if any, that our project may have on the historic resources in the vicinity of the project area.

If you have any questions, please feel free to contact Mr. Hans Anker at (518) 431-8896.

Sincerely,

Robert M. Davies
District Engineer

cc: Ruth Pierpont, OPRHP
Darrell Kaminski, Acting Regional Director, Region 5
Dan Hitt, Director, Environmental Science Bureau, NYSDOT

U.S. Department of Transportation
Federal Highway Administration

New York Division

Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207
518-431-4127
Fax: 518-431-4121
New York.FHWA@dot.gov

June 18, 2013

In Reply Refer To:
HED-NY

Ms. Melissa Bach
Tribal Historic Preservation Officer
Seneca Nation of Indians
90 O:hi'yoh Way
Salamanca, New York 14779

Subject: Section 106 Consultation
PIN 5760.80/NY Gateway Connections Improvement to the US Peace Bridge Plaza
City of Buffalo, Erie County, New York

Dear Ms. Bach:

The Federal Highway Administration (FHWA) would like to initiate consultation with the Seneca Nation of Indians for the proposed *NY Gateway Connections Improvement to the US Peace Bridge Plaza*, an undertaking subject to Section 106 of the National Historic Preservation Act. The New York State Department of Transportation (NYSDOT), in cooperation with the FHWA, will prepare an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) on a proposal to provide improved access to and from the US Border Port of Entry / Peace Bridge Plaza (Plaza), in the City of Buffalo, Erie County, New York. Enclosed for your information, please find a map showing the project location and the initial study area for historic and cultural resources.

The primary need of the project is to address the limited direct access between the Plaza and Interstate 190. Existing direct access is limited and requires regional and international traffic to use the local street system. The purpose of the Project is to reduce the use of the local streets by interstate traffic and provide access to the existing Plaza at its current location. The primary objectives of the project are to address the need for direct access from the Plaza to the northbound lanes of Interstate 190, to redirect through traffic from Front Park, and to remove Baird Drive. Alternatives under consideration include: (1) the no-build alternative; and (2) an alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive, and to provide alternate access from Porter Avenue to the Plaza.

We invite you to meet with FHWA and NYSDOT representatives to discuss and consider your views about the project and its potential to affect properties of religious and cultural significance to the Seneca Nation. Based on the current project schedule, we anticipate a meeting at the NYSDOT Region 5 office in Buffalo during the end of July 2013. NYSDOT staff will contact you shortly to confirm a date and time, based on your availability.

On behalf of FHWA and NYSDOT, we look forward to your participation in Section 106 consultation for the NY Gateway Connections project. If you have any questions, please feel free to contact me at (518) 431-8896.

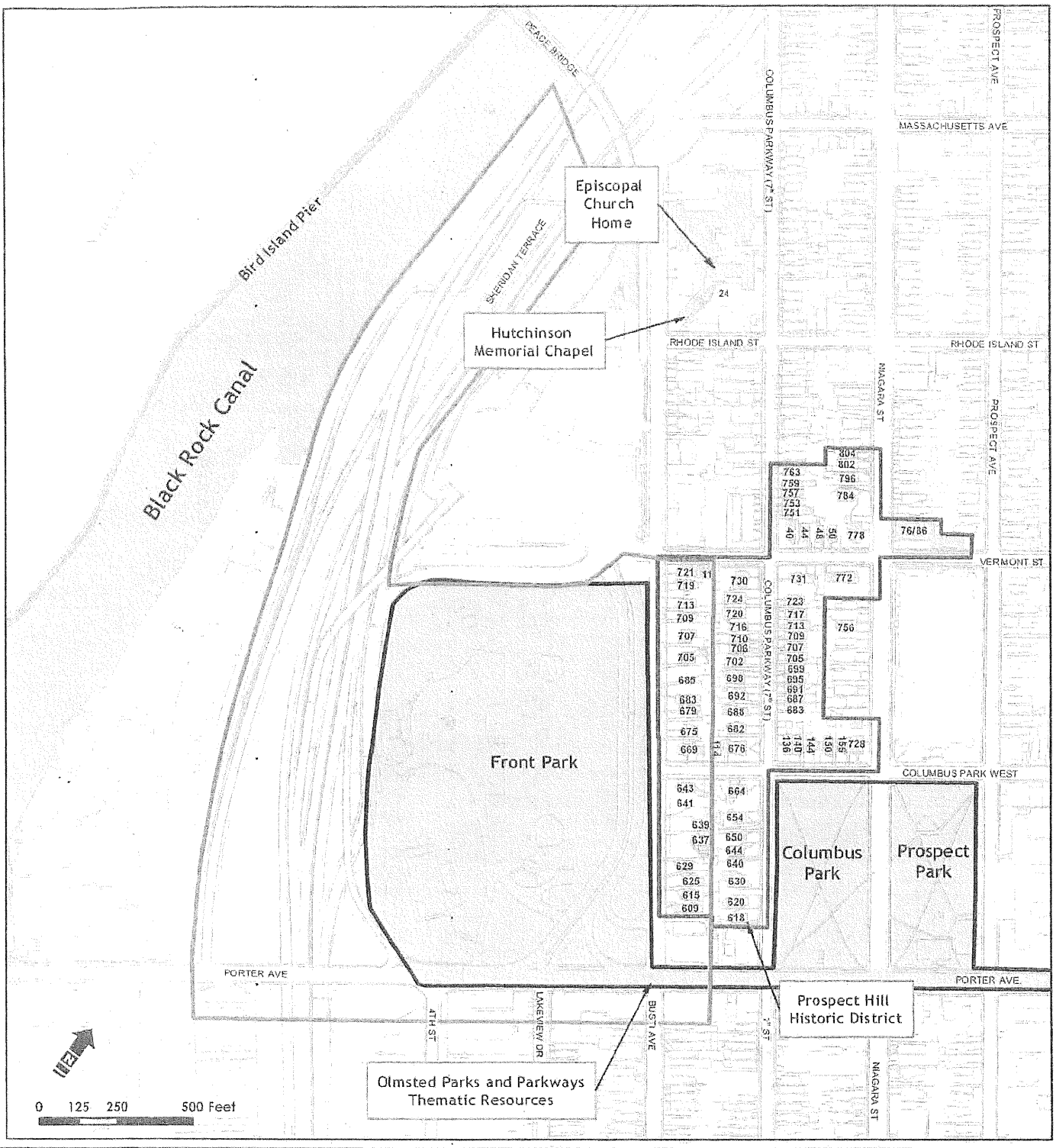
Sincerely,

/s/ HANS ANKER, P.E.

Hans Anker, P.E.
Senior Area Engineer

Encl: Project Location Map showing initial Study Area

cc: Andrew Meyers, SNI THPO Archaeologist
Ruth Pierpont, OPRHP / SHPO
Carol Legard, ACHP
Daniel Streett, NYSDOT, Engineering Division
Dan Hitt, NYSDOT, Environmental Analysis Bureau
John Bonafide, OPRHP / SHPO
Darrell Kaminski, NYSDOT Region 5
Craig Mozrall, NYSDOT, Regional Design Group
Kimberly Lorenz, NYSDOT, Landscape/Environmental Group
Maria Lehman, NYSTA



NY Gateway Connections Project

Historic Resources in the Vicinity of the Project's Initial Study Area

Erie County, New York

Initial Study Area
Prospect Hill Historic District
Olmsted Park Historic Thematic Resource
National Register Resources
Planimetric Feature

SOURCE Ecology and Environment, Inc.

U.S. Department of Transportation
Federal Highway Administration

New York Division

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11A Clinton Avenue, Suite 719
Albany, NY 12207
518-431-4127
Fax: 518-431-4121
New York.FHWA@dot.gov

June 18, 2013

In Reply Refer To:
HED-NY

Chief Darwin Hill
Tonawanda Seneca Nation Office
7027 Meadville Road
Basom, New York 14013

Subject: Section 106 Consultation
PIN 5760.80/NY Gateway Connections Improvement to the US Peace Bridge Plaza
City of Buffalo, Erie County, New York

Dear Chief Hill:

The Federal Highway Administration (FHWA) would like to initiate consultation with the Tonawanda Seneca Nation for the proposed *NY Gateway Connections Improvement to the US Peace Bridge Plaza*, an undertaking subject to Section 106 of the National Historic Preservation Act. The New York State Department of Transportation (NYSDOT), in cooperation with the FHWA, will prepare an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) on a proposal to provide improved access to and from the US Border Port of Entry / Peace Bridge Plaza (Plaza), in the City of Buffalo, Erie County, New York. Enclosed for your information, please find a map showing the project location and the initial study area for historic and cultural resources.

The primary need of the project is to address the limited direct access between the Plaza and Interstate 190. Existing direct access is limited and requires regional and international traffic to use the local street system. The purpose of the Project is to reduce the use of the local streets by interstate traffic and provide access to the existing Plaza at its current location. The primary objectives of the project are to address the need for direct access from the Plaza to the northbound lanes of Interstate 190, to redirect through traffic from Front Park, and to remove Baird Drive. Alternatives under consideration include: (1) the no-build alternative; and (2) an alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive, and to provide alternate access from Porter Avenue to the Plaza.

We invite you to meet with FHWA and NYSDOT representatives to discuss and consider your views about the project and its potential to affect properties of religious and cultural significance to the Tonawanda Seneca Nation. Based on the current project schedule, we anticipate a meeting at the NYSDOT Region 5 office in Buffalo during the end of July 2013. NYSDOT staff will contact you shortly to confirm a date and time, based on your availability.

On behalf of FHWA and NYSDOT, we look forward to your participation in Section 106 consultation for the NY Gateway Connections project. If you have any questions, please feel free to contact me at (518) 431-8896.

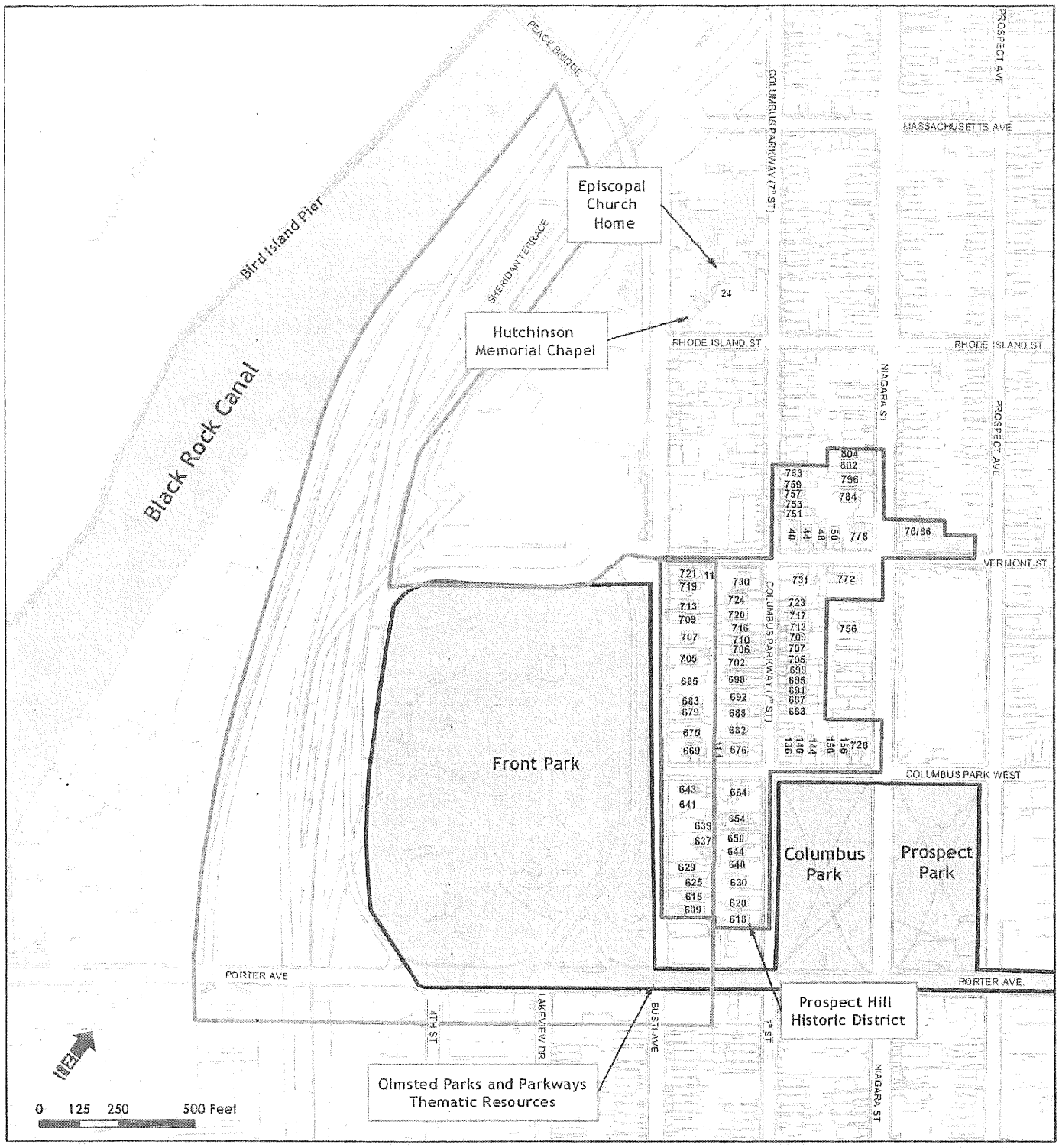
Sincerely,

/s/ HANS ANKER, P.E.

Hans Anker, P.E.
Senior Area Engineer

Encl: Project Location Map showing initial Study Area

cc: Andrew Meyers, SNI THPO Archaeologist
Ruth Pierpont, OPRHP / SHPO
Carol Legard, ACHP
Daniel Streett, NYSDOT, Engineering Division
Dan Hitt, NYSDOT, Environmental Analysis Bureau
John Bonafide, OPRHP / SHPO
Darrell Kaminski, NYSDOT Region 5
Craig Mozrall, NYSDOT, Regional Design Group
Kimberly Lorenz, NYSDOT, Landscape/Environmental Group
Maria Lehman, NYSTA



NY Gateway Connections Project

Historic Resources in the Vicinity of the Project's Initial Study Area

Erie County, New York

- Initial Study Area
- Prospect Hill Historic District
- Olmsted Park Historic Thematic Resource
- National Register Resources
- Planimetric Feature

SOURCE Ecology and Environment, Inc.

Preserving America's Heritage

June 19, 2013

Mr. Hans Anker, P.E.
Senior Area Engineer
Federal Highway Administration
New York Division
Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207

Ref: *Invitation to become a Cooperating Agency for the NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza.*
Preparation of an Environmental Impact Statement (HED-NY)
City of Buffalo, New York.

Dear Mr. Anker:

On June 6, 2013, the Advisory Council on Historic Preservation (ACHP) received your invitation to participate in the environmental review process for the referenced undertaking as a cooperating agency. In accordance with Section 1305 of MAP-21, "*Efficient Environmental Review for Project Decisionmaking*" the ACHP accepts this invitation. We do not at this time anticipate attending meetings in person or providing formal comments at environmental review milestones. However, we would appreciate your keeping us informed of progress, and we may decide to become more actively involved in the future, as warranted. We are also happy to provide FHWA with technical assistance at any time on matters related to historic preservation and Section 106 of the National Historic Preservation Act.

In addition, the ACHP will participate in the Section 106 consulting party meeting that has been scheduled for July 31, 2013 in Buffalo, New York. We appreciate your inviting our participation in this meeting and in your agency's coordination of the Section 106 process with the National Environmental Policy Act (NEPA) compliance. The ACHP does not normally participate in the early phases of Section 106 review. However, due to our involvement in the earlier Peace Bridge Expansion Project and the likelihood of remaining concerns among local residents regarding the project's effects on historic properties, we believe our participation in the initial Section 106 meeting will be helpful and informative.

ADVISORY COUNCIL ON HISTORIC PRESERVATION
1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

Thank you for inviting our participation in the development of this project. We look forward to seeing you on July 31st. Should you have any questions, please contact Ms. Carol Legard, the ACHP's FHWA Liaison, by telephone at (202) 606-8522 or by e-mail at clegard@achp.gov. Ms. Legard will be representing the ACHP in consultation.

Sincerely,

Charlene Dwin Vaughn

Charlene Dwin Vaughn, AICP
Assistant Director
Federal Permitting, Licensing, and Assistance Section
Office of Federal Agency Programs

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

WWW.DOT.NY.GOV

JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

June 19, 2013

Mr. John A. Bonafide
Director, Technical Preservation Services Bureau
Division for Historic Preservation
New York State Office of Parks, Recreation and Historic Preservation
Peebles Island State Park
P.O. 189
Waterford, NY 12188-0189

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – AREA OF POTENTIAL EFFECTS

Dear Mr. Bonafide:

The Federal Highway Administration (FHWA), in coordination with the New York State Department of Transportation (NYSDOT), is initiating consultation with the New York State Historic Preservation Office (SHPO), for the New York Gateway Connections Improvement Project to the US Peace Bridge Plaza (Project), in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800.

The primary need of the Project is to address the limited direct access between the Plaza and Interstate 190. Existing direct access is limited and requires regional and international traffic to use the local street system. This limited access adds additional commercial traffic to the local streets which were originally designed to only meet the needs of local traffic. The purpose of the Project is to reduce the use of the local streets by interstate traffic and provide access to and from the existing Plaza at its current location. The primary objectives of the Project are to address the need for direct access from the Plaza to the northbound lanes of Interstate 190, to redirect through traffic from Front Park, and to remove Baird Drive.

Attached for your review is a document establishing the Project's area of potential effects (APE), as defined in 36 CFR Part 800.16(d). The APE incorporates a geographical area that includes both direct and indirect effects associated with an alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive, and to provide alternate access from Porter Avenue to the Plaza.

Please forward any questions or comments to my attention at Dan.Hitt@dot.ny.gov. We respectfully request the written concurrence of the SHPO with the APE by June 21, 2013.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosure: Documentation of Area of Potential Effects

cc: Brian Yates, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.

PIN 5760.80
New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza
City of Buffalo, Erie County, New York

Section 106 Review: Documentation of the Area of Potential Effects (APE)

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA), is proposing a highway project in the City of Buffalo, Erie County, New York, to provide improved access to and from the US Border Port of Entry / Peace Bridge Plaza (see **Figure 1**). The ***New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza*** (Project) is an undertaking subject to review under Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800. FHWA, in cooperation with NYSDOT, plans to carry out the Section 106 process in coordination with other environmental reviews, including an Environmental Impact Statement (EIS) being prepared in accordance with the National Environmental Policy Act (NEPA) of 1969.

The primary need of the Project is to address the limited direct access between the Plaza and Interstate 190. Existing direct access is limited and requires regional and international traffic to use the local street system. This limited access adds additional commercial traffic to the local streets which were originally designed to only meet the needs of local traffic. The purpose of the Project is to reduce the use of the local streets by interstate traffic and provide access to and from the existing Plaza at its current location. The primary objectives of the project are to address the need for direct access from the Plaza to the northbound lanes of Interstate 190, to redirect through traffic from Front Park, and to remove Baird Drive.

Alternatives under consideration include: (1) The no-build alternative; and (2) an alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive, and to provide alternate access from Porter Avenue to the Plaza (see **Figure 2**).

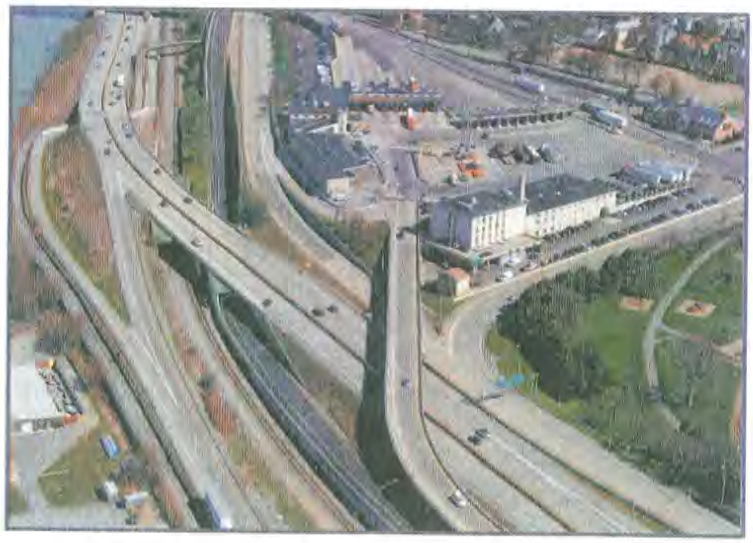


Photo 1. View looking north, towards location of proposed Ramp D from the Plaza to northbound I-190.

Photo 2. View looking northwest, at Baird Drive in Front Park and Porter Avenue.

Definition of Area of Potential Effects (APE)

As defined in 36 CFR Part 800.16(d), the area of potential effects (APE) represents the geographical area within which the Project "may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist", and defines the area in which identification efforts will occur for architectural and archaeological properties.

In accordance with 36 CFR Part 800.4(a)(1), an area of potential effects (APE) has been defined for the New York Gateway Connections Project based on a proposed scope of work that includes:

- a direct connection from the U.S. Peace Bridge Plaza to the northbound Thruway I-190 (proposed Ramp D);
- a new access point to the Peace Bridge from the City of Buffalo via Porter Avenue (proposed Ramp PN connecting to the existing Ramp A); and
- the removal of Baird Drive from Front Park.

The APE is shown in **Figure 3**. The entire Project APE incorporates potential visual and auditory effects associated with new elements in the built environment, changes in traffic patterns, and access. Within the APE, a smaller area is identified for potential direct effects of physical alterations or ground disturbance associated with the proposed construction of new ramps, removal of Baird Drive, and proposed modifications on Porter Avenue in the vicinity of the existing ramps to provide alternative access to the Plaza. Direct effects are confined to land occupied by existing transportation facilities - the Thruway corridor, Porter Avenue, and Baird Drive. The APE for direct effects includes a section of Porter Avenue from the east end of the bridge over I-190 extending to a point approximately 250 feet east of Busti Avenue; the entire length of Baird Drive from Porter Avenue to the Plaza; and an irregularly-shaped linear section extending from Porter Avenue north along the I-190 corridor west of Front Park and the Plaza, terminating approximately 125 feet south of the approach to the Peace Bridge.

Located on the west side of the City of Buffalo, the APE is situated on a bluff overlooking the Niagara River, separated from the waterfront by the New York State Thruway (I-190), which runs along the river on the west and adjacent to Front Park and the Plaza on the east. The general area is a densely populated,

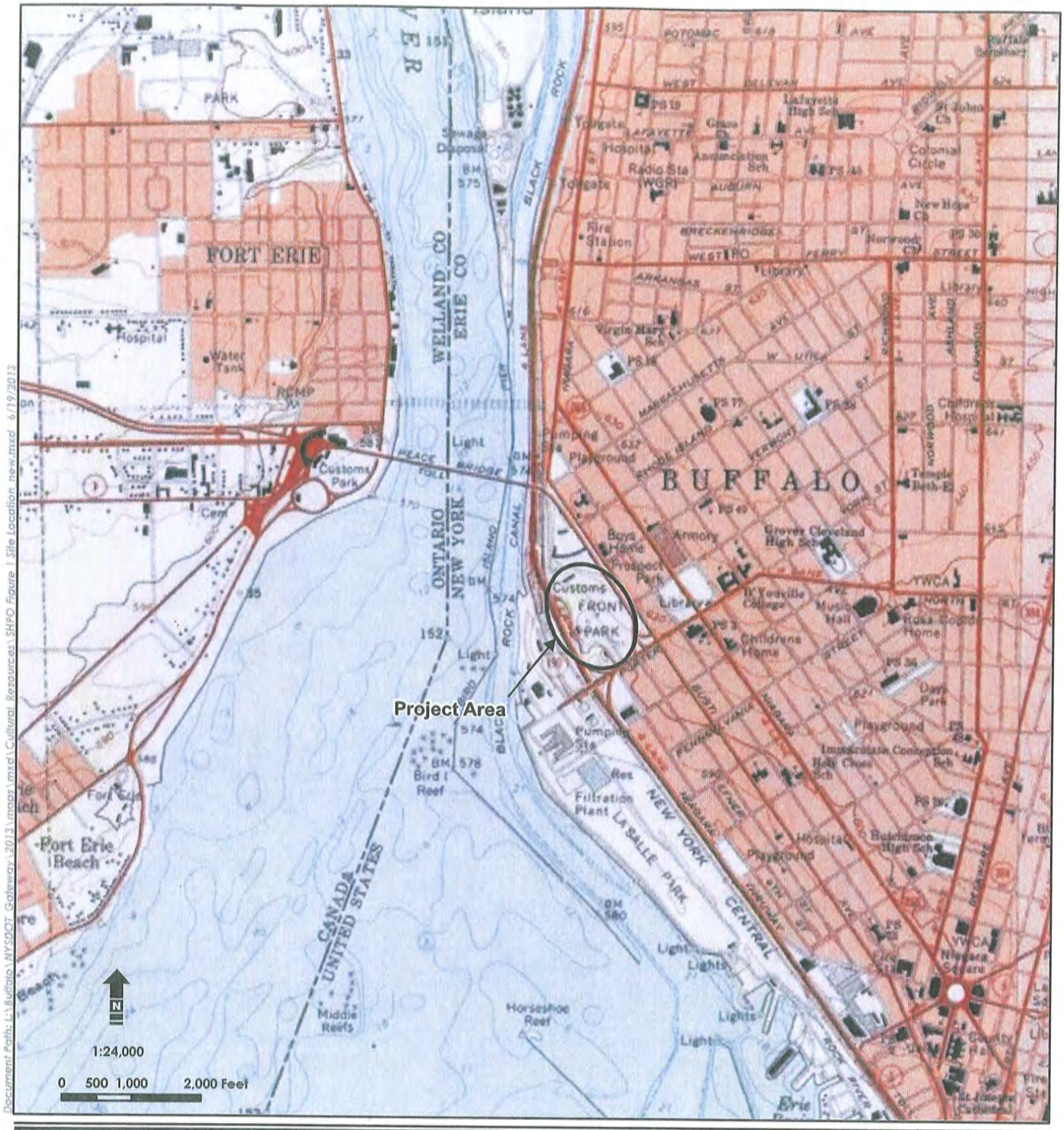
mixed use urban neighborhood containing residential, business, industrial, and recreational components. Nearby public properties, outside the APE, include a public school, library and two parks (Columbus and Prospect Parks).

The APE incorporates 18 residential properties, one on Vermont Street and 17 on Busti Avenue, contributing to the Prospect Hill Historic District, a resource previously determined eligible for the National Register of Historic Places (NRHP). The APE boundary extends to the approximate property lines along the rear of homes that front on Busti Avenue between Vermont Street and Porter Avenue. The majority of properties within the historic district are located to the east and north, outside the Project's APE.

At the center of the APE is Front Park, open space bounded by Porter Avenue to the south, Busti Avenue to the east, the Plaza to the north, and I-190 to the west. Both Front Park and Porter Avenue are listed in the National Register, contributing resources of the Olmsted Parks and Parkways Thematic Resources, and also elements of the NRHP-listed Delaware Park-Front Park System (90NR01217). The Project APE immediately to the north of Front Park is drawn to match the Park's property line.

On the south side of Porter Avenue, the APE extends to the south of the existing right-of-way boundary to a point immediately south of the roadway just west of the I-190 southbound. By extending this line to this point, the APE includes not only the roadway leading into the West Side Rowing Club, but also includes the portion of the Riverwalk that abuts the west side of the I-190 right-of-way. The western line of the Project APE extends northward to a point just before the Peace Bridge before turning southeasterly across the I-190 right-of-way and then extends in a southerly direction along the top of the bluff (Sheridan Terrace) before terminating at the northwest corner of Front Park.

Identification efforts will focus on a review and update of existing information from past studies to identify historic properties within the APE for the NY Gateway Connections Project.



Document Path: L:\Buffalo\NYSDOT_Gateway\2013\maps\mxd\Cultural_Resources\SHPO Figure 1 Site Location new.mxd 6/19/2013

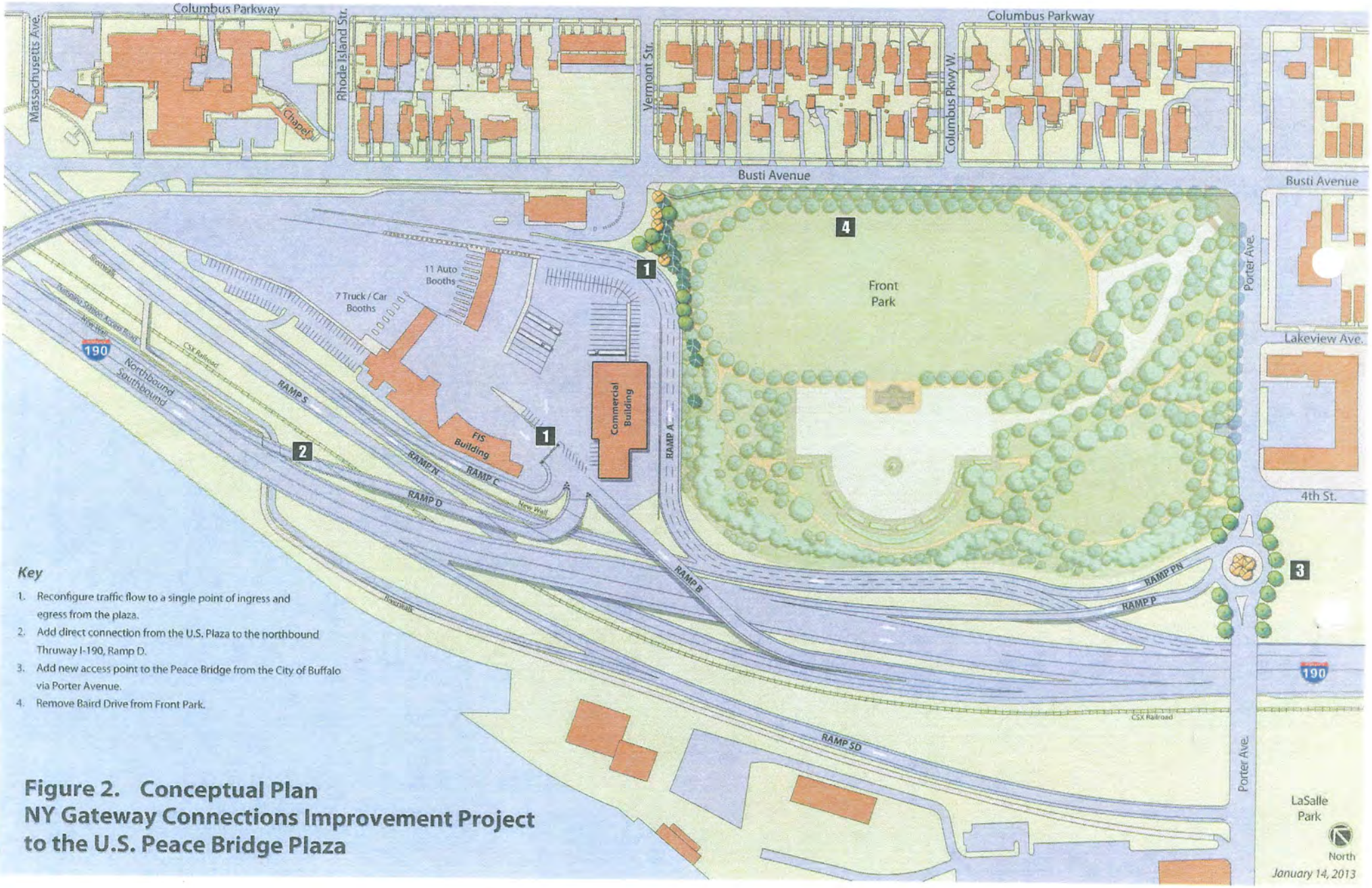
Figure 1: NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza

Site Location

Erie County, New York

SOURCE USGS 1: 24,000 Quadrangle (1965 publication date)

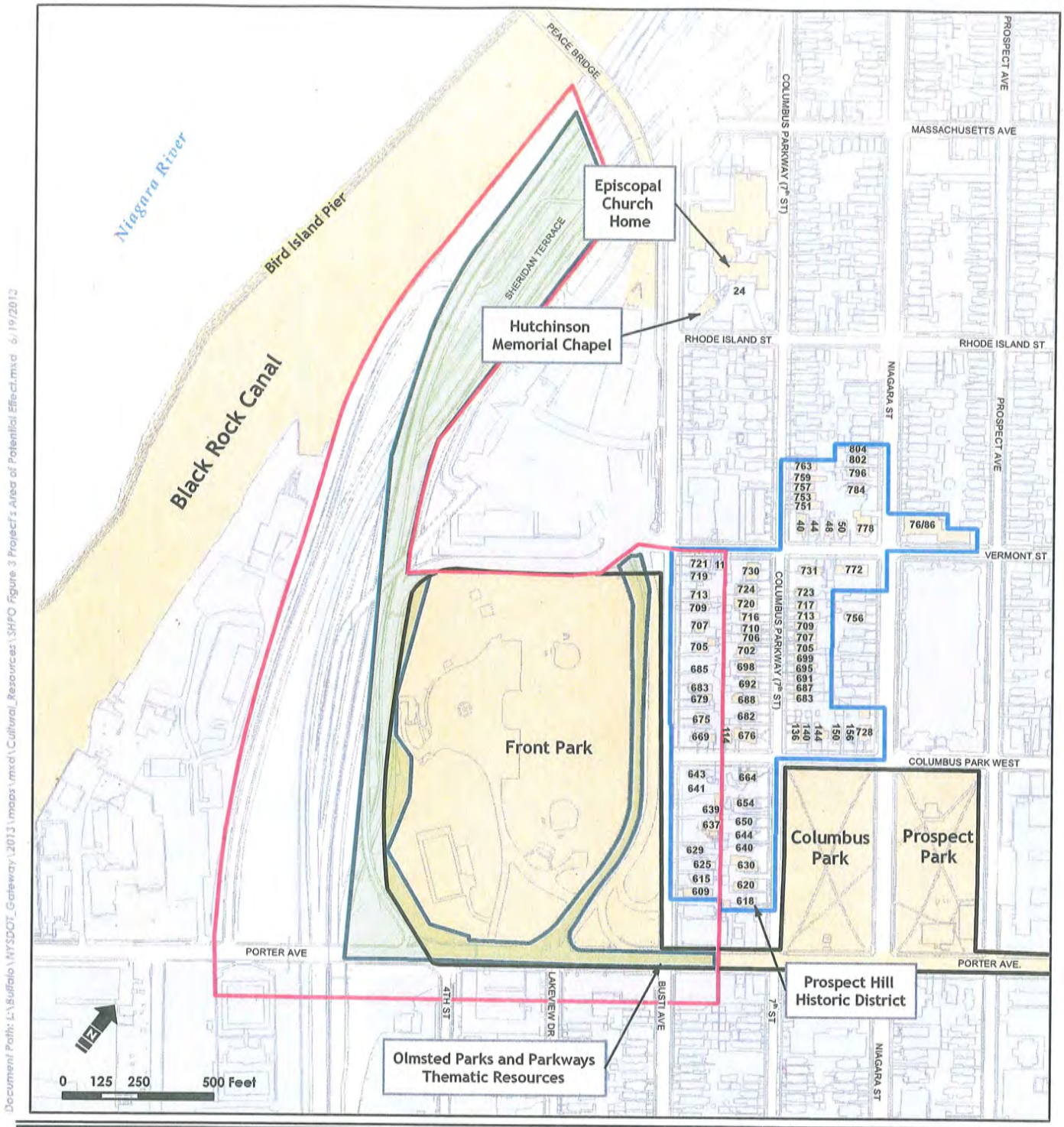
Project Area



Key

1. Reconfigure traffic flow to a single point of ingress and egress from the plaza.
2. Add direct connection from the U.S. Plaza to the northbound Thruway I-190, Ramp D.
3. Add new access point to the Peace Bridge from the City of Buffalo via Porter Avenue.
4. Remove Baird Drive from Front Park.

Figure 2. Conceptual Plan
NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza



Document Path: L:\Buffalo\NYSDOT_Gateway\2013\maps\mxd\Cultural_Resources\SHPO Figure 3 Project's Area of Potential Effect.mxd 6/19/2013

Figure 3: NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza
Area of Potential Effect (APE)
Erie County, New York

- Direct APE
- Project APE
- Prospect Hill Historic District
- Olmsted Park Historic Thematic Resource
- National Register Resources
- Planimetric Feature

SOURCE Ecology and Environment, Inc.

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

June 21, 2013

Mr. Daniel P. Hitt, RLA
Co-Director, Office of Environment
State of New York Department of Transportation
50 Wolf Road
Albany, New York 12232

Re: FHWA, DOT **PIN 5760.80**
Documentation of the Area of Potential Effects for the NY Gateway Connections Improvements to the US Peace Bridge Plaza
BUFFALO, Erie County
13PR02859

Dear Mr. Hitt:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the submitted *Documentation of the Area of Potential Effects for the NY Gateway Connections Improvements to the US Peace Bridge Plaza* received by our office June 19, 2013. We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966, *as amended*, and its implementing regulations *36 C.F.R. Part 800 – Protection of Historic Properties*.

The project's area of potential effects (APE) is established in the provided document. The APE incorporates a geographic area that includes both direct and indirect effects associated with an alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive, and to provide alternate access from Porter Avenue to the Plaza.

Based upon the provided information, our agency concurs with the established area of potential effects. Furthermore, our office looks forward to continued consultation regarding the proposed undertaking.

Should you have any questions, please feel free to contact me at (518) 237-8643.

Sincerely,

John Bonafide
Director
Bureau for Technical Preservation Services

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

WWW.DOT.NY.GOV

JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

June 28, 2013

Hans Anker, P.E.
Senior Area Engineer
Federal Highway Administration
Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, New York 12207

RE: PIN 5760.80.101/ N.Y. GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA, CITY OF BUFFALO, ERIE COUNTY SECTION 106 – AREA OF POTENTIAL EFFECTS (APE)

Dear Mr. Anker:

In accordance with 36 CFR Part 800.4(a)(1), the New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) and in consultation with the New York State Historic Preservation Office (SHPO), prepared a document establishing the area of potential effects (APE) for the *New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza*.

As defined in 36 CFR Part 800.16(d), the APE represents the geographical area within which the Project "may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist". For this project, the APE incorporates a geographical area that includes both direct and indirect effects associated with an alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive, and to provide alternate access from Porter Avenue to the Plaza.

The document was submitted to the SHPO and FHWA for review on June 19, 2013. Attached for your information, please find the written concurrence of the SHPO with the APE. We respectfully request the concurrence of FHWA with the APE, in order to proceed with the identification of historic properties as the next step in the Section 106 process.

Please forward any questions or comments to my attention at Dan.Hitt@dot.ny.gov.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosure: SHPO Concurrence with APE

cc: Robert Davies, FHWA
John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
James Griffis, E&E, Inc.

Andrew M. Cuomo
Governor

Rose Harvey
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New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

June 21, 2013

Mr. Daniel P. Hitt, RLA
Co-Director, Office of Environment
State of New York Department of Transportation
50 Wolf Road
Albany, New York 12232

Re: FHWA, DOT **PIN 5760.80**
Documentation of the Area of Potential Effects for the NY Gateway Connections Improvements to the US Peace Bridge Plaza
BUFFALO, Erie County
13PR02859

Dear Mr. Hitt:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the submitted *Documentation of the Area of Potential Effects for the NY Gateway Connections Improvements to the US Peace Bridge Plaza* received by our office June 19, 2013. We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966, *as amended*, and its implementing regulations *36 C.F.R. Part 800 – Protection of Historic Properties*.

The project's area of potential effects (APE) is established in the provided document. The APE incorporates a geographic area that includes both direct and indirect effects associated with an alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive, and to provide alternate access from Porter Avenue to the Plaza.

Based upon the provided information, our agency concurs with the established area of potential effects. Furthermore, our office looks forward to continued consultation regarding the proposed undertaking.

Should you have any questions, please feel free to contact me at (518) 237-8643.

Sincerely,

John Bonafide
Director
Bureau for Technical Preservation Services

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 2, 2013

Mr. John A. Bonafide
Director, Technical Preservation Services Bureau
Division for Historic Preservation
New York State Office of Parks, Recreation and Historic Preservation
Peebles Island State Park
P.O. 189
Waterford, NY 12188-0189

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – AREA OF POTENTIAL EFFECTS (REVISED)

Dear Mr. Bonafide:

On June 19, 2013, the New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA), submitted a document establishing the "area of potential effects" (APE) for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza (Project)*. In accordance with 36 CFR Part 800.16(d), the APE was defined to incorporate a geographical area that includes both direct and indirect effects associated with an alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive from Front Park, and to provide alternate access from Porter Avenue to the Plaza. Based upon information provided at that time, the SHPO concurred with the APE by letter dated June 21, 2013.

As a result of engineering and safety considerations, the Project Team has recently identified potential design options that would move the existing Porter Avenue entrance to Front Park further east, realigning the park driveway at Porter Avenue with Lakeview Terrace. This proposed change has the potential to cause direct effects on archaeological resources, if present. NYSDOT, in coordination with FHWA, has revised and expanded the previously-identified APE for direct effects, to incorporate ground-disturbing activities associated with the potential realignment of the park driveway. Enclosed for your review, please find a map of the revised APE.

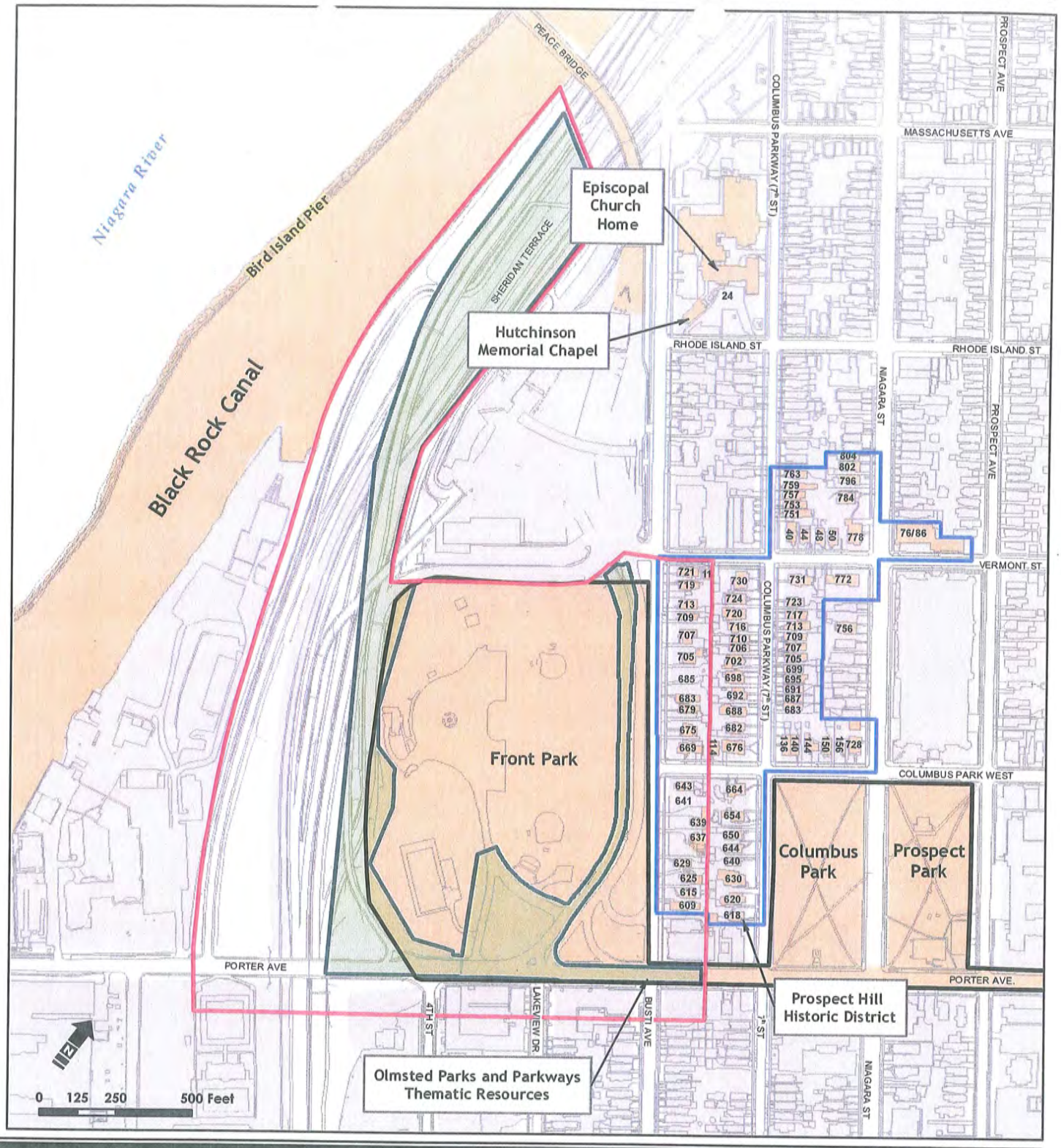
Please forward any questions or comments to my attention at Dan.Hitt@dot.ny.gov. We respectfully request the written concurrence of the SHPO with the revised APE by **July 3, 2013**.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosure: Area of Potential Effects – Map (revised)

cc: Brian Yates, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.



NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza

Area of Potential Effect (APE)

Erie County, New York

- Direct APE
- Project APE
- Prospect Hill Historic District
- Olmsted Park Historic Thematic Resource
- National Register Resources
- Planimetric Feature

SOURCE Ecology and Environment, Inc.
July 2, 2013

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

July 3, 2013

Mr. Daniel P. Hitt, RLA
Co-Director, Office of Environment
State of New York Department of Transportation
50 Wolf Road
Albany, New York 12232

Re: FHWA, DOT **PIN 5760.80**
New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza: Section 106 Review Process – Area of Potential Effects (REVISED)
BUFFALO, Erie County
13PR02859

Dear Mr. Hitt:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the submitted revised area of potential effects (APE) for the proposed project received by our office July 2, 2013. We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966, *as amended,* and its implementing regulations *36 C.F.R. Part 800 – Protection of Historic Properties.*

As a result of engineering and safety considerations, potential design options may necessitate shifting the existing Porter Avenue entrance to Front Park further east, thus realigning the park driveway at Porter Avenue with Lakeview Terrace. As such, the previously established APE has been revised as indicated on the provided map.

Based upon the provided information regarding the amended proposed project area, our agency concurs with the revised area of potential effects.

Should you have any questions, please feel free to contact me at (518) 237-8643.

Sincerely,

John Bonafide
Director
Bureau for Technical Preservation Services

U.S. Department
of Transportation
**Federal Highway
Administration**

New York Division

Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207
518-431-4127
518-431-4121
NewYork.FHWA@dot.gov

July 2, 2013

In Reply Refer To:
HED-NY

Daniel Hitt
Acting Co-Director, Office of Environment
New York State Department of Transportation
50 Wolf Road, POD 4-1
Albany, NY 12232

Subject: PIN 5760.81.101 N.Y. Gateway Connections Improvement Project
To the US Peace Bridge Plaza, City of Buffalo, Erie County
Section 106 – Area of Potential Effects (APE)

Dear Mr. Hitt:

In response to your June 28 letter establishing the project's area of potential effects (APE) that includes both direct and indirect effects associated with an alternative to construct a new ramp from the Plaza to the northbound lanes of I-90, remove Baird Drive, and provide alternate access from Porter Avenue to the plaza. FHWA has reviewed the enclosed documentation and concurs with the established area of potential effect.

If, during the course of the traffic impact study and project impact analysis, it becomes clear that the APE should be expanded or restricted, please advise our office and implement the appropriate coordination actions.

If you have any questions, please contact me at (518) 431-8896.

Sincerely,

Hans Anker, P.E.
Senior Area Engineer

cc:
John Bonafide, New York State Office of Parks, Recreation, and Historic Preservation
Carol Legard, ACHP
Daniel Street, NYSDOT
Kimberly Lorenz, NYSDOT Region 5

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 3, 2013

Hans Anker, P.E.
Senior Area Engineer
Federal Highway Administration
Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, New York 12207

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 – AREA OF POTENTIAL EFFECTS (APE)

Dear Mr. Anker:

In accordance with 36 CFR Part 800.4(a)(1), the New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) and in consultation with the New York State Historic Preservation Office (SHPO), prepared a document establishing the area of potential effects (APE) for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*.

As defined in 36 CFR Part 800.16(d), the APE represents the geographical area within which the Project "may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist". For this project, the APE was defined to incorporate a geographical area that includes both direct and indirect effects associated with an alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive from Front Park, and to provide alternate access from Porter Avenue to the Plaza.

The document was submitted to the SHPO and FHWA for review on June 19, 2013. Based upon information provided at that time, the SHPO concurred with the APE by letter dated June 21, 2013.

As a result of engineering and safety considerations, the Project Team has recently identified potential design options that would move the existing Porter Avenue entrance to Front Park further east, realigning the park driveway at Porter Avenue with Lakeview Terrace. This proposed change has the potential to cause direct effects on archaeological resources, if present. NYSDOT, in coordination with FHWA, revised and expanded the previously-identified APE for direct effects, to incorporate ground-disturbing activities associated with the potential realignment of the park driveway. A map of the revised APE was submitted to the SHPO on July 2, 2013, and the SHPO has concurred.

At this time, we respectfully request your review and concurrence with the APE, in order to proceed with the identification of historic properties as the next step in the Section 106 process.

Please forward any questions or comments to my attention at Dan.Hitt@dot.ny.gov.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map - Area of Potential Effects (APE)
SHPO Concurrence with APE

cc: Robert Davies, FHWA
John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
James Griffis, E&E, Inc.

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NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza

Area of Potential Effect (APE)

Erie County, New York

- Direct APE
- Project APE
- Prospect Hill Historic District
- Olmsted Park Historic Thematic Resource
- National Register Resources
- Planimetric Feature

SOURCE Ecology and Environment, Inc.
July 2, 2013

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

July 3, 2013

Mr. Daniel P. Hitt, RLA
Co-Director, Office of Environment
State of New York Department of Transportation
50 Wolf Road
Albany, New York 12232

Re: FHWA, DOT **PIN 5760.80**
New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza: Section 106 Review Process – Area of Potential Effects (REVISED)
BUFFALO, Erie County
13PR02859

Dear Mr. Hitt:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the submitted revised area of potential effects (APE) for the proposed project received by our office July 2, 2013. We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966, *as amended,* and its implementing regulations *36 C.F.R. Part 800 – Protection of Historic Properties.*

As a result of engineering and safety considerations, potential design options may necessitate shifting the existing Porter Avenue entrance to Front Park further east, thus realigning the park driveway at Porter Avenue with Lakeview Terrace. As such, the previously established APE has been revised as indicated on the provided map.

Based upon the provided information regarding the amended proposed project area, our agency concurs with the revised area of potential effects.

Should you have any questions, please feel free to contact me at (518) 237-8643.

Sincerely,

John Bonafide
Director
Bureau for Technical Preservation Services

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 5, 2013

Mr. John A. Bonafide
Director, Technical Preservation Services Bureau
Division for Historic Preservation
New York State Office of Parks, Recreation and Historic Preservation
P.O. 189 - Peebles Island State Park
Waterford, NY 12188-0189

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – IDENTIFICATION OF HISTORIC PROPERTIES

Dear Mr. Bonafide:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) is submitting the enclosed report for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza (Project)*, for review by the New York State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800.

This report presents the results of efforts to identify historic properties within the Project's area of potential effects (APE), established by NYSDOT and FHWA in consultation with the SHPO. The APE was defined to incorporate a geographical area that includes both direct and indirect effects associated with an alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive from Front Park, and to provide alternate access from Porter Avenue to the Plaza. The scope of identification efforts included a review and update of existing information on properties that were previously listed in or determined eligible for the National Register of Historic Places. All above-ground resources within the APE have been previously evaluated for National Register eligibility.

Based on updated information, the NYSDOT concludes there is no change in the characteristics that qualify these previously-identified historic properties for the National Register:

- 18 contributing resources to the National Register eligible Prospect Hill Historic District (one residential property on Vermont Street and 17 residential properties on Busti Avenue)

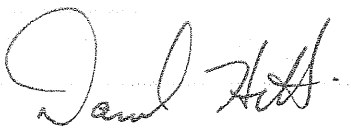
- Front Park and Porter Avenue, contributing resources of the National Register listed Olmsted Parks and Parkways Thematic Resources; elements of the NRHP-listed Delaware Park-Front Park System (90NR01217)

Identification efforts also include an assessment of archaeological sensitivity and recommendations for archaeological investigations within the area subject to direct effects in association with ground-disturbing construction activities. Archaeological monitoring during construction is recommended due to the likely depth of potential archaeological deposits based on documented land alterations and the presence of deep fill soils, as well as the inaccessibility of areas beneath paved and other impervious surfaces associated with existing transportation facilities.

Based on your review of the enclosed report, we respectfully request the written concurrence of the SHPO with these findings and recommendations for the identification of historic properties within the APE. We would appreciate your response by July 9, 2013, and look forward to continuing consultation with your office.

Please forward any questions or comments to my attention at Dan.Hitt@dot.ny.gov.

Sincerely,



DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosure: *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*

cc: Brian Yates, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 5, 2013

Hans Anker, P.E.
Senior Area Engineer
Federal Highway Administration
Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, New York 12207

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
REQUEST FOR APPROVAL OF SECTION 106 CONSULTY PARTY STATUS

Dear Mr. Anker:

Please find enclosed for consideration by the Federal Highway Administration (FHWA), requests for Section 106 Consulting Party status for the *New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza*, submitted to the New York State Department of Transportation (NYSDOT) in accordance with 36 CFR Part 800.2(c)(5):

> *Certain individuals and organizations with a demonstrated interest in the undertaking may participate as consulting parties due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties.*

The enclosed requests were submitted in response to a public notice published in the *Buffalo News* on June 4, 2013, and a Public Scoping meeting held in Buffalo, New York on June 11, 2013, informing the public of the opportunity to participate in the Section 106 consultation process. The enclosures include copies of all written requests received by NYSDOT as formal letters, forms and e-mails, as well as a comprehensive list prepared by NYSDOT in a table format for your convenience.

The NYSDOT Office of Environment, in coordination with Region 5, has reviewed the enclosed requests and recommends the following individuals and organizations for Consulting Party status, based on their written statements of interest. While the City of Buffalo has not submitted a request, we recommend the City as a Consulting Party due to its jurisdiction over Front Park and Porter Avenue, National Register listed properties subject to consideration through the Section 106 review process.

1. Mr. Brian Dold, Mr. Gary Mucci, Mr. Thomas Herrera-Mishler
   Buffalo Olmsted Parks Conservancy
2. Ms. Kathleen R. Mecca - President, Niagara Gateway Columbus Park Association
3. Mr. Clinton Brown - Clinton Brown Company Architecture, PC
4. Ms. Catherine Faust – Catherine Faust, Architect
5. Ms. Linda DeTine
6. Ms. Kate Cody
7. Ms. Tania Webizky and Mr. Daniel MacKay - Preservation League of New York State
8. Ms. Carole D. Perla
9. Ms. Elizabeth A. Martina
10. Mr. Matthew Ricchiazzi
11. Ms. Joyce DiChristina
12. Mr. Alan Oberst – Vision Niagara
13. Mr. Tim Tielman – Campaign for Greater Buffalo History, Architecture and Culture
14. Mr. Daniel Culross
15. Mr. Peter Joseph Certo and Ms. Joanne Certo
16. Mr. Jason Wilson, Preservation Buffalo Niagara
17. Mr. Peter J. Merlo, City Engineer, City of Buffalo
18. Ms. Melissa Bach, Seneca Nation of Indians
19. Chief Darwin Hill, Tonawanda Seneca Nation

The Seneca Nation of Indians and the Tonawanda Seneca Nation have been identified as having a consultative role in accordance with 36 CFR Part 800.2(c)(ii), since both have previously identified a geographical area of interest for Section 106 consultation that includes the Project location in the City of Buffalo, Erie County.

We respectfully request FHWA approval of the above-referenced individuals and organizations, granting Consulting Party status for participation in the Section 106 process.

If you have any questions, please feel free to contact me at Dan.Hitt@dot.ny.gov.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

cc: Robert Davies, FHWA
John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT
James Griffis, E&E, Inc.

LIST OF CONSULTING PARTY REQUESTS

NAME	ADDRESS	PHONE-E-MAIL	RECOMMENDED	REQUEST
Buffalo Olmsted Parks Conservancy Mr. Brian Dold Mr. Gary Mucci Mr. Herrera-Mishler	Parkside Lodge 84 Parkside Avenue Buffalo, NY 14214	Phone (716) 838-1249 Ext. 13 Phone (716) 280-8118 Fax (716) 835-1300 Brian@Bfloparks.org gmucci@hblaw.com thmishler@bfloparks.org	Yes	Form 6/12/2013
Ms. Kathleen R. Mecca President **Niagara Gateway Columbus Park Association**	763 Columbus Parkway Buffalo, New York 14203	Phone (716) 881-5309 krmecca@yahoo.com	Yes	Letter 5/28/2013
Mr. Clinton Brown President **Clinton Brown Company Architecture, PC**	The Market Arcade 617 Main Street, Suite M303 Buffalo, New York 14203-1400	Phone (716) 852-2020 clintonbrown@clintonbrowncompany.com	Yes	Letter 6/4/2013
Ms. Catherine Faust **Catherine Faust, Architect**	141 Highland Avenue Buffalo, New York 14222	Phone (716) 886-6809 Cathfaust@verizon.net	Yes	Form 6/11/2013
Ms. Linda J. DeTine	676 Columbus Parkway Buffalo, New York 14213	Phone (716) 510-8453 lindadetine@hotmail.com	Yes	E-mail 6/3/13
Ms. Kate Cody	654 Columbus Parkway Buffalo, New York 14213	Phone (716) 886-5371 katecdy@yahoo.com	Yes	Letter 5/29/2013
Preservation League of New York State Ms. Tania Werbizky Mr. Daniel MacKay	202 The Commons, Suite 302 Ithaca, New York 14850 44 Central Avenue Albany, New York 12206	twerbizky@preservenys.org dmackay@preservenys.org	Yes	Letter 5/31/2013
Ms. Carole D. Perla	630 Columbus Parkway Buffalo, New York 14213	Phone (716) 886-3374 caroleperla@hotmail.com	Yes	Letter 5/28/2013
Ms. Elizabeth A. Martina **Niagara Gateway Columbus Park Association** **Prospect Hill Neighborhood Alliance**	774 Columbus Parkway Buffalo, New York 14213	Phone (716) 812-4113 elizmartina@yahoo.com	Yes	Letter 6/1/2013

NAME	ADDRESS	PHONE-E-MAIL	RECOMMENDED	REQUEST
Mr. Matthew Ricchiazzi **Change Buffalo PAC**	455 Franklin Street, Apartment 3 Buffalo, New York 14202	Phone (716) 548-3371 matthew.ricchiazzi@changebuffalo.org	Yes	Form 6/11/2013
Ms. Joyce DiChristina	695 Columbus Parkway Buffalo, New York 14213	Phone (716) 860-8120 JDiCh@juno.com	Yes	Form 6/11/2013
Mr. Alan Oberst **Vision Niagara**	189 14th Street Buffalo, New York 14213	Ako_nsog@hotmail.com	Yes	Form 6/11/2013
Mr. Tim Tielman **Campaign for Greater Buffalo History, Architecture and Culture**	14 Lafayette Square, Suite 1425 Buffalo, New York 14203	Phone (716) 854-3749 Frontdesk@c4gb.org	Yes	Form 6/11/2013
Mr. Daniel Culross **KCA & Allentown Association**	3 Saint Johns Place Buffalo, New York 14201	Phone (716)888-0733 djculross@excite.com	Yes	Form 6/18/2013
Mr. Peter Joseph and Ms. Joanne Certo	776 Columbus Parkway Buffalo, New York 14213	716-609-4099 peterjoe@certobrothers.com	Yes	E-mail 6/24/13
Mr. Jason Wilson Director of Operations **Preservation Buffalo Niagara**	617 Main Street Buffalo, New York 14203	Phone (716)852-3300 Jwilson.PBN@gmail.com	Yes	E-mail 6/26/2013
Mr. Peter J. Merlo, City Engineer **City of Buffalo**	502 City Hall Buffalo, New York 14202	Phone (716) 851-5631 pmerlo@city-buffalo.com	Yes[1]	--------
Mr. Thomas W. Frank **Niagara River Greenway National Heritage Area**	225 Evans Street Apt. A1 Williamsville, New York 14221	Phone (716)634-3690 twfrankeinsten@gmail.com	No	Form 6/21/2013
Seneca Nation of Indians Melissa Bach Tribal Historic Preservation Officer (THPO) Andrew Meyers, SNI THPO Archaeologist	90 O:hi'yoh Way Salamanca, NY 14779	Phone: (716) 945-1790, ext. 3580 Emergency: (716) 244-1735 Melissa.bach@sni.org andrewmyers@sni.org	Yes	-------
Tonawanda Seneca Nation Chief Darwin Hill	Tonawanda Seneca Nation Office 7027 Meadville Road Basom, New York 14013	Phone: 716-542-4244 FAX: 716- 542-4008 tonseneca@aol.com	Yes	------

[1] The City of Buffalo is recommended as a Section 106 consulting party due to its jurisdiction over Front Park and Porter Avenue.

U.S. Department of Transportation
Federal Highway Administration

New York Division

Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207
518-431-4127
Fax: 518-431-4121
NewYork.FHWA@dot.gov

July 10, 2013

In Reply Refer To:
HED-NY

Daniel Hitt
Acting Co-Director, Office of Environment
New York State Department of Transportation
50 Wolf Road, POD 4-1
Albany, NY 12232

Subject: PIN 5760.81.101 N.Y. Gateway Connections Improvement Project
To the US Peace Bridge Plaza, City of Buffalo, Erie County
Section 106 – Area of Potential Effects (APE) Revised

Dear Mr. Hitt:

We have reviewed your July 3 letter revising the original June 28 area of potential effect (APE) that includes both direct and indirect effects associated with an alternative to construct a new ramp from the Plaza to the northbound lanes of I-90, remove Baird Drive, and provide alternate access from Porter Avenue to the plaza. FHWA has reviewed the enclosed documentation and concurs with the revisions to the original area of potential effect.

If, during the course of the traffic impact study and project impact analysis, it becomes clear that the APE should be expanded or restricted, please advise our office and implement the appropriate coordination actions.

If you have any questions, please contact me at (518) 431-8896.

Sincerely,

/s/ HANS ANKER, P.E.

Hans Anker, P.E.
Senior Area Engineer

cc:
John Bonafide, New York State Office of Parks, Recreation, and Historic Preservation
Carol Legard, ACHP
Daniel Street, NYSDOT
Mary Santangelo, NYSDOT
Kimberly Lorenz, NYSDOT Region 5

U.S. Department of Transportation
Federal Highway Administration

New York Division

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Fax: 518-431-4121
NewYork.FHWA@dot.gov

July 10, 2013

In Reply Refer To:
HED-NY

Daniel Hitt
Acting Co-Director, Office of Environment
New York State Department of Transportation
50 Wolf Road, POD 4-1
Albany, NY 12232

Subject: PIN 5760.80 N.Y. Gateway Connections Improvement Project to the US Peace Bridge Plaza
City of Buffalo, Erie County
Approval of Section 106 Consulting Party Status

Dear Mr. Hitt:

We have reviewed your July 5 letter transmitting 19 requests for Section 106 consulting party status on the NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza. As stated in 36 CFR Part 800.2(c)(5):

Certain individuals and organizations with a demonstrated interest in the undertaking may participate as consulting parties due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties.

After reviewing the information contained in the individual requests, we have approved the following organizations and individuals to be consulting parties to the Section 106 process for the subject project:

1. Mr. Brian Dold, Mr. Gary Mucci, Mr. Thomas Herrera-Mishler – Buffalo Olmsted Parks Conservancy
2. Ms. Kathleen R. Mecca – Niagara Gateway Columbus Park Association
3. Mr. Clinton Brown – Clinton Brown Company Architecture, PC
4. Ms. Catherine Faust – Catherine Faust, Architect
5. Ms. Linda DeTine
6. Ms. Kate Cody
7. Ms. Tania Webizky and Mr. Daniel MacKay – Preservation League of New York State
8. Ms. Carole D. Perla
9. Ms. Elizabeth A. Marina
10. Mr. Matthew Ricchiazzi
11. Ms. Joyce DiChristina
12. Mr. Alan Oberst – Vision Niagara
13. Mr. Tim Tielman – Campaign for Greater Buffalo History, Architecture and Culture
14. Mr. Daniel Culross
15. Mr. Peter Joseph Certo and Ms. Joanne Certo
16. Mr. Jason Wilson – Preservation Buffalo Niagara
17. Mr. Peter J. Merlo – City Engineer, City of Buffalo
18. Ms. Melissa Bach – Seneca Nation of Indians
19. Chief Darwin Hill – Tonawanda Seneca Nation

Consulting party status entitles these individuals/organizations to share views, receive and review pertinent information, offer ideas, and consider possible solutions together with the Federal Highway Administration, NYSDOT, and other consulting parties. Please ensure the requestors have a copy of the Advisory Council on Historic Preservation's (ACHP) guide entitled "Protecting Historic Properties: A Citizen's Guide to Section 106 Review".

If you have any questions, please contact me at (518) 431-8896.

Sincerely,

/s/ HANS ANKER, P.E.

Hans Anker, P.E.
Senior Area Engineer

cc:
John Bonafide, New York State Office of Parks, Recreation, and Historic Preservation
Carol Legard, ACHP
Daniel Street, NYSDOT
Mary Santangelo, NYSDOT
Kimberly Lorenz, NYSDOT Region 5

U.S. Department
of Transportation
**Federal Highway
Administration**

New York Division

Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207
518-431-4127
Fax 518-431-4121
NewYork.FHWA@dot.gov

July 11, 2013

In Reply Refer To:
HED-NY

Mr. Thomas W. Frank
225 Evans Street, Apt. A1
Williamsville, New York 14221

Dear Mr. Frank,

The Federal Highway Administration (FHWA) in cooperation with New York State Department of Transportation (NYSDOT) would like to thank you for your interest in the NY Gateway Connection Improvements to the US Peace Bridge Plaza project and the Section 106 process.

The NY Gateway Connection Improvements to the US Peace Bridge Plaza project is not associated with the New York Power Authority (NYPA) project #2216-081, nor does the Environmental Impact Statement (EIS) documentation being prepared for this project as part of Section 106 process and in accordance with the National Environmental Policy Act (NEPA) process pertain to the US Customs and Border Protection (CBP) compliance process. Therefore, after careful consideration of your request and supporting documentation, FHWA and NYSDOT are declining your request to participate as a Section 106 consulting party member for the Gateway project because the nature of your legal or economic relationship with the undertaking's effect on historic properties was not demonstrated in your request.

You may wish to continue your participation in the EIS process for the project as an interested member of the public. Public involvement is an essential part of the project development process, and provides continuing opportunities for the public to be involved in the identification of social, economic, and environmental impacts. Comments received from the public will be considered in the decision-making process, and appropriately documented in the Environmental Impact Statement.

Sincerely,

/s/ HANS ANKER, P.E.

Hans Anker, PE
Senior Area Engineer

cc: Dan Hitt, NYSDOT Office of Environment
Robert Davies, FHWA
Carol Legard, ACHP
Daniel Streett, NYSDOT, Engineering Division
Kimberly Lorenz, NYSDOT Region 5
James Griffis, E&E, Inc

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JUL 15 2013
OFFICE OF ENVIRONMENT

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION FIVE
100 SENECA STREET
BUFFALO, NY 14203
www.dot.ny.gov

DARRELL F. KAMINSKI, P.E.
ACTING REGIONAL DIRECTOR

JOAN MCDONALD
COMMISSIONER

July 12, 2013

Ms. Melissa Bach
Tribal Historic Preservation Officer
90 O:hi'yoh Way
Salamanca, New York 14779

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
CITY OF BUFFALO, ERIE COUNTY
PIN 5760.80 / 13PR02859
SECTION 106 REVIEW PROCESS - CONSULTING PARTY MEETING - JULY 30, 2013

Dear Ms. Melissa Bach:

The Federal Highway Administration (FHWA) and the New York State Department of Transportation (NYSDOT) will be holding a meeting for the Consulting Parties to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project; The Seneca Nation of Indian's are cordially invited to participate in this Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the NYSDOT office. In addition to NYSDOT, the FHWA and the Advisory Council on Historic Preservation are expected to participate.

Should the Seneca Nation of Indians prefer to meet separately to discuss and consider your views about the project and its potential to affect properties that may have a religious and cultural significance to the Seneca Nation; the FHWA and NYSDOT can hold a separate meeting either on the morning of July 30th or 31st.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), in consultation with the New York State Historic Preservation Office (SHPO), will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

- Documentation of the Project's Area of Potential Effects (APE)
- Report - *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*

The NYSDOT office is located at 100 Seneca Street, Buffalo, New York 14203. A map and directions are enclosed. The NYSDOT building at 100 Seneca has limited visitor parking. However, over flow parking will be available at NYSDOT's Exchange Street parking lot; the security guards at the main building will direct you to which lot to park in at the time of your arrival.

The New York State Department of Transportation would appreciate your response by the close of business on **July 24, 2013**, to let us know if you plan to attend the Consulting Party meeting or to set up a separate Seneca Nation meeting. Please register either by phone or e-mail with Merlene Wells-Brewer in our Regional NYSDOT office at (716) 847-5268 or merlene.wells-brewer@dot.ny.gov.

Sincerely,

Sylvia J. Jones
(Acting) Cultural Resource Coordinator

SJJ/mwb

Encl: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: John A. Bonafide, State Historic Preservation Office (w/o encl)
Carol Legard, Advisory Council on Historic Preservation (w/o encl)
Hans Anker, P.E., Federal Highway Administration (w/o encl)
Robert Davies, Federal Highway Administration (w/o encl)
James Griffis, Ecology and Environment, Inc. (w/o encl)
Thomas Donohue, Parsons (w/o encl)
Daniel P. Hitt, New York State Department of Transportation, 50 Wolf Road (w/o encl)
Daniel Streett, New York State Department of Transportation, 50 Wolf Road (w/o encl)
Kimberly A. Lorenz, New York State Department of Transportation, R-5 (w/o encl)
Ron Hayes, New York State Department of Transportation, R-5 (w/o encl)

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www.dot.ny.gov

DARRELL F. KAMINSKI, P.E.
ACTING REGIONAL DIRECTOR

JOAN MCDONALD
COMMISSIONER

July 12, 2013

Chief Darwin Hill
Tonawanda Seneca Nation Office
7027 Meadville Road
Basom, New York 14013

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
CITY OF BUFFALO, ERIE COUNTY
PIN 5760.80/13PR02859
SECTION 106 REVIEW PROCESS - CONSULTING PARTY MEETING - JULY 30, 2013

Dear Chief Hill:

The Federal Highway Administration (FHWA) and the New York State Department of Transportation (NYSDOT) will be holding a meeting for the Consulting Parties to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project; The Tonawanda Seneca Nation is cordially invited to participate in this Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the NYSDOT office. In addition to NYSDOT, the FHWA and the Advisory Council on Historic Preservation are expected to participate.

Should the Tonawanda Seneca Nation prefer to meet separately to discuss and consider your views about the project and its potential to affect properties that may have a religious and cultural significance to the Tonawanda Seneca Nation; the FHWA and NYSDOT can hold a separate meeting either on the morning of July 30th or 31st.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration and New York State Department of Transportation, in consultation with the New York State Historic Preservation Office, will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

- Documentation of the Project's Area of Potential Effects (APE)
- Report – *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*

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The New York State Department of Transportation would appreciate your response by the close of business on **July 24, 2013**, to let us know if you plan to attend the Consulting Party meeting or to set up a separate Tonawanda Seneca Nation meeting. Please register either by phone or e-mail with Merlene Wells-Brewer in our Regional NYSDOT office at (716) 847-5268 or merlene.wells-brewer@dot.ny.gov.

Sincerely,

Sylvia J. Jones
Acting Cultural Resource Coordinator

SJJ/mwb

Encl: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: John A. Bonafide, State Historic Preservation Office (w/o encl)
Carol Legard, Advisory Council on Historic Preservation (w/o encl)
Hans Anker, P.E., Federal Highway Administration (w/o encl)
Robert Davies, Federal Highway Administration (w/o encl)
James Griffis, Ecology and Environment, Inc. (w/o encl)
Thomas Donohue, Parsons (w/o encl)
Daniel P. Hitt, New York State Department of Transportation, 50 Wolf Road (w/o encl)
Daniel Streett, New York State Department of Transportation, 50 Wolf Road (w/o encl)
Kimberly A. Lorenz, New York State Department of Transportation, R-5 (w/o encl)
Ron Hayes, New York State Department of Transportation, R-5 (w/o encl)

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Mr. Brian Dold
Buffalo Olmsted Parks Conservancy
Parkside Lodge
84 Parkside Avenue
Buffalo, NY 14214

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Mr. Dold:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), in consultation with the New York State Historic Preservation Office (SHPO), will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

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We would appreciate your response by the close of business on **July 24, 2013**, to let us know if you plan to attend the Consulting Party meeting. Please register either by phone or e-mail with Merlene Wells-Brewer in our Regional NYSDOT office at (716) 847-5268 or merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: w/out enclosures

John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Mr. Gary Mucci
Buffalo Olmsted Parks Conservancy
Parkside Lodge
84 Parkside Avenue
Buffalo, NY 14214

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Mr. Mucci:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), in consultation with the New York State Historic Preservation Office (SHPO), will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

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We would appreciate your response by the close of business on **July 24, 2013**, to let us know if you plan to attend the Consulting Party meeting. Please register either by phone or e-mail with Merlene Wells-Brewer in our Regional NYSDOT office at (716) 847-5268 or merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: w/out enclosures

John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Mr. Herrera-Mishler
Buffalo Olmsted Parks Conservancy
Parkside Lodge
84 Parkside Avenue
Buffalo, NY 14214

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Mr. Herrera-Mishler:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), in consultation with the New York State Historic Preservation Office (SHPO), will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

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We would appreciate your response by the close of business on **July 24, 2013**, to let us know if you plan to attend the Consulting Party meeting. Please register either by phone or e-mail with Merlene Wells-Brewer in our Regional NYSDOT office at (716) 847-5268 or merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: w/out enclosures

John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Ms. Kathleen R. Mecca
President, Niagara Gateway Columbus Park Association
763 Columbus Parkway
Buffalo, NY 14203

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Ms. Mecca:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), in consultation with the New York State Historic Preservation Office (SHPO), will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: w/out enclosures

John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
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Thomas Donohue, Parsons

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Mr. Clinton Brown
President, Clinton Brown Company Architecture, PC
The Market Arcade
617 Main Street, Suite M303
Buffalo, NY 14203-1400

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Mr. Brown:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), in consultation with the New York State Historic Preservation Office (SHPO), will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: w/out enclosures

John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
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Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Ms. Catherine Faust
Catherine Faust, Architect
141 Highland Avenue
Buffalo, NY 14222

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Ms. Faust:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), in consultation with the New York State Historic Preservation Office (SHPO), will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

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- Report – *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*

The NYSDOT office is located at 100 Seneca Street, Buffalo New York 14203. A map and directions are attached. The NYSDOT building at 100 Seneca has limited visitor parking. However, over flow parking will be available at NYSDOT's Exchange Street parking lot; the security guards at the main building will direct you to which lot to park in at the time of your arrival.

We would appreciate your response by the close of business on **July 24, 2013**, to let us know if you plan to attend the Consulting Party meeting. Please register either by phone or e-mail with Merlene Wells-Brewer in our Regional NYSDOT office at (716) 847-5268 or merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: w/out enclosures

John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Ms. Linda J. DeTine
676 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Ms. DeTine:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

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Historic Properties report

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Ms. Kate Cody
654 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Ms. Cody:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
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Historic Properties report

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Ms. Tania Werbizky
Preservation League of New York State
202 The Commons, Suite 302
Ithaca, NY 14850

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Ms. Werbizky:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Mr. Daniel MacKay
Preservation League of New York State
44 Central Avenue
Albany, NY 12206

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Mr. MacKay:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
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Historic Properties report

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Thomas Donohue, Parsons

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Ms. Carole D. Perla
630 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Ms. Perla:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

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Historic Properties report

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Ms. Elizabeth A. Martina
Niagara Gateway Columbus Park Association
Prospect Hill Neighborhood Alliance
774 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Ms. Martina:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Mr. Matthew Ricchiazzi
Change Buffalo PAC
455 Franklin Street, Apt. 3
Buffalo, NY 14202

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Mr. Ricchiazzi:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

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Sincerely,

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Ms. Joyce DiChristina
695 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Ms. DiChristina:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

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Sincerely,

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(Acting) Co-Director, Office of Environment

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Mr. Alan Oberst
Vision Niagara
189 14th Street
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Mr. Oberst:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

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Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: w/out enclosures

John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Mr. Tim Tielman
Campaign for Greater Buffalo History,
Architecture and Culture
14 Lafayette Square, Suite 1425
Buffalo, NY 14203

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Mr. Tielman:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), in consultation with the New York State Historic Preservation Office (SHPO), will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

- Documentation of the Project's Area of Potential Effects (APE)
- Report – *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*

The NYSDOT office is located at 100 Seneca Street, Buffalo New York 14203. A map and directions are attached. The NYSDOT building at 100 Seneca has limited visitor parking. However, over flow parking will be available at NYSDOT's Exchange Street parking lot; the security guards at the main building will direct you to which lot to park in at the time of your arrival.

We would appreciate your response by the close of business on **July 24, 2013**, to let us know if you plan to attend the Consulting Party meeting. Please register either by phone or e-mail with Merlene Wells-Brewer in our Regional NYSDOT office at (716) 847-5268 or merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: w/out enclosures

John Bonafide, OPRHP / SHPO
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STATE OF NEW YORK
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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Mr. Daniel Culross
KCA & Allentown Association
3 Saint Johns Place
Buffalo, NY 14201

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Mr. Culross:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), in consultation with the New York State Historic Preservation Office (SHPO), will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

- Documentation of the Project's Area of Potential Effects (APE)
- Report – *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*

The NYSDOT office is located at 100 Seneca Street, Buffalo New York 14203. A map and directions are attached. The NYSDOT building at 100 Seneca has limited visitor parking. However, over flow parking will be available at NYSDOT's Exchange Street parking lot; the security guards at the main building will direct you to which lot to park in at the time of your arrival.

We would appreciate your response by the close of business on **July 24, 2013**, to let us know if you plan to attend the Consulting Party meeting. Please register either by phone or e-mail with Merlene Wells-Brewer in our Regional NYSDOT office at (716) 847-5268 or merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: w/out enclosures

John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
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James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Mr. Peter Joseph
Ms. Joanne Certo
776 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Mr. Joseph & Ms. Certo:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), in consultation with the New York State Historic Preservation Office (SHPO), will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

- Documentation of the Project's Area of Potential Effects (APE)
- Report – *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*

The NYSDOT office is located at 100 Seneca Street, Buffalo New York 14203. A map and directions are attached. The NYSDOT building at 100 Seneca has limited visitor parking. However, over flow parking will be available at NYSDOT's Exchange Street parking lot; the security guards at the main building will direct you to which lot to park in at the time of your arrival.

We would appreciate your response by the close of business on **July 24, 2013**, to let us know if you plan to attend the Consulting Party meeting. Please register either by phone or e-mail with Merlene Wells-Brewer in our Regional NYSDOT office at (716) 847-5268 or merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: w/out enclosures

John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
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Thomas Donohue, Parsons

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Mr. Jason Wilson
Director of Operations
Preservation Buffalo Niagara
617 Main Street
Buffalo, NY 14203

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Mr. Wilson:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), in consultation with the New York State Historic Preservation Office (SHPO), will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

- Documentation of the Project's Area of Potential Effects (APE)
- Report – *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*

The NYSDOT office is located at 100 Seneca Street, Buffalo New York 14203. A map and directions are attached. The NYSDOT building at 100 Seneca has limited visitor parking. However, over flow parking will be available at NYSDOT's Exchange Street parking lot; the security guards at the main building will direct you to which lot to park in at the time of your arrival.

We would appreciate your response by the close of business on **July 24, 2013**, to let us know if you plan to attend the Consulting Party meeting. Please register either by phone or e-mail with Merlene Wells-Brewer in our Regional NYSDOT office at (716) 847-5268 or merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: w/out enclosures

John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 12, 2013

Mr. Peter J. Merlo, City Engineer
City of Buffalo
502 City Hall
Buffalo, NY 14202

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – CONSULTING PARTY MEETING - JULY 30, 2013

Dear Mr. Merlo:

As an approved Consulting Party to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project, you are cordially invited to participate in a Consulting Party meeting, scheduled for Tuesday, July 30, 2013 at 1:00 PM. The meeting will be held in the Buffalo-Tonawanda Room, on the first floor of the New York State Department of Transportation (NYSDOT) office. In addition to NYSDOT, the Federal Highway Administration (FHWA) and the Advisory Council on Historic Preservation are expected to participate.

The purpose of this meeting is to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties. As part of the Section 106 consultation process, the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), in consultation with the New York State Historic Preservation Office (SHPO), will consider the views of Consulting Parties in seeking ways to avoid, minimize, or mitigate any adverse effects on historic properties. In preparation for this discussion, we encourage you to read the enclosed materials in advance of the meeting:

- Documentation of the Project's Area of Potential Effects (APE)
- Report – *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*

The NYSDOT office is located at 100 Seneca Street, Buffalo New York 14203. A map and directions are attached. The NYSDOT building at 100 Seneca has limited visitor parking. However, over flow parking will be available at NYSDOT's Exchange Street parking lot; the security guards at the main building will direct you to which lot to park in at the time of your arrival.

We would appreciate your response by the close of business on **July 24, 2013**, to let us know if you plan to attend the Consulting Party meeting. Please register either by phone or e-mail with Merlene Wells-Brewer in our Regional NYSDOT office at (716) 847-5268 or merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Map and directions to NYSDOT Region 5 Office
Documentation of Area of Potential Effects
Historic Properties report

cc: w/out enclosures

John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

July 18, 2013

Mr. Daniel P. Hitt, RLA
Co-Director, Office of Environment
State of New York Department of Transportation
50 Wolf Road
Albany, New York 12232

Re: FHWA, DOT **PIN 5760.80**
Update of Previously Inventoried Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring PIN 5760.80.101: New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza, City of Buffalo, Erie County, New York [RAS 45 (13)]
13PR02859

Dear Mr. Hitt:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the submitted report *Update of Previously Inventoried Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring PIN 5760.80.101: New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza, City of Buffalo, Erie County, New York [RAS 45 (13)]* received by our office July 8, 2013. We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966, *as amended,* and its implementing regulations *36 C.F.R. Part 800 – Protection of Historic Properties*.

The scope and identification efforts of this document included a review and update of existing information on properties that were previously listed in, or determined eligible for, the National Register of Historic Places (NR). All above-ground resources within the area of potential effects (APE) were previously evaluated for NR eligibility.

Based upon updated information, the New York State Department of Transportation concludes that there is no change in the characteristics that qualify these previously identified historic properties for the NR. They include:

- Eighteen (18) contributing resources to the National Register of Historic Places-eligible Prospect Hill Historic District (one residential property on Vermont Street and 17 residential properties on Busti Avenue).

- Front Park and Porter Avenue, contributing resources of the National Register-listed Olmsted Parks and Parkways Thematic Resources; elements of the NR-listed Delaware Park/ Front Park System (90NR01217).

Identification efforts also include an assessment of archaeological sensitivity and recommendations for archaeological investigations within the area subject to direct effects in association with ground-disturbing construction activities. Archaeological monitoring during construction is recommended due to the likely depth of potential archaeological deposits based on documented land alterations and the presence of deep fill soils, as well as the inaccessibility of areas beneath paved and other impervious surfaces associated with existing transportation facilities.

Based upon the provided information, our office concurs with the findings and recommendations as provided in this report. Furthermore, we look forward to continued consultation regarding the proposed undertaking.

Should you have any questions, please feel free to contact me at (518) 237-8643.

Sincerely,

John Bonafide
Director
Bureau for Technical Preservation Services

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 19, 2013

Hans Anker, P.E.
Senior Area Engineer
Federal Highway Administration
Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, New York 12207

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – IDENTIFICATION OF HISTORIC PROPERTIES

Dear Mr. Anker:

On July 5, 2012, the New York State Department of Transportation (NYSDOT) submitted the following report for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project) for review by the New York State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800.

- ***Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring.*** PIN 5760.80.101, NY Gateway Connections Improvement Project to the US Peace Bridge Plaza, City of Buffalo, Erie County, New York. Nathan Montague, M.A., and Douglas J. Perrelli, Ph.D., RPA. Reports of the Archaeological Survey, Vol. 45, No. 13, Department of Anthropology, State University of NY at Buffalo, July 2013. Prepared for: NYS Museum, NYSDOT, FHWA.

This report presents the results of efforts to identify historic properties within the Project's area of potential effects (APE), established by NYSDOT and FHWA in consultation with the SHPO. The scope of identification efforts included a review and update of existing information on properties that were previously listed in or determined eligible for the National Register of Historic Places. All above-ground resources within the APE have been previously evaluated for National Register eligibility. The report includes documentation of the process by which FHWA, in consultation with the SHPO, made a determination of National Register eligibility for the Prospect Hill Historic District in 2008 (Appendix D).

Based on updated information, the NYSDOT concludes there is no change in the characteristics that qualify these previously-identified historic properties for the National Register:

- 18 contributing resources to the National Register eligible Prospect Hill Historic District (one residential property on Vermont Street and 17 residential properties on Busti Avenue)

- Front Park and Porter Avenue, contributing resources of the National Register listed Olmsted Parks and Parkways Thematic Resources; elements of the NRHP-listed Delaware Park-Front Park System (90NR01217)

Identification efforts also include an assessment of archaeological sensitivity and recommendations for archaeological investigations within the area of potential effects (APE) for direct effects. Archaeological monitoring during construction is the recommended method of investigation, due to the likely depth of potential archaeological deposits, presence of deep fill soils, and inaccessibility of areas beneath paved and other impervious surfaces associated with existing transportation facilities.

The SHPO provided written concurrence by letter dated July 18, 2013. At this time, we respectfully request FHWA concurrence with the documented findings and recommendations in this report, in order to proceed with consultation to assess effects on identified historic properties.

Please forward any questions or comments to my attention at Dan.Hitt@dot.ny.gov.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Encl.: Letter (J. Bonafide, OPRHP to D.P. Hitt, NYSDOT - July 18, 2013)

cc: Robert Davies, FHWA
John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP / SHPO
Carol Legard, ACHP
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
James Griffis, E&E, Inc.

Andrew M. Cuomo
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Rose Harvey
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

July 18, 2013

Mr. Daniel P. Hitt, RLA
Co-Director, Office of Environment
State of New York Department of Transportation
50 Wolf Road
Albany, New York 12232

Re: FHWA, DOT **PIN 5760.80**
Update of Previously Inventoried Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring PIN 5760.80.101: New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza, City of Buffalo, Erie County, New York [RAS 45 (13)]
13PR02859

Dear Mr. Hitt:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the submitted report *Update of Previously Inventoried Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring PIN 5760.80.101: New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza, City of Buffalo, Erie County, New York [RAS 45 (13)]* received by our office July 8, 2013. We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966, *as amended*, and its implementing regulations *36 C.F.R. Part 800 – Protection of Historic Properties*.

The scope and identification efforts of this document included a review and update of existing information on properties that were previously listed in, or determined eligible for, the National Register of Historic Places (NR). All above-ground resources within the area of potential effects (APE) were previously evaluated for NR eligibility.

Based upon updated information, the New York State Department of Transportation concludes that there is no change in the characteristics that qualify these previously identified historic properties for the NR. They include:

- Eighteen (18) contributing resources to the National Register of Historic Places-eligible Prospect Hill Historic District (one residential property on Vermont Street and 17 residential properties on Busti Avenue).

- Front Park and Porter Avenue, contributing resources of the National Register-listed Olmsted Parks and Parkways Thematic Resources; elements of the NR-listed Delaware Park/ Front Park System (90NR01217).

Identification efforts also include an assessment of archaeological sensitivity and recommendations for archaeological investigations within the area subject to direct effects in association with ground-disturbing construction activities. Archaeological monitoring during construction is recommended due to the likely depth of potential archaeological deposits based on documented land alterations and the presence of deep fill soils, as well as the inaccessibility of areas beneath paved and other impervious surfaces associated with existing transportation facilities.

Based upon the provided information, our office concurs with the findings and recommendations as provided in this report. Furthermore, we look forward to continued consultation regarding the proposed undertaking.

Should you have any questions, please feel free to contact me at (518) 237-8643.

Sincerely,

John Bonafide
Director
Bureau for Technical Preservation Services

U.S. Department of Transportation
Federal Highway Administration

New York Division

Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207
518-431-4127
Fax: 518-431-4121
NewYork.FHWA@dot.gov

July 25, 2013

In Reply Refer To:
HED-NY

Daniel Hitt
Acting Co-Director, Office of Environment
New York State Department of Transportation
50 Wolf Road, POD 4-1
Albany, NY 12232

Subject: PIN 5760.80 N.Y. Gateway Connections Improvement Project
To the US Peace Bridge Plaza, City of Buffalo, Erie County
Section 106 – Concurrence on Historic Properties

Dear Mr. Hitt:

In response to your July 19 letter and report updating previously inventoried historic properties, archaeological sensitivity, and proposal for archaeological monitoring, we have reviewed the information and we concur with the eligibility findings of 18 contributing resources to the National Resource eligible Prospect Hill Historic District, and Front Park and Porter Avenue as contributing resources to the National Register listed Olmsted Parks and Parkways Thematic Resources as submitted.

We also concur that archaeological monitoring during construction is recommended for the reasons outlined in your report.

If you have any questions, please contact me at (518) 431-8896.

Sincerely,

Hans Anker, P.E.
Senior Area Engineer

cc:
John Bonafide, New York State Office of Parks, Recreation, and Historic Preservation
Carol Legard, ACHP
Daniel Street, NYSDOT, Engineering Division
Kimberly Lorenz, NYSDOT Region 5

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Mr. Brian Dold
Buffalo Olmsted Parks Conservancy
Parkside Lodge
84 Parkside Avenue
Buffalo, NY 14214

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Mr. Brian Dold:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

As an approved Consulting Party, you are being providing an opportunity to offer your views on the Project's effects on historic properties through participation at the Consulting Party meeting scheduled for July 30th in Buffalo, New York, and through review of the enclosed summary documentation prepared in accordance with 36 CFR Part 800.11(e). The 30-day review period for the enclosed "Draft Finding Documentation" begins on July 30, 2013. This same document will be available on July 30th for those attending the Consulting Party meeting.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

In coordination with NYSDOT and in consultation with the SHPO and the ACHP, FHWA will consider all written comments received during the review period, notify all Consulting Parties of its effect determination, and distribute copies of the final Finding Documentation.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Mr. Gary Mucci
Buffalo Olmsted Parks Conservancy
Parkside Lodge
84 Parkside Avenue
Buffalo, NY 14214

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Mr. Gary Mucci:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

As an approved Consulting Party, you are being providing an opportunity to offer your views on the Project's effects on historic properties through participation at the Consulting Party meeting scheduled for July 30th in Buffalo, New York, and through review of the enclosed summary documentation prepared in accordance with 36 CFR Part 800.11(e). The 30-day review period for the enclosed "Draft Finding Documentation" begins on July 30, 2013. This same document will be available on July 30th for those attending the Consulting Party meeting.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

In coordination with NYSDOT and in consultation with the SHPO and the ACHP, FHWA will consider all written comments received during the review period, notify all Consulting Parties of its effect determination, and distribute copies of the final Finding Documentation.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Mr. Herrera-Mishler
Buffalo Olmsted Parks Conservancy
Parkside Lodge
84 Parkside Avenue
Buffalo, NY 14214

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Mr. Herrera-Mishler:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
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Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Ms. Kathleen R. Mecca
President
Niagara Gateway Columbus Park Association
763 Columbus Parkway
Buffalo, NY 14203

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Ms. Mecca:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

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Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Mr. Clinton Brown
President, Clinton Brown Company Architecture, PC
The Market Arcade
617 Main Street, Suite M303
Buffalo, NY 14203-1400

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Mr. Clinton Brown:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

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Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

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Brian Yates, OPRHP/SHPO
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Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Ms. Catherine Faust
Catherine Faust, Architect
141 Highland Avenue
Buffalo, NY 14222

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Ms. Catherine Faust:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

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Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
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James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Ms. Linda DeTine
676 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Ms. Linda DeTine:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

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Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Ms. Kate Cody
654 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Ms. Kate Cody:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
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Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
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Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Ms. Tania Werbizky
Preservation League of New York State
202 The Commons, Suite 302
Ithaca, NY 14850

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Ms. Tania Werbizky:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

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Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Mr. Daniel MacKay
Preservation League of New York State
44 Central Avenue
Albany, NY 12206

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Mr. Daniel MacKay:

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
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Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Ms. Carole D. Perla
630 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Ms. Carole D. Perla:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Ms. Elizabeth A. Martina
Niagara Gateway Columbus Park Association
Prospect Hill Neighborhood Alliance
774 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Ms. Elizabeth A. Martina:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

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Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Mr. Matthew Ricchiazzi
Change Buffalo PAC
455 Franklin Street, Apt. 3
Buffalo, NY 14202

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Mr. Matthew Ricchiazzi:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

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Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

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Brian Yates, OPRHP/SHPO
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Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Ms. Joyce DiChristina
695 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Ms. Joyce DiChristina:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

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Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

In coordination with NYSDOT and in consultation with the SHPO and the ACHP, FHWA will consider all written comments received during the review period, notify all Consulting Parties of its effect determination, and distribute copies of the final Finding Documentation.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Mr. Alan Oberst
Vision Niagara
189 14th Street
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Mr. Alan Oberst:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

As an approved Consulting Party, you are being providing an opportunity to offer your views on the Project's effects on historic properties through participation at the Consulting Party meeting scheduled for July 30th in Buffalo, New York, and through review of the enclosed summary documentation prepared in accordance with 36 CFR Part 800.11(e). The 30-day review period for the enclosed "Draft Finding Documentation" begins on July 30, 2013. This same document will be available on July 30th for those attending the Consulting Party meeting.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
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merlene.wells-brewer@dot.ny.gov.

In coordination with NYSDOT and in consultation with the SHPO and the ACHP, FHWA will consider all written comments received during the review period, notify all Consulting Parties of its effect determination, and distribute copies of the final Finding Documentation.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
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Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Mr. Tim Tielman
Campaign for Greater Buffalo History,
Architecture and Culture
14 Lafayette Square, Suite 1425
Buffalo, NY 14203

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Mr. Tim Tielman:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

As an approved Consulting Party, you are being providing an opportunity to offer your views on the Project's effects on historic properties through participation at the Consulting Party meeting scheduled for July 30th in Buffalo, New York, and through review of the enclosed summary documentation prepared in accordance with 36 CFR Part 800.11(e). The 30-day review period for the enclosed "Draft Finding Documentation" begins on July 30, 2013. This same document will be available on July 30th for those attending the Consulting Party meeting.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

In coordination with NYSDOT and in consultation with the SHPO and the ACHP, FHWA will consider all written comments received during the review period, notify all Consulting Parties of its effect determination, and distribute copies of the final Finding Documentation.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Mr. Daniel Culross
KCA & Allentown Association
3 Saint Johns Place
Buffalo, NY 14201

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Mr. Daniel Culross:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

As an approved Consulting Party, you are being providing an opportunity to offer your views on the Project's effects on historic properties through participation at the Consulting Party meeting scheduled for July 30th in Buffalo, New York, and through review of the enclosed summary documentation prepared in accordance with 36 CFR Part 800.11(e). The 30-day review period for the enclosed "Draft Finding Documentation" begins on July 30, 2013. This same document will be available on July 30th for those attending the Consulting Party meeting.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

In coordination with NYSDOT and in consultation with the SHPO and the ACHP, FHWA will consider all written comments received during the review period, notify all Consulting Parties of its effect determination, and distribute copies of the final Finding Documentation.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Mr. Peter Joseph & Ms. Joanne Certo
776 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Mr. Peter Joseph & Ms. Joanne Certo:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

As an approved Consulting Party, you are being providing an opportunity to offer your views on the Project's effects on historic properties through participation at the Consulting Party meeting scheduled for July 30th in Buffalo, New York, and through review of the enclosed summary documentation prepared in accordance with 36 CFR Part 800.11(e). The 30-day review period for the enclosed "Draft Finding Documentation" begins on July 30, 2013. This same document will be available on July 30th for those attending the Consulting Party meeting.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

In coordination with NYSDOT and in consultation with the SHPO and the ACHP, FHWA will consider all written comments received during the review period, notify all Consulting Parties of its effect determination, and distribute copies of the final Finding Documentation.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Mr. Jason Wilson
Director of Operations
Preservation Buffalo Niagara
617 Main Street
Buffalo, NY 14203

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Mr. Jason Wilson:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

As an approved Consulting Party, you are being providing an opportunity to offer your views on the Project's effects on historic properties through participation at the Consulting Party meeting scheduled for July 30th in Buffalo, New York, and through review of the enclosed summary documentation prepared in accordance with 36 CFR Part 800.11(e). The 30-day review period for the enclosed "Draft Finding Documentation" begins on July 30, 2013. This same document will be available on July 30th for those attending the Consulting Party meeting.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

In coordination with NYSDOT and in consultation with the SHPO and the ACHP, FHWA will consider all written comments received during the review period, notify all Consulting Parties of its effect determination, and distribute copies of the final Finding Documentation.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

July 29, 2013

Mr. Peter J. Merlo, City Engineer
City of Buffalo
502 City Hall
Buffalo, NY 14202

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Mr. Peter J. Merlo:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

As an approved Consulting Party, you are being providing an opportunity to offer your views on the Project's effects on historic properties through participation at the Consulting Party meeting scheduled for July 30th in Buffalo, New York, and through review of the enclosed summary documentation prepared in accordance with 36 CFR Part 800.11(e). The 30-day review period for the enclosed "Draft Finding Documentation" begins on July 30, 2013. This same document will be available on July 30th for those attending the Consulting Party meeting.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

In coordination with NYSDOT and in consultation with the SHPO and the ACHP, FHWA will consider all written comments received during the review period, notify all Consulting Parties of its effect determination, and distribute copies of the final Finding Documentation.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION FIVE
100 SENECA STREET
BUFFALO, NY 14203
www.dot.ny.gov

DARRELL F. KAMINSKI, P.E.
ACTING REGIONAL DIRECTOR

JOAN MCDONALD
COMMISSIONER

July 29, 2013

Ms. Melissa Bach
Tribal Historic Preservation Officer
Seneca Nation of Indians
90 O:hi'yoh Way
Salamanca, New York 14779

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS - PRELIMINARY ASSESSMENT OF EFFECT

Dear Ms. Bach:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

As a representative of the Seneca Nation of Indians (SNI) during the Consulting Party consultation process, we are providing the SNI an opportunity to offer your views on the Project's effects on historic properties and any properties of religious and cultural significance to the Seneca Nation; through the Consulting Party meeting scheduled for July 30th in Buffalo, New York, and through your review of the enclosed summary "Draft Finding Documentation" prepared in accordance with 36 CFR Part 800.11(e).

A 30-day review period for the enclosed "Draft Finding Documentation" begins on July 30, 2013. This same document will be available at the July 30th meeting for those attending the Consulting Party meeting.

Please submit written comments by mail, or e-mail, no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov

In coordination with NYSDOT and in consultation with the New York State Historic Preservation Office, the Advisory Council on Historic Preservation, FHWA will consider all written comments received during the review period, notify all Consulting Parties of its effect determination, and distribute copies of the final Finding Documentation.

Sincerely,

Sylvia J. Jones
(Acting) Cultural Resource Coordinator

SJJ/mwb
Enclosure: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO (w/o encl)
Brian Yates, OPRHP / SHPO (w/o encl)
Carol Legard, ACHP (w/o encl)
Hans Anker, FHWA (w/o encl)
Robert Davies, FHWA (w/o encl)
Maria Lehman, NYSTA (w/o encl)
Jeff Zappieri, NYSDOS (w/o encl)
Daniel Streett, NYSDOT, MO (w/o encl)
Kimberly A. Lorenz, NYSDOT, R-5 (w/o encl)
Daniel P. Hitt, NYSDOT, MO (w/o encl)
Ron Hayes, NYSDOT, R-5 (w/o encl)
James Griffis, Ecology and Environment, Inc. (w/o encl)
Thomas Donohue, Parsons (w/o encl)

bcc: Nancy Herter, OPRHP / SHPO
Kenneth J. Hess, Parsons
Rita Campon, Parsons
Mary Santangelo, NYSDOT

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION FIVE
100 SENECA STREET
BUFFALO, NY 14203
www.dot.ny.gov

DARRELL F. KAMINSKI, P.E.
ACTING REGIONAL DIRECTOR

JOAN MCDONALD
COMMISSIONER

July 29, 2013

Chief Darwin Hill
Tonawanda Seneca Nation Office
7027 Meadville Road
Basom, NY 14013

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – PRELIMINARY ASSESSMENT OF EFFECT

Dear Chief Hill:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) has prepared a preliminary assessment of effects on historic properties for the ***New York Gateway Connections Improvement Project to the US Peace Bridge Plaza*** (Project), in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation, 36 CFR Part 800.

We understand that Tonawanda Seneca Nation is unable to attend Consulting Party meeting scheduled for July 30th in Buffalo, New York. Shortly after the Consulting Party meeting is held copies of the handout, project materials and minutes will be provided to the Nation. Through the Consulting Party process and the enclosed summary"Draft Finding Documentation" prepared in accordance with 36 CFR Part 800.11(e), we are providing the Tonawanda Seneca Nation an opportunity to offer their views on the Project's effects on historic properties and any properties of religious and cultural significance to the Seneca Nation.

A 30-day review period for the enclosed "Draft Finding Documentation" begins on July 30, 2013. This same document will be available at the July 30th meeting for those attending the Consulting Party meeting. However, since we know you are unable to attend, we are forwarding you the Draft Finding Documentation in advance.

Please submit written comments by mail, or e-mail, no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov

In coordination with NYSDOT and in consultation with the New York State Historic Preservation Office, the Advisory Council on Historic Preservation, FHWA will consider all written comments received during the review period, notify all Consulting Parties of its effect determination, and distribute copies of the final Finding Documentation.

Sincerely,

Sylvia J. Jones
(Acting) Cultural Resource Coordinator

SJJ/mwb
Enclosure: Draft Finding Documentation

cc: John Bonafide, OPRHP / SHPO (w/o encl)
Brian Yates, OPRHP / SHPO (w/o encl)
Carol Legard, ACHP (w/o encl)
Hans Anker, FHWA (w/o encl)
Robert Davies, FHWA (w/o encl)
Maria Lehman, NYSTA (w/o encl)
Jeff Zappieri, NYSDOS (w/o encl)
Daniel Streett, NYSDOT, MO (w/o encl)
Daniel P. Hitt, NYSDOT, MO (w/o encl)
Kimberly A. Lorenz, NYSDOT, R-5(w/o encl)
Ron Hayes, NYSDOT, R-5 (w/o encl)
James Griffis, Ecology and Environment, Inc. (w/o encl)
Thomas Donohue, Parsons (w/o encl)

bcc: Nancy Herter, OPRHP / SHPO
Kenneth J. Hess, Parsons
Rita Campon, Parsons
Mary Santangelo, NYSDOT

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 1, 2013

Elizabeth S. Merritt
Deputy General Counsel
National Trust for Historic Preservation
1785 Massachusetts Ave. NW
Washington, DC 20036

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 DOCUMENTATION PACKAGE

Dear Ms. Merritt:

In response to your expression of interest in participating in consultation under Section 106 of the National Historic Preservation Act of 1966 for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project), the following materials are enclosed for your information:

- Section 106 Consulting Party Meeting Agenda (July 30, 2013)
- Power Point presentations (July 30, 2013)
- Documentation of the Project's Area of Potential Effects (APE)
- Report – *Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring*
- Draft Finding Documentation: Preliminary Assessment of Effects (July 2013)

At this time, the New York State Department of Transportation (NYSDOT) has no record of a formal request from the National Trust for Historic Preservation to participate as a Section 106 Consulting Party for this project. We regret the omission and respectfully request that you forward your original request, or complete and return the enclosed form, to document the interest of the National Trust for Historic Preservation in Section 106 consultation for this Project. The NYSDOT will then coordinate with the FHWA to amend the record.

As you know, the NYSDOT, in coordination with the FHWA, held a Section 106 Consulting Party meeting on July 30, 2013, in the NYSDOT Regional office in Buffalo, New York. The purpose of this meeting was to provide an opportunity for Section 106 Consulting Parties to offer their views regarding the Project's potential effects on historic properties within the APE, and to hear their views regarding measures to avoid, minimize, or mitigate any adverse effects on historic properties. On July 12, 2013, documentation of the Project's area of potential effects (APE) and a report on previously-identified historic properties were distributed to all Consulting Parties approved by FHWA at that time.

The NYSDOT, in coordination with the FHWA, has prepared a preliminary assessment of effects on historic properties, in accordance with 36 CFR Part 800.11(e). This document was distributed by mail to the entire Consulting Party list on July 29, 2013, and provided to those attending the Consulting Party meeting in person on July 30, 2013. The Draft Finding Documentation is enclosed for your review, as an opportunity for the National Trust for Historic Preservation to provide input on the Project's effects on identified historic properties.

Please submit written comments by mail or e-mail no later than August 30, 2013 to:

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

In coordination with NYSDOT and in consultation with the New York State Historic Preservation Office (SHPO) and Advisory Council on Historic Preservation (ACHP), FHWA will consider all written comments received during the review period. We appreciate your interest in Section 106 consultation for this project.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosures

cc: John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP/SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Mr. Brian Dold
Buffalo Olmsted Parks Conservancy
Parkside Lounge
84 Parkside Avenue
Buffalo, NY 14214

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Mr. Dold:

Enclosed for your information, please find a copy of the stenographic transcript of the Section 106 Consulting Party meeting for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project), held in Buffalo, New York, on July 30, 2013. As referenced in the transcript, a document entitled '*Draft Finding Documentation: A Preliminary Assessment of Effects*' was provided as a handout at the July 30th meeting, and the same document was sent to all recognized Consulting Party members via overnight delivery on July 30, 2013. This was done to ensure that all Consulting Parties received the same document on the same day, regardless of whether or not they participated in the meeting. Consulting Parties have been asked to submit comments on the Draft Finding Documentation, in writing, by August 30, 2013.

A Consulting Party for this Project submitted a request to the New York State Department of Transportation (NYSDOT) and the Federal Highway Administration (FHWA) for an extension to the current comment period. For your information, the current 30-day review for documentation of a proposed finding of 'no adverse effect' is defined by Section 106 regulations (36 CFR Part 800), and consistent with guidance issued by the Advisory Council on Historic Preservation (ACHP). None of the factors that require consideration - the scale of this undertaking, the extent of potential effects on historic properties, or the length and complexity of the Section 106 document – warrant an extended review. Therefore, in response to the request for an extension, NYSDOT and FHWA have decided to maintain the current 30-day review period and comment deadline of August 30, 2013.

To facilitate your review and address potential misunderstandings, we would like to clarify our request for Consulting Party input at this time.

- The purpose of the July 30th Consulting Party meeting was to seek and consider the views of Consulting Party members; it was not to discuss the Draft Finding Documentation. The 30-day

review period is an opportunity to comment on the preliminary assessment of effects on historic properties.

On July 30, 2013, NYSDOT and FHWA requested Consulting Party comments on the Draft Finding Documentation only. The meeting transcript is provided for your information as part of the Section 106 record. There is no need to comment on the transcript.

- The intent of Consulting Party review of the Draft Finding Documentation is to focus on the Project's potential to alter the historically significant characteristics of identified historic properties.

- Other environmental topics are outside the scope of Section 106 review, and will be addressed through public outreach for the Environmental Impact Statement (EIS) process under the National Environmental Policy Act (NEPA).

- Consulting Parties, approved by FHWA on the basis of their demonstrated interest in the Project's effects to historic properties, have a designated role in the Section 106 process, separate from the general public. In coordination with the EIS process under NEPA, NYSDOT and FHWA will seek and consider public input as part of the Section 106 process.

- The public will be provided an opportunity to comment on concerns not related to the Section 106 process during the review period and public hearing for the DEIS , anticipated to be held in December 2013.

As stated during the Consulting Party meeting, NYSDOT and the FHWA will consider all written comments received by August 30, 2013, as well as comments provided at the July 30, 2013 meeting. We appreciate your participation in Section 106 consultation for this Project, and acknowledge the contribution of Consulting Parties to inform the decisions made by NYSDOT and FHWA.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Mr. Gary Mucci
Buffalo Olmsted Parks Conservancy
Parkside Lounge
84 Parkside Avenue
Buffalo, NY 14214

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Mr. Mucci:

Enclosed for your information, please find a copy of the stenographic transcript of the Section 106 Consulting Party meeting for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project), held in Buffalo, New York, on July 30, 2013. As referenced in the transcript, a document entitled '*Draft Finding Documentation: A Preliminary Assessment of Effects*' was provided as a handout at the July 30th meeting, and the same document was sent to all recognized Consulting Party members via overnight delivery on July 30, 2013. This was done to ensure that all Consulting Parties received the same document on the same day, regardless of whether or not they participated in the meeting. Consulting Parties have been asked to submit comments on the Draft Finding Documentation, in writing, by August 30, 2013.

A Consulting Party for this Project submitted a request to the New York State Department of Transportation (NYSDOT) and the Federal Highway Administration (FHWA) for an extension to the current comment period. For your information, the current 30-day review for documentation of a proposed finding of 'no adverse effect' is defined by Section 106 regulations (36 CFR Part 800), and consistent with guidance issued by the Advisory Council on Historic Preservation (ACHP). None of the factors that require consideration - the scale of this undertaking, the extent of potential effects on historic properties, or the length and complexity of the Section 106 document – warrant an extended review. Therefore, in response to the request for an extension, NYSDOT and FHWA have decided to maintain the current 30-day review period and comment deadline of August 30, 2013.

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review period is an opportunity to comment on the preliminary assessment of effects on historic properties.

On July 30, 2013, NYSDOT and FHWA requested Consulting Party comments on the Draft Finding Documentation only. The meeting transcript is provided for your information as part of the Section 106 record. There is no need to comment on the transcript.

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- Other environmental topics are outside the scope of Section 106 review, and will be addressed through public outreach for the Environmental Impact Statement (EIS) process under the National Environmental Policy Act (NEPA).

- Consulting Parties, approved by FHWA on the basis of their demonstrated interest in the Project's effects to historic properties, have a designated role in the Section 106 process, separate from the general public. In coordination with the EIS process under NEPA, NYSDOT and FHWA will seek and consider public input as part of the Section 106 process.

- The public will be provided an opportunity to comment on concerns not related to the Section 106 process during the review period and public hearing for the DEIS , anticipated to be held in December 2013.

As stated during the Consulting Party meeting, NYSDOT and the FHWA will consider all written comments received by August 30, 2013, as well as comments provided at the July 30, 2013 meeting. We appreciate your participation in Section 106 consultation for this Project, and acknowledge the contribution of Consulting Parties to inform the decisions made by NYSDOT and FHWA.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Mr. Herrera-Mishler
Buffalo Olmsted Parks Conservancy
Parkside Lounge
84 Parkside Avenue
Buffalo, NY 14214

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Mr. Herrera-Mishler:

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Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Ms. Kathleen R. Mecca
President, Niagara Gateway Columbus Park Association
763 Columbus Parkway
Buffalo, NY 14203

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Ms. Mecca:

Enclosed for your information, please find a copy of the stenographic transcript of the Section 106 Consulting Party meeting for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project), held in Buffalo, New York, on July 30, 2013. As referenced in the transcript, a document entitled '*Draft Finding Documentation: A Preliminary Assessment of Effects*' was provided as a handout at the July 30th meeting, and the same document was sent to all recognized Consulting Party members via overnight delivery on July 30, 2013. This was done to ensure that all Consulting Parties received the same document on the same day, regardless of whether or not they participated in the meeting. Consulting Parties have been asked to submit comments on the Draft Finding Documentation, in writing, by August 30, 2013.

A Consulting Party for this Project submitted a request to the New York State Department of Transportation (NYSDOT) and the Federal Highway Administration (FHWA) for an extension to the current comment period. For your information, the current 30-day review for documentation of a proposed finding of 'no adverse effect' is defined by Section 106 regulations (36 CFR Part 800), and consistent with guidance issued by the Advisory Council on Historic Preservation (ACHP). None of the factors that require consideration - the scale of this undertaking, the extent of potential effects on historic properties, or the length and complexity of the Section 106 document – warrant an extended review. Therefore, in response to the request for an extension, NYSDOT and FHWA have decided to maintain the current 30-day review period and comment deadline of August 30, 2013.

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Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: ohn Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Mr. Clinton Brown
President, Clinton Brown Company Architecture, PC
The Market Arcade
617 Main Street, Suite M303
Buffalo, NY 14203-1400

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Mr. Brown:

Enclosed for your information, please find a copy of the stenographic transcript of the Section 106 Consulting Party meeting for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project), held in Buffalo, New York, on July 30, 2013. As referenced in the transcript, a document entitled '*Draft Finding Documentation: A Preliminary Assessment of Effects*' was provided as a handout at the July 30th meeting, and the same document was sent to all recognized Consulting Party members via overnight delivery on July 30, 2013. This was done to ensure that all Consulting Parties received the same document on the same day, regardless of whether or not they participated in the meeting. Consulting Parties have been asked to submit comments on the Draft Finding Documentation, in writing, by August 30, 2013.

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Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Ms. Catherine Faust
Catherine Faust, Architect
141 Highland Avenue
Buffalo, NY 14222

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Ms. Faust:

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

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(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Ms. Linda J. DeTine
676 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Ms. DeTine:

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Ms. Kate Cody
654 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Ms. Tania Werbizky
Preservation League of New York State
202 The Commons, Suite 302
Ithaca, NY 14850

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Ms. Werbizky:

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A Consulting Party for this Project submitted a request to the New York State Department of Transportation (NYSDOT) and the Federal Highway Administration (FHWA) for an extension to the current comment period. For your information, the current 30-day review for documentation of a proposed finding of 'no adverse effect' is defined by Section 106 regulations (36 CFR Part 800), and consistent with guidance issued by the Advisory Council on Historic Preservation (ACHP). None of the factors that require consideration - the scale of this undertaking, the extent of potential effects on historic properties, or the length and complexity of the Section 106 document – warrant an extended review. Therefore, in response to the request for an extension, NYSDOT and FHWA have decided to maintain the current 30-day review period and comment deadline of August 30, 2013.

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- Other environmental topics are outside the scope of Section 106 review, and will be addressed through public outreach for the Environmental Impact Statement (EIS) process under the National Environmental Policy Act (NEPA).

- Consulting Parties, approved by FHWA on the basis of their demonstrated interest in the Project's effects to historic properties, have a designated role in the Section 106 process, separate from the general public. In coordination with the EIS process under NEPA, NYSDOT and FHWA will seek and consider public input as part of the Section 106 process.

- The public will be provided an opportunity to comment on concerns not related to the Section 106 process during the review period and public hearing for the DEIS , anticipated to be held in December 2013.

As stated during the Consulting Party meeting, NYSDOT and the FHWA will consider all written comments received by August 30, 2013, as well as comments provided at the July 30, 2013 meeting. We appreciate your participation in Section 106 consultation for this Project, and acknowledge the contribution of Consulting Parties to inform the decisions made by NYSDOT and FHWA.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Mr. Daniel MacKay
Preservation League of New York State
44 Central Avenue
Albany, NY 12206

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Mr. MacKay:

Enclosed for your information, please find a copy of the stenographic transcript of the Section 106 Consulting Party meeting for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project), held in Buffalo, New York, on July 30, 2013. As referenced in the transcript, a document entitled '*Draft Finding Documentation: A Preliminary Assessment of Effects*' was provided as a handout at the July 30th meeting, and the same document was sent to all recognized Consulting Party members via overnight delivery on July 30, 2013. This was done to ensure that all Consulting Parties received the same document on the same day, regardless of whether or not they participated in the meeting. Consulting Parties have been asked to submit comments on the Draft Finding Documentation, in writing, by August 30, 2013.

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Ms. Carole D. Perla
630 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Ms. Perla:

Enclosed for your information, please find a copy of the stenographic transcript of the Section 106 Consulting Party meeting for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project), held in Buffalo, New York, on July 30, 2013. As referenced in the transcript, a document entitled '*Draft Finding Documentation: A Preliminary Assessment of Effects*' was provided as a handout at the July 30th meeting, and the same document was sent to all recognized Consulting Party members via overnight delivery on July 30, 2013. This was done to ensure that all Consulting Parties received the same document on the same day, regardless of whether or not they participated in the meeting. Consulting Parties have been asked to submit comments on the Draft Finding Documentation, in writing, by August 30, 2013.

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Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Ms. Elizabeth A. Martina
Niagara Gateway Columbus Park Association
Prospect Hill Neighborhood Alliance
774 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Ms. Martina:

Enclosed for your information, please find a copy of the stenographic transcript of the Section 106 Consulting Party meeting for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project), held in Buffalo, New York, on July 30, 2013. As referenced in the transcript, a document entitled '*Draft Finding Documentation: A Preliminary Assessment of Effects*' was provided as a handout at the July 30th meeting, and the same document was sent to all recognized Consulting Party members via overnight delivery on July 30, 2013. This was done to ensure that all Consulting Parties received the same document on the same day, regardless of whether or not they participated in the meeting. Consulting Parties have been asked to submit comments on the Draft Finding Documentation, in writing, by August 30, 2013.

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Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Mr. Matthew Ricchiazzi
Change Buffalo PAC
455 Franklin Street, Apartment 3
Buffalo, NY 14202

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Mr. Ricchiazzi:

Enclosed for your information, please find a copy of the stenographic transcript of the Section 106 Consulting Party meeting for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project), held in Buffalo, New York, on July 30, 2013. As referenced in the transcript, a document entitled '*Draft Finding Documentation: A Preliminary Assessment of Effects*' was provided as a handout at the July 30th meeting, and the same document was sent to all recognized Consulting Party members via overnight delivery on July 30, 2013. This was done to ensure that all Consulting Parties received the same document on the same day, regardless of whether or not they participated in the meeting. Consulting Parties have been asked to submit comments on the Draft Finding Documentation, in writing, by August 30, 2013.

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Ms. Joyce DiChristina
695 Columbus parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Ms. DiChristina:

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Mr. Alan Oberst
Vision Niagara
189 14th Street
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Mr. Oberst:

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Mr. Tim Tielman
Campaign for Greater Buffalo History, Architecture and Culture
14 Lafayette Square, Suite 1425
Buffalo, NY 14203

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Mr. Tielman:

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- Other environmental topics are outside the scope of Section 106 review, and will be addressed through public outreach for the Environmental Impact Statement (EIS) process under the National Environmental Policy Act (NEPA).

- Consulting Parties, approved by FHWA on the basis of their demonstrated interest in the Project's effects to historic properties, have a designated role in the Section 106 process, separate from the general public. In coordination with the EIS process under NEPA, NYSDOT and FHWA will seek and consider public input as part of the Section 106 process.

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As stated during the Consulting Party meeting, NYSDOT and the FHWA will consider all written comments received by August 30, 2013, as well as comments provided at the July 30, 2013 meeting. We appreciate your participation in Section 106 consultation for this Project, and acknowledge the contribution of Consulting Parties to inform the decisions made by NYSDOT and FHWA.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Mr. Daniel Culross
KCA & Allentown Association
3 Saint Johns Place
Buffalo, NY 14201

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Mr. Culross:

Enclosed for your information, please find a copy of the stenographic transcript of the Section 106 Consulting Party meeting for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project), held in Buffalo, New York, on July 30, 2013. As referenced in the transcript, a document entitled '*Draft Finding Documentation: A Preliminary Assessment of Effects*' was provided as a handout at the July 30th meeting, and the same document was sent to all recognized Consulting Party members via overnight delivery on July 30, 2013. This was done to ensure that all Consulting Parties received the same document on the same day, regardless of whether or not they participated in the meeting. Consulting Parties have been asked to submit comments on the Draft Finding Documentation, in writing, by August 30, 2013.

A Consulting Party for this Project submitted a request to the New York State Department of Transportation (NYSDOT) and the Federal Highway Administration (FHWA) for an extension to the current comment period. For your information, the current 30-day review for documentation of a proposed finding of 'no adverse effect' is defined by Section 106 regulations (36 CFR Part 800), and consistent with guidance issued by the Advisory Council on Historic Preservation (ACHP). None of the factors that require consideration - the scale of this undertaking, the extent of potential effects on historic properties, or the length and complexity of the Section 106 document – warrant an extended review. Therefore, in response to the request for an extension, NYSDOT and FHWA have decided to maintain the current 30-day review period and comment deadline of August 30, 2013.

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- Consulting Parties, approved by FHWA on the basis of their demonstrated interest in the Project's effects to historic properties, have a designated role in the Section 106 process, separate from the general public. In coordination with the EIS process under NEPA, NYSDOT and FHWA will seek and consider public input as part of the Section 106 process.

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As stated during the Consulting Party meeting, NYSDOT and the FHWA will consider all written comments received by August 30, 2013, as well as comments provided at the July 30, 2013 meeting. We appreciate your participation in Section 106 consultation for this Project, and acknowledge the contribution of Consulting Parties to inform the decisions made by NYSDOT and FHWA.

Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Mr. Peter Joseph and Ms. Joanne Certo
776 Columbus parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Mr. Joseph and Ms. Certo:

Enclosed for your information, please find a copy of the stenographic transcript of the Section 106 Consulting Party meeting for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project), held in Buffalo, New York, on July 30, 2013. As referenced in the transcript, a document entitled '*Draft Finding Documentation: A Preliminary Assessment of Effects*' was provided as a handout at the July 30th meeting, and the same document was sent to all recognized Consulting Party members via overnight delivery on July 30, 2013. This was done to ensure that all Consulting Parties received the same document on the same day, regardless of whether or not they participated in the meeting. Consulting Parties have been asked to submit comments on the Draft Finding Documentation, in writing, by August 30, 2013.

A Consulting Party for this Project submitted a request to the New York State Department of Transportation (NYSDOT) and the Federal Highway Administration (FHWA) for an extension to the current comment period. For your information, the current 30-day review for documentation of a proposed finding of 'no adverse effect' is defined by Section 106 regulations (36 CFR Part 800), and consistent with guidance issued by the Advisory Council on Historic Preservation (ACHP). None of the factors that require consideration - the scale of this undertaking, the extent of potential effects on historic properties, or the length and complexity of the Section 106 document – warrant an extended review. Therefore, in response to the request for an extension, NYSDOT and FHWA have decided to maintain the current 30-day review period and comment deadline of August 30, 2013.

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Please submit written comments by mail or e-mail no later than August 30, 2013.

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Mr. Peter J. Merlo, City Engineer
City of Buffalo
502 City Hall
Buffalo, NY 14202

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Mr. Merlo:

Enclosed for your information, please find a copy of the stenographic transcript of the Section 106 Consulting Party meeting for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza* (Project), held in Buffalo, New York, on July 30, 2013. As referenced in the transcript, a document entitled '*Draft Finding Documentation: A Preliminary Assessment of Effects*' was provided as a handout at the July 30th meeting, and the same document was sent to all recognized Consulting Party members via overnight delivery on July 30, 2013. This was done to ensure that all Consulting Parties received the same document on the same day, regardless of whether or not they participated in the meeting. Consulting Parties have been asked to submit comments on the Draft Finding Documentation, in writing, by August 30, 2013.

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Maria Lehman, NYSTA

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Mr. Jason Wilson
Director of Operations
Preservation Buffalo Niagara
617 Main Street
Buffalo, NY 14203

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Mr. Wilson:

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 15, 2013

Elizabeth S. Merritt
Deputy General Counsel
National Trust for Historic Preservation
1785 Massachusetts Ave. NW
Washington, DC 20036

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 CONSULTATION: JULY 30 MEETING TRANSCRIPT & COMMENT PERIOD

Dear Ms. Merritt:

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Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: John Bonafide, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA

Robert Davies, FHWA
Maria Lehman, NYSTA
Jeff Zappieri, NYSDOS
Daniel Streett, NYSDOT
Kimberly A. Lorenz, NYSDOT Region 5
James Griffis, Ecology and Environment, Inc.
Thomas Donohue, Parsons

cc: *w/out enclosure*

Ron Rienas, Buffalo and Fort Erie Public Bridge Authority
Honorable Robin Schimminger, New York State Assembly
Honorable Mickey Kearns, New York State Assembly
Honorable Mark Grisanti, NYS Senate
Honorable Tim Kennedy, NYS Senate
Honorable Charles Schumer, U.S. Senate
Honorable Brian Higgins, U.S. Congress
Terry Robinson, Preservation Buffalo Niagara
Honorable Mayor Byron Brown
City of Buffalo Common Council
Mark Mitskovski, Vice President, Niagara Gateway Columbus Park Association
Prospect Hill Neighborhood Alliance
Clean Air Coalition of Western New York
Western New York Environmental Alliance
Sierra Club Niagara Chapter
Citizens for Regional Transit
West Side Community Collaborative
Buffalo West Side Environmental Defense Fund
Partnership for the Public Good

STATE OF NEW YORK
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REGION FIVE
100 SENECA STREET
BUFFALO, NY 14203
www.dot.ny.gov

DARRELL F. KAMINSKI, P.E.
ACTING REGIONAL DIRECTOR

JOAN MCDONALD
COMMISSIONER

August 15, 2013

Ms. Melissa Bach
Tribal Historic Preservation Officer
90 O:hi'yoh Way
Salamanca, New York 14779

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
CITY OF BUFFALO, ERIE COUNTY
PIN 5760.80 / 13PR02859
SECTION 106 REVIEW PROCESS - CONSULTING PARTY MEETING - JULY 30, 2013

Dear Ms. Melissa Bach:

The Federal Highway Administration (FHWA) and the New York State Department of Transportation (NYSDOT) held a meeting for the Consulting Parties to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project on Tuesday, July 30, 2013 in which the Seneca Nation of Indians was cordially invited to participate. In addition to NYSDOT, the FHWA and the Advisory Council on Historic Preservation participated in the meeting. Unfortunately, a representative from the Seneca Nation of Indians was unable to attend the meeting. Should the Seneca Nation of Indians choose to meet separately to discuss the Project and its potential to affect properties that may have a religious and cultural significance to the Seneca Nation of Indians, the FHWA and NYSDOT can hold a separate meeting at your request.

For your review and consideration, we have enclosed the following materials provided at the July 30, 2013 meeting:

- Meeting Agenda
- Meeting Presentation Slides

A document entitled '*Draft Finding Documentation: A Preliminary Assessment of Effects*' was provided as a handout at the meeting, and the same document was mailed to all recognized Consulting Party members, including the Seneca Nation of Indians, via overnight delivery on July 30, 2013. Consulting Parties have been asked to submit comments on the Draft Finding Documentation, in writing, no later than August 30, 2013.

A copy of the stenographic transcript of the Section 106 Consulting Party meeting is also enclosed.

NYSDOT and the FHWA will consider all written comments received by August 30, 2013. If the Seneca Nation of Indians chooses to have a separate meeting, please contact me, either by phone at (716) 847-3865 or by e-mail at sylvia.jones@dot.ny.gov. We appreciate your participation in Section 106 consultation for this Project, and acknowledge the contribution of Consulting Parties to inform the decisions made by NYSDOT and FHWA.

Please submit written comments by mail or e-mail to:

Sylvia J. Jones
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street
Buffalo, New York 14203
sylvia.jones@dot.ny.gov

Sincerely,

Kimberly A. Lorenz
for Sylvia J. Jones
(Acting) Cultural Resource Coordinator

KAL/SJJ/mwb

Encl: Meeting Agenda
Meeting Presentation Slides
Stenographic Transcript

cc: John A. Bonafide, State Historic Preservation Office (w/o encl)
Carol Legard, Advisory Council on Historic Preservation (w/o encl)
Hans Anker, P.E., Federal Highway Administration (w/o encl)
Robert Davies, Federal Highway Administration (w/o encl)
James Griffis, Ecology and Environment, Inc. (w/o encl)
Thomas Donohue, Parsons (w/o encl)
Daniel P. Hitt, New York State Department of Transportation, 50 Wolf Road (w/o encl)
Daniel Streett, New York State Department of Transportation, 50 Wolf Road (w/o encl)
Kimberly A. Lorenz, New York State Department of Transportation, R-5 (w/o encl)
Ron Hayes, New York State Department of Transportation, R-5 (w/o encl)

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION FIVE
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BUFFALO, NY 14203
www.dot.ny.gov

DARRELL F. KAMINSKI, P.E.
ACTING REGIONAL DIRECTOR

JOAN MCDONALD
COMMISSIONER

August 15, 2013

Chief Darwin Hill
Tonawanda Seneca Nation Office
7027 Meadville Road
Basom, New York 14013

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
CITY OF BUFFALO, ERIE COUNTY
PIN 5760.80 / 13PR02859
SECTION 106 REVIEW PROCESS - CONSULTING PARTY MEETING - JULY 30, 2013

Dear Chief Hill:

The Federal Highway Administration (FHWA) and the New York State Department of Transportation (NYSDOT) held a meeting for the Consulting Parties to the Section 106 process for the NY Gateway Connection Improvements to the US Peace Bridge Plaza Project on Tuesday, July 30, 2013 in which the Tonawanda Seneca Nation was cordially invited to participate. In addition to NYSDOT, the FHWA and the Advisory Council on Historic Preservation participated in the meeting. Unfortunately, a representative from the Tonawanda Seneca Nation was unable to attend the meeting. Should the Tonawanda Seneca Nation choose to meet separately to discuss the Project and its potential to affect properties that may have a religious and cultural significance to the Tonawanda Seneca Nation, the FHWA and NYSDOT can hold a separate meeting at your request.

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Landscape Architecture / Environmental Unit
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Sincerely,

Kimberly A. Lorenz

for Sylvia J. Jones
(Acting) Cultural Resource Coordinator

KAL/SJJ/mwb

Encl: Meeting Agenda
Meeting Presentation Slides
Stenographic Transcript

cc: John A. Bonafide, State Historic Preservation Office (w/o encl)
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James Griffis, Ecology and Environment, Inc. (w/o encl)
Thomas Donohue, Parsons (w/o encl)
Daniel P. Hitt, New York State Department of Transportation, 50 Wolf Road (w/o encl)
Daniel Streett, New York State Department of Transportation, 50 Wolf Road (w/o encl)
Kimberly A. Lorenz, New York State Department of Transportation, R-5 (w/o encl)
Ron Hayes, New York State Department of Transportation, R-5 (w/o encl)

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

WWW.DOT.NY.GOV

JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 27, 2013

Mr. John A. Bonafide
Director, Technical Preservation Services Bureau
Division for Historic Preservation
New York State Office of Parks, Recreation and Historic Preservation
Peebles Island State Park
P.O. 189
Waterford, NY 12188-0189

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – BIN 5512560 (PORTER AVENUE BRIDGE OVER I-190 & CSX)

Dear Mr. Bonafide:

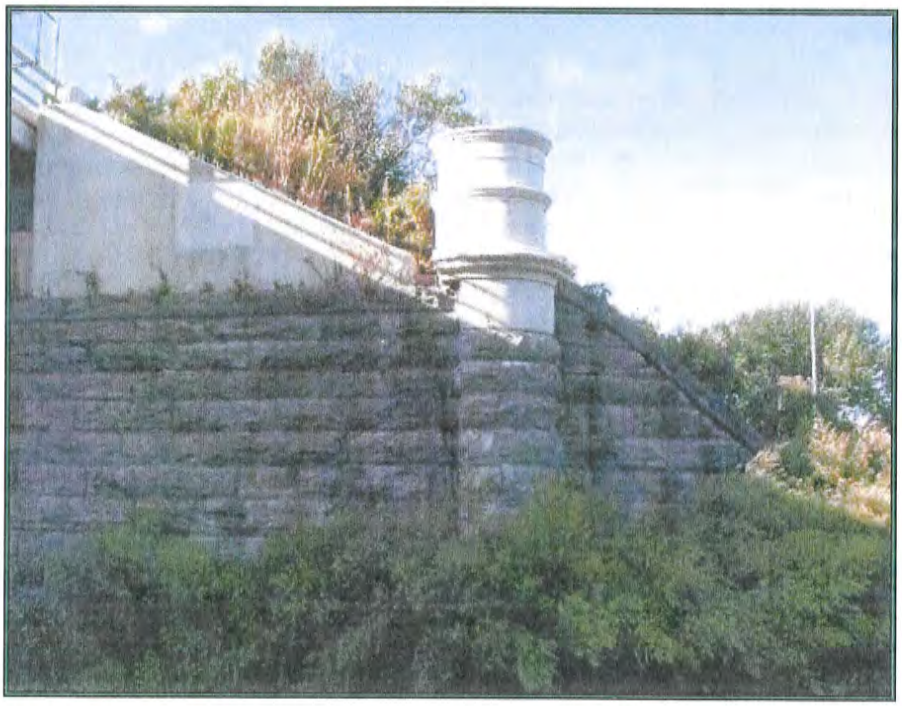
On July 5, 2013, the New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) submitted the following report for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza (Project)*, for review by the New York State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800.

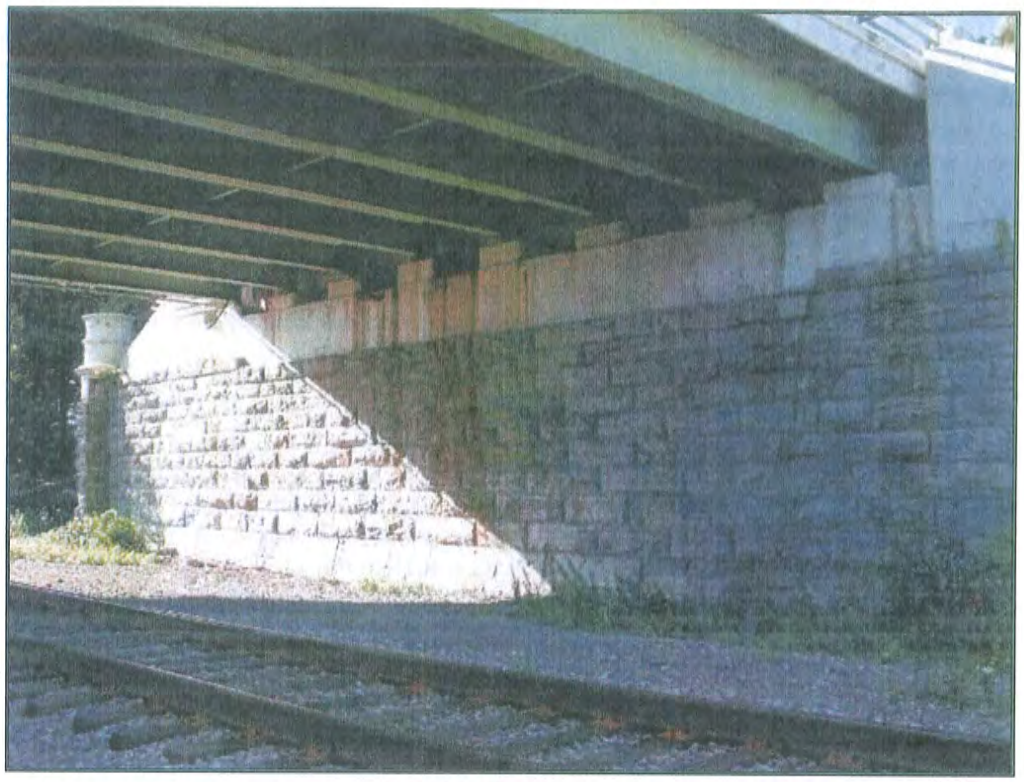
- ***Update of Previously Identified Historic Properties, Archaeological Sensitivity, and Proposal for Archaeological Monitoring.*** PIN 5760.80.101, NY Gateway Connections Improvement Project to the US Peace Bridge Plaza, City of Buffalo, Erie County, New York. Nathan Montague, M.A., and Douglas J. Perrelli, Ph.D., RPA. Reports of the Archaeological Survey, Vol. 45, No. 13, Department of Anthropology, State University of NY at Buffalo, July 2013. Prepared for: NYS Museum, NYSDOT, FHWA.

By letter dated July 18, 2013, the New York State Historic Preservation Office (SHPO) concurred with the findings and recommendations provided in this report. Built in 1958, the bridge carrying Porter Avenue over I-190 (BIN 5512560) was previously evaluated for National Register eligibility (NRE) in 2011, and determined not eligible for the National Register based on the bridge type and design of the superstructure (Montague and Perrelli 2013: 48).

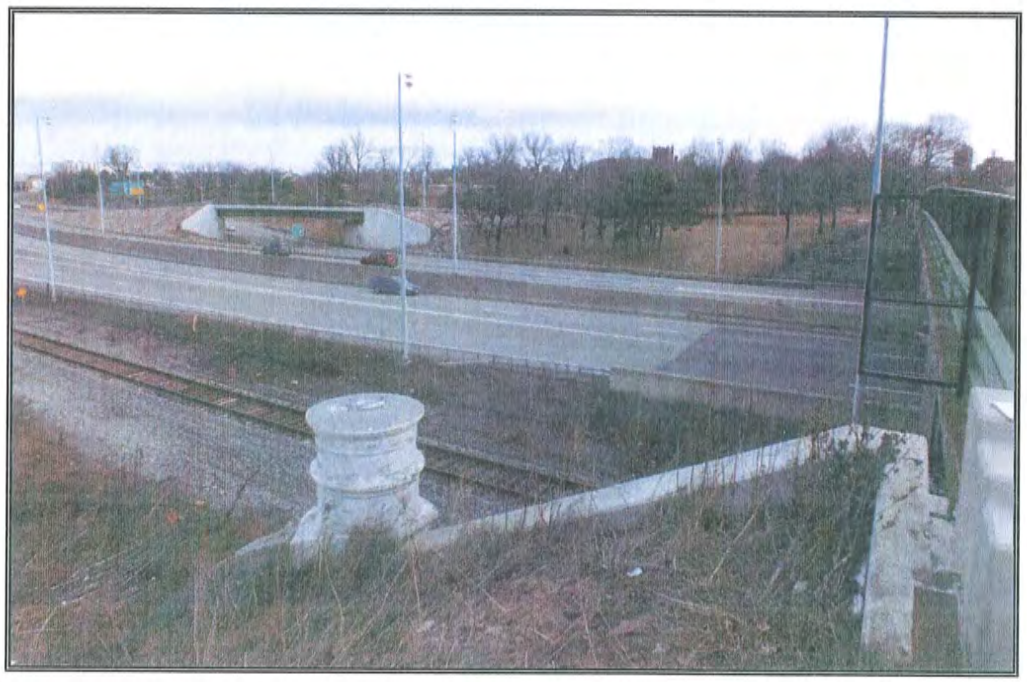
At that time, the masonry abutments were identified as potentially eligible archaeological resources under National Register criterion A, due to their association with the Erie Canal. In consultation with the SHPO, NYSDOT and FHWA have recently determined the abutments are not considered to be archaeological resources, but have conducted further research and analysis to evaluate the potential for the abutments to meet the criteria for National Register eligibility as historic structures.

Looking northwest at the west abutment of the Porter Avenue bridge.





Concrete pad at base of west abutment.

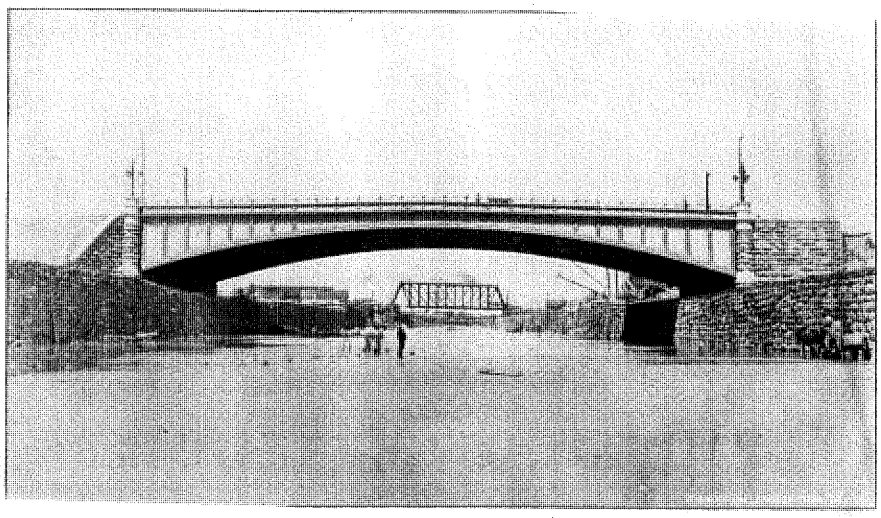


View looking northeast from the west end of BIN 5512560, Porter Avenue over I-190 and CSX.

BIN 5512560 crosses I-190 and the CSX rail line in the former location of a single span, steel arch bridge built in 1897. A state law passed in 1895 authorized the construction of a new bridge over the Erie Canal at Porter Avenue, along with the necessary abutments and approaches (New York State 1895: 394-395). [1] As shown on 1936 and 1956 plans, the 1897 bridge abutments were located just outside the east and west canal blue lines (property lines).

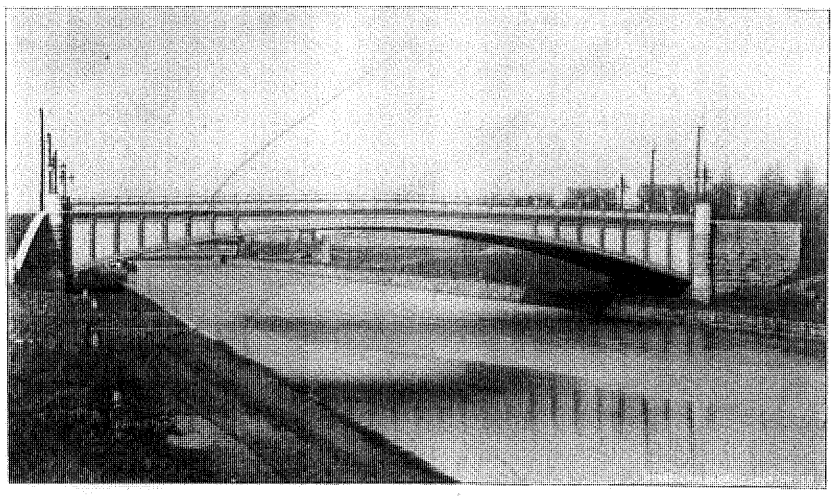
From the Annual report of the State Engineer and Surveyor, February 7, 1898 (pages 267-268):

> The money used in building this bridge was furnished, in part, by the State and in part by the city of Buffalo. Porter Avenue, where it crosses the Erie Canal, is a part of the Park system of Buffalo, and a bridge larger and more artistic than would otherwise have been built was deemed necessary.
>
> The bridge as built is a riveted steel arch of 186 feet span between pin centers and a 15-foot rise of arch. It has one roadway 50 feet side and two sidewalks each 25 feet side. The roadway is paved with asphalt and the sidewalk with concrete topped with crushed granite laid in 5-foot squares, both pavement and sidewalks being guaranteed for five years. Cast-iron ornamental work is applied to the two outside girders, the design consisting of pilasters with intervening panels, capitals surmounting the pilasters and a projecting cornice at the level of the sidewalk. A cast-iron balustrade with panels supporting ornamental posts carrying a pipe railing, extends along each side of the bridge and terminates in the masonry buttresses at each end. These buttresses support the electrolier posts, each of the four posts carrying three clusters of three 50-candle power incandescent electric lights each. A large globe of opalescent glass set in a wrought iron basket encloses each cluster of lights.
>
> The abutments of the bridge are founded on piles and are built of concrete faced with rock pointed limestone. The wings curved and coped with bush hammered limestone. The ends of the wings are topped by bush hammered limestone balls, four feet in diameter. A circular buttress of bush hammered limestone is on each end of the abutments. The bridge, as completed, presents a fine appearance, and, up to date, there has been no sign of settlement.



Contract No. 1 – Completed Work, Vicinity of Porter Avenue, August 7, 1897.

[1] This location is associated with the alignment of the original Erie Canal, completed in 1825, and the enlarged Erie Canal, built between 1836 and 1862, documented on historic maps dating to 1829, 1836, 1866, 1872, 1894, and 1925 (Montague and Perrelli 2013: 20-25).



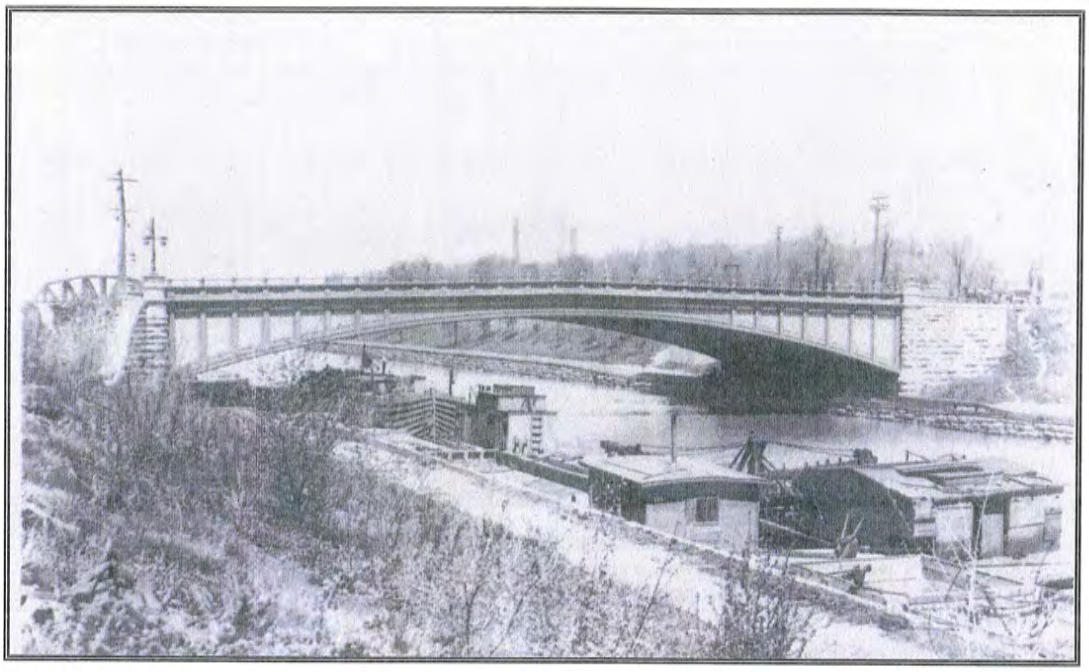
South Side of Porter Avenue Bridge, Buffalo, N.Y. Length of span, 186 feet; width of roadway, 50 feet; width of walks, 25 feet; clear height at center above water surface, 26-1/2 feet.

With the completion of the Barge Canal in 1918, the original alignment of the Erie Canal was abandoned. The section of the Erie Canal beneath Porter Avenue was filled in some time before the construction of I-190 (As-Built plan sheet, 1956).

No record has been found to document when the 1897 steel arch was removed. Since the 1957 contract documents do not specify removal of the superstructure, it appears the steel arch was no longer extant at that time. The 1956 as-built plans indicate that Porter Avenue provided a detour for a grade crossing which was eliminated with the construction of the existing bridge and relocation of the rail line at this location.

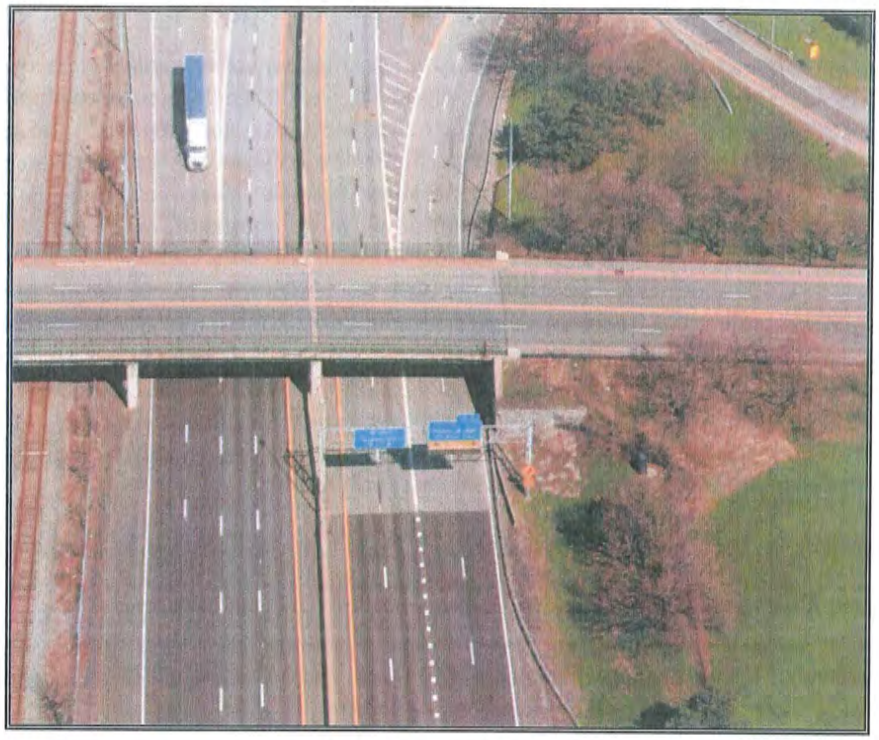
Substructure Notes on the 1956 plans indicate that Porter Avenue abutments were "to be built up from existing masonry abutments which are founded on timber piles" (NTC 57-11, 1956). The contract documents do not specify retaining the existing stone blocks in place or re-setting existing stone. Current NYSDOT records indicate the existing bridge was built on continuous spread footings on earth, with no piles. Photographs of existing conditions show the existing masonry abutments set on a concrete pad, consistent with the Department's structures inventory information.

Based on available records and the professional assessment of NYSDOT engineers, the existing abutments were constructed on the location of the 1897 abutments, incorporating part of the original base. The existing abutments are estimated to contain approximately 40 percent of the original stone from the earlier bridge. Though not recorded in available documents, it appears the original backwall and structure down to the bridge seat were removed at some point, possibly when the steel arch superstructure was removed. The existing abutments are concrete structures with a stone fascia composed of the original rough-faced ashlar blocks.



View from the south of Porter Avenue over the Erie Canal, ca. 1915.

View from the north of Porter Avenue over I-190, April 2013.



Aerial view, Porter Avenue bridge from the south, 2013.

View of the I-190 corridor, looking north from the Porter Avenue bridge.

The existing bridge abutments represent a structural fragment of an earlier bridge that carried Porter Avenue over the Erie Canal. As components of an "artistic" bridge design developed within the context of the (Olmsted) Park system and canal, the original 1897 abutments were consistent with the scale, proportion, and massing of the late 19th century steel arch bridge. The abutment materials and aesthetic treatments complimented the decorative elements on the original superstructure. However, the original design intent was lost with the removal of the steel arch and modifications to the abutments in the mid-20th century.

The BIN 5512560 abutments represent a period in the 1950's when the landscape surrounding the abandoned canal was undergoing transformation to accommodate 20th century transportation facilities. New construction for the NYS Thruway (I-190) and relocation of the NY Central Railroad resulted in modifications to the natural as well as the built environment, including a loss of physical features associated with the 19th century canal. Within the context of the modern Interstate highway corridor, the existing Porter Avenue bridge abutments no longer retain historic integrity of design, setting, feeling, and association, and do not convey the historic character of the former 19th century canal crossing.

In summary, NYSDOT finds the existing Porter Avenue bridge abutments are not eligible for the National Register, and concludes that BIN 5512560 is not considered a 'historic property' under Section 106, nor a Section 4(f) 'historic site' as defined in 23 CFR Part 774.17. In the event of a proposal to replace BIN 5512560, NYSDOT would consider salvaging the abutments' remaining stone and architectural elements for reuse on a new bridge, for the purpose of incorporating these materials as aesthetic elements of a context-sensitive design reflecting the history of the location and setting.

We respectfully request the written concurrence of the SHPO with the updated finding for the Porter Avenue bridge as 'not eligible' for the National Register of Historic Places. To maintain the project schedule, we would appreciate your response, in writing, by August 30, 2013.

Please forward any questions or comments to my attention at Dan.Hitt@dot.ny.gov.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Attachments: List of Sources
Porter Avenue Elevation and Abutments (As-Built Plans and Elevations 1956)
Intercepting Sewer Plan and Profile, Record Drawing 14, Sheet No. 3

cc: Brian Yates, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
Thomas Donohue, Parsons
James Griffis, Ecology and Environment, Inc.

LIST OF SOURCES

Buffalo and Erie County Historical Society
Photograph Collection, Buffalo, New York.

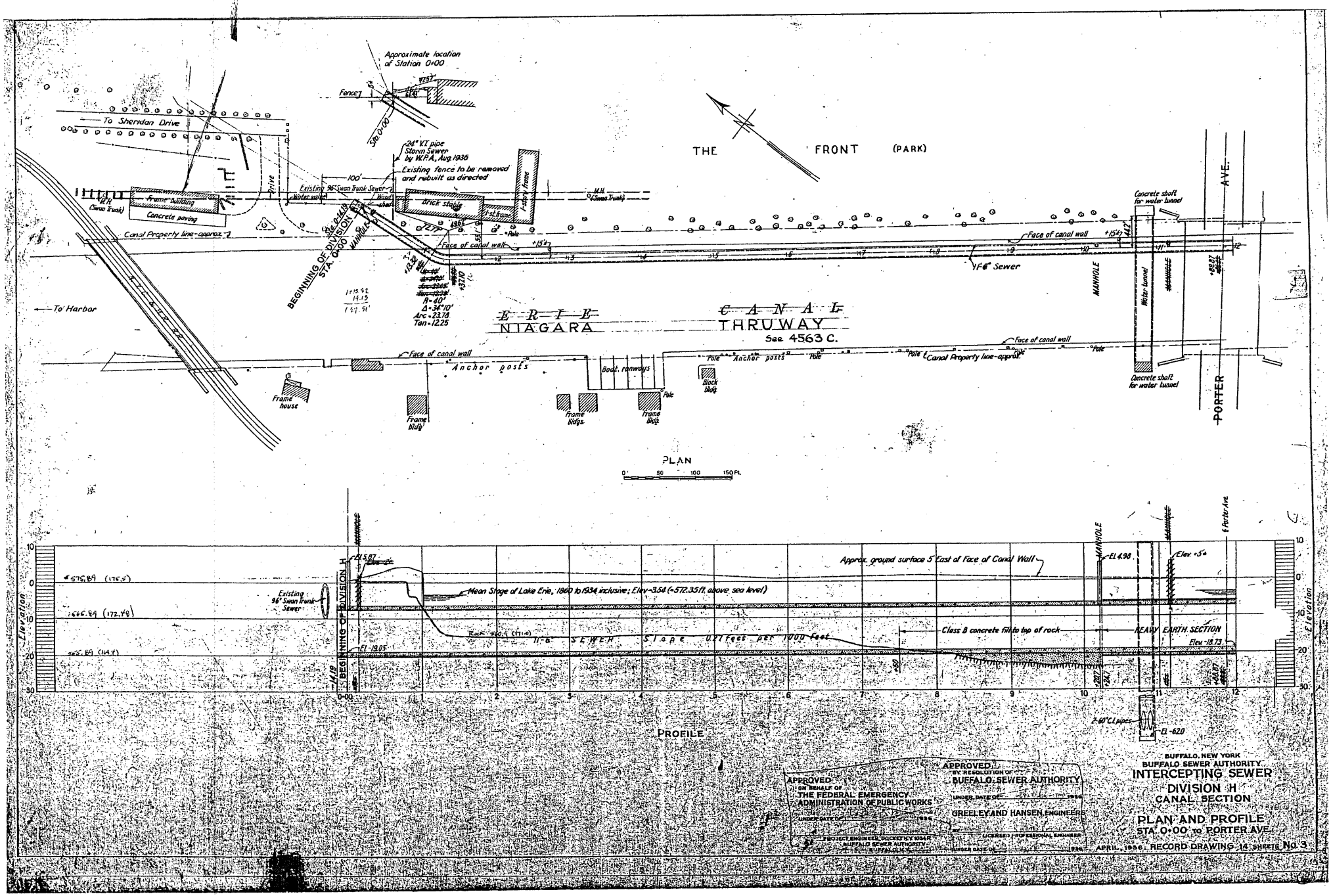
Buffalo Sewer Authority
1936 Intercepting Sewer Division H, Canal Section, Plan and Profile. Sta. 0+00 to Porter Avenue. Record Drawing 14, Sheet No. 3.

New York State
1895 Laws of the State of New York, Volume 1. Albany.

Sanborn Map Company
1925 Fire Insurance Map of Buffalo, New York. Sanborn Map Company, Pelham, New York.
1951 Fire Insurance Map of Buffalo, New York. Sanborn Map Company, Pelham, New York.

State of New York in Assembly
1898 Annual Report of the State Engineer and Surveyor. No. 67. Albany, February 7, 1898.

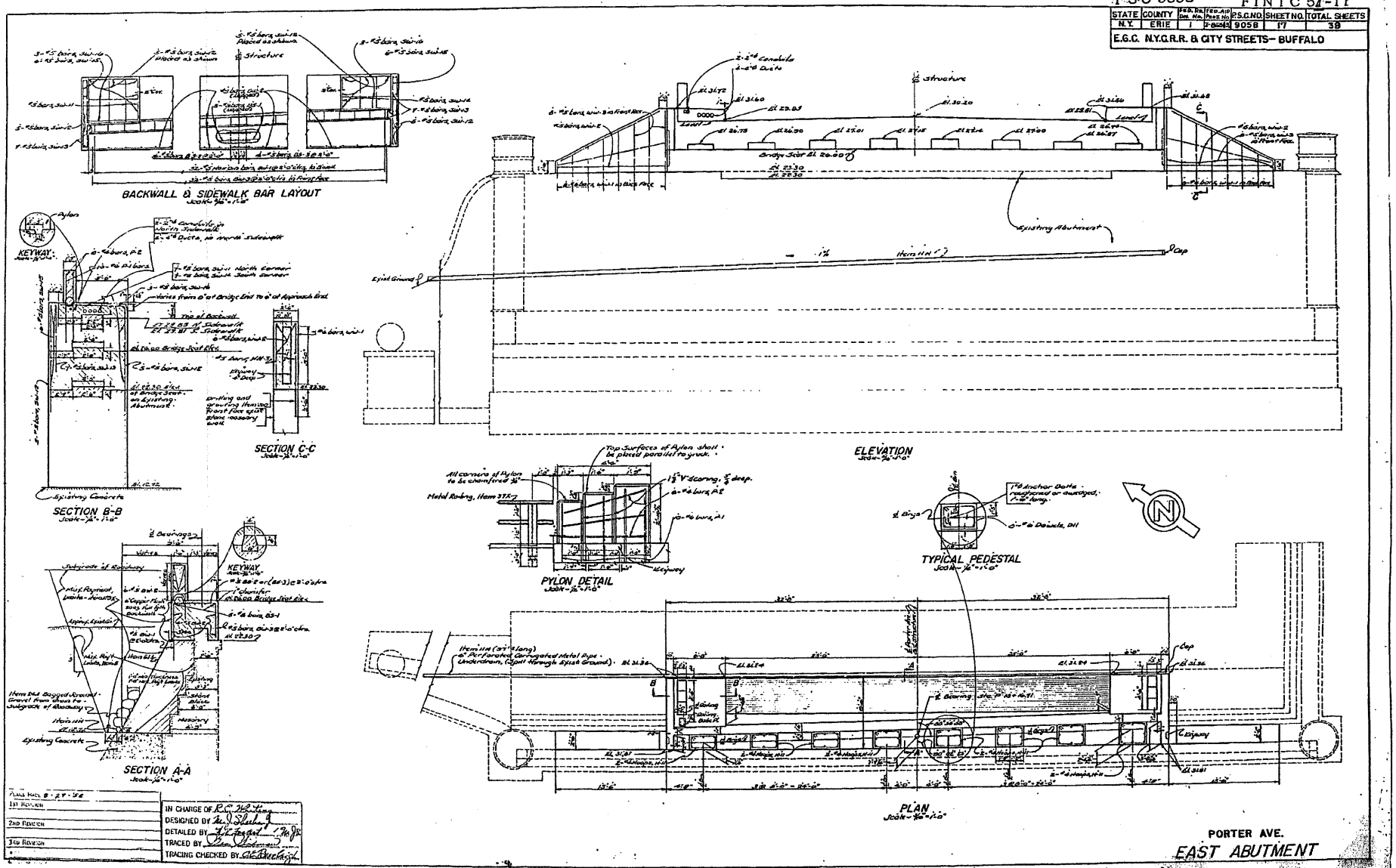
State of New York, Department of Public Works, Division of Construction
1956 For Constructing the Elimination of the Grade Crossing of the NY Central RR & Porter Avenue: City of Buffalo, Niagara Section: Subdivision N-5, Erie County. NTC 57-11, As-Built and As-Design SHS.


Approximate location of Station 0+00
Fence
To Sheridan Drive
THE FRONT (PARK)
24" VT pipe Storm Sewer by W.P.A., Aug. 1936
Existing fence to be removed and rebuilt as directed
Existing 96" Swan Trunk Sewer
Water valve
Frame building
Concrete paving
Brick stable
Factory frame
Canal Property line-approx.
Face of canal wall
BEGINNING OF DIVISION H
STA. 0+00
MANHOLE
To Harbor
ERIE NIAGARA CANAL THRUWAY
See 4563 C.
Anchor posts
Boat runways
Frame house
Frame bldg.
Frame bldgs.
Frame bldg.
Block bldg.
Pole
11'-6" Sewer
Concrete shaft for water tunnel
Water tunnel
PORTER AVE.
PLAN
0' 50 100 150 FT.
Approx. ground surface 5' East of Face of Canal Wall
Mean Stage of Lake Erie, 1860 to 1934 inclusive; Elev-3.54 (-572.35 ft. above sea level)
Existing 96" Swan Trunk Sewer
11'-6" SEWER Slope 0.21 feet per 1000 feet
Class B concrete fill to top of rock
HEAVY EARTH SECTION
Elev -18.73
Elevation
PROFILE
2-60" C.I. pipes
El -620
BUFFALO, NEW YORK
BUFFALO SEWER AUTHORITY
INTERCEPTING SEWER
DIVISION H
CANAL SECTION
PLAN AND PROFILE
STA. 0+00 to PORTER AVE.
APPROVED ON BEHALF OF THE FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS
APPROVED BY RESOLUTION OF BUFFALO SEWER AUTHORITY
GREELEY AND HANSEN, ENGINEERS
APRIL, 1936. RECORD DRAWING 14 SHEETS No. 3

P.S.C 9058 FINTC 57-11

STATE	COUNTY	Fed. Aid Sec. No.	Fed. Aid Proj. No.	P.S.C. NO.	SHEET NO.	TOTAL SHEETS
N.Y.	ERIE	1	F-8046	9058	17	38

E.G.C. N.Y.C.R.R. & CITY STREETS – BUFFALO



PLANS MADE 8-27-56	
1ST REVISION	
2ND REVISION	
3RD REVISION	

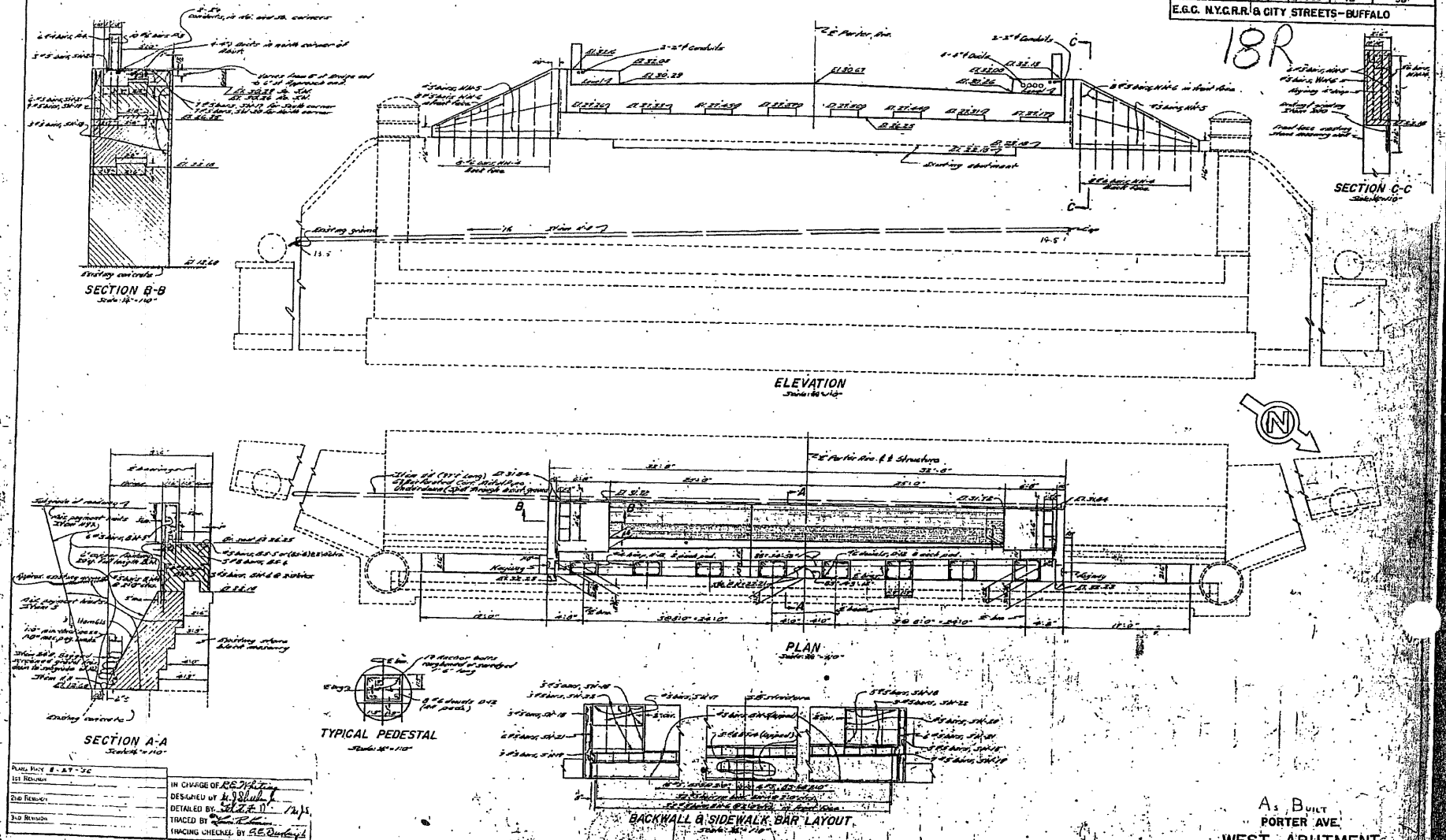
IN CHARGE OF R.C. McMahon
DESIGNED BY R. J. Shelburne
DETAILED BY H. Hoagland / J. McGee Jr.
TRACED BY Jem. Sodermann
TRACING CHECKED BY C. E. Sherlock

PSC 9058 FINTC 57-11

STATE	COUNTY	FED. RD. DIV. NO.	FED. AID PROJ. NO.	P.S.C. NO.	SHEET NO.	TOTAL SHEETS
N.Y.	ERIE	11		9058	18	38

E.G.C. N.Y.C.R.R. & CITY STREETS – BUFFALO

18R



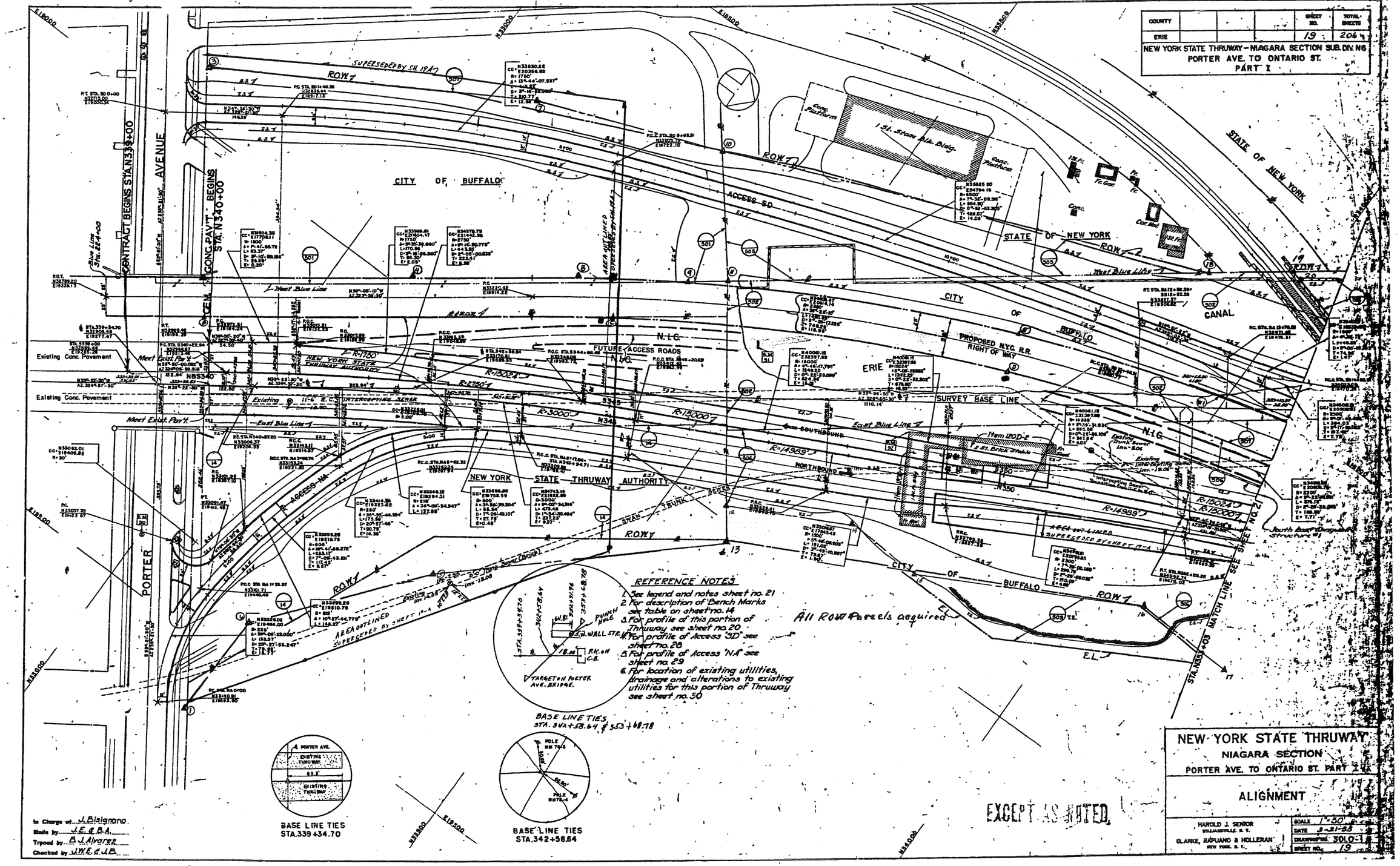
PLANS MAY 8-27-36	
1st REVISION	
2nd REVISION	
3rd REVISION	
IN CHARGE OF	R.E. Whiting
DESIGNED BY	H. Oldrich
DETAILED BY	
TRACED BY	
TRACING CHECKED BY	R.E. Dunlap

As Built
PORTER AVE.
WEST ABUTMENT

N.T.C. 56-3

COUNTY				SHEET NO.	TOTAL SHEETS
ERIE				19	206

NEW YORK STATE THRUWAY – NIAGARA SECTION SUB. DIV. N6
PORTER AVE. TO ONTARIO ST.
PART I



NEW YORK STATE THRUWAY
NIAGARA SECTION
PORTER AVE. TO ONTARIO ST. PART I

ALIGNMENT

HAROLD J. SENOR
WILLIAMSVILLE, N. Y.
CLARKE, RAPUANO & HOLLERAN
NEW YORK, N. Y.

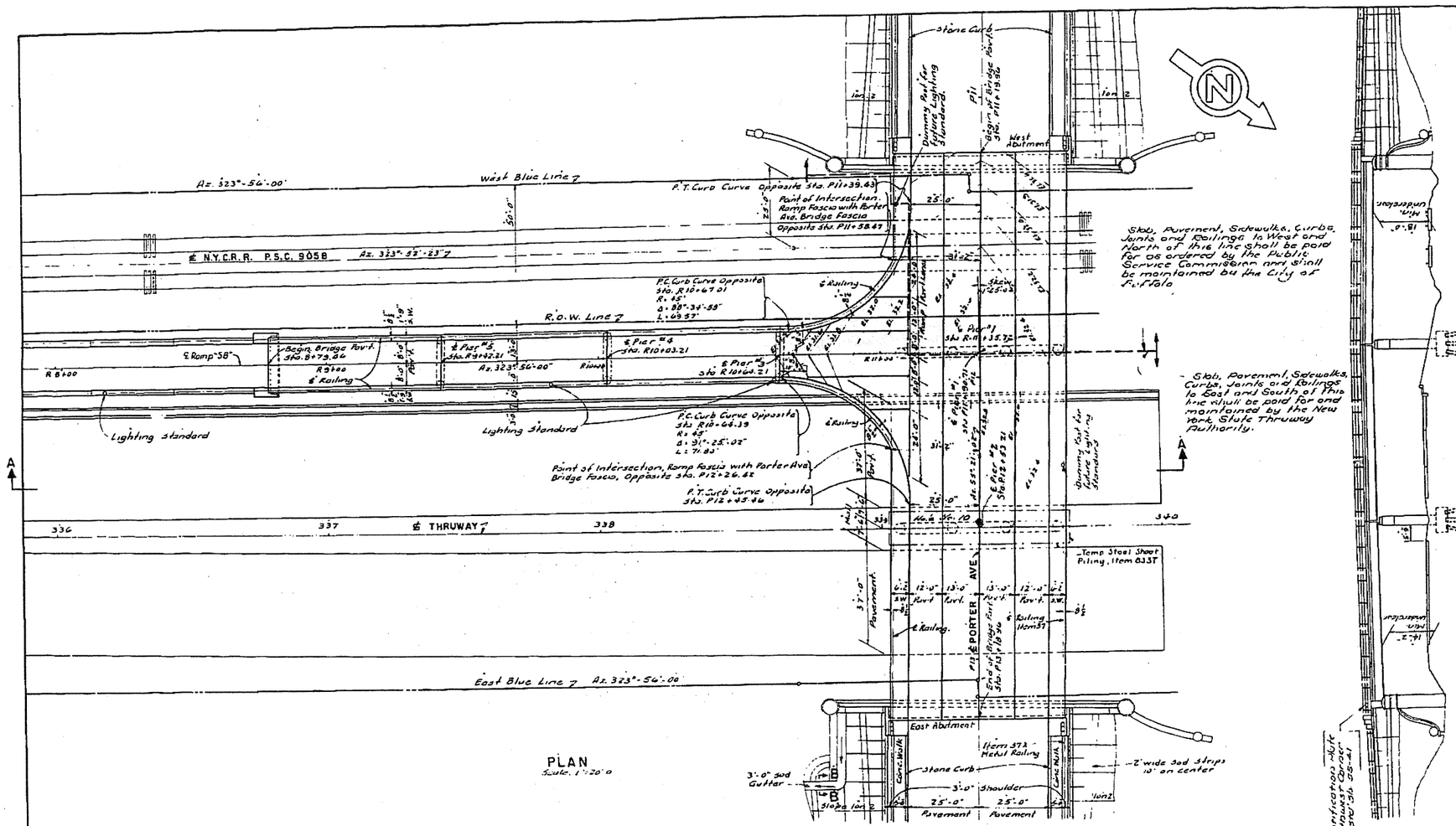
SCALE 1"=50'
DATE 9-21-55
DRAWING NO. 301.0-1
SHEET NO. 19

In Charge of J. Bisignano
Made by J.E. & B.A.
Traced by B. J. Alvarez
Checked by J.W.E. & J.B.

PSC 9058 FINTC 57-11

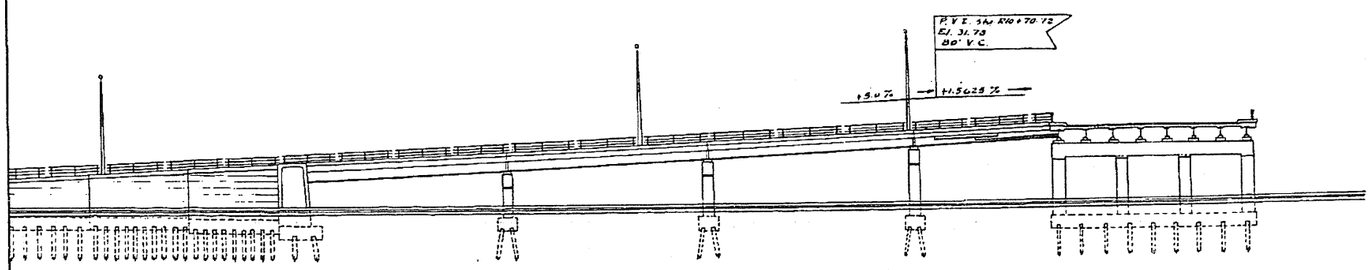
STATE	COUNTY	FED. RD. DIV. No.	FED. AID PROJ. No.	PSC NO.	SHEET NO.	TOTAL SHEETS
N.Y.	ERIE	1	I-86[illegible]	9058	16	38

E.G.C. N.Y.C.R.R & CITY STREETS - BUFFALO

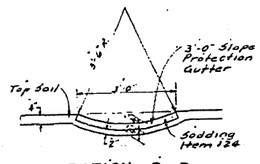


PLAN
Scale: 1" = 20'-0"

ELEVATION PORTER AVE. BRIDGE
Scale: 1" = 20'-0"



SECTION A-A
Scale: 1" = 20'-0"



SECTION B-B
Scale: 1/2" = 1'-0"

GENERAL NOTES~
Materials and Fabrication Specifications of New York State Department of Public Works dated Jan. 2, 1951 and current modifications and additions.
Design Specifications A.A.S.H.O. 1953. Loading H-20-S16-44
An identification plate shall be installed where indicated on the plans (See Specifications). The instructions for installing the plate will be furnished by the Engineer.
The Contractor's attention is directed to the necessity of recognizing the elevation of ground water so that he will progress his work with the full knowledge of water being present. Any costs involved in keeping the site free from water shall be included in the price bid for Item 5, Trench, Culvert and Bridge Excavation.
The Contractor's attention is directed to the special notes for this structure which appear in the proposal. Particular attention should be given to the foundation note which correctly outlines the anticipated subsurface conditions at the site of the structure and which specifies certain requirements relative to construction.
Cement to be used in all concrete items in the structure except pavement shall be Portland Cement, Type 2 with Darex AEA added.
Approved screened gravel may be used as coarse aggregate for all concrete items.
Construction joints, other than those shown, will not be permitted without written permission of the Deputy Chief Engineer (Bridges).
Additional bar reinforcement used for extension of bars for any purpose will be paid for at the price bid.
Cement to be used in Cement Concrete Pavement shall be Portland Cement, Type 1A.

WELDING NOTES~
Steel base metal to be welded shall conform to the requirements of the current edition of the specifications for Structural Steel for Welding (A.S.T.M. designation A373).
All welding shall comply with the current specifications for Welded Highway and Railway Bridges of the American Welding Society unless otherwise noted on the plans and with the exception noted below.
Mild steel Arc Welding Electrodes with low hydrogen type covering shall be used for all welding. The electrodes shall comply with A.S.T.M. (A233-48T) requirement for classifications E6015 or E6016.
Care shall be exercised to prevent the absorption of moisture by low hydrogen coatings. Electrodes which have been removed from their moisture proof containers for periods of more than 4 hours shall be restored by placing in an approved oven at a temperature of 300° F. for a period of 2 hours or more in order to remove any moisture that may have been absorbed by the coatings.

MAINTENANCE NOTES~
The New York Central Railroad Company shall maintain and keep in repair the framework of the span over the Railroad tracks referred to as Span 1, the West Abutment and Pier No. 1 all of the Porter Ave. structure.
The New York State Thruway Authority shall maintain and keep in repair the remainder of the Porter Ave. structure, including the superstructure of the two spans over the Thruway, referred to as Spans 2 and 3, Pier No. 2 and the East Abutment; also the entire superstructure and substructure of the Ramp SB structure.
For detailed description of superstructure maintenance, see Layout on this sheet and on "Steel Layout" sheet.

8-27-52
10-4-56 Cement Note Revised
12-20-56 Loading Changed to H20-S16-44

IN CHARGE OF R.E. Whiting
DESIGNED BY
DETAILED BY W.J. Sheehan Jr.
TRACED BY A. Marchan
TRACING CHECKED BY R.E. Whiting

PORTER AVE & RAMP "SB"
LAYOUT

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

August 29, 2013

Mr. Daniel P. Hitt, RLA
Co-Director, Office of Environment
State of New York Department of Transportation
50 Wolf Road
Albany, New York 12232

Re: FHWA, DOT **PIN 5760.80**
Determination of Eligibility: Porter Avenue Bridge Abutments
New York Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza- PIN 5760.80/ 13PR02859, City of Buffalo, Erie County, New York: Section 106 Review Process – BIN 5512560
(Porter Avenue Bridge Over I-190 & CSX)

Dear Mr. Hitt:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the submitted letter for the Determination of Eligibility for the Porter Avenue Bridge Abutments received by our office August 27, 2013. We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966, *as amended*, and its implementing regulations *36 C.F.R. Part 800 – Protection of Historic Properties*.

The masonry abutments were previously identified as potentially eligible archaeological resources under National Register Criterion A due to their association with the Erie Canal. However, through consultation with our office (SHPO) and the Federal Highway Administration (FHWA), it was determined that the abutments are not considered to be archaeological resources. However, it was determined that further research was necessary to evaluate the potential for these resources to meet the criteria for National Register eligibility as historic structures.

Additional information was obtained regarding the structural history of the masonry abutments. Based upon the information provided, it is clear that the abutments have undergone significant modification since their original construction. The BIN 5512560 abutments represent a period in the 1950s when landscape surrounding the abandoned canal was undergoing transformation to accommodate 20th century transportation facilities. New construction for the NYS Thruway and relocation of the NY Central Railroad resulted in modifications to the built environment. This includes a loss of physical features associated with the 19th century canal. As such, it is determined that the bridge abutments no longer retain historic integrity of design, setting, feeling, and association, and do not convey the historic character of the former 19th century canal crossing.

Based upon the provided information, our office concurs with the updated determination of eligibility for the Porter Avenue Bridge as not eligible for the listing in National Register of Historic Places. Further, the abutments are not considered a Section 4(f) 'historic site' as defined in 23 CFR Part 774.17.

Should you have any questions, please feel free to contact me at (518) 237-8643.

Sincerely,

John Bonafide
Director
Bureau for Technical Preservation Services

cc: Carol Legard, ACHP (*email only*)
Hans Anker, FHWA (*email only*)
Robert Davies, FHWA (*email only*)
Mary Santangelo, NYSDOT (*email only*)
Daniel Streett, NYSDOT (*email only*)
Kimberly Lorenz, NYSDOT Region 5 (*email only*)

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

WWW.DOT.NY.GOV

JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

September 3, 2013

Hans Anker, P.E.
Senior Area Engineer
Federal Highway Administration
Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, New York 12207

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: DETERMINATION OF ELIGIBILITY – PORTER AVENUE BRIDGE ABUTMENTS

Dear Mr. Anker:

On August 27, 2013, the New York State Department of Transportation submitted an updated evaluation of National Register eligibility for the bridge carrying Porter Avenue over I-190 and CSX (BIN 5512560), to the New York State Historic Preservation Office (SHPO) and the Federal Highway Administration (FHWA). While the bridge was previously determined not eligible for the National Register, it was determined that further research was necessary to evaluate the potential for the masonry abutments to meet the criteria for National Register eligibility as historic structures.

Additional information on the structural history indicates the masonry abutments have undergone significant modification since their original construction as part of a bridge crossing the Erie Canal, ca. 1897. The abutments witnessed a period in the 1950s when the landscape surrounding the abandoned canal was undergoing transformation to accommodate 20th century transportation facilities. New construction for the NYS Thruway and relocation of the NY Central Railroad resulted in modifications to the built environment. This included a loss of physical features associated with the 19th century canal. As such, it is determined that the bridge abutments no longer retain historic integrity of design, setting, feeling, and association, and do not convey the historic character of the former 19th century canal crossing.

Based upon the provided information, the SHPO concurred with the updated evaluation by letter dated August 29, 2013.

We respectfully request FHWA concurrence with the updated determination of eligibility for the Porter Avenue Bridge as not eligible for listing in the National Register of Historic Places. In addition, we request FHWA concurrence that the bridge abutments are not considered a Section 4(f) 'historic site', as defined in 23 CFR Part 774.17.

Please forward any questions or comments to my attention at Dan.Hitt@dot.ny.gov.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures: SHPO letter – August 29, 2013

cc: Robert Davies, FHWA
John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP / SHPO
Carol Legard, ACHP
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
Thomas Donohue, Parsons
James Griffis, E&E, Inc.

U.S. Department of Transportation
Federal Highway Administration

New York Division

Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207
518-431-4127
518-431-4121
NewYork.FHWA@dot.gov

September 16, 2013

In Reply Refer To:
HED-NY

Mr. Daniel Hitt
Acting Co-Director, Office of Environment
New York State Department of Transportation
50 Wolf Road, POD 4-1
Albany, NY 12232

Subject: PIN 5760.80 N.Y. Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza, City of Buffalo, Erie County, Section 106–Determination of Eligibility

Dear Mr. Hitt:

We have reviewed your September 3 letter and SHPO concurrence letter dated August 29 regarding the determination of eligibility for the Porter Avenue Bridge Abutments on the subject project. For the reasons outlined, we concur with your determination that the Porter Avenue Bridge is not eligible for listing in the National Register of Historic Places. In addition, we concur that the bridge abutments are not a Section 4(f) 'historic site' as defined in 23 CFR Part 774.17.

If you have any questions, please contact me at (518) 431-8896.

Sincerely,

Hans Anker, P.E.
Senior Area Engineer

cc: John Bonafide, New York State Office of Parks, Recreation, and Historic Preservation
Carol Legard, ACHP
Daniel Street, NYSDOT
Kimberly Lorenz, NYSDOT Region 5

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

RECEIVED
OCT 29 2013
DIVISION FOR HISTORIC PRESERVATION

October 28, 2013

Mr. John A. Bonafide
Director, Technical Preservation Services Bureau
Division for Historic Preservation
New York State Office of Parks, Recreation and Historic Preservation
P.O. 189 - Peebles Island State Park
Waterford, NY 12188-0189

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS – NO ADVERSE EFFECT FINDING

Dear Mr. Bonafide:

The New York State Department of Transportation (NYSDOT), in coordination with the Federal Highway Administration (FHWA) is submitting the enclosed 'Finding Documentation' for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza (Project)*, for review by the New York State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800 – *Protection of Historic Properties*. The Section 106 process is being carried out in coordination with other environmental reviews, including an Environmental Impact Statement (EIS) being prepared in accordance with the National Environmental Policy Act (NEPA) of 1969.

NYSDOT, in coordination with FHWA, has applied the criteria of adverse effect (36 CFR 800.5(a)(1)), and finds the Project will have No Adverse Effect on identified historic properties within the Area of Potential Effects (APE) for the Project. Based on the proposed scope of work under the Build Alternative, NYSDOT and FHWA find that the Project would not alter, directly or indirectly, the characteristics that qualify identified historic properties for listing in the National Register of Historic Places.

Enclosed for your review is a package of supporting materials meeting documentation standards for a 'no adverse effect' finding, as outlined in 36 CFR 800.11(e). We have considered public input received during the Scoping phase, Consulting Party views offered at a July 30, 2013 meeting and written comments received from Consulting Party members based on review of a preliminary assessment of effects. Once FHWA has issued an effect determination for the Project, the Section 106 Finding Documentation will be distributed to the Seneca Nation of Indians, the Tonawanda Seneca Nation, the Advisory Council on Historic Preservation (AHP), and other Section 106 Consulting Party members. The Section 106 determination and supporting documentation will be made available to the public as part of the Draft EIS for the Project.

Supporting materials enclosed in this package include the final map of the APE (Attachment A), recently revised in association with two new work elements incorporated in the Project, the proposed relocation of a segment of the Shoreline Trail (formerly Riverwalk), and replacement of the existing Porter Avenue bridge over the New York State Thruway and CSX Railroad. In response to this addition, Attachment D of the Section 106 Finding Documentation, *Addendum Report: Archaeological Sensitivity and Proposal for Archaeological Testing and Monitoring,* provides an assessment of archaeological sensitivity for these additional areas within the APE.

The Finding Documentation also includes a *Draft Plan for Archaeological Monitoring during Construction*, based on preliminary plans and profiles. As the project is progressed through the final design phase, the Draft *Plan for Archaeological Monitoring during Construction* will be refined and finalized. Contract documents will incorporate the *Plan for Archaeological Monitoring during Construction*, to ensure that archaeological resources, if any, would be appropriately addressed in accordance with Section 106 obligations.

Based upon review of the enclosed Finding Documentation and consultation with your agency, we respectfully request the written concurrence of the SHPO with a ***No Adverse Effect*** finding for the Project as per 36 CFR 800.5(a)(1). This includes concurrence that the Project will not adversely affect Front Park, a historic property listed in the National Register of Historic Places, and subject to Section 4(f) protection in accordance with 23 CFR 774.

Please indicate your concurrence by signing and returning the last page of this letter to our office. If you have any questions, please contact me at Dan.Hitt@dot.ny.gov.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosure: *Section 106 Finding Documentation and attachments*

cc: Brian Yates, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
Thomas Donohue, Parsons
James Griffis, Ecology & Environment, Inc.

New York Gateway Connections Improvement Project to the US Peace Bridge Plaza
City of Buffalo, Erie County

By the following signature, the New York State Historic Preservation Office (SHPO) indicates concurrence with a finding of **No Adverse Effect** for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plazo*, in accordance with 36 CFR 800.5(a)(1).

The SHPO acknowledges that it has been notified of the intent of the FHWA to make a *de minimis* finding for Front Park, based on the Section 106 determination of 'no adverse effect'.

Concurrence of the New York State Historic Preservation Office:

11/4/13

John Bonafide, Director
Bureau for Technical Preservation Services
Division for Historic Preservation

Date

cc: Brian Yates, OPRHP / SHPO
Carol Legard, ACHP
Hans Anker, FHWA
Robert Davies, FHWA
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
Thomas Donohue, Parsons
James Griffis, Ecology and Environment, Inc.

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 7, 2013

Hans Anker, P.E.
Senior Area Engineer
Federal Highway Administration
Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, New York 12207

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
PIN 5760.80 / 13PR02859
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106 REVIEW PROCESS: NO ADVERSE EFFECT FINDING

Dear Mr. Anker:

On October 28, 2013, the New York State Department of Transportation (NYSDOT) submitted 'Finding Documentation' for the *New York Gateway Connections Improvement Project to the US Peace Bridge Plaza (*Project*)*, to the New York State Historic Preservation Office (SHPO) and the Federal Highway Administration (FHWA), for review in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800 – *Protection of Historic Properties.* The Finding Documentation was prepared in accordance with documentation standards outlined in 36 CFR 800.11(e).

In coordination with your office, and in consultation with the SHPO, NYSDOT applied the criteria of adverse effect (36 CFR 800.5(a)(1)), and finds the Project will have No Adverse Effect on identified historic properties within the Area of Potential Effects (APE) for the Project. Based on the proposed scope of work under the Build Alternative, the Project would not alter, directly or indirectly, the characteristics that qualify the following historic properties for the National Register of Historic Places: Front Park, Porter Avenue, and the Prospect Hill Historic District.

The proposed finding includes a commitment to implement archaeological monitoring during construction, to address the potential for deeply buried archaeological remains. As the project is progressed through the final design phase, the Draft *Plan for Archaeological Monitoring during Construction* will be refined, finalized, and incorporated in contract documents to ensure that any archaeological resources encountered during construction would be appropriately addressed in accordance with Section 106 obligations.

Following the issuance of an effect determination by FHWA, the Section 106 Finding Documentation will be distributed to the Seneca Nation of Indians, the Tonawanda Seneca Nation, other Section 106 Consulting Party members, and the Advisory Council on Historic Preservation (AHP). The Section 106 determination and supporting documentation will also be made available to the public as part of the Draft Environmental Impact Statement (EIS) for the Project.

Based on consultation with FHWA and NYSDOT, and review of the provided documentation, the SHPO has concurred with a finding of No Adverse Effect for the Project. As the official with jurisdiction over Front Park as a 'historic site' subject to Section 4(f) of the U.S. Department of Transportation Act of 1966, the SHPO acknowledges the intent of FHWA to make a Section 4(f) *de minimis* impact finding for Front Park, based on the written concurrence of the SHPO with a 'no adverse effect' finding under Section 106.

At this time, we respectfully request that FHWA issue a ***'No Adverse Effect'*** determination for the Project, and concur that the requirements of 36 CFR Part 800 have been met. We also request FHWA concurrence that the Project's proposed work within Front Park qualifies for a *de minimis* impact finding under Section 4(f).

To maintain the current Project schedule, we request your response by **November 7, 2013**. Please forward any questions or comments to my attention at Dan.Hitt@dot.ny.gov.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures: SHPO concurrence letter

cc: Robert Davies, FHWA
John Bonafide, OPRHP / SHPO
Brian Yates, OPRHP / SHPO
Carol Legard, ACHP
Daniel Streett, NYSDOT
Kimberly Lorenz, NYSDOT Region 5
Thomas Donohue, Parsons
James Griffis, E&E, Inc.

U.S. Department of Transportation
Federal Highway Administration

New York Division

Leo W. O'Brien Federal Bldg.
Suite 719
Albany, NY 12207
518-431-4127
518-431-4121 (fax)
NewYork.fhwa@dot.gov

November 7, 2013

In Reply Refer To:
HED-NY

Daniel Hitt
Acting Co-Director, Office of Environment
New York State Department of Transportation
50 Wolf Road, POD 4-1
Albany, NY 12232

Subject: PIN 5760.80 N.Y. Gateway Connections Improvement Project
To the US Peace Bridge Plaza, City of Buffalo, Erie County
Section 106 – Determination of No Adverse Effect

Dear Mr. Hitt:

In response to your November 7 request, we have reviewed your correspondence dated October 28, and the November 4 response from the State Historic Preservation Office (SHPO) that concurs with your *No Adverse Effect* recommendation. We concur that this undertaking will have *No Adverse Effect* upon cultural resources or historic properties in or eligible for inclusion in the National Register of Historic Places. The requirements of 36 CFR Part 800 have been met for this project.

If you have any questions, please contact me at (518) 431-8896.

Sincerely,

Hans Anker, P.E.
Senior Area Engineer

cc:
John Bonafide, New York State Office of Parks, Recreation, and Historic Preservation
Carol Legard, ACHP
Daniel Street, NYSDOT
Mary Santangelo, NYSDOT
Kimberly Lorenz, NYSDOT Region 5

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION FIVE
100 SENECA STREET
BUFFALO, NY 14203-2939
www.dot.ny.gov

DARRELL F. KAMINSKI, P.E.
ACTING REGIONAL DIRECTOR

JOAN MCDONALD
COMMISSIONER

November 8, 2013

Chief Darwin Hill
Tonawanda Seneca Nation Office
7027 Meadville Road
Basom, NY 14013

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
(PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Chief Hill:

Enclosed for your information is the 'Finding Documentation' for the New York Gateway Connections Improvement Project to the US Peace Bridge Plaza, a project subject to review under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800 – Protection of Historic Properties. This package of materials is being distributed to all approved Section 106 Consulting Party members as notification of a finding of 'No Adverse Effect' for the project.

On July 30, 2013, the New York State Department of Transportation (NYSDOT) distributed a document entitled '*Draft Finding Documentation: Preliminary Assessment of Effect*' to all Section 106 Consulting Party members, initiating a 30-day period for review and comment. All written comments submitted to NYSDOT were shared with the State Historic Preservation Office (SHPO) and the Federal Highway Administration (FHWA), reviewed, and considered as part of the process for evaluating the project's effects on identified historic properties. A summary of comments received from consulting parties is attached to the Finding Documentation. Concerns that fall outside the scope of Section 106 review, including environmental considerations other than historic and cultural resources, will be addressed by analyses presented in the Draft Environmental Impact Statement (DEIS).

The final Finding Documentation provides information concerning proposed work elements under the Build Alternative, and measures to avoid or minimize effects on the historic character

and setting of known resources. The conclusion remains consistent with the preliminary assessment that the project would not alter, directly or indirectly, the characteristics that qualify identified historic properties for listing in the National Register of Historic Places.

Based on an application of the criteria of adverse effect (36 CFR 800.5(a)(1)), FHWA has determined the project will have 'No Adverse Effect' on identified historic properties within the area of potential effects. Implementation of the project in accordance with this finding, as documented, fulfills Section 106 responsibilities under 36 CFR Part 800.

All documentation and correspondence relating to the Section 106 process, including public and consulting party comments, will be incorporated in the DEIS for the project. The release of the DEIS is anticipated in mid-November 2013.

On behalf of FHWA and NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this project.

Sincerely,

Sylvia J. Jones
(Acting) Cultural Resource Coordinator

SJJ/bjh
Enclosures

cc: John A. Bonafide, NYS Historic Preservation Office
Carol Legard, Advisory Council on Historic Preservation
Hans Anker, P.E., Federal Highway Administration
Robert Davies, P.E., Federal Highway Administration
Daniel Streett, P.E., NYS Department of Transportation, MO
Kimberly A. Lorenz, NYS Department of Transportation, R-5
Ronald Hayes, NYS Department of Transportation, R-5 (w/o encl)

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION FIVE
100 SENECA STREET
BUFFALO, NY 14203-2939
www.dot.ny.gov

DARRELL F. KAMINSKI, P.E.
ACTING REGIONAL DIRECTOR

JOAN MCDONALD
COMMISSIONER

November 8, 2013

Melissa Bach
Tribal Historic Preservation Officer (THPO)
Seneca Nation of Indians
90 O:hi'yoh Way
Salamanca, NY 14779

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA
(PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Ms. Bach:

Enclosed for your information is the 'Finding Documentation' for the New York Gateway Connections Improvement Project to the US Peace Bridge Plaza, a project subject to review under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800 – Protection of Historic Properties. This package of materials is being distributed to all approved Section 106 Consulting Party members as notification of a finding of 'No Adverse Effect' for the project.

On July 30, 2013, the New York State Department of Transportation (NYSDOT) distributed a document entitled '*Draft Finding Documentation: Preliminary Assessment of Effect*' to all Section 106 Consulting Party members, initiating a 30-day period for review and comment. All written comments submitted to NYSDOT were shared with the State Historic Preservation Office (SHPO) and the Federal Highway Administration (FHWA), reviewed, and considered as part of the process for evaluating the project's effects on identified historic properties. A summary of comments received from consulting parties is attached to the Finding Documentation. Concerns that fall outside the scope of Section 106 review, including environmental considerations other than historic and cultural resources, will be addressed by analyses presented in the Draft Environmental Impact Statement (DEIS).

The final Finding Documentation provides information concerning proposed work elements under the Build Alternative, and measures to avoid or minimize effects on the historic character and setting of known resources. The conclusion remains consistent with the preliminary assessment that the project would not alter, directly or indirectly, the characteristics that qualify identified historic properties for listing in the National Register of Historic Places.

Based on an application of the criteria of adverse effect (36 CFR 800.5(a)(1)), FHWA has determined the project will have 'No Adverse Effect' on identified historic properties within the area of potential effects. Implementation of the project in accordance with this finding, as documented, fulfills Section 106 responsibilities under 36 CFR Part 800.

All documentation and correspondence relating to the Section 106 process, including public and consulting party comments, will be incorporated in the DEIS for the project. The release of the DEIS is anticipated in mid-November 2013.

On behalf of FHWA and NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this project.

Sincerely,

Sylvia J. Jones
(Acting) Cultural Resource Coordinator

SJJ/bjh
Enclosures

cc: John A. Bonafide, NYS Historic Preservation Office
Carol Legard, Advisory Council on Historic Preservation
Hans Anker, P.E., Federal Highway Administration
Robert Davies, P.E., Federal Highway Administration
Daniel Streett, P.E., NYS Department of Transportation, MO
Kimberly A. Lorenz, NYS Department of Transportation, R-5
Ronald Hayes, NYS Department of Transportation, R-5 (w/o encl)

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Mr. Brian Dold
Buffalo Olmsted Parks Conservancy
Parkside Lodge
84 Parkside Avenue
Buffalo, NY 14214

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Mr. Dold:

Enclosed for your information is 'Finding Documentation' for the New York Gateway Connections Improvement Project to the US Peace Bridge Plaza, a project subject to review under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800 – Protection of Historic Properties. This package of materials is being distributed to all approved Section 106 Consulting Party members as notification of a finding of 'No Adverse Effect' for the Project.

On July 30, 2013, the New York State Department of Transportation (NYSDOT) distributed a document entitled *Draft Finding Documentation: Preliminary Assessment of Effect* to all Section 106 Consulting Party members, initiating a 30-day period for review and comment. All written comments submitted to NYSDOT were shared with the State Historic Preservation Office (SHPO) and the Federal Highway Administration (FHWA), reviewed, and considered as part of the process for evaluating the Project's effects on identified historic properties. A summary of comments received from Consulting Parties is attached to the Finding Documentation. Concerns that fall outside the scope of Section 106 review, including environmental considerations other than historic and cultural resources, will be addressed by analyses presented in the DEIS.

The final Finding Documentation provides information concerning proposed work elements under the Build Alternative, and measures to avoid or minimize effects on the historic character and setting of known resources. The conclusion remains consistent with the preliminary assessment that the Project would not alter directly or indirectly, the characteristics that qualify identified historic properties for listing in the National Register of Historic Places.

Based on an application of the criteria of adverse effect (36 CFR 800.5(a)(1)), FHWA has determined the Project will have No Adverse Effect on identified historic properties within the area of potential effects. Implementation of the Project in accordance with this finding, as documented, fulfills Section 106 responsibilities under 36 CFR Part 800.

All documentation and correspondence relating to the Section 106 process, including public and Consulting Party comments, will be incorporated in the Draft Environmental Impact Statement (DEIS) for the Project. The release of the DEIS is anticipated in mid-November 2013.

On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

cc: John A. Bonafide, NY State Historic Preservation Office
Carol Legard, Advisory Council on Historic Preservation
Hans Anker, P.E., Federal Highway Administration
Robert Davies, Federal Highway Administration
Daniel Streett, NYS Department of Transportation, MO
Kimberly A. Lorenz, NYS Department of Transportation, R-5

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Mr. Gary Mucci
Buffalo Olmsted Parks Conservancy
Parkside Lodge
84 Parkside Avenue
Buffalo, NY 14214

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Mr. Mucci:

Enclosed for your information is 'Finding Documentation' for the New York Gateway Connections Improvement Project to the US Peace Bridge Plaza, a project subject to review under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800 – Protection of Historic Properties. This package of materials is being distributed to all approved Section 106 Consulting Party members as notification of a finding of 'No Adverse Effect' for the Project.

On July 30, 2013, the New York State Department of Transportation (NYSDOT) distributed a document entitled *Draft Finding Documentation: Preliminary Assessment of Effect* to all Section 106 Consulting Party members, initiating a 30-day period for review and comment. All written comments submitted to NYSDOT were shared with the State Historic Preservation Office (SHPO) and the Federal Highway Administration (FHWA), reviewed, and considered as part of the process for evaluating the Project's effects on identified historic properties. A summary of comments received from Consulting Parties is attached to the Finding Documentation. Concerns that fall outside the scope of Section 106 review, including environmental considerations other than historic and cultural resources, will be addressed by analyses presented in the DEIS.

The final Finding Documentation provides information concerning proposed work elements under the Build Alternative, and measures to avoid or minimize effects on the historic character and setting of known resources. The conclusion remains consistent with the preliminary assessment that the Project would not alter directly or indirectly, the characteristics that qualify identified historic properties for listing in the National Register of Historic Places.

Based on an application of the criteria of adverse effect (36 CFR 800.5(a)(1)), FHWA has determined the Project will have No Adverse Effect on identified historic properties within the area of potential effects. Implementation of the Project in accordance with this finding, as documented, fulfills Section 106 responsibilities under 36 CFR Part 800.

All documentation and correspondence relating to the Section 106 process, including public and Consulting Party comments, will be incorporated in the Draft Environmental Impact Statement (DEIS) for the Project. The release of the DEIS is anticipated in mid-November 2013.

On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

cc: John A. Bonafide, NY State Historic Preservation Office
Carol Legard, Advisory Council on Historic Preservation
Hans Anker, P.E., Federal Highway Administration
Robert Davies, Federal Highway Administration
Daniel Streett, NYS Department of Transportation, MO
Kimberly A. Lorenz, NYS Department of Transportation, R-5

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Mr. Herrera-Mishler
Buffalo Olmsted Parks Conservancy
Parkside Lodge
84 Parkside Avenue
Buffalo, NY 14214

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Mr. Herrera-Mishler:

Enclosed for your information is 'Finding Documentation' for the New York Gateway Connections Improvement Project to the US Peace Bridge Plaza, a project subject to review under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800 – Protection of Historic Properties. This package of materials is being distributed to all approved Section 106 Consulting Party members as notification of a finding of 'No Adverse Effect' for the Project.

On July 30, 2013, the New York State Department of Transportation (NYSDOT) distributed a document entitled *Draft Finding Documentation: Preliminary Assessment of Effect* to all Section 106 Consulting Party members, initiating a 30-day period for review and comment. All written comments submitted to NYSDOT were shared with the State Historic Preservation Office (SHPO) and the Federal Highway Administration (FHWA), reviewed, and considered as part of the process for evaluating the Project's effects on identified historic properties. A summary of comments received from Consulting Parties is attached to the Finding Documentation. Concerns that fall outside the scope of Section 106 review, including environmental considerations other than historic and cultural resources, will be addressed by analyses presented in the DEIS.

The final Finding Documentation provides information concerning proposed work elements under the Build Alternative, and measures to avoid or minimize effects on the historic character and setting of known resources. The conclusion remains consistent with the preliminary assessment that the Project would not alter directly or indirectly, the characteristics that qualify identified historic properties for listing in the National Register of Historic Places.

Based on an application of the criteria of adverse effect (36 CFR 800.5(a)(1)), FHWA has determined the Project will have No Adverse Effect on identified historic properties within the area of potential effects. Implementation of the Project in accordance with this finding, as documented, fulfills Section 106 responsibilities under 36 CFR Part 800.

All documentation and correspondence relating to the Section 106 process, including public and Consulting Party comments, will be incorporated in the Draft Environmental Impact Statement (DEIS) for the Project. The release of the DEIS is anticipated in mid-November 2013.

On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

cc: John A. Bonafide, NY State Historic Preservation Office
Carol Legard, Advisory Council on Historic Preservation
Hans Anker, P.E., Federal Highway Administration
Robert Davies, Federal Highway Administration
Daniel Streett, NYS Department of Transportation, MO
Kimberly A. Lorenz, NYS Department of Transportation, R-5

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DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Ms. Kathleen R. Mecca, President
Niagara Gateway Columbus Park Association
763 Columbus Parkway
Buffalo, NY 14203

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Ms. Mecca:

Enclosed for your information is 'Finding Documentation' for the New York Gateway Connections Improvement Project to the US Peace Bridge Plaza, a project subject to review under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800 – Protection of Historic Properties. This package of materials is being distributed to all approved Section 106 Consulting Party members as notification of a finding of 'No Adverse Effect' for the Project.

On July 30, 2013, the New York State Department of Transportation (NYSDOT) distributed a document entitled *Draft Finding Documentation: Preliminary Assessment of Effect* to all Section 106 Consulting Party members, initiating a 30-day period for review and comment. All written comments submitted to NYSDOT were shared with the State Historic Preservation Office (SHPO) and the Federal Highway Administration (FHWA), reviewed, and considered as part of the process for evaluating the Project's effects on identified historic properties. A summary of comments received from Consulting Parties is attached to the Finding Documentation. Concerns that fall outside the scope of Section 106 review, including environmental considerations other than historic and cultural resources, will be addressed by analyses presented in the DEIS.

The final Finding Documentation provides information concerning proposed work elements under the Build Alternative, and measures to avoid or minimize effects on the historic character and setting of known resources. The conclusion remains consistent with the preliminary assessment that the Project would not alter directly or indirectly, the characteristics that qualify identified historic properties for listing in the National Register of Historic Places.

Based on an application of the criteria of adverse effect (36 CFR 800.5(a)(1)), FHWA has determined the Project will have No Adverse Effect on identified historic properties within the area of potential effects. Implementation of the Project in accordance with this finding, as documented, fulfills Section 106 responsibilities under 36 CFR Part 800.

All documentation and correspondence relating to the Section 106 process, including public and Consulting Party comments, will be incorporated in the Draft Environmental Impact Statement (DEIS) for the Project. The release of the DEIS is anticipated in mid-November 2013.

On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

cc: John A. Bonafide, NY State Historic Preservation Office
Carol Legard, Advisory Council on Historic Preservation
Hans Anker, P.E., Federal Highway Administration
Robert Davies, Federal Highway Administration
Daniel Streett, NYS Department of Transportation, MO
Kimberly A. Lorenz, NYS Department of Transportation, R-5

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Mr. Clinton Brown, President
Clinton Brown Company Architecture, PC
The Market Arcade
617 Main Street, Suite M303
Buffalo, NY 14203-1400

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Mr. Brown:

Enclosed for your information is 'Finding Documentation' for the New York Gateway Connections Improvement Project to the US Peace Bridge Plaza, a project subject to review under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800 – Protection of Historic Properties. This package of materials is being distributed to all approved Section 106 Consulting Party members as notification of a finding of 'No Adverse Effect' for the Project.

On July 30, 2013, the New York State Department of Transportation (NYSDOT) distributed a document entitled *Draft Finding Documentation: Preliminary Assessment of Effect* to all Section 106 Consulting Party members, initiating a 30-day period for review and comment. All written comments submitted to NYSDOT were shared with the State Historic Preservation Office (SHPO) and the Federal Highway Administration (FHWA), reviewed, and considered as part of the process for evaluating the Project's effects on identified historic properties. A summary of comments received from Consulting Parties is attached to the Finding Documentation. Concerns that fall outside the scope of Section 106 review, including environmental considerations other than historic and cultural resources, will be addressed by analyses presented in the DEIS.

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On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Ms. Catherine Faust
Catherine Faust, Architect
141 Highland Avenue
Buffalo, NY 14222

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Ms. Faust:

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On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Ms. Linda J. DeTine
676 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Ms. DeTine:

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Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

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Robert Davies, Federal Highway Administration
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Kimberly A. Lorenz, NYS Department of Transportation, R-5

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Ms. Kate Cody
654 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Ms. Cody:

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On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

cc: John A. Bonafide, NY State Historic Preservation Office
Carol Legard, Advisory Council on Historic Preservation
Hans Anker, P.E., Federal Highway Administration
Robert Davies, Federal Highway Administration
Daniel Streett, NYS Department of Transportation, MO
Kimberly A. Lorenz, NYS Department of Transportation, R-5

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Ms. Tania Werbizky
Preservation League of New York State
202 The Commons, Suite 302
Ithaca, NY 14850

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Ms. Werbizky:

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On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

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Carol Legard, Advisory Council on Historic Preservation
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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Mr. Daniel MacKay
Preservation League of New York State
44 Central Avenue
Albany, NY 12206

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Mr. MacKay:

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On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

cc: John A. Bonafide, NY State Historic Preservation Office
Carol Legard, Advisory Council on Historic Preservation
Hans Anker, P.E., Federal Highway Administration
Robert Davies, Federal Highway Administration
Daniel Streett, NYS Department of Transportation, MO
Kimberly A. Lorenz, NYS Department of Transportation, R-5

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Ms. Carole D. Perla
630 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Ms. Perla:

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On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

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DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Ms Elizabeth A. Martina
Niagara Gateway Columbus Park Association
Prospect Hill Neighborhood Alliance
774 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Ms. Martina:

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Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Mr. Matthew Ricchiazzi
Change Buffalo PAC
455 Franklin Street, Apt. 3
Buffalo, NY 14202

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Mr. Ricchiazzi:

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On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

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DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Ms. Joyce DiChristina
695 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

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Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

cc: John A. Bonafide, NY State Historic Preservation Office
Carol Legard, Advisory Council on Historic Preservation
Hans Anker, P.E., Federal Highway Administration
Robert Davies, Federal Highway Administration
Daniel Streett, NYS Department of Transportation, MO
Kimberly A. Lorenz, NYS Department of Transportation, R-5

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Mr. Alan Oberst
Vision Niagara
189 14th Street
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Mr. Oberst:

Enclosed for your information is 'Finding Documentation' for the New York Gateway Connections Improvement Project to the US Peace Bridge Plaza, a project subject to review under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation, 36 CFR Part 800 – Protection of Historic Properties. This package of materials is being distributed to all approved Section 106 Consulting Party members as notification of a finding of 'No Adverse Effect' for the Project.

On July 30, 2013, the New York State Department of Transportation (NYSDOT) distributed a document entitled *Draft Finding Documentation: Preliminary Assessment of Effect* to all Section 106 Consulting Party members, initiating a 30-day period for review and comment. All written comments submitted to NYSDOT were shared with the State Historic Preservation Office (SHPO) and the Federal Highway Administration (FHWA), reviewed, and considered as part of the process for evaluating the Project's effects on identified historic properties. A summary of comments received from Consulting Parties is attached to the Finding Documentation. Concerns that fall outside the scope of Section 106 review, including environmental considerations other than historic and cultural resources, will be addressed by analyses presented in the DEIS.

The final Finding Documentation provides information concerning proposed work elements under the Build Alternative, and measures to avoid or minimize effects on the historic character and setting of known resources. The conclusion remains consistent with the preliminary assessment that the Project would not alter directly or indirectly, the characteristics that qualify identified historic properties for listing in the National Register of Historic Places.

Based on an application of the criteria of adverse effect (36 CFR 800.5(a)(1)), FHWA has determined the Project will have No Adverse Effect on identified historic properties within the area of potential effects. Implementation of the Project in accordance with this finding, as documented, fulfills Section 106 responsibilities under 36 CFR Part 800.

All documentation and correspondence relating to the Section 106 process, including public and Consulting Party comments, will be incorporated in the Draft Environmental Impact Statement (DEIS) for the Project. The release of the DEIS is anticipated in mid-November 2013.

On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

cc: John A. Bonafide, NY State Historic Preservation Office
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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Mr. Tim Tielman
Campaign for Greater Buffalo History,
Architecture and Culture
14 Lafayatte Square, Suite 1425
Buffalo, NY 14203

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Mr. Tielman:

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On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Mr. Daniel Culross
KCA & Allentown Association
3 Saint Johns Place
Buffalo, NY 14201

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

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On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

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Carol Legard, Advisory Council on Historic Preservation
Hans Anker, P.E., Federal Highway Administration
Robert Davies, Federal Highway Administration
Daniel Streett, NYS Department of Transportation, MO
Kimberly A. Lorenz, NYS Department of Transportation, R-5

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Mr. Peter Joseph
Ms. Joanne Certo
776 Columbus Parkway
Buffalo, NY 14213

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Mr. Joseph & Ms. Certo:

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On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

cc: John A. Bonafide, NY State Historic Preservation Office
Carol Legard, Advisory Council on Historic Preservation
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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Mr. Jason Wilson,
Director of Operations
Preservation Buffalo Niagara
617 Main Street
Buffalo, NY 14203

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

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On behalf of the FHWA and the NYSDOT, thank you for your interest and participation in the Section 106 consultation process for this Project.

Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

cc: John A. Bonafide, NY State Historic Preservation Office
Carol Legard, Advisory Council on Historic Preservation
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Robert Davies, Federal Highway Administration
Daniel Streett, NYS Department of Transportation, MO
Kimberly A. Lorenz, NYS Department of Transportation, R-5

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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Mr. Peter J. Merlo, City Engineer
City of Buffalo
502 City Hall
Buffalo, NY 14202

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Mr. Merlo:

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(Acting) Co-Director, Office of Environment

Enclosures

cc: John A. Bonafide, NY State Historic Preservation Office
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ALBANY, N.Y. 12232

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JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 8, 2013

Ms. Elizabeth S. Merritt
Deputy General Counsel
National Trust for Historic Preservation
1785 Massachusetts Ave. NW
Washington, DC 20036

RE: NEW YORK GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA (PIN 5760.80 / 13PR02859)
CITY OF BUFFALO, ERIE COUNTY, NEW YORK
SECTION 106: NO ADVERSE EFFECT DETERMINATION AND FINDING DOCUMENTATION

Dear Ms. Merritt:

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Sincerely,

DANIEL P. HITT, RLA
(Acting) Co-Director, Office of Environment

Enclosures

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Hans Anker, P.E., Federal Highway Administration
Robert Davies, Federal Highway Administration
Daniel Streett, NYS Department of Transportation, MO
Kimberly A. Lorenz, NYS Department of Transportation, R-5

5 Consulting Parties Consultation and Correspondence

Consulting Parties Correspondence

Number	Date	From:		TO:	Form	Contents
		Name	Representing			
1	28-May-13	Kathy Mecca	Niagara Gateway Columbus Park Association	NYSDOT	Letter	Request for Consulting Party Status
2	28-May-13	Carole D. Perla	Resident	NYSDOT	Letter	Request for Consulting Party Status
3	29-May-13	Kate Cody	Resident	NYSDOT	Letter	Request for Consulting Party Status
4	31-May-13	Tania Werbizky and Daniel Mackay	Preservation League of NYS	NYSDOT	Letter	Request for Consulting Party Status
5	1-Jun-13	Elizabeth A. Martina	Niagara Gateway Columbus Park Association and Prospect Hill Neighborhood Alliance	NYSDOT	Letter	Request for Consulting Party Status
6	4-Jun-13	Clinton Brown	Clinton Brown Company Architecture, PC	NYSDOT	Letter	Request for Consulting Party Status
7	3-Jun-13	Linda DeTine	Resident	NYSDOT	Email	Request for Consulting Party Status
8	11-Jun-13	M. Ricchiazzi	Change Buffalo PAC	NYSDOT	CP request Forms	Request for Consulting Party Status
9	11-Jun-13	Joyce DeChristina	Resident	NYSDOT	CP request Forms	Request for Consulting Party Status
10	11-Jun-13	Alan Oberst	Vision Niagara	NYSDOT	CP request Forms	Request for Consulting Party Status
11	11-Jun-13	Catherine Faust	Catherine Faust Architect	NYSDOT	CP request Forms	Request for Consulting Party Status

Consulting Parties Correspondence

Number	Date	From:		TO:	Form	Contents
		Name	Representing			
12	11-Jun-13	T. Tielman	Campaign for Greater Buffalo History, Architecture and Culture	NYSDOT	CP request Forms	Request for Consulting Party Status
13	11-Jun-13	Daniel J. Culross	KCA & Allentown Association	NYSDOT	CP request Forms	Request for Consulting Party Status
14	12-Jun-13	Thomas Herrera-Mishler, Brian Dold, and Gary Mucci	Buffalo Olmsted Parks Conservance	NYSDOT	CP request Forms	Request for Consulting Party Status
15	21-Jun-13	Thomas W. Frank	Interested Party	NYSDOT	CP request Forms	Request for Consulting Party Status
16	24-Jun-13	Peter Joseph and Joanne Certo	Residents	NYSDOT	Letter	Request for Consulting Party Status
17	26-Jun-13	Jason Wilson	Perservation Buffalo Niagara	NYSDOT	email	Request for Consulting Party Status
18	11-Jul-13	Robert Davies	FHWA	Thomas W. Frank	Letter	Denial of Consulting Parties Status
18a	29-Jul-13	Daniel Hitt	NYSDOT	Consulting Parties	Letter	Transmittal of Preliminary Assessment of Effects (*See Section 4 - Section 106 Agency Correspondence Item #22*)
19	5-Aug-13	Kathy Mecca	Niagara Gateway Columbus Park Association	NYSDOT, Region 5	email with letter attachment	Request for extension of Section 106 Comment Period

Consulting Parties Correspondence

Number	Date	From:		TO:	Form	Contents
		Name	Representing			
20	6-Aug-13	Michael Herbold	Niagara Gateway Columbus Park Association and Niagara Hall Associates	NYSDOT	email	Request for extension of Section 106 Comment Period
21	15-Aug-13	Daniel Hitt	NYSDOT	Consulting Parties	--	Transmittal of July 30, 2013 Consulting Parties Meeting Transcript; no extension of 30 day comment period
22	18-Aug-13	Lynda Schneekloth	Sierra Club Niagara Group	NYSDOT	email	Request for July 30, 2013 Consulting Parties Meeting Transcript, not a recognized CP
23	26-Aug-13	Daniel Hitt	NYSDOT	Sierra Club Niagara Group	Letter	Transmittal of July 30, 2013 Consulting Parties Meeting transcript for information only
24	28-Aug-13	Linda DeTine	Resident	NYSDOT	email	Written Comments on Preliminary Assessment of Effects
25	29-Aug-13	James Messina and Andrew Goldstein	Fargo Estate Neighborhood Association on behalf of the Prospect Hill Neighborhood Alliance	NYSDOT	email with letter attachment	Written Comments on Preliminary Assessment of Effects
26	30-Aug-13	Thomas Herrera-Mishler	Buffalo Olmsted Parks Conservency	NYSDOT	email with letter attachment	Written Comments on Preliminary Assessment of Effects

Consulting Parties Correspondence

Number	Date	From:		TO:	Form	Contents
		Name	Representing			
27	30-Aug-13	Jason Wilson	Preservation Buffalo Niagara	NYSDOT	email with letter attachment	Written Comments on Preliminary Assessment of Effects
28	30-Aug-13	Kathy Mecca	Niagara Gateway Columbus Park Association	NYSDOT	email with letter attachment	Written Comments on Preliminary Assessment of Effects
29	30-Aug-13	Tania Werbizky	Preservation League of New York State	NYSDOT	email with letter attachment	Written Comments on Preliminary Assessment of Effects
30	8-Nov-13	Daniel Hitt	NYSDOT	Consulting Parties	Letter	Transmittal of No Adverse Effects Finding (*See Section 4 - Section 106 Agency Correspondence Item #40*)

CP #1

Niagara Gateway Columbus Park Association

Mr. Craig Morzall, PE
Program Delivery Manager, Region 5
NYS Department of Transportation
100 Seneca Street
Buffalo, NY 14203

May 28, 2013

Re: Section 106 Consulting Party Request for the NY Gateway Connection Improvement Project to the US Peace Bridge Buffalo, New York

Dear Mr. Morzall

As President of the Niagara Gateway Columbus Parkway Association (Columbus Park Association) and member of the Prospect Hill Neighborhood Alliance, I am requesting approval to become a Consulting Party member for this proposed project.

I have been in contact with The National Trust for Historic Preservation and other parties for the proposed NY Gateway Connection Improvement Project to the US Peace Bridge Plaza. The Prospect Hill-Columbus Park historic district, a community named in 2008 as one of the most endangered locations in the United States by the National Trust for Historic Preservation and by the Preservation League of NYS in 2007, is fearful that the current the DOT project would have negative direct, indirect, and cumulative adverse effects on numerous historic properties and resources. This would include my current home along with many others living in and around Columbus Parkway.

The Columbus Park Association along with the Prospect Hill Neighborhood Alliance and neighborhood residents have worked tirelessly for almost 7 years with the National Trust, Preservation League of NYS and local preservationists to successfully challenge further encroachment upon our historic resources by expanding or enhancing operations at the Peace Bridge Plaza. Any and all construction that improves, enhances or expands the Peace Bridge footprint into the historic Prospect Hill- Columbus Park neighborhood is a perceived threat not only to our historic resources but to the environmental health of the community.

A key victory for local residents, preservationists and the National Trust came early in January, 2012 when the Federal Highway Administration announced they were withdrawing as lead agent from the 2007 PBA expansion plan for a new bridge and plaza. After spending $25 million dollars the FHWA concluded the project lacked proper funding and was mired in controversy because of strong opposition from the community and other organizations; ... ***"and other environmental impacts were at this time becoming increasingly paramount."***

http://www.gpo.gov/fdsys/pkg/FR-2012-01-10/html/2012-296.htm

In addition to preserving and protecting our historic integrity, the community faces serious environmental challenges because it is located downwind from the NYS Thruway, Peace Bridge plaza and bridge. Accordingly, The DOT project would only exacerbate not eliminate this impasse. Building new roadways and ramps along the lake and river to improve access to the US plaza is environmentally inconsistent with current recommendations from the EPA, and the national and international scientific community.

Residents who live along the Peace Bridge corridor can no longer be expected to endure this threat to their health. A stronger, healthier community requires a cross border infrastructure that undoes the disproportionate damages which have been inflicted upon our community, the public's health and unique resources that federal, and state government agencies and the Public Bridge Authority have steadfastly refused to acknowledge.

For the past 23 years residents have lived under a cloud of uncertainty because of the constant threat of a new bridge and expanded plaza. Today, with the support of local, regional, and national organizations we are positioned to reclaim our community to insure that our historic heritage remains protected and that our efforts to restore the health and quality of life in Prospect Hill are successful.

I look forward to the opportunity to discuss this further at the Section 106 meetings. Thank you for your consideration.

Sincerely,

Kathleen Mecca, President
Niagara Gateway Columbus Park Association
763 Columbus Parkway, Buffalo, New York 14213
716.881.5309
krmecca@yahoo.com

C: National Trust for Historic Preservation
Tania Werbitzky, Preservation League of NYS
Thomas Yots, Preservation Buffalo Niagara
Tim Tielman, Campaign for Greater Buffalo History, Architecture and Culture
Catherine Schweizter, The Baird Foundation
Honorable Mayor Bryon Brown
City of Buffalo Common Council
Mark Mitskovski, VP Niagara Gateway Columbus Park Association
Prospect Hill Neighborhood Alliance
West Side Community Collaborative
Judith Enck, EPA Northeast Region
Buffalo West Side Environmental Defense Fund
Jamson Lwebuga Mukasa, M.D., Respiratory and Environmental Exposure Consultants
Dr. Joseph Gardella, University at Buffalo
Dr. William Scheider, University at Buffalo
Dr. Clifford Cockerham, University of Tennessee
Dr. John Spengler, Harvard School of Public Heath
The Partnership for the Public Good

Clean Air Coalition of Western New York

CP #2

CAROLE D. PERLA
630 COLUMBUS PKWY
BUFFALO, NEW YORK 14213
716-886-3374
caroleperla@hotmail.com

Mr. Craig Morzall, PE
Program Delivery Manager, Region 5
NYS Department of Transportation
100 Seneca Street
Buffalo, NY 14203

May 28, 2013

Re: Section 106 Consulting Party Request for the NY Gateway Connection Improvement Project to the US Peace Bridge Buffalo, New York

Dear Mr. Morzall

I have been in contact with The National Trust for Historic Preservation and other parties for the proposed NY Gateway Connection Improvement Project to the US Peace Bridge Plaza. As you are aware, we are fearful that the current proposal would have negative direct, indirect, and cumulative adverse effects on numerous historic properties and resources. This would include my current home along with many others living in and around Columbus Parkway.

My home (ca. 1890) has been identified as NRHP Eligible (Criterion C) in the proposal for the Prospect Hill Historic District sponsored by the FHWA, NYSDOT and the PBA. I have lived at 630 Columbus Parkway since 1972. My property was one of the properties constructed on the "Elmstone" / Lewis property.

My husband and I have lived in this house for 41 years. Our two children were born and raised in this house and neighborhood. My late husband, Carl A. Perla, Jr. was an elected official for over 20 years, representing the Niagara District (Columbus Park-Prospect Hill). We both have been active in many community organizations as political committeeman for many years and Zone Chairman, active on the Erie County Democratic Executive board, and elected New York State Committee member.

Carl dedicated his life work to the Niagara District and received a well deserved award rededicating Prospect Park to read " Carl A. Perla, Jr. Park / Prospect Park in his memory (Porter Avenue and Niagara Street) which is a federally registered Olmsted Park. My daughter Danielle, her wedding party, and I **walked** through Columbus Park, Carl A. Perla, Jr. Park / Prospect Park to our neighborhood Church, Holy Angels which is two blocks from our beloved home for her formal Wedding ceremony. The neighbors lined the streets of Porter Avenue as the bride paraded past them. The crowd applauded and cheered. That moment is burned in my memory forever. This is about living in a community that cares.

My late husband was also born in this neighborhood in 1935. I, along with many West Side residents, strongly oppose this project because of the critical impact and serious adverse effects it will have on a district that was placed on the 11 endangered listing by the National Trust for Historic Preservation in 2008 and the Seven to Save register of the Preservation League of NYS.

I previously participated for three years as a Consulting Party member during the last proposed plaza and bridge expansion when the Federal Highway Administration was the lead agent. As you know, The FHWA withdrew from that flawed project in January, 2012 after spending $25 million dollars concluding the project lacked proper funding and was mired in controversy because of strong opposition from the community and other organizations, ... ***"and other environmental impacts were at this time becoming increasingly paramount."***

http://www.gpo.gov/fdsys/pkg/FR-2012-01-10/html/2012-296.htm

Therefore, I am respectfully requesting to participate as a consulting party in the review process under Section 106 of the National Historic Preservation Act (NHPA).

Thank you for your consideration,

Sincerely,
Carole D. Perla

Cc: National Trust for Historic Preservation
Preservation League of NYS
Preservation Buffalo Niagara
Campaign for Greater Buffalo History and Architecture
Niagara Gateway Columbus Park Association

CP #3

KATE CODY
654 COLUMBUS PKWY
BUFFALO, NEW YORK 14213
716-886-5371
katecdy@yahoo.com

Mr. Craig Morzall, PE
Program Delivery Manager, Region 5
NYS Department of Transportation
100 Seneca Street
Buffalo, NY 14203

May 29, 2013

Re: Section 106 Consulting Party Request for the NY Gateway Connection Improvement Project to the US Peace Bridge in Buffalo, New York

Dear Mr. Morzall

I was a Consulting Party member for at least two years during the Draft Environmental Impact Study for the proposed Peace Bridge Expansion Project in Buffalo, New York, before the Federal Highway Authority (FHWA) issued a notice that it will ***not*** be preparing and issuing a Final Environmental Impact Statement for that same project in January 2012.

My husband and I have lived in this NRHP Eligible Prospect Hill Historic District at 654 Columbus Parkway for 21 years, where we have raised our three boys. We all live, work, and play here.

Recently, I have heard through my neighborhood colleagues about the proposed NY Gateway Connection Improvement Project to the US Peace Bridge Plaza. I am concerned that the current proposal could also have adverse effects on the many historic properties and resources of this neighborhood, which incidentally, was on the 2008 National Trust "11 Endangered" list as well as the NYS Preservation League's "Seven to Save" list.

I hope that you will honor my request to participate as a consulting party in the review process of this current NY Gateway Connection Improvement Project under Section 106 of the National Historic Preservation Act (NHPA). Thank you for your consideration.

Sincerely,
Kate Cody

Cc: Niagara Gateway Columbus Park Association

CP #4

Preservation League of New York State

44 CENTRAL AVENUE
ALBANY, NY 12206-3002
518-462-5658
FAX 518-462-5684
WWW.PRESERVENYS.ORG

2012-2013 OFFICERS
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Gerald A. Holbrook, Vice Chair
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Diane S. White
Anne Swartz Wattell
Steven J. Weiss

Jay DiLorenzo, President

May 31, 2013

Mr. Craig Morzall, PE
Program Delivery Manager, Region 5
NYS Department of Transportation
100 Seneca Street
Buffalo, NY 14203

Re: Section 106 Consulting Party Request for the NY Gateway Connection Improvement Project to the US Peace Bridge, Buffalo, New York

Dear Mr. Morzall:

The Preservation League of New York State requests Consulting Party status for the proposed New York Gateway Connection Improvement Project to the US Peace Bridge, Buffalo, New York. This formal request is pursuant according to section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended in 2000 & 2004.

The Preservation League is New York's statewide historic preservation not-for-profit. Founded in 1974, the League is dedicated to the protection of New York's diverse and rich legacy of historic buildings, districts and landscapes. We actively encourage historic preservation by public and private organizations, agencies, and individuals in local communities throughout New York State and provide a united voice for historic preservation.

In 2007, the Preservation League named the Prospect Hill-Columbus Park Historic District to our Seven to Save list of statewide endangered properties, followed by nomination to the National Trust for Historic Preservation to their America's 11 Most Endangered Historic Places in 2008. As NYS DOT records and media accounts clearly reveal, the League has since been an active advocate for the identification and protection of historic resources impacted by a series of proposals affecting the United States side of this crossing, and has been a Section 106 process participant in previous years regarding related projects and resources in the Prospect Hill – Columbus Park Historic District and adjoining neighborhood.

We request that you grant us consulting party status for the New York Gateway Connection Improvement Project to the US Peace Bridge and include both Tania Werbizky, Regional Director of Technical and Grant Programs, Western NY and Daniel Mackay, Director of Public Policy in subsequent communication regarding this Section 106 process.

Sincerely,

Tania Werbizky
PLNYS
202 The Commons
Suite 302
Ithaca, NY 14850
twerbizky@preservenys.org

Daniel Mackay
PLNYS
44 Central Avenue
Albany, NY 12206
dmackay@preservenys.org

JUN 10 2013

JUN 05 2013

RECEIVED R-5 DESIGN	
MOZRALL	
BILLITTIER	
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DUENNEBACKE	
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HOOH	
FILE	
MO (2)	KC

CP #5

Mr. Craig Morzall, PE
Program Delivery Manager, Region 5
NYS Department of Transportation
100 Seneca Street
Buffalo, NY 14203

June 1, 2013

Re: Section 106 Consulting Party Request for the NY Gateway Connection Improvement Project to the US Peace Bridge
Buffalo, New York

Dear Mr. Morzall

As a resident of Columbus Parkway and the Niagara Gateway Columbus Park Association) and member of the Prospect Hill Neighborhood Alliance, I am requesting approval to become a Consulting Party member for this proposed project.

I have been in contact with The National Trust for Historic Preservation and other parties for the proposed NY Gateway Connection Improvement Project to the US Peace Bridge Plaza. The Prospect Hill-Columbus Park historic district, a community named in 2008 as one of the most endangered locations in the United States by the National Trust for Historic Preservation and by the Preservation League of NYS in 2007, is fearful that the current DOT project would have negative direct, indirect, and cumulative adverse effects on numerous historic properties and resources. This would include my current home at 772/774 Columbus Parkway along with many others living in and around Columbus Parkway. I have resided in this home most of my 58 years, as well as being the 4th of now six generations living on my block.

The Columbus Park Association along with the Prospect Hill Neighborhood Alliance and neighborhood residents have worked tirelessly for almost 7 years with the National Trust, Preservation League of NYS and local preservationists to successfully challenge further encroachment upon our historic resources by expanding or enhancing operations at the Peace Bridge Plaza. Any and all construction that improves, enhances or expands the Peace Bridge footprint into the historic Prospect Hill- Columbus Park neighborhood is a perceived threat not only to our historic resources but to the environmental health of the community

A key victory for local residents, preservationists and the National Trust came early in January, 2012 when the Federal Highway Administration announced they were withdrawing as lead agent from the 2007 PBA expansion plan for a new bridge and plaza. After spending $25 million dollars the FHWA concluded the project lacked proper funding and was mired in controversy because of strong opposition from the community and other organizations, . . ***"and other environmental impacts were at this time becoming increasingly paramount."***

In addition to preserving and protecting our historic integrity, the community faces serious environmental challenges because it is located downwind from the NYS Thruway, Peace Bridge plaza and bridge Accordingly, The DOT project would only exacerbate not eliminate this impasse. Building new roadways and ramps along the lake and river to improve access to the US plaza is environmentally inconsistent with current recommendations from the EPA, and the national and international scientific community

JUN 10 2013

RECEIVED
R-5 DESIGN

Residents who live along the Peace Bridge corridor can no longer be expected to endure this threat to their health. A stronger, healthier community requires a cross border infrastructure that undoes the disproportionate damages which have been inflicted upon our community, the public's health and unique resources that federal, and state government agencies and the Public Bridge Authority have steadfastly refused to acknowledge.

For the past 23 years residents have lived under a cloud of uncertainty because of the constant threat of a new bridge and expanded plaza. Today, with the support of local, regional, and national organizations we are positioned to reclaim our community to insure that our historic heritage remains protected and that our efforts to restore the health and quality of life in Prospect Hill are successful.

I look forward to the opportunity to discuss this further at the Section 106 meetings. Thank you for your consideration.

Sincerely,

Elizabeth A. Martina
774 Columbus Parkway
Buffalo, NY 14213
716-812-4113
elizmartina@yahoo.com

C: National Trust for Historic Preservation
Tania Werbitzky, Preservation League of NYS
Thomas Yots, Preservation Buffalo Niagara
Tim Tielman, Campaign for Greater Buffalo History, Architecture and Culture
Catherine Schweizter, The Baird Foundation
Honorable Mayor Bryon Brown
City of Buffalo Common Council
Mark Mitskovski, VP Niagara Gateway Columbus Park Association
Prospect Hill Neighborhood Alliance
West Side Community Collaborative
Judith Enck, EPA Northeast Region
Buffalo West Side Environmental Defense Fund
Jamson Lwebuga Mukasa, M.D., Respiratory and Environmental Exposure Consultants
Dr. Joseph Gardella, University at Buffalo
Dr. William Scheider, University at Buffalo
Dr. Clifford Cockerham, University of Tennessee
Dr. John Spengler, Harvard School of Public Heath
The Partnership for the Public Good
Clean Air Coalition of Western New York

CP #6

Clinton Brown Company Architecture, pc

Historic Places Renewed: The Full Service Historic Preservation Architecture Firm (sm)

June 4, 2013

Mr. Craig Mozrall, PE
Program Delivery Manager, Region 5
New York State Department of Transportation
100 Seneca Street
Buffalo, New York 14203
craig.mozrall@dot.ny.gov

RE: SECTION 106 CONSULTATION PROCESS FOR THE NY GATEWAY CONNECTIONS IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA

Dear Mr. Mozrall:

I wish to be included in the consultation process for this improvement project because I am interested in the project and its potential effects on historic properties. My background related to this project includes:

- Clinton Brown Company is the region's leading historic preservation architectural services firm. We specialize in identifying, officially recognizing and protecting, largely through adaptive use and historic rehabilitation, historic buildings and places
- Co-founder of, active involvement in the SuperSpan Upper Niagara group of bi-national business leaders who advocated for a signature bridge and for an efficient bridge system
- Appointment by two successive Secretaries of the Interior to the Erie Canalway National Heritage Corridor Commission. The Peace Bridge lies within that heritage corridor
- Designation by the Governor to the Board of The Richardson Center Corporation that is overseeing the rehabilitation of the Richardson and Olmsted-designed former Buffalo Psychiatric Center
- Vice President of the Board of Directors the Willowbank School of Restoration Arts and Cultural Landscape Centre located in Queenston, Ontario.

My current mailing address is below and my e-mail address is clintonbrown@clintonbrowncompany.com.

Please contact me any time with any questions or comments.

Best Wishes,

Clinton Brown, FAIA, President

© 2013

CP #7

From: Linda DeTine [mailto:lindadetine@hotmail.com]
Sent: Monday, June 03, 2013 10:39 PM
To: Mozrall, Craig (DOT)
Subject: Request for Consulting Party status

Re: Section 106 Consulting Party Request for the NY Gateway
Connection Improvement Project to the US Peace Bridge
Buffalo, New York

Dear Mr. Morzall:

Please accept this email as my request to be appointed a Section 106 consulting party for the above project.

My home is on Columbus Parkway in the Front Park neighborhood. Already found to be National register eligible by SHPO during past environmental reviews, it was built in 1880 by Brigadier General Edgar B. Jewett at a time when the neighborhood was considered to be, in no small part due to the development of Front Park, one of the most beautiful neighborhoods in Buffalo. The historic homes on the surrounding streets and The Front go hand in hand to create one historic neighborhood. Therefore, whatever changes are made to The Front and the surrounding roadways impact the character of our historic neighborhood.

Also, I have for some time been active as a neighborhood representative to the Buffalo Olmstead Parks Conservancy. It is of course vital to hear actual citizen voices regarding anything that happens at The Front. I believe the Conservancy has already been consulted on this project, but I do not believe the Conservancy has any members living in the neighborhood of The Front.

As a neighborhood resident, I also use The Front on virtually a daily basis. Certainly, the viewpoints of Front Park users must be included in your considerations.

There are many questions that neighborhood residents would like answered before this project is approved. For just one example, I do not think there are any elevations on the Peace Bridge website showing the impact of the proposed ramping on the existing viewsheds. As another example, I would like to see how the proposed round about will effect the development D'Youville College is planning at that same intersection on Porter Avenue. And we also need to see how children in the neighborhood and students from the nearby grammar school, School 3, will cross over to the Park according to this new plan.

Thank you very much for your consideration.

Linda J. DeTine
676 Columbus Parkway
Buffalo, New York 14213
716-510-8453

CP #8

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
Section 106 of the National Historic Preservation Act Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

Matthew Ricchiazzi
Contact Name (Print)

Change Buffalo PAC
Organization / Agency

455 Franklin Street - Apt 3
Address

Buffalo
City

NY
State

14202
Zip Code

716-548-3371
Phone No.

Fax No.

matthew.ricchiazzi@changebuffalo.org
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

- Undergraduate degree in Urban Planning
- Grew up on Lawn. Street 3 blocks from Bridge
- Resident

Signature

6/11/2013
Date

Please mail, fax, or email your forms by June 25, 2013 to:

Mail: NY Gateway Connections Project
New York State Department of Transportation
100 Seneca Street
Buffalo, New York 14203
Email: NYGATEWAY@DOT.NY.GOV
Fax: 716-847-3055

U.S. Department of Transportation
Federal Highway Administration

New York State
Department of Transportation

CP #9

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
Section 106 of the National Historic Preservation Act Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

Joyce DiChristina
Contact Name (Print)

Organization / Agency

695 Columbus Pkwy
Address

Buffalo — City
NY — State
14213 — Zip Code

716-860-8120
Phone No.

Fax No.

JDiCh@juno.com
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

Homeowner in Historic District

Joyce DiChristina
Signature

6/11/13
Date

Please mail, fax, or email your forms by June 25, 2013 to:

Mail: NY Gateway Connections Project
New York State Department of Transportation
100 Seneca Street
Buffalo, New York 14203
Email: NYGATEWAY@DOT.NY.GOV
Fax: 716-847-3055

U.S. Department of Transportation
Federal Highway Administration

New York State
Department of Transportation

CP #10

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
Section 106 of the National Historic Preservation Act Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

ALAN OBERST
Contact Name (Print)

VISION NIAGARA
Organization / Agency

189 14TH ST.
Address

BUFFALO
City

NY
State

14213
Zip Code

Phone No.

Fax No.

AKO_NSOG@HOTMAIL.COM
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

I AM INVOLVED WITH A COMMUNITY DEVELOPMENT PROJECT WORKING TO REVITALIZE THE PORTION OF NIAGARA STREET IMMEDIATELY NORTH OF THIS PROJECT SITE. THE PROJECT IS CALLED VISION NIAGARA. TO DATE, I HAVE CONDUCTED MOST OF THE HISTORICAL RESEARCH FOR THE GROUP, AND AM MOST FAMILIAR (OF ANYONE INVOLVED WITH VISION NIAGARA) WITH THE HISTORIC RESOURCES IN THIS AREA. I WOULD REPRESENT THE GROUP. ALSO, IN THE 1990's I CHAIRED THE PLANNING COMMITTEE FOR A $2.5M TRANSPORTATION ENHANCEMENTS PROJECT THAT PRESERVED HISTORIC TRANSPORTATION INFRASTRUCTURE, SO AM FAMILIAR WITH PRESERVATION STANDARDS AND REQUIREMENTS.

Signature

6/11/2013
Date

Please mail, fax, or email your forms by June 25, 2013 to:

Mail: NY Gateway Connections Project
New York State Department of Transportation
100 Seneca Street
Buffalo, New York 14203
Email: NYGATEWAY@DOT.NY.GOV
Fax: 716-847-3055

U.S. Department of Transportation
Federal Highway Administration

New York State
Department of Transportation

CP #11

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
Section 106 of the National Historic Preservation Act Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

CATHERINE FAUST.
Contact Name (Print)

CATHERINE FAUST, ARCHITECT.
Organization / Agency

141 HIGHLAND AVE
Address

BUFFALO
City

N.Y.
State

14222
Zip Code

886-6809
Phone No.

Fax No.

CATHFAUST@VERIZON.NET.
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

- I AM A LOCAL ARCHITECT / CEO OF CATHERINE FAUST ASSOCS.
- MEMBER OF BUFFALO OLMSTED PARKS CONSERVANCY.

Signature

6/11/13
Date

Please mail, fax, or email your forms by June 25, 2013 to:

Mail: NY Gateway Connections Project
New York State Department of Transportation
100 Seneca Street
Buffalo, New York 14203
Email: NYGATEWAY@DOT.NY.GOV
Fax: 716-847-3055

U.S. Department of Transportation
Federal Highway Administration

New York State
Department of Transportation

CP #12

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
Section 106 of the National Historic Preservation Act Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

TIM TIELMAN
Contact Name (Print)

CAMPAIGN FOR GREATER BUFFALO HISTORY, ARCHITECTURE + CULTURE
Organization / Agency

14 LAFAYETTE SQ, SUITE 1425
Address

BFLO
City

NY
State

14203
Zip Code

716 854-3749
Phone No.

Fax No.

FRONTDESK@ C4GB.ORG
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

WE ARE A LARGE HISTORIC PRESERVATION ORGANIZATION + HAVE MEMBERS IN THE PROJECT AREA + WIDER COMMUNITY

Signature

6/11/13
Date

Please mail, fax, or email your forms by June 25, 2013 to:

Mail: NY Gateway Connections Project
New York State Department of Trahsportation
100 Seneca Street
Buffalo, New York 14203
Email: NYGATEWAY@DOT.NY.GOV
Fax: 716-847-3055

U.S. Department of Transportation
Federal Highway Administration

New York State
Department of Transportation

CP #13

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
Section 106 of the National Historic Preservation Act Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

DANIEL CULROSS
Contact Name (Print)

KCA & ALLENTOWN ASSOC.
Organization / Agency

3 SAINT JOHNS PLACE
Address

BUFFALO
City

N.Y.
State

14201
Zip Code

716.888.0733
Phone No.

716-886-1779
Fax No.

djculross@excite.com
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

I AM INTERESTED IN REPRESENTING LOCAL, NON-PROFIT ORGANIZATIONS WHOSE INTERESTS INCLUDE HISTORIC PRESERVATION & NEIGHBORHOOD QUALITY OF LIFE ISSUES. I LIVE IN THE IMMEDIATE VICINITY AND USE THE BRIDGE AND STREETS IN THIS PROJECT ON A REGULAR BASIS.

Signature

06/18/13
Date

Please mail, fax, or email your forms by June 25, 2013 to:

Mail: NY Gateway Connections Project
New York State Department of Transportation
100 Seneca Street
Buffalo, New York 14203
Email: NYGATEWAY@DOT.NY.GOV
Fax: 716-847-3055

U.S. Department of Transportation
Federal Highway Administration

New York State
Department of Transportation

CP #14

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
Section 106 of the National Historic Preservation Act Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

BRIAN DOLD (PRIMARY), GARY MUCCI, THOMAS HERRERA-MISHLER
Contact Name (Print)

BUFFALO OLMSTED PARKS CONSERVANCY
Organization / Agency

84 PARKSIDE AVE
Address

BUFFALO
City

NY
State

14201
Zip Code

716-280-8118
Phone No.

716.935.1300
Fax No.

BRIAN@BFLOPARKS.ORG, GMUCCI@HBLAW.COM, THMISHLER@BFLOPARKS.ORG.
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

BRIAN DOLD, GARY MUCCI, AND THOMAS HERRERA-MISHLER ARE REPRESENTATIVES OF THE BUFFALO OLMSTED PARKS CONSERVANCY. OUR INTERESTS RELATE TO THE DIRECT AND INDIRECT IMPACTS OF THIS PROJECT ON FRONT PARK, PORTER AVE AND THE BUFFALO OLMSTED PARKS SYSTEM AS A UNIQUE NEIGHBORHOOD, CITY WIDE AND REGIONAL ASSET.

Signature

6/12/13
Date

Please mail, fax, or email your forms by June 25, 2013 to:

Mail: NY Gateway Connections Project
New York State Department of Transportation
100 Seneca Street
Buffalo, New York 14203
Email: NYGATEWAY@DOT.NY.GOV
Fax: 716-847-3055

U.S. Department of Transportation
Federal Highway Administration

New York State
Department of Transportation

CP #15

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
Section 106 of the National Historic Preservation Act Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

Thomas W. Frank
Contact Name (Print)

Niagara River Greenway National Heritage Area
Organization / Agency

225 Evans Street Apt. A1
Address

Williamsville
City

New York
State

14221
Zip Code

716-634-3690
Phone No.

Fax No.

twfrankeinstein@gmail.com
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

I am an individual who has been personally engaged in Niagara Region Congressional legislation (NYPA Project No. 2216-081) processes pertaining to and associated with National Historic Preservation. Attached are 6 pages of support documentation.

Thomas W. Frank
Signature

21 June 2013
Date

JUN 25 2013
REGIONAL DIRECTOR
BD
CLERKS
PUBLIC INQUIRY
SAFETY & HEALTH
SECRETARY
TD
CHAIRMAN
OP
OPERATIONS
FEEL
FPO
ASO
HR
INFORMATION SERV

Please mail, fax, or email your forms by June 25, 2013 to:

Mail: NY Gateway Connections Project
New York State Department of Transportation
100 Seneca Street
Buffalo, New York 14203
Email: NYGATEWAY@DOT.NY.GOV
Fax: 716-847-3055

U.S. Department of Transportation
Federal Highway Administration

New York State
Department of Transportation

Preserving America's Heritage

November 8, 2011

Mr. Thomas W. Frank
Binational Niagara Bicentennial Project
225 Evans Street, Apartment 1
Williamsville, NY 14221

Ref: Programmatic Agreement for U.S. Customs and Border Protection Activities Along the Northern Border of the United States

Dear Mr. Frank:

It is my understanding that during the National Preservation Conference in Buffalo, New York, you discussed with staff members of the Advisory Council on Historic Preservation (ACHP), the U.S. Customs and Border Protection's (CBP) compliance process for activities along the Northern Border of the United States. The ACHP is currently participating in the consultation for the activities along the Northern Border in accordance with Section 106 the National Historic Preservation Act. We are aware that the CBP is concurrently meeting requirements under the National Environmental Policy Act, but the ACHP is not involved in that process.

If you have any comments regarding the Section 106 consultation process for this undertaking we advise you to contact CBP directly, as they are the lead federal agency. Please send any comments you have to:

Ms. Jennifer Hass
Environmental Planning Branch Chief
Office of Administration
1331 Pennsylvania Avenue NW
Suite 1220
Washington, DC 20029

If you have any general questions regarding the Section 106 process, please contact Ms. Katharine R. Kerr, of my staff, at (202) 606-8534 or at kkerr@achp.gov.

Sincerely,

Caroline D. Hall
Assistant Director
Office of Federal Agency Programs
Federal Property Management Section

ADVISORY COUNCIL ON HISTORIC PRESERVATION
1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

AECOM

GBURTC - PCC - NFTA etc
alternative analysis contracts

Project Information

What We Do: Transportation

Location: Wellington, New Zealand

Status: Ongoing

Wellington Real Time Passenger Information System

The Wellington Real Time Passenger Information System will track more than 500 buses and 50 trains, and provide information at stops, on the Internet and via Short Message Service (SMS), a communication service standardized in the GSM mobile communication system. AECOM provided services in the delivery and identification of user requirements, communication options and technical specifications for the system.

Project sponsored by Greater Wellington Regional Council. AECOM worked closely with a number of stakeholders, including public transport operators, user groups, local councils, and the funding authority, to develop the project during the procurement phase. Through one-to-one discussions and group workshops this has included

- Refinement of project scope and objectives
- Identification of options to deliver best value
- Identification and definition of user requirements
- Development of detailed technical specification
- Lodgement of funding application
- Assistance with production of procurement documentation

AECOM's professionals were able to offer significant value to Council by applying our global skills and experience in our ability to specify, procure and deliver Real Time Passenger Information projects around the world. Expertise was provided by the Australian, UK and New Zealand offices of AECOM. The system will provide benefits that will improve accessibility and increase patronage across the bus and train networks in the region.

The project has successfully completed the tender phase and procurement and construction will be provided over the next year. AECOM provided assistance for the tender evaluation phase and will be providing delivery support for the implementation.

Arthur Prof Project Manager
Intelligent Transportation Systems Leader
Arthur.Prof@aecom.com

1300 Pennsylvania Avenue NW
Washington, DC 20229

U.S. Customs and
Border Protection

SEP 14 2011

Mr. Thomas W. Frank
Binational Niagara Bicentennial Project
225 Evans Street, Apt. 1
Williamsville, NY 14221

Dear Mr. Frank:

Pursuant to the Council on Environmental Quality regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA), and the Department of Homeland Security Management Directive 023-01, *Environmental Planning Program*, U.S. Customs and Border Protection (CBP) is preparing a Programmatic Environmental Impact Statement (PEIS) analyzing the potential environmental and socioeconomic effects associated with its security activities along the border between the United States and Canada.

As you requested, we are enclosing a copy of the Draft PEIS, on a CD-ROM. The enclosed Draft PEIS is undergoing a 45-calendar day comment period, starting with the publication of Notices of Availability on September 16, 2011 and ending on October 31, 2011. During this time, CBP will hold a series of public meetings at locations along the Northern Border to provide information about the PEIS and solicit comments. Comments may be submitted via email, post, and online. CBP will also post updates on the PEIS effort, including meeting dates and times, to the project's website at www.NorthernBorderPEIS.com.

Additionally, CBP is developing a Programmatic Agreement (PA) for operations along the Northern Border to identify actions that are agreed to result in no historic properties affected or would not be considered undertakings that require consultation under Section 106 of the National Historic Preservation Act and its implementing regulations, (36 CFR Part 800). While the PA is being pursued as an independent action from the PEIS, it will be applied to future activities occurring within the Northern Border study area and therefore is relevant to the Northern Border PEIS.

Thank you for your comments and interest in CBP's Northern Border PEIS.

Sincerely,

Christopher S. Oh
Acting Director
Environmental and Energy Division

Enclosures

CBP Northern Border PEIS

For information visit: www.NorthernBorderPEIS.com

Or to submit comments:

EMAIL	MAIL	CALL
comments@NorthernBorderPEIS.com	CBP Northern Border PEIS P.O. Box 3625 McLean, VA 22102	866-760-1421

U.S. Customs and
Border Protection

1331 Pennsylvania Avenue N.W.
Washington, DC 20229

U.S. Customs and
Border Protection

July 23, 2012

Mr. Thomas W. Frank
Binational Niagara Bicentennial Project
225 Eyons Street, Apt. 1
Williamsville, NY 14221

Dear Mr. Frank:

Pursuant to the Council on Environmental Quality regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA), and the Department of Homeland Security Management Directive 023-01, *Environmental Planning Program*, U.S. Customs and Border Protection (CBP) has prepared a Final Programmatic Environmental Impact Statement (PEIS) for Northern Border Activities. The PEIS analyzes potential environmental and socioeconomic effects associated with CBP activities along the border between the United States and Canada. A copy of the Final PEIS on a CD-ROM and a hardcopy of the accompanying Draft Record of Decision (ROD) documenting CBP's decision about its intended direction for potential future activities along the northern border are enclosures to this package as you requested.

The Final PEIS and Draft ROD are undergoing a 30-day waiting period, starting with the publication of their Notice of Availability in the Federal Register on July 27, 2012. The Final PEIS and Draft ROD are also available on the project's website at http://www.cbp.gov/xp/cgov/about/sr/. CBP can be contacted at cbpenvironmentalprogram@cbp.dhs.gov, by calling 202-325-4191, or by mail at:

Jennifer DeHart Hass
Environmental and Energy Division
U.S. Customs and Border Protection
1331 Pennsylvania Ave. NW Suite 1220N
Washington, DC 20229

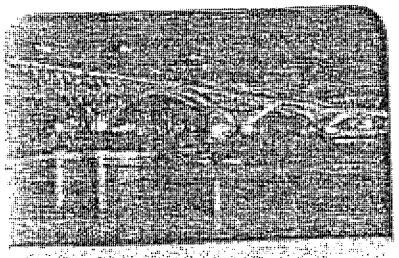
In addition to this PEIS, CBP will assess impacts to historic property in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations. CBP may elect to execute a Programmatic Agreement in accordance with 36 CFR 800.14(b) that would apply to activities covered in the PEIS. Thank you for your interest in CBP's Northern Border PEIS.

Sincerely,

Jennifer DeHart Hass
Director
Environmental and Energy Division

Enclosures

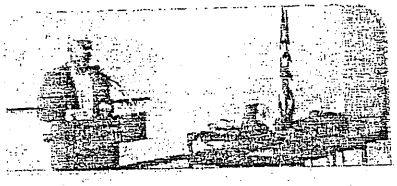
Transportation Options



Embracing Bi-National Opportunities

The Partnership teamed up with Buffalo Niagara Enterprise and Phillips Lytle LLP to hold the first "Canadian Connections" in Beamsville, Ontario. The event connected Canadian employers looking to create a presence in Buffalo Niagara with employers already doing business in the region for sharing of best practices. A CanAm Council was established to bring together Partnership investors with expertise in CanAm trade and address opportunities for growth across our bi-national region.

APRIL



Joining Erie County to Call for an Improved Workforce Development System

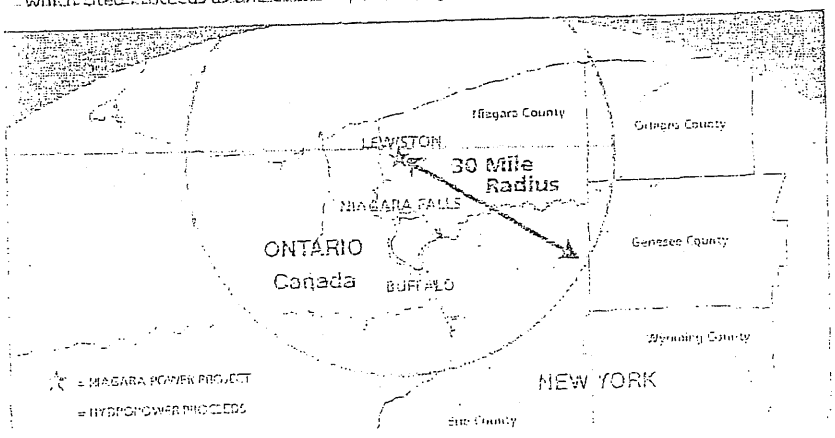
Partnership President & CEO Andrew Rudnick joined County Executive Mark Poloncarz for Erie County's Workforce Development Summit to call on regional workforce development agencies to better meet the changing needs of Buffalo Niagara employers and address skill gaps between our region's workforce and market demands. With significant investment and progress being made in regional target industries, it is imperative that Buffalo Niagara has the human capital necessary to facilitate growth.

MAY

Partnership Recognizes Proceeds Volunteers

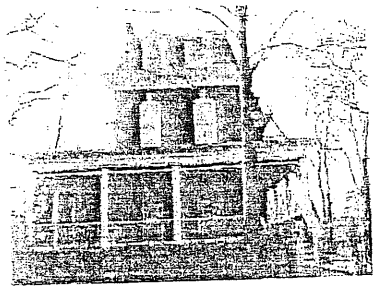
The Partnership recognized the nearly decade-long work of volunteers, paid consultants and staff that led to the inclusion of Hydropower Proceeds Legislation in the 2012-2013 State Budget. The newly-passed Proceeds law will annually generate $7 million in cash to fund regional economic development projects within a 30-mile radius of the Niagara Power Project, and starts with a cash balance of $15 million. These funds were previously spread across New York State for various NYPA-chosen projects.

The importance and success of the longstanding Proceeds initiative was recognized by the Partnership's national trade organization, the American Council of Chamber Executives, which cited Proceeds as one of the top three regionally important initiatives in 2012.



BUFFALO BUILDING REUSE PROJECT

CROSS-BORDER RELATIONSHIPS TO STRENGTHEN THE BI-NATIONAL ECONOMY



Study and Report

Buffalo & Fort Erie Bridge Authority, Buffalo, NY

Draft and final Environmental Impact Statements (EIS) for construction of a new international bridge connecting Buffalo, New York, Fort Erie, Ontario, and Canada. Participated as part of a multi-national team to prepare a joint report meeting the requirements of both nations.

Foit-Albert Associates was responsible for assessing impacts of bridge terminus on historic residential neighborhood (including the potential demolition of up to 300 historic homes) and the Fredrick Law Olmsted Front Park. Includes an inventory of all properties and intensive-level research on individual owners and architects to determine National Register eligibility of each of the 300 structures.

Work also included documentation and research of the Peace Bridge development itself, including all structures on the U.S. toll plaza (administration buildings, salt barns, customs, Duty-Free, etc.). Historical development was analyzed to determine factors which may influence the design of future structures on site.

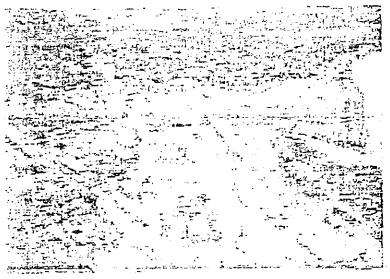
FoitAlbert

Survey and Report

Williamsville NY

Environmental Impact Statements (EIS) for construction of a new toll barrier location on the New York State Thruway to replace the existing Williamsville Toll Barrier. Project studied areas of impact of three distinct toll barrier locations, including impacts associated with cross-bridge modifications necessary to accommodate enlarged rights of way.

Foit-Albert Associates was responsible for assessing impacts on above ground resources on properties adjacent to the Thruway. Rural, subdivided and often undocumented, the project included walking site to determine existence of all structures or former structures across significant acreage. Project undertaken in conjunction with Ecology and Environment as a separate subconsultant to coordinate potential sites of potential archeological remains. Includes an inventory of all properties and research on individual owners and architects to determine National Register eligibility of each of over 100 sites, most with multiple structures.



Interior & Exterior Surveys
Review Historic Photos
Schematic Design of Facades
Structural Improvements
Construction Administration

Lumber City Development Corp., North Tonawanda, NY

In 2006, the Lumber City Development Corporation (LCDC) received a grant through the NYS Division of Housing and Community Renewal's Main Street New York Program. The LCDC built the grant application around redevelopment of the North Tonawanda downtown areas of Webster Street, Main Street and Sweeney Street. The grant award included funding for streetscape and signage improvements, specifically wayfinding signs for the many downtown and local establishments; funding for matching façade grants to property owners; and funding for matching building renovation grants for property owners making improvements to, or adding, residential units to downtown buildings.

The City of North Tonawanda is moving forward with a new vision for the community. The Main Street Program Round II is a continuing step in a long and dynamic process of revitalization.

Each building detailed in the report relates to the larger concern of the creation of a historic district in North Tonawanda. Each building

...BETTER THAN EVER!

Recognized as one of the safest superhighways in the country, the 641-mile New York State Thruway system provides superior roadway maintenance and convenient services that make the Thruway the preferred route in the Empire State for millions of travelers every year.

These facilities offer a variety of popular restaurants with the familiar fast service you look for and high quality you deserve when you're away from home. The Authority has also provided numerous other services such as prepaid phone card machines, ATMs and TDDs at most locations.

Your comments about these facilities and services are welcomed. Please write:

New York State Thruway Authority

Director of Travelers' Services
P.O. Box 189
Albany, NY 12201-0189

Making getting there on the Thruway better than ever!

TAP-015 (05/2009)

Safe Driving Tips

- ✓ Buckle up – It's the Law
- ✓ Use Caution in Work Zones
- ✓ Don't Tailgate
- ✓ Keep to the Right
- ✓ Signal Your Intentions
- ✓ Don't Drive When Drowsy
- ✓ Take Frequent Safety Breaks

Road Conditions Report
1-800-THRUWAY (847-8929)

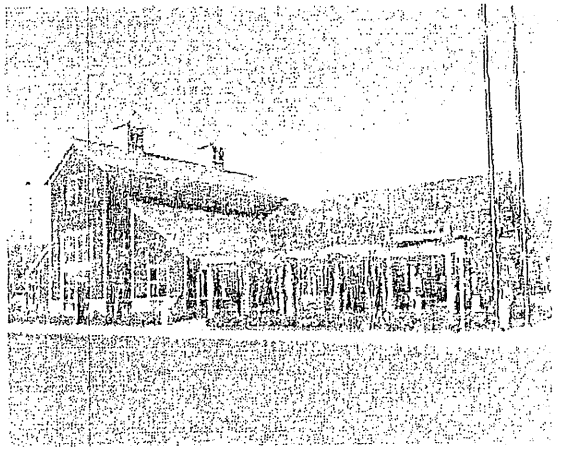
Thruway Emergencies
1-800-842-2233

Thruway's TDD/TTY
1-800-253-6244

New York State Thruway Authority

Travel Plaza

Directory



Making Getting There....

New York State Thruway Travel Plazas

* Indicates a seasonal service

All Travel Plazas offer a Family Assist Restroom

ATMs located at all Travel Plazas

Clarence
Arby's (24 hrs)
Tim Hortons
Gift Shop
*Tourism Info
*Farm Market
Sunoco

Ontario
McDonald's (24 hrs)
LavAzza
Boston Pizza/Subs
Deli/Gift Shop
Edy's Ice Cream
Sunoco

Seneca
Tim Hortons (24 hrs)
Checkers
Villa Pizza (seasonal - open May - Oct.)
Gift Shop
*Tourism Info
Mobil

Junius Ponds
Dunkin' Donuts (24 hrs)
Roy Rogers
Hershey's/Snack Bar
Gift Shop
History Kiosk
Sunoco

Warners
McDonald's (24 hrs)
New York Pizza
Edy's Ice Cream
Gift Shop
*Tourism Info
*Farm Market
Mobil

Chittenango
Dunkin' Donuts (24 hrs)
Sbarro
Freshens
SnackBar/Gift Shop
History Kiosk
*Farm Market
Sunoco

Schoyler
McDonald's (24 hrs)
Brayers Ice Cream & Pastry Shop
Fresh Fudge
Gift Shop
*Tourism Info
Mobil

Iroquois
Dunkin' Donuts (24 hrs)
Burger King
Freshens
Nathan's
Gift Shop
*Farm Market
Mobil

Pattersonville
Roy Rogers (24 hrs)
Quiznos
Famous Famiglia
Snack Bar
Starbucks
Gift Shop
*Farm Market
Mobil

Angola
Denny's (24 hrs)
McDonalds
Sanello's
Boston Pizza
LavAzza
Snack Bar
Gift Shop
*Tourism Info
*Farm Market
Mobil

Pembroke
Tim Hortons (24 hrs)
Villa Pizza (seasonal - open May - Oct.)
Checkers
Gift Shop
*Tourism Info
History Kiosk
Sunoco

Scottsville
Arby's (24 hrs)
Tim Hortons
*Tourism Info
Mobil

Clifton Springs
Roy Rogers (24 hrs)
Sbarro
Starbucks
Travel Mart
*Farm Market
Sunoco

Port Byron
McDonald's (24 hrs)
New York Pizza
Edy's Ice Cream
Fresh Fudge
Gift Shop
*Farm Market
Mobil

DeWitt
McDonald's (24 hrs)
Edy's Ice Cream
Gift Shop
Sunoco

Oneida
Burger King (24 hrs)
Sbarro
Starbucks
Travel Mart
Farm Market
Sunoco

Indian Castle
Roy Rogers (24 hrs)
Starbucks
Hershey's/Nathan's
Travel Mart
*Farm Market
Trucker's Lounge
Mobil

Mohawk
McDonald's (24 hrs)
Fresh Fudge
Gift Shop
Mobil

Guilderland
McDonald's (24 hrs)
Mr. Subb
Gift Shop
Mobil

Ulster
Roy Rogers (24 hrs)
Nathan's
Starbucks
Travel Mart
History Kiosk
*Farm Market
Sunoco

Modena
McDonald's (24 hrs)
Arby's
Pizzeria Uno
Carvel
LavAzza
Gift Shop
*Farm Market
Sunoco

Ramapo
McDonald's (24 hrs)
Pizzeria Uno
Carvel
LavAzza
Fresh Fudge
Sunoco

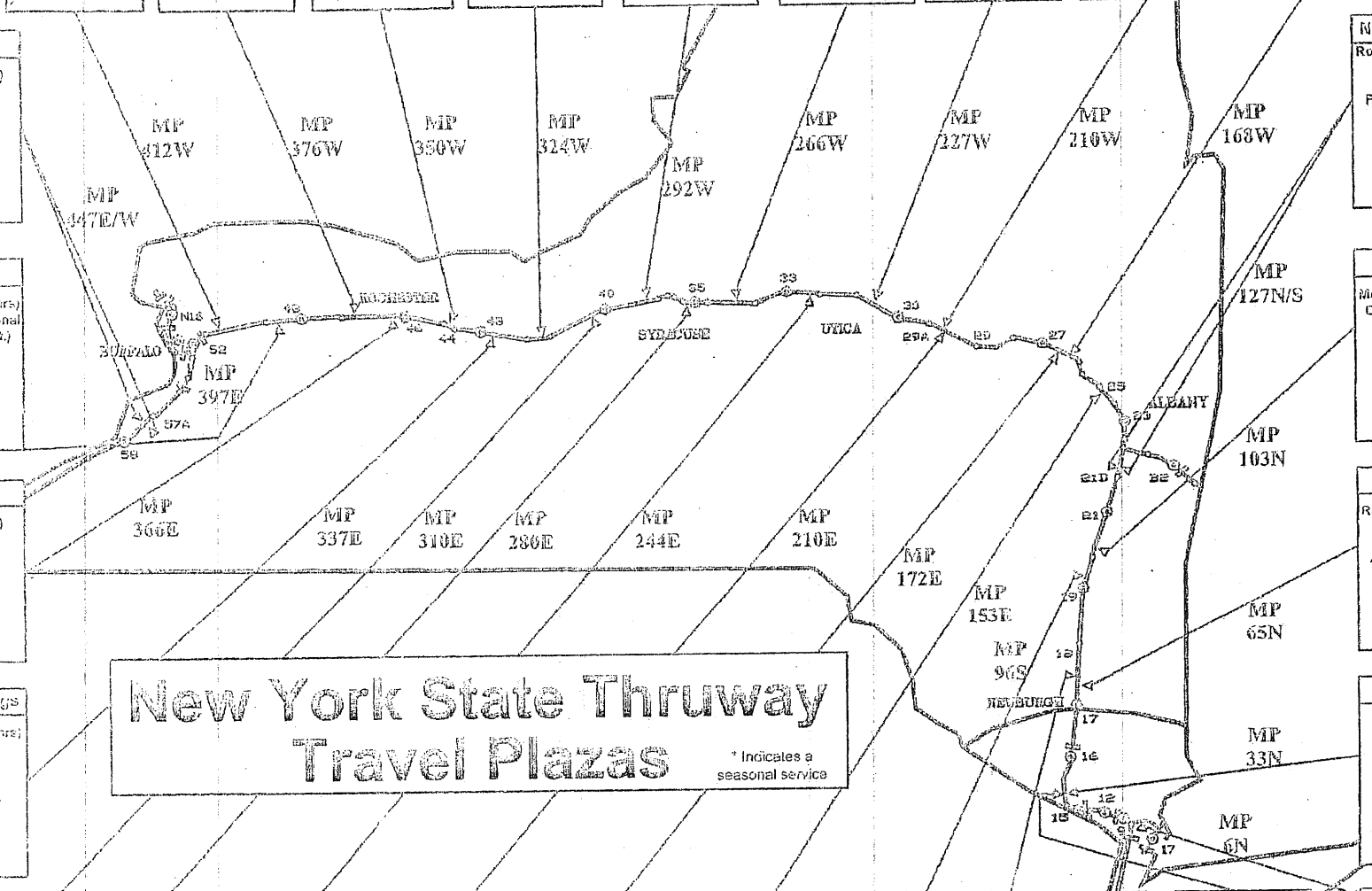
Ardsley
Burger King (24 hrs)
Popeyes
Starbucks
Sunoco

New Baltimore
Roy Rogers (24 hrs)
Starbucks
Quiznos
Famous Famiglia
Travel Mart
*Tourism Info
*Farm Market
Mobil

Malden
McDonald's (24 hrs)
Original Pizza/Hot Dogs
Gourmet Cup
Deli/Gift Shop
*Farm Market
Mobil

Plattekill
Roy Rogers (24 hrs)
Starbucks
Nathan's
Arthur Treacher's
Brioche Doree
Gift Shop
*Tourism Info
*Farm Market
Sunoco

Sloatsburg
Dunkin' Donuts (24 hrs)
Burger King
Starbucks
Nathan's
Sbarro
Quiznos
Travel Mart
History Kiosk
*Tourism Info
Sunoco



CP #16

Peter Joseph & Joanne Certo
776 Columbus Pkwy.
Buffalo, NY 14213-2412
peterjoe@certobrothers.com
716-609-4099

June 24, 2013

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
New York State Department of Transportation—Design Office
100 Seneca Street
Buffalo, New York 14203

RE: NY GATEWAY CONNECTIONS IMPROVEMENT PROJECT/CONSULTING PARTY STATUS

To Whom It May Concern:

Please accept this as our formal request for inclusion as consulting parties on the above captioned project. We think that, as neighborhood residents with property abutting that of the Public Bridge Authority, we are not only qualified to consult but also have vested interest in the outcome of this project.

Thank you for your attention, understanding, and cooperation in this matter.

Sincerely,

Peter Joseph Certo
Joanne Certo

CP #17

From: jwilson.pbn@gmail.com [mailto:jwilson.pbn@gmail.com] **On Behalf Of** Jason Wilson - PBN
Sent: Wednesday, June 26, 2013 12:00 AM
To: Mozrall, Craig (DOT); dot.sm.nygateway
Cc: Tom Yots
Subject: Request for Consulting party status for Section 106

Dear Mr. Mozrall,

I am requesting approval on behalf of Preservation Buffalo Niagara to become a Section 106 Consulting Party member for the proposed NY Gateway Connections Improvement Project to the U.S. Peace Bridge plaza.

As Western New York's leading historic preservation not-for-profit, Preservation Buffalo Niagara has a direct interest in the proposed improvements taking place adjacent to Front Park, a national register listed historic resource, and the Prospect Hill neighborhood, a historically significant community containing several National Register listed as well as National Register eligible resources. For the past 5 years Preservation Buffalo Niagara has been working with the Preservation League of New York State, the New York State Historic Preservation Office, the National Trust for Historic Preservation as well as the Niagara Gateway Columbus Park Association to ensure that any improvements to the neighborhood are done in a sensitive manner. We would like to have further input in this process.

Thank you for your consideration.

Sincerely,
Jason Wilson - Director of Operations
Preservation Buffalo Niagara
617 Main Street,
Buffalo, New York 14203
716.852.3300 - Office
716.852.5340 - Fax
Jwilson.PBN@gmail.com
www.PreservationBuffaloNiagara.org

U.S. Department of Transportation
Federal Highway Administration

New York Division

Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207
518-431-4127
Fax 518-431-4121
NewYork.FHWA@dot.gov

July 11, 2013

In Reply Refer To:
HED-NY

Mr. Thomas W. Frank
225 Evans Street, Apt. A1
Williamsville, New York 14221

Dear Mr. Frank,

The Federal Highway Administration (FHWA) in cooperation with New York State Department of Transportation (NYSDOT) would like to thank you for your interest in the NY Gateway Connection Improvements to the US Peace Bridge Plaza project and the Section 106 process.

The NY Gateway Connection Improvements to the US Peace Bridge Plaza project is not associated with the New York Power Authority (NYPA) project #2216-081, nor does the Environmental Impact Statement (EIS) documentation being prepared for this project as part of Section 106 process and in accordance with the National Environmental Policy Act (NEPA) process pertain to the US Customs and Border Protection (CBP) compliance process. Therefore, after careful consideration of your request and supporting documentation, FHWA and NYSDOT are declining your request to participate as a Section 106 consulting party member for the Gateway project because the nature of your legal or economic relationship with the undertaking's effect on historic properties was not demonstrated in your request.

You may wish to continue your participation in the EIS process for the project as an interested member of the public. Public involvement is an essential part of the project development process, and provides continuing opportunities for the public to be involved in the identification of social, economic, and environmental impacts. Comments received from the public will be considered in the decision-making process, and appropriately documented in the Environmental Impact Statement.

Sincerely,

/s/ HANS ANKER, P.E.

Hans Anker, PE
Senior Area Engineer

cc: Dan Hitt, NYSDOT Office of Environment
Robert Davies, FHWA
Carol Legard, ACHP
Daniel Streett, NYSDOT, Engineering Division
Kimberly Lorenz, NYSDOT Region 5
James Griffis, E&E, Inc

RECEIVED
JUL 15 2013
OFFICE OF ENVIRONMENT

July 29, 2013

NYSDOT letter to Consulting Parties –

Transmittal of Preliminary Assessment of Effects

(*See Section 4 Agency Correspondence #22*)

CP #19

Niagara Gateway Columbus Park Association
763 Columbus Parkway
Buffalo, NY 14213
(716) 881-5309
krmecca@yahoo.com

August 5, 2013

NY Gateway Connections Improvement Project
To the US Peace Bridge Plaza
Design Office
New York State Department of Transportation
100 Seneca Street
Buffalo, New York 14203

Re: NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza
Request for extension of public comment period

To Whom It May Concern:

Please let this letter reflect a formal request from the Niagara Gateway Columbus Park Association (Columbus Park Neighborhood Association) of Buffalo, New York, for an extension of the Section 106 comment period for the NY Gateway Connections Improvement Project.

Currently, Consulting Party comments are due to the New York State Department of Transportation no later than August 30, 2013. However, this is insufficient time given the magnitude of the project's proposed impact on historic Front Park, Busti Avenue, Porter Avenue, Columbus Parkway, Niagara Street, River Walk, recreational areas, waterfront access and view shed, and the adjacent historic neighborhoods. The community is expected to provide reasonable and relevant comments by August 30, 2013 with few available resources specifically without the July 30, 2013 meeting transcript. As a Consulting Party, the Columbus Park Association believes an extension of the Section 106 comment period and a second Section 106 meeting is warranted. Our request is being made for the following reasons:

- The community depends on the expertise of the National Trust for Historic Preservation and the Preservation League of NYS. Given the long distance locations of the above mentioned, conferencing calling is our only means of communication. Many of us representing historic Prospect Hill - Columbus Park are employed full time elsewhere and cannot attend conferences during the day time when NTHP and PLNYS representatives are available. By limiting the comment period to 30 days, DOT and FHWA is limiting the community's ability to access professional guidance.

- Consulting Party members are expected to submit comments based on 'recall' of conversations that took place during the July 30, 2013 meeting, one handout, and a critical document that was not issued until the day of the Section 106 meeting. Without being able to reference the meeting transcript, Consulting Party members are placed at an unfair disadvantage having to tie together all the complex pieces of critical information from memory.

- The Draft Finding Documentation Preliminary Assessment of Effects Document was not issued by the State and Federal government until the day of the Section 106 meeting. Most Consulting Party members received it later that evening. The timing in releasing this document by the DOT and FHWA is not only suspicious but further complicates the comment process because it removes our ability to openly discuss disputed facts and findings contained in the document. Without direct face to face clarification and no second meeting scheduled, we essentially are forced to comment on an important document of finding in a vacuum. We believe this violates the intent of the National Historic Preservation Act.

- The people who are most impacted by this project are not aware of the Section 106 process because there was no attempt by the State or Federal government to reach out to them or to an active network of existing community based organizations and churches to educate them about the importance of participating in the process.

- The majority of residents who live within the proposed Area of Potential Effect (APE) are poor, working class citizens many of whom are assigned to afternoon or evening shifts at their places of employment. For this reason, an important segment of our community was left out of this process including members of the business community. We believe this violates the intent of the National Historic Preservation Act.

- The Section 106 presentation or related information is not available on the DOT project website.

- None of the information distributed is in any language other than English. The State and Federal government are fully aware that there are over 40 languages spoken in the West Side of Buffalo, and non-English and non-Spanish speaking adults comprise 10% of our population according to the U.S. Census Bureau. The same oversight by the DOT and FHWA was made during the Public Scoping Process.

- The non-English and non-Spanish speaking residents have every right to be informed about the historic impact the proposed project will have on their environment, economic standing, public resources, quality of life and neighborhoods even if they do not have Consulting Party status. They will not know what changes are being proposed unless they can understand the information in their own language. We believe this violates the intent of the National Historic Preservation Act.

- Thirty days is insufficient time for civic and preservation *volunteers* to reach out to community based organizations and churches who can help educate non-English speaking residents about the National Historic Preservation Act, particularly the complexities of Federal Transportation Law 4(f). Without understanding how the project will impact, alter or affect the West Side community, residents cannot adequately participate in a public exchange of ideas or comments. We believe this violates the intent of the National Historic Preservation Act.

- In order for Columbus Park Association and preservation organizations to appropriately submit comments by August 30, 2013 we need to know what non-English speaking West Side residents think about the NY Gateway project and its profound effects on historic resources which are an inextricable link to this community's identity.

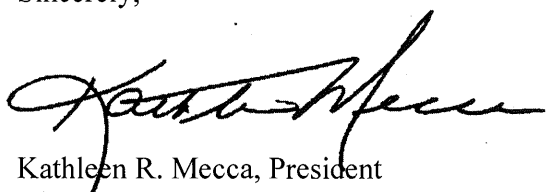
In addition to preserving and protecting the integrity of our historic and disadvantaged community, the West Side faces serious environmental challenges because the community is located downwind of the Peace Bridge. According to the Partnership for the Public Good (PPG), the people of the West Side form one of Buffalo's most diverse and dynamic communities but are also an "environmental justice community disproportionately afflicted with asthma and respiratory disease."

We have a 69% minority rate and a 46% poverty rate, as well as disproportionately high rates of asthma, cancer, and other diseases. These health complications have been linked to the toxic diesel exhaust emitted by the commercial trucks that use the Peace Bridge through empirical medical and environmental research, all of which has been peer reviewed and confirmed by the U.S. Environmental Protection Agency and other respected organizations.

Therefore, we ask that the Section 106 comment period for the NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza be extended for an additional 30 days, beginning on the date that Consulting Party members receive the meeting transcript from the Section 106 meeting of July 30, 2013. To deny the public enough time to review Section 106 materials and respond appropriately under these extraordinary circumstances would place an unnecessary hardship on a community that has actively participated in every public process involving the Peace Bridge crossing for over 20 years.

Thank you in advance for your cooperation.

Sincerely,



Kathleen R. Mecca, President
Niagara Gateway Columbus Park Association

cc: Robert Davies, U.S. Federal Highway Administration
Daniel Streett, New York State Department of Transportation
Maria Lehman, New York State Department of Transportation
Ron Rienas, Buffalo and Fort Erie Public Bridge Authority
John Bonafide, SHPO
Carlo Legard, ACHP
Honorable Robin Schimminger, New York State Assembly
Honorable Mickey Kearns, New York State Assembly

Honorable Mark Grisanti, NYS Senate
Honorable Tim Kennedy, NYS Senate
Honorable Charles Schumer, U.S. Senate
Honorable Brian Higgins, U.S. Congress
Elizabeth Merritt, National Trust for Historic Preservation
Tania Werbitzky, Preservation League of New York State
Jason Wilson, Preservation Buffalo Niagara
Terry Robinson, Preservation Buffalo Niagara
Tim Tielman, Campaign for Greater Buffalo History, Architecture and Culture
Alan Oberst, Consulting Party member
Carole Perla, Consulting Party member
Linda DeTine, Consulting Party member
Liz Martina, Consulting Party member
Peter J. Certo, Consulting Party member
Joanne Certo, Consulting Party member
Honorable Mayor Byron Brown
City of Buffalo Common Council
Mark Mitskovski, Vice President, Niagara Gateway Columbus Park Association
Prospect Hill Neighborhood Alliance
Clean Air Coalition of Western New York
Western New York Environmental Alliance
Sierra Club Niagara Chapter
Citizens for Regional Transit
West Side Community Collaborative
Buffalo West Side Environmental Defense Fund
Partnership for the Public Good
Local print and broadcast media outlets

CP #[redacted] 22

From: michael herbold [mailto:painterboy14213@gmail.com]
Sent: Tuesday, August 06, 2013 11:35 AM
To: Streett, Daniel (DOT); Hitt, Dan (DOT); robert.davies@fhwa.dot.gov; Maria Lehman; Ron Rienas; mark peckham; clegard@achp.gov; Cc: Robin Schimminger; Mickey Kearns; Mark Grisanti; Timothy Kennedy; walt koch; charles schumer; Betsy Merritt; Tania Werbizky; Jason Wilson; Terry Robinson; Tim Tielman; Hon. Byron Brown; Natasha Soto; Jack Foran; Mike Puma; ebuckley@wbfo.org
Cc: brussell@city-buffalo.com; dpridgen@city-buffalo.com; dfranczyk@city-buffalo.com; dsmith@city-buffalo.com; jgolombek@city-buffalo.com; mlocurto@city-buffalo.com; rfontana@city-buffalo.com
Subject: Re: Request for extension to Section 106 comments

August 5, 2013

Michael Herbold
85 Rhode Island Street
Buffalo, NY 14213

NY Gateway Connections Improvement Project
To the US Peace Bridge Plaza
Design Office
New York State Department of Transportation
100 Seneca Street
Buffalo, New York 14203

Re: NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza
Request for extension of public comment period

To Whom It May Concern:
Please let this letter reflect a formal request from the Niagara Gateway Columbus Park Association (Columbus Park Neighborhood Association) of Buffalo, New York, for an extension of the Section 106 comment period for the NY Gateway Connections Improvement Project.

Currently, Consulting Party comments are due to the New York State Department of Transportation no later than August 30, 2013. However, this is insufficient time given the magnitude of the project's proposed impact on historic Front Park, Busti Avenue, Porter Avenue, Columbus Parkway, Niagara Street, River Walk, recreational areas, waterfront access and view shed, and the adjacent historic neighborhoods. The community is expected to provide reasonable and relevant comments by August 30, 2013 with few available resources specifically without the July 30, 2013 meeting transcript. As a Consulting Party, the Columbus Park Association believes an extension of the Section 106 comment period and a second Section 106 meeting is warranted. Our request is being made for the following reasons:

· The community depends on the expertise of the National Trust for Historic Preservation and the Preservation League of NYS. Given the long distance locations of the above mentioned, conferencing calling is our only means of communication. Many of us representing historic Prospect Hill - Columbus Park are employed full time elsewhere and cannot attend conferences during the day time when NTHP and PLNYS representatives

are available. By limiting the comment period to 30 days, DOT and FHWA is limiting the community's ability to access professional guidance.

· Consulting Party members are expected to submit comments based on 'recall' of conversations that took place during the July 30, 2013 meeting, one handout, and a critical document that was not issued until the day of the Section 106 meeting. Without being able to reference the meeting transcript, Consulting Party members are placed at an unfair disadvantage having to tie together all the complex pieces of critical information from memory.

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· The Draft Finding Documentation Preliminary Assessment of Effects Document was not issued by the State and Federal government until the day of the Section 106 meeting. Most Consulting Party members received it later that evening. The timing in releasing this document by the DOT and FHWA is not only suspicious but further complicates the comment process because it removes our ability to openly discuss disputed facts and findings contained in the document. Without direct face to face clarification and no second meeting scheduled, we essentially are forced to comment on an important document of finding in a vacuum. We believe this violates the intent of the National Historic Preservation Act.

· The people who are most impacted by this project are not aware of the Section 106 process because there was no attempt by the State or Federal government to reach out to them or to an active network of existing community based organizations and churches to educate them about the importance of participating in the process.

· The majority of residents who live within the proposed Area of Potential Effect (APE) are poor, working class citizens many of whom are assigned to afternoon or evening shifts at their places of employment. For this reason, an important segment of our community was left out of this process including members of the business community. We believe this violates the intent of the National Historic Preservation Act.

· The Section 106 presentation or related information is not available on the DOT project website.

· None of the information distributed is in any language other than English. The State and Federal government are fully aware that there are over 40 languages spoken in the West Side of Buffalo, and non-English and non-Spanish speaking adults comprise 10% of our population according to the U.S. Census Bureau. The same oversight by the DOT and FHWA was made during the Public Scoping Process.

· The non-English and non-Spanish speaking residents have every right to be informed about the historic impact the proposed project will have on their environment, economic standing, public resources, quality of life and neighborhoods even if they do not have Consulting Party status. They will not know what changes are being proposed unless they can understand the information in their own language. We believe this violates the intent of the National Historic Preservation Act.

· Thirty days is insufficient time for civic and preservation *volunteers* to reach out to community based organizations and churches who can help educate non-English speaking residents about the National Historic Preservation Act, particularly the complexities of Federal Transportation Law 4(f). Without understanding how the project will impact, alter or affect the West Side community, residents cannot adequately participate in a public exchange of ideas or comments. We believe this violates the intent of the National Historic Preservation Act.

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· In order for Columbus Park Association and preservation organizations to appropriately submit comments by August 30, 2013 we need to know what non-English speaking West Side residents think about the NY Gateway project and its profound effects on historic resources which are an inextricable link to this community's identity.

In addition to preserving and protecting the integrity of our historic and disadvantaged community, the West Side faces serious environmental challenges because the community is located downwind of the Peace Bridge. According to the Partnership for the Public Good (PPG), the people of the West Side form one of Buffalo's most diverse and dynamic communities but are also an "environmental justice community disproportionately afflicted with asthma and respiratory disease."

We have a 69% minority rate and a 46% poverty rate, as well as disproportionately high rates of asthma, cancer, and other diseases. These health complications have been linked to the toxic diesel exhaust emitted by the commercial trucks that use the Peace Bridge through empirical medical and environmental research, all of which has been peer reviewed and confirmed by the U.S. Environmental Protection Agency and other respected organizations.

Therefore, we ask that the Section 106 comment period for the NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza be extended for an additional 30 days, beginning on the date that Consulting Party members receive the meeting transcript from the Section 106 meeting of July 30, 2013. To deny the public enough time to review Section 106 materials and respond appropriately under these extraordinary circumstances would place an unnecessary hardship on a community that has actively participated in every public process involving the Peace Bridge crossing for over 20 years.

Thank you in advance for your cooperation.

Sincerely,
Michael Herbold
Niagara Gateway Columbus Park Association
Niagara Hall Associates

CP #21

August 15, 2013

NYSDOT to Consulting Parties –

Transmittal of Consulting Parties' Meeting Transcript

(*See Section 106 Agency Correspondence #27*)

CP #22

From: Schneekloth, Lynda [mailto:lhs1@buffalo.edu]
Sent: Sunday, August 18, 2013 9:35 PM
To: Wells-Brewer, Merlene (DOT)
Subject: NY Gateway Connections Improvement Project

Dear Ms. Wells-Brewer,

I am in receipt of your letter of August 15, 2013 explaining the extension of the comment period for the "Draft Finding Documentation: A Preliminary Assessment of Effects." I was out of the country for the July 30 meeting and appreciate the extension.

However, the correspondence states that there is a copy of the stenographic transcript of Section 106 Consulting Party meeting. However, this was not enclosed although I did receive copies of the same letter sent to various parties.

I would appreciate a copy of the transcription and other information presented so that I could prepare comments.

Thanks,

Lynda Schneekloth, Chair
Sierra Club Niagara Group

CP #23

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232

WWW.DOT.NY.GOV

JOAN MCDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

August 26, 2013

Ms. Lynda Schneekloth, Chair
Sierra Club Niagara Group
601 W. Ferry Street
Buffalo, NY 14222

RE: NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
Response to request for Section 106 Consulting Parties Meeting transcript

Dear Ms. Schneekloth;

We received your email dated August 18, 2013 regarding the letter you received from the New York State Department of Transportation (NYSDOT) to the Section 106 Consulting Parties for the NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza. The purpose of the letter from NYSDOT was to transmit the transcript from the July 30th Consulting Parties Meeting and also provide a response to a request received from the Columbus Park Association to extend the comment period on the "*Draft Finding Documentation: A Preliminary Assessment of Effects.*"

The Sierra Club Niagara Group was copied on the comment period extension request from the Columbus Park Association. Thus, we copied the Sierra Club, along with others, on our response to this request. However, only the recognized Section 106 Consulting Parties received the stenographic transcript. Since the Sierra Club is not a Consulting Party on this project, a transcript was not sent to your organization. Nevertheless, in response to your request, for informational purposes, the transcript from the Consulting Parties Meeting is enclosed.

Please be aware that, at this time, NYSDOT and the Federal Highway Administration (FHWA) are requesting comments on the Draft Finding Documentation from the approved Section 106 Consulting Parties. Interested organizations, such as the Sierra Club, and the public will be provided opportunities to comment on the environmental effects of the project throughout the process. At this time, we anticipate holding a public informational meeting in mid-October 2013, releasing the Draft Environmental Impact Statement (DEIS) in November 2013 for review and comment, and scheduling a Public Hearing in early to mid-December 2013.

In addition, please note that the Scoping Report for the project was recently issued. This report and additional project information are available on the project website:

https://www.dot.ny.gov/nygateway

Thank you for your interest in the NY Gateway Connections Project. Please do not hesitate to contact me should you have any questions. I can be reached at dan.hitt@dot.ny.gov or (518) 457-4054.

Sincerely,

Daniel P. Hitt, RLA
(Acting) Co-Director, Office of Environment

Enclosure

cc: D. Streett, NYSDOT MO
K. Lorenz, NYSDOT Region 5
H. Anker, FHWA
R. Davies, FHWA
T. Donohue, Parsons
J. Griffis, Ecology & Environment

CP #24

From: Linda DeTine [mailto:lindadetine@hotmail.com]
Sent: Wednesday, August 28, 2013 10:14 PM
To: Wells-Brewer, Merlene (DOT)
Subject: Section 106 comments - PIN 5760.80/13PRO2859

Dear Ms. Welss-Brewer:

Re: New York Gateway Connections Improvement Project to the US Peace Bridge Plaza

Please accept these comments to the NYSDOT/FHWA finding of no adverse effect on historic resources from the above project.

I disagree that there will be no adverse effect. First, it is impossible to gauge what the effect will be on the most important feature of Front Park, i.e., the view it fronts on, without elevations provided. It is disingenuous to say that your agencies do not have information about how high the proposed ramps will be, or that it is not possible to obtain renderings showing the effect on the view shed.

It is also disingenuous to claim that there will be no impact on the recreational use of the Park because the area in question is already occupied by transportation use. This statement ignores the importance of scale or density of use in assessing effects. One ramp allowing for some transportation use has a very different effect than three ramps allowing for much more transportation use. It also sounds like your agencies' position is that because some traffic is there now, the neighborhood can never ever stop any amount of traffic there. But your agencies actually have the responsibility and the power to reduce "transportation use" that is harming such an important historic resource as the Front.

The remarks that the effect of the new ramps will be "similar" to existing conditions and not alter the "character" of existing views from the park are also disingenuously subjective and vague. What do they mean exactly? For one thing, how were these conclusions drawn if your agencies say they cannot demonstrate what the new ramps will look like? What does it mean to be "similar" to existing conditions, in these circumstances? NOT the "same," so how much different, and specifically how different. The phrase tells us nothing. Talking about the "character" of a view tells us nothing. What exactly will the park goer view after the project that he does not view now.

A finding of no adverse effect based on a "net gain" of green space is also shallow and meaningless. The so-called gain of green space is at the back - but the point of putting the park there was the front. An acre in the back does not have the same value as an acre at the front of the Front. Especially as the pavement gained at the front of the Front will be a carrier for what you euphemistically refer to as "transportation use." You mean trucks. The park users "gain" an acre of green space at the back, and suffer a gain of trucks between them and the water. That is an adverse effect.

Finally, I again object to the preferential treatment being afforded the Olmsted Park Conservancy in this process over actual residents and users of the Front. The City owns the Front and its residents should have more say than a corporation whose board was not elected by City residents and is not answerable to City residents. We are the best participants to speak for ourselves and our Park.

In short, this project will further destroy Olmsted's Front Park, impose further "transportation use" harm on the area residents, and assuredly have an enormous adverse effect on the surrounding historic resources.

Thank you for your attention.

Linda J. DeTine
676 Columbus Parkway
Buffalo, New York 14213
716-510-8453

Fargo Estate Neig .borhood Association

Bounded by Porter, West, Pennsylvania & Prospect ~ Including Fargo & Jersey Streets

c/o ~ Eighty One Fargo Avenue ~ Buffalo, New York 14201-1139

William G. Fargo (1818~1881)
Mayor of Buffalo During The Civil War (1862~1866)
Co-Founder of the Pony Express - Wells Fargo & Co. & American Express Co.
Charter Member of Prospect Hill Neighborhood Alliance
Neighborhood Homes Designated Historically Significant by Buffalo Preservation Board

CP #25

August 29, 2013

NY Gateway Connections Improvement Project
to the U.S. Peace Bridge Plaza
New York State Department of Transportation, Design Office
100 Seneca Street
Buffalo, NY 14203

Jonathan D. McDade
Division Administrator, New York Division
U.S. Federal Highway Administration
Leo O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207

Darrell F. Kaminski
Regional Director, Region 5
New York State Department of Transportation
100 Seneca Street
Buffalo, NY 14203

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture/Environmental Unit
100 Seneca Street
Buffalo, NY 14203
merlene.wells-brewer@dot.ny.gov

RE: Public Comment on Section 106; NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza

Dear Ms. Wells-Brewer,

The following comments are being submitted on behalf of the Prospect Hill Neighborhood Alliance:

We ask that they be included in the official record for this project and that they be considered in your execution of the Section 106 review process to reduce unnecessary adverse historic impacts and improve the health, social, economic, and environmental outcomes of this entire process and the eventual project.

It is our contention that the proposed NY Gateway Connections Improvement Project (the Project) should be removed from funding considerations by the United States Department of Transportation for the following reasons:
The Project introduces incompatible visual, atmospheric and audible elements into the historic area in which this Project is located;

The Project alterations are inconsistent with the vision of the historic Olmsted Parkway Porter Avenue;

The Project may lead to the removal/destruction of the historic Canal Bridge Foundation (see included photographs)

Further, The Prospect Hill Neighborhood Alliance submits the attached design of Porter Avenue as to be considered as one of the alternative builds to the proposed Gateway Project.

The project ignores previous community-based planning decisions for Porter Avenue that were vetted in between 2004-2007. (see attached web-links:
BUFFALO CORRIDOR MANAGEMENT PLAN NYSDOT P.I.N. 5756.29 CITY OF BUFFALO WATERFRONT TRANSPORTATION CORRIDOR INITIATIVE Porter Avenue Waterfront Gateway (AMVETS Drive to Niagara Street) January 2005 EXPANDED PROJECT PROPOSAL
http://urbandesignproject.ap.buffalo.edu/projects/wci/QCW_Volume7_Porter.pdf
The Buffalo Corridor Management) Project PIN 5756.29 Volume 5 Waterfront Gateway Node Description, UB Urban Design Project
http://urbandesignproject.ap.buffalo.edu/projects/wci/QCW_Volume5_Primary.pdf
and Queen City Waterfront Buffalo Waterfront Corridor Initiative: A Strategic Plan for Transportation Improvements… Final Report for the "Buffalo Corridor Management Plan" (NYSDOT PIN 5756.29) April 2007)
http://urbandesignproject.ap.buffalo.edu/projects/wci/QCW_Volume1_Strategy.pdf

From 2003-2007, the surrounding community was engaged in the development and eventual adoption of the above documents as outlined in the final Queen City Waterfront Buffalo Waterfront Corridor Initiative. Those documents clearly stated the need to preserve and enhance the visual and atmospheric elements of Porter Avenue as both a part of the Olmsted Parkway System and as a gateway to Buffalo's waterfront; the waterfront being undeniably an historic treasure in the development of the City.
To quote from that document:
"., create more attractive routes to the waterfront, and promote the image of our international gateway. The design of such improvements will be fairly straightforward, especially in the immediate vicinity of the Peace Bridge and plaza, once final decisions have been reached about the design and location of the bridge and plaza themselves. Such designs should avoid, however, directing bridge traffic directly on to Porter Avenue, where park and waterfront values might be compromised."
Clearly this Gateway Project is inconsistent with all the attached reports, all of which incorporated hours of community involvement, all of which members of our Alliance participated in, and all of which made serious deference to preserving the historic nature of Porter Ave and the surrounding community.

To quote from the **P.I.N. 5756.29 – Buffalo Corridor Management Plan – EPP City of Buffalo Waterfront Transportation Corridor Initiative Porter Avenue Waterfront Gateway:**

Buffalo can create great gateways to its waterfront by following a simple set of guidelines for the design and redevelopment of key connections between the city and the shoreline. The Buffalo Waterfront Corridor Initiative established the following overall goals and key principles for waterfront gateway design.
General urban design goals for the waterfront

- Improving **access** to the waterfront;
- Promoting **community and economic development;**
- Enhancing **transportation** efficiency; and,
- Supporting **historic preservation** efforts. Urban design goals for Porter Avenue
- Make it one of Buffalo's great Olmsted avenues;
- Connect the park system to Front Park and beyond to the water's edge;
- Create a grand civic street with educational and public amenities. Urban design guidelines for Porter Avenue **Access:**
- Provide direct access to the water's edge for cars, bicycles and pedestrians from Symphony Circle, from the Niagara Street radial north and south, and from surrounding streets, schools and colleges;

- Create uninterrupted sight lines along Porter Avenue to the water and frame the vista with trees, lighting and street walls;
- Improve public access at the foot of Porter Avenue and maximize access to the public waterfront at Cotter Point;
- Expand waterfront activities at new venues such as the Great Lakes Research Center and boat museum, through improved fishing and boating access, and through programming;
- Improve safety and security by improving lighting for cars and pedestrians on bridges and on park edges and by promoting appropriate mixed use development along Porter Avenue;
- Transform bridge overpasses from barriers to gateways through the use of lighting, artwork, signage, and use of a recognizable waterfront marker.
- Provide an observation point at the foot of Porter Avenue to take advantage of the available view of Lake Erie, Canada and the Niagara River.
- Reinforce Niagara Street as the international gateway to Downtown through streetscape improvements, directional signage, and urban-density redevelopment;
- Over time, promote the replacement of low-density auto-oriented businesses on Porter with urban street-front development, including multi-story and mixed-use buildings with ground floor commercial and upper housing and offices;
- Develop water-dependent and water-enhanced uses within the coastal zone as consistent with the Local Waterfront Revitalization Program.

Transportation:

- Connect DAR Drive from LaSalle Park with access road to Cotter Point to create clear four-way intersection with Porter Avenue;
- Minimize expansion of surface parking lots by allowing on-street parking and continued parking in existing lots;
- Provide clear vehicular access to highways and from highways to the local street network through improved signage to I-190, the Peace Bridge, and routes to Downtown;
- Provide alternative access along street connections to waterfront including transit connections, designated bikeways, and safe and friendly pedestrian paths;
- Create a more walkable and bicycle friendly facility
-
- **Historic Preservation:**
- Reestablish the Olmsted boulevard pattern and connections to and from historic Front Park through reconfiguration of pavements, sidewalks and landscaping;
- Reinforce Olmsted design standards through the use of historically appropriate lighting fixtures and patterns, street furniture, paving, etc.
- Celebrate and interpret Porter Avenue's Olmsted history, its Erie Canal history including the route of the canal and the canal bridge foundations, and other historical elements, including the West Side Rowing Club, the Col. Ward Pumping Station and the Bird Island pier. Also, the razed Old Fort Porter which was located next to the Front Park as the premier training ground for the Buffalo/Union Army regiments that were mustered out to fight in the Civil War and World War 1 regiments. Last, but not least mention of the any War of 1812 battles fought near by.

D. OBJECTIVES

The objective of this project is to provide a direct, safe, and efficient link from a residential neighborhood and business district with the international border crossing and underutilized waterfront.

The following goals are needed to achieve that objective:

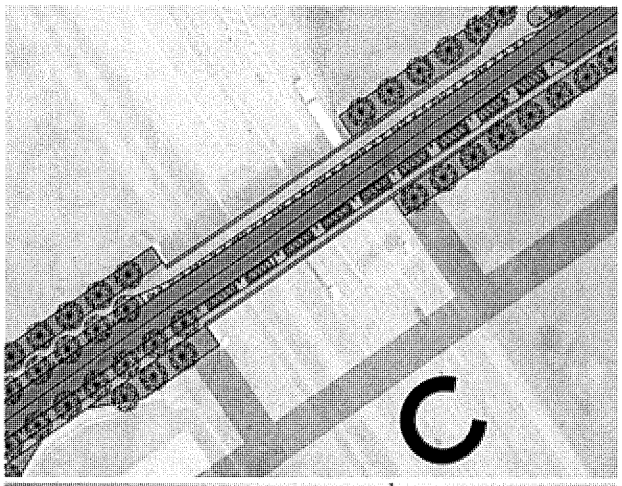
1. Enhance the ambiance of the surrounding residential, business, and recreational land uses.
2. Improve the overall experience for motorists, pedestrians, and bicyclists as they travel through the study area and visit the waterfront.
3. Minimize disturbance and, if possible, enhance the natural environment.
4. Improve roadway conditions as well as non-standard features to the maximum extent feasible using cost effective solutions.

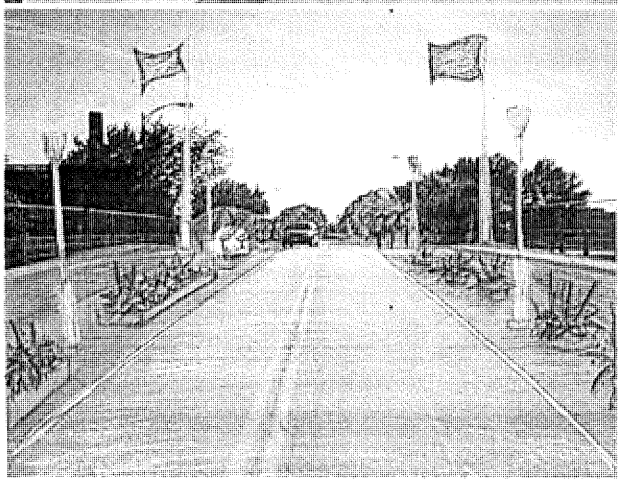
The above quote illustrates that the proposed Gateway Project is ignoring previous community planned transportation enhancements that addressed Porter Avenue as the historic artifact that it is. This Plan goes so far as to deny its value as an historic treasure.

To further illustrate the great length that these previous plans took in understanding Porter Avenue in a historical perspective, please review the illustration below, suggesting how the bridge over the I-190 should be designed:

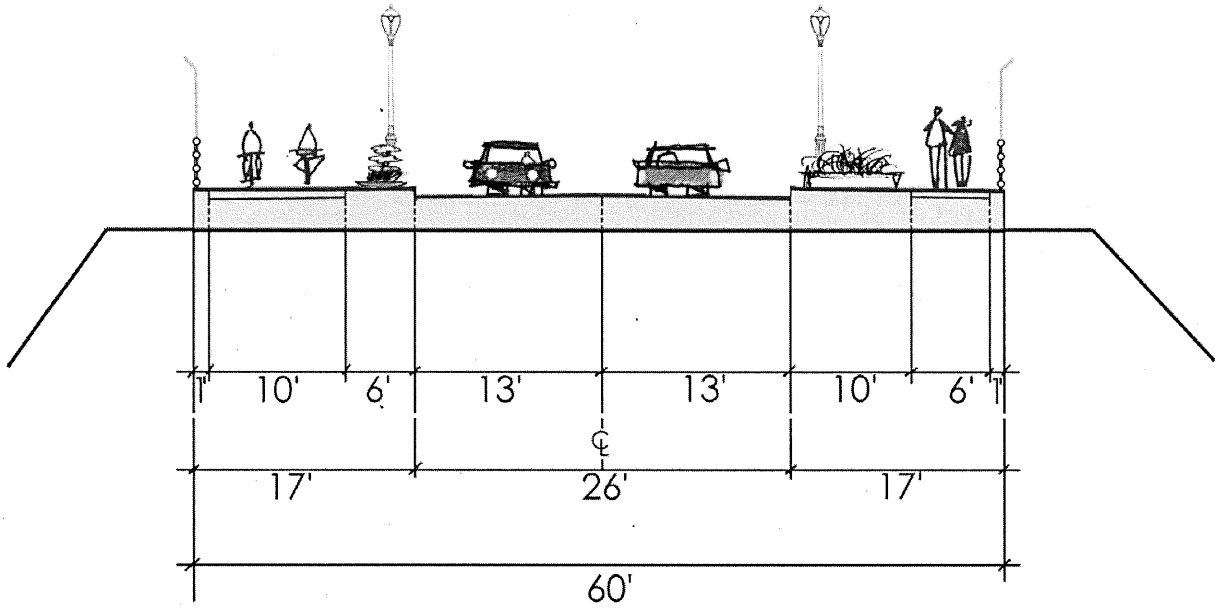
From **The Buffalo Corridor Management Project PIN 5756.29 Volume 5 Waterfront Gateway Node Description, UB Urban Design Project:**

"Section "C" - The Bridge plan and section
The bridge is built on a historic foundation that was a part of the Erie Canal. We are suggesting a way to have access to the lower level here to be able to see those foundations. The road on the bridge is narrowed and the space used for bikeway and walkways with historic lighting features.





Facing west



Section C -

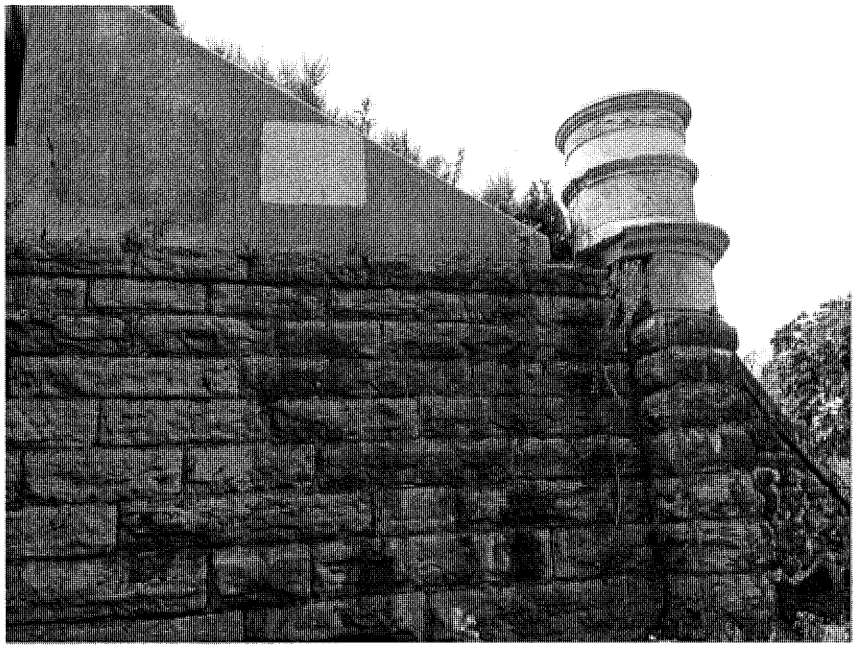
Bridge

Traffic: 2 Lanes

Bike: Recreational Trail

29" - end quote

Recent photo of the foundation of the present Porter Avenue Bridge over the I-190 which shows some of the original structural artifacts from the Erie Canal.



The Prospect Hill Neighborhood Alliance expects that any federally funded project should have the same due diligence towards historic preservation as was done in these previous plans. We have not to date, seen that effort made.

We also urge that these previous designs be taken into consideration as an alternative build to the proposed Gateway Project. We do not understand how a community's effort to enhance the design the historic parkways within its neighborhood be given a back seat to the designs of a commercial entity (The Peace Bridge Authority) of moving large trucks onto that same

parkway. In fact, it should be the residents of this gateway area that be given the right to present its preferred design of Porter Avenue as the design of first preference.

Sincerely,

James Messina *Andrew Goldstein*

James Messina, President
Fargo Estate Neighborhood Association
~ **On behalf of the Prospect Hill Neighborhood Alliance**

Andrew Goldstein, 1st Vice President

Phone – 716.882.0016
Email – jjm8181@aol.com

CP #26

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Buffalo's Olmsted System

Parks
Cazenovia
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Front
Martin Luther King, Jr.
Riverside
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Parkways
Bidwell
Chapin
Lincoln
McKinley
Porter
Red Jacket
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BUFFALO
OLMSTED PARKS
CONSERVANCY

connecting parks & people

August 30, 2013

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture/Environmental Unit
100 Seneca Street
Buffalo, NY 14203

RE: NY Gateway Connections Improvement Project to the US Peace Bridge Plaza
PIN 5760.80 / 13PR02859
City of Buffalo, Erie County, New York
Section 106 Review Process – Preliminary Assessment of Effects

Dear Ms. Wells-Brewer,

The Buffalo Olmsted Parks Conservancy appreciates the opportunity to comment on the Preliminary Assessment of Effects Findings as a part of Section 106 Review Process. Front Park is an important part of the historically significant, Olmsted designed parks system in the City of Buffalo. As stewards of the Buffalo Olmsted Parks System the Conservancy is focused on ensuring that every project undertaking within the City of Buffalo with the potential for direct or indirect impact on the Olmsted Parks System does not degrade their historic integrity in any way.

In reference to Table 2 in Section 3 of the Draft Findings Document for Front Park, the BOPC is in favor of the proposed changes for Front Park. Elimination of Baird Drive and realignment of the park entrance road will greatly improve park access from the community and provide tremendous opportunity for historic landscape restoration as a part of this project.

The BOPC does take exception with regard to the statement in Section 4 – Basis for Recommended Project Findings that reconfiguration of Ramps PN and P will have no negative impact on the historic significance of Front Park. While it appears accurate that the new ramps will not further obstruct existing views, adding additional traffic to the area and additional roadways closer to the park will have an indirect impact on the historic character of the southwest corner of the park. Further effort should be made to minimize and mitigate this impact with a landscaped retaining wall shielding the park from the sights and sounds of the Peace Bridge vehicle traffic.

Parkside Lodge 84 Parkside Avenue Buffalo, NY 14214 p (716) 838-1249 f (716) 835-1300 www.bfloparks.org

In reference to Table 2 in Section 3 for Porter Ave, the BOPC is not convinced that the use of a roundabout, while reminiscent of historic Olmstedian features in other parts of the parks system, is appropriate for this location. The BOPC is not in favor of relocation of the multimodal trail to the south side of Porter Ave between Lakeview Ave. and LaSalle Park. The existing bike trail to the Foot of Porter Ave is on the north side of the road, the existing Riverwalk Trailhead is on the north side of Porter Ave. and Front Park is on the north side of Porter Ave. Efforts need to be made to control traffic and make for safe, direct access from Front Park to the Porter Ave Bridge, not to reroute pedestrians and bicycles into a separated, circuitous route to the waterfront to allow for maximized vehicle movement. Further discussion is required to resolve the issues at this critical location in the APE.

It was mentioned at the July 30th Section 106 mtg. that reconstruction of the Porter Ave Bridge is scheduled for the near future. It should be noted that there is tremendous historic significance to the existing stone abutments of that bridge and historic images show an ornate bridge that once crossed the Erie Canal in this location. Efforts should be made to reconstruct this bridge as a grand ornamental crossing, and consideration should be given to the approaches to the bridge with this future character in mind. Furthermore, the Olmsted Firm made significant recommendations to the City of Buffalo for an Addition to Front Park across the Porter Ave Bridge in 1891, the extent to which this was ever implemented is unclear. Nevertheless, Porter Ave. is an important corridor to our waterfront, it should be treated with dignity.

Thanks you for this opportunity to comment, we look forward to future dialogue on this project.

Sincerely,

Thomas Herrera-Mishler

Thomas Herrera-Mishler

CEO and President.
Buffalo Olmsted Parks Conservancy

C.C. - G. Mucci
F. Johnson

CP #27

PRESERVATION
Buffalo Niagara
Building on the past for our FUTURE

August 30, 2013

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture / Environmental Unit
100 Seneca Street,
Buffalo, NY 14203

Section 106 Consulting Party Comments re: NY Gateway Improvement Project to the US Peace Bridge Plaza

Dear Merlene Wells-Brewer,

Preservation Buffalo Niagara, representing the interests of the Western New York community regarding matters related to Historic Preservation, is extremely concerned that several adverse impacts will arise as a result of the proposed NY Gateway Improvement Project to the US Peace Bridge Plaza.

Those concerns are:

- Destruction of the historic viewshed from Front Park, a historic resource listed on the National Register of Historic Places (National Register). The construction of the proposed ramps along the southwestern boundary of Front Park will obstruct the principle view of Lake Erie, the waterfront and the Niagara River. Designed by noted Landscape Architect Frederick Law Olmsted in the early 1870s, Front Park is a key element of the nation's first park and parkway system. One of Front Park's original historic purposes was to showcase the sweeping views of Lake Erie, the waterfront and the Niagara River only available from this site. The current proposed project will have an adverse impact on this historic resource by obscuring these principle views as the original design had intended.

- Destruction of the historic viewshed from the identified National Register and National Register-eligible resources that are directly adjacent to Front Park along Busti Avenue. The construction and configuration of the proposed ramps along the southwestern boundary of Front Park will obstruct the principle view of Lake Erie, the waterfront and the Niagara River as originally intended for the residential properties that are directly adjacent to the park along Busti Avenue. Additionally, the current configuration of the proposed ramps would force wide-load trucks to use local streets including Busti Avenue. As a result, whenever traffic congestion is present, wide-load trucks and other traffic would act as a screen and obscure these principle views from these historic resources as originally intended.

617 Main Street, Buffalo, New York 14203 • Phone: (716) 852-3300 • Fax: (716) 852-5340
www.PreservationBuffaloNiagara.org • info@p-b-n.org

PRESERVATION
Buffalo Niagara
Building on the past for our FUTURE

- The Section 106 Review process provides an excellent opportunity to revisit the boundaries of the Area of Potential Effect(APE). Preservation Buffalo Niagara firmly believes that the present boundaries of the APE excluded numerous historic resources. To truly measure the potential adverse impact of the proposed project the boundaries of the APE need to be reexamined and expanded. One example of this concern is displayed in Preservation Buffalo Niagara's Prospect Hill Historic District Initiative. In the spring of this year Preservation Buffalo Niagara began an effort to establish a Local, State and National Register Historic District in the Prospect Hill neighborhood. In August of this year Preservation Buffalo Niagara was awarded a $10,000 grant towards the completion of this initiative from the Preservation League of New York State. The boundaries of the proposed historic district initiative will include both properties currently within the APE as well as outside of it. Given this discrepancy Preservation Buffalo Niagara is requesting that the entire APE is reexamine in order to truly measure the potential adverse impact of the proposed project.

Thank you for the opportunity to comment on this project.

Regards,

Jason Wilson, Director of Operations

617 Main Street, Buffalo, New York 14203 • Phone: (716) 852-3300 • Fax: (716) 852-5340
www.PreservationBuffaloNiagara.org • info@p-b-n.org

CP #28

Niagara Gateway Columbus Park Association
763 Columbus Parkway
Buffalo, New York 14213
www.movetheplaza.com

Niagara Gateway Columbus Park Association

Contact: Kathy Mecca, President
(716) 881-5309 (716) 984-4218
krmecca@yahoo.com

August 30, 2013

NY Gateway Connections Improvement Project
to the U.S. Peace Bridge Plaza
New York State Department of Transportation, Design Office
100 Seneca Street
Buffalo, NY 14203

Jonathan D. McDade
Division Administrator, New York Division
U.S. Federal Highway Administration
Leo O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207

Darrell F. Kaminski
Regional Director, Region 5
New York State Department of Transportation
100 Seneca Street
Buffalo, NY 14203

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture/Environmental Unit
100 Seneca Street
Buffalo, NY 14203

RE: Public Comment on Section 106; NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza

Dear Ms. Wells-Brewer,
The following comments are being submitted on behalf of the Niagara Gateway Columbus Park Association. We ask that they be included in the official record for this project and that they be considered in your execution of the Section 106 review process to reduce unnecessary adverse historic impacts and improve the health, social, economic, and environmental outcomes of this entire process and the eventual project.

The Gateway design project is conceptually flawed because in theory it can only achieve a single-minded purpose which benefits the DOT and FHWA but not the Prospect Hill community. The APE is so narrowly defined it does not even include the Peace Bridge Plaza – the impetus behind the Gateway Project. The

context in which the APE was developed in no way reflects our community which is historically tied to the scenic view of Front Park, Lake Erie and the Niagara River. The APE boundaries need to be expanded further north, east and south (as described in the July 30, 2013 Section 106 Transcript). Therefore, the Prospect Hill-Columbus Park historic district rejects the Preliminary Assessment of Effects because the findings are based upon unsound criteria, incomplete data, inaccurate facts, and contrived boundaries that do not represent the scope of what constitutes the historic district of Prospect Hill or the potential impact on other West Side neighborhoods.

The DOT and FHWA has failed to first consider all other viable alternatives that have been recommended, and endorsed by EPA, The Clean Air Coalition, The Buffalo Common Council, numerous medical scientists, Cornell University's Partnership for Public Good, the National Trust for Historic Preservation, the Preservation League of NYS, Preservation Buffalo Niagara, Campaign for Greater Buffalo, Buffalo Olmsted Parks Conservancy, The Prospect Hill Neighborhood Alliance, The City of Buffalo Green Code, and most importantly the residents of Buffalo's West Side district.

Instead of examining other alternatives, they have invested a wasteful amount of time and money studying yet another transportation project that demands the highest degree of intrusion into Olmsted's unique design for historically designated Front Park. The project turns historic Porter Avenue, a boulevard that leads directly to Front Park and the waterfront into an induced traffic route that will carry thousands of vehicles each day to and from the Peace Bridge including 7-10 extra wide load tractor trailers traversing alongside of, and around historic Front Park, Busti Avenue, local neighborhood streets and the surrounding designated historic Prospect Hill district. Residents who live near Front Park, Porter Avenue and the Peace Bridge know that the removal of Baird Drive will only increase traffic congestion to the Peace Bridge not eliminate or mitigate it.

The FHWA withdrew from a similar transportation project linked to the Peace Bridge Crossing on Buffalo's West Side. After spending $25 million dollars studying the EIS and Section 106 process, FHWA issued a 'Notice to Rescind' in January 2012, terminating their role as lead agent in the project. After 11 years and millions of dollars the FHWA concluded they could not achieve an FEIS in large part because of the growing opposition from the collective community *regarding the profound impacts on its historic resources, environment, air quality and the health and welfare of a designated community of environmental justice.*

According to Ralph Scalise, GSA Land and Port of Entry Program, both the community outcry and the mitigation measures that GSA and FHWA would have had to implement to address the community's concerns caused the price of the project to escalate beyond reason forcing the FHWA to terminate the EIS process.

However, less than 12 months later the FHWA partnered with NYSDOT and launched the Gateway Connections Project despite eleven years of insurmountable evidence and the expenditure of $25 million dollars. Apparently undeterred, the FHWA is poised to spend more taxpayer dollars constructing another transportation project that again will benefit the Peace Bridge Authority but one that national experts have described as a classic neighborhood killer reminiscent of Robert Moses.

Funding

The DOT and FHWA has failed to demonstrate how the project will be paid for before beginning the Scoping and Section 106 process.

- In October 10, 2012, NYSDOT Commissioner Joan McDonald stated in a letter to Sam Hoyt, PBA Board Chairman, that no DOT funds were available to build a ramp or roadway project to the U.S. Peace Bridge Plaza. Yet 6 months later, in April 2013, the DOT publicly announced The Gateway Connections project with a 'fast-track' timeline - a decision made in defiance of DOT Commissioner McDonald's October 2012 directive which states; "Although the concept of a direct connection ramp appears plausible, there is no funding currently available to cover the estimated project cost of $24 to $29 million."
- In January of 2012, The FHWA stated in the National Register of projects that no federal funds were available to continue the Peace Bridge Expansion project which also included additional ramps and roadways leading to the U.S. plaza. The public has the right to know how the FHWA will fund their portion of the Gateway project before any further advancement takes place.
- The community believes that the DOT has not released or disclosed all of the engineering plans that involve the section of the Thruway adjacent to Front Park leading to the Peace Bridge. The plans show the lowering of that portion of the highway, and reducing the number of current lanes to one. This will have a significant impact on the overall cost of the project.
- Mr. Daniel Streett, DOT Engineering Division refused to accommodate the community's recent request to view all current plans for ramping, and roadways before the close of the Section 106 comment period and instead directed us to the NYS website on how to file a Freedom of Information request.
- This summer Peace Bridge traffic jams have routinely occurred three to four times a week blocking the public's access to Front Park, Porter Avenue, LaSalle Park, the waterfront, and local streets. Frustrated drivers often travel the wrong way on local streets in search of an outlet.
- Residents who live here know how frequently traffic jams occur during peak hours on the Thruway exit to the Peace Bridge. Any disruption of traffic on the exit to the U.S. plaza disrupts traffic on the plaza and the bridge. In turn, traffic waiting to enter the U.S. plaza backs up into residential streets creating unsafe conditions for residents, pedestrians and children. Installing another flyover ramp, traffic light or a traffic circle will not mitigate or eliminate this problem because DOT cannot control the volume of international traffic headed to the Peace Bridge or change the practices of Canadian Customs and Inspections who are responsible for creating the traffic congestion on the U.S. side of the plaza and bridge.
- The only reasonable approach to permanently eliminating traffic disruption to Front Park and the historic community is to remove commercial trucks crossing at the Peace Bridge. An alternative the DOT and FHWA steadfastly refuse to consider.

Archeological Findings

The community rejects the findings of Douglas Perrelli. We object to the Report prepared by Nathan Montague and Douglas Perrelli because it uses the same flawed information from the 2007 Peace Bridge Expansion report which is no longer applicable to this project. Furthermore, Mr. Perrelli's department at the University of Buffalo has an on-going working relationship with the NYSDOT which involves Delaware Park, another Olmsted historic park.

The community is doubtful that Mr. Perrelli can objectively evaluate the adverse impact on Prospect Hill historic district independent of the desired outcomes set forth by the DOT. For example, in 2008 Mr. Perrelli acknowledged that the historic boundaries he developed for the Public Bridge Authority, FHWA and DOT expansion project were pre-determined in his contract with DOT. Upon further examination by independent Architectural Historians, the historic boundaries identified by Perrelli in the 2007 archeological report identically matched the 2007 expanded transportation footprint. We have no reason to believe this same practice has not occurred in the Preliminary Assessment of Effects document.

Treating Olmsted's Park System Differently

Mr. Perrelli's UB Archaeology team has been contractually working with the NYSDOT for the past four years to locate artifacts at Olmsted's Delaware Park before any construction to downgrade the Scajacuada Expressway which runs adjacent to Delaware Park begins. The Prospect Hill community objects to DOT using different standards and practices to evaluate historically significant findings at Delaware Park vs. Front Park.

In a Buffalo News article dated August 6, 2013; 'Archaeological trash, treasures found in Delaware Park', NYSDOT hired Perrelli's team of Archaeologists in 2009 "to identify ancient archeological area of significance" inside of Delaware Park. The DOT wanted the work down <u>before</u> embarking on a proposed $85 million dollar project to downgrade the highway into a pedestrian and bike-friendly boulevard.

- The community objects to the DOT applying different methodology to one Olmsted Park vs. another. The State Transportation Department should implement the same standard policies and procedures for all Olmsted Parks since Olmsted designed the Parks as a unified park land system.

- The search for artifacts by Perrelli's team in Delaware Park is no more important or historically significant than what may exist along the NYS Thruway that runs adjacent to Front Park. Both super highways were constructed during the same era by the same state transportation department. Yet, Perrelli was not hired to do a surface preliminary assessment of Front Park prior to construction.

- Mr. Perrelli is incorrect to assume that Front Park's historic significance is buried too deep to warrant a preliminary surface investigation. Perrelli made this decision based upon maps and

file data instead of an in depth on-site investigation. The community rejects this method as insufficient and arbitrary.

- Historically Front Park and the waterfront is inextricably linked to a significant period of history in Buffalo which included American Indian settlements, the War of 1812, the formation of the City of Buffalo, the pivotal African American period during the Civil War, Fort Porter, Fort Tompkins, The Erie Canal, and the culturally rich era of Italian-Americans relocating to Prospect Hill.

- Without a thorough surface investigation, the public will never know what significant artifacts remain inside of Front Park, Baird Drive, the NYS Thruway, Porter Avenue, or the River Walk. What has been deposited along the Thruway, in Front Park, along Porter Avenue and the River Walk over the past 60-70 years?

- Historic artifacts that remain unearthed could be irrevocably damaged during the construction phase or possibly never recovered, thus forever sealing our historic past.

- Delaware Park is located in a wealthy predominantly white residential district in Buffalo known as the Delaware District. Front Park is located on Buffalo's West Side, one of the City's poorest districts which according to the 2010 U.S. census houses the largest minority and immigrant population in Buffalo.

- The DOT should apply the same careful standards when assessing the historic resources of all Olmsted parks before commencing with any transportation project.

- The DOT's preliminary findings that the Gateway project will have no adverse impact on Front Park or the surrounding historic area is arbitrary and capricious. The community rejects this finding as premature and prejudicial.

The West Side Waterfront

Front Park and Porter Avenue are historically designated resources. Olmsted and Vaux recognized the strategic location of both because of the magnificent view of Lake Erie and the Niagara River. Ownership of the debilitating destruction of this one-of-a-kind view shed for the past 75 years is attributable to the practices of the state transportation department and the Public Bridge Authority. It is incumbent upon the DOT to work toward mitigating these past transportation mistakes so that the vision of Fredrick Law Olmsted can finally be realized.

> "Francis R. Kowsky shows in his new history, *The Best Planned City in the World: Olmsted and Vaux the Buffalo Park System* [that] until the 1850s, the concept of a pastoral environment in the heart of the city available to all classes of society simply didn't exist. The movement for healthy verdant spaces open to all citizens required visionary men. In 1868 two of them, Fredrick Law Olmsted and Calvert Vaux, set their sights on Buffalo, New York. Their goal: to create nothing less than the most extensive park system in the world. Buffalo's park system was to be the first of its kind, a revolutionary urban experiment worthy of what was then one of the

busiest ports on earth in all its Gilded Age glory. For Olmsted and Vaux, straight off their twin triumphs Central and Prospect Parks, one park for Buffalo wasn't enough. Buffalo was to have three parks distinct from one another, linked throughout the city by majestic, tree-canopied boulevards (parkways Olmsted called them), that were parks in themselves. **It was, and remains, the first metropolitan park system of its kind planned..."**

The Best Planned City in the World: 2013 by Francis R. Kowsky, SUNY Distinguished Professor Emeritus and Fellow of the Society of Architectural Historians.

In 2008, Buffalo Olmsted Parks Conservancy (BOPC) called upon the expertise of retired American University history professor Charles Beveridge to speak about Front Park and the adverse impact of the 2007 proposed Peace Bridge expansion which the DOT supported. Mr. Beveridge, a historian who has consulted on the restoration of more than 40 Olmsted parks across the country and considered the world's foremost authority on Olmsted said Buffalo's Front Park "is the most mistreated park, or the park treated in the most undignified way, of all the parks Olmsted designed," Beveridge made it clear that as long as Front Park was obstructed by visible ramps, "they're negating the purpose of Front Park."

- It is incumbent upon the DOT to embrace not ignore the opinion of world class Olmsted experts. The legacy left to Buffalo by Olmsted and Vaux should be treated with the highest degree of respect. Elevated ramps and super highway structures that obliterate the magnificent waterfront views from Front Park are manmade scars that diminish the brilliance of Frederick Law Olmsted's vision for this country's first planned park land system right here in Buffalo inside of the West Side district.

- The same thoughtful consideration DOT is using to preserve the history at Delaware Park before turning the adjacent Scajacuada Expressway into a pedestrian and bike-friendly boulevard should be applied to Front Park, the west side waterfront, Prospect Hill historic district and the adjacent West Side Community.

- The residents of Buffalo's West Side have overwhelmingly endorsed dismantling the Niagara stretch of the NYS Thruway into an at-grade waterfront boulevard. They have rejected transportation projects that will further entrench the 1950's super highway mentality reminiscent of Robert Moses or any plans to expand the boundaries of the U.S. side of the Peace Bridge plaza.

- For more than 25 years, the community has worked tirelessly to remove the commercial truck traffic from the Peace Bridge.

- Return the international crossing to its original purpose to service passenger vehicles only.

- Restore air quality to healthy levels vs. unhealthy levels of diesel exhaust which has sickened thousands of residents.

- Remove all unnecessary transportation barriers to unfurled access to our waterfront so that residents, children, pedestrians, bicyclists, college students and visitors can safely use our world class parks.

- The residents of Buffalo's West Side deserve the same consideration given to other districts in Buffalo and Erie County by the DOT.

DOT Affords Suburban Communities Workable Solutions

The DOT worked jointly with Town of Hamburg officials, residents and 'walkability' expert Dan Burden to revise its plans to create a pedestrian friendly community, a process "The DOT officials acknowledged that they never sought before."

Hamburg's public collaboration with the DOT was so successful, the town of Williamsville is employing the same method to restore Main Street to a walkable, pedestrian friendly village core. Williamsville officials and residents staged a "take back main street campaign" (Buffalo News, August 10, 2013) by closing the state road off to all traffic. According to Mayor Brian Kulpa, "the whole purpose of it is to just make the village realize that even though this is a state road, this is our Main Street, "it's your road." Obviously, this one day project could never have been achieved without the cooperation of the DOT.

The historic villages of Hamburg and Williamsville have demonstrated a strong desire to transition their state owned 'Main Streets' into traffic calming and pedestrian friendly places. The Congress for New Urbanism recognizes that revamping transportation codes is essential to taking steps to spurring long-term economic growth.

What would be the economic future of historic Prospect Hill and the surrounding community if we removed what was historically alien to this district (miles of concrete super highways, flyover ramps, and one million commercial vehicles crossing at the Peace Bridge) and restored Olmsted's vision of developing Front Park down to the edge of the waterfront? How would this community grow if the DOT worked harmoniously with public officials and residents to create a people-friendly infrastructure that focused on cultural tourism instead of millions of diesel trucks? How many historic communities across the country thrive when the air residents breathe is rank with diesel exhaust?

Why should Buffalo's historic Porter Avenue be used by the DOT as an induced traffic route for the Peace Bridge Plaza instead of an enhanced pedestrian friendly boulevard? Porter Avenue is home to a century of iconic West Side landmarks; Olmsted's Front Park, Columbus Park, LaSalle Park, a world class waterfront, West Side Rowing Club, Colonel Ward Pumping Station, the Erie Canal, The Peace Bridge, Connecticut Street Armory, D'Youville College, Holy Angels Church, Karpeles Museum, Grover Cleveland High School, Kleinhans Music Hall, the stately mansions on Richmond Avenue and North Street, the Fargo Estate neighborhood, Cottage District neighborhood, Armory Hill neighborhood, Kleinhans neighborhood, historic Allentown, hundreds of significant NRE properties circa 1860-1950, and the historic district of Prospect Hill recognized in 2008 by the National Trust for Historic Preservation and the Preservation League of New York State.

The historical importance of Porter Avenue deserves the same consideration as Hamburg and Williamsville's 'Main' Street. The DOT should not diminish the historic value of Porter Avenue with contrived boundaries, or controlling the Section 106 process to benefit their own agenda.

The DOT has consistently failed to provide West Side residents the same opportunities given to predominately white, affluent suburban communities like Hamburg and Williamsville. The history of Front Park is clearly treated differently than Delaware Park as previously described. Implementation of the DOT/FHWA Gateway Scoping process and Section 106 has been administered with a heavy hand, rigid guidelines and tightly imposed deadlines that limited the community's participation. We cannot even obtain important information about the *elevation of ramps* unless we file a Freedom of Information. How can we visualize how the elevation of a second Thruway flyover ramp will adversely impact our historic parks, waterfront view shed and other historic resources if we don't know the dimensions? How can we determine the changes in traffic pattern or volume levels during peak hours on the Thruway, Porter Avenue and adjacent city streets once Baird Drive is removed if the DOT only conducted traffic studies during the non-peak season? How can the DOT spend millions of tax payer dollars implementing more transportation infrastructure leading to the U.S. Peace Bridge plaza then claim that what happens on the U.S. Plaza is outside the scope of the Preliminary Assessment of findings? The community believes the DOT is imposing stricter standards in order to fast track the Gateway project

The historic Prospect Hill-Columbus Park community rejects any transportation project that urban experts label 'neighborhood killers' because they are a throwback to the mid-century practices of Robert Moses. History confirms that these super-highways harm the urban landscape because they create a climate of neighborhood disinvestment, and contribute to the overall demise of urban living.

For decades the West Side district has been cherry picked by developers in the name of urban renewal. Our treasured historic resources have been replaced by numerous failed housing developments and transportation projects that have decimated entire 19th century neighborhoods (Foit Albert Overview of Architectural Development within the Peace Bridge Plaza, 2003). Today we are forced to live with these mistakes. The Prospect Hill view shed facing west captures Thruway flyover ramps instead of the magnificent sunset over Lake Erie. When sitting on the benches in Front Park that were strategically placed facing the Channel and Lake, one can only see thousands of cars and trucks on the 190, not the team of rowers from the West Side Rowing Club. The sound of church bells is drowned out by the relentless traffic noise from the 190 and millions of vehicles waiting to cross at the second busiest international border in the United States. The scent of fresh water from Lake Erie is overpowered by the choking stench of diesel. All of these elements are foreign to the 1802 settlement laid out by Peter Porter and Joseph Ellicott and the incomparable vision of Olmsted and Vaux sixty five years later.

The Preliminary Assessment Findings fails to take into account the degree of historical losses already suffered by this community. Furthermore, the Gateway project places the health and welfare of an impoverished community at a higher risk for developing asthma, cancer, heart disease and neurological diseases associated with exposure to higher volumes of diesel emission. Why should the health impact on innocent pregnant women, children and others be treated with less importance than our history?

The DOT and FHWA has a moral and ethical responsibility to the residents of Buffalo's West Side, to the City of Buffalo and to the WNY region to administer a transportation project that is fair and balanced.

The continued polarization between the DOT, FHWA and the West Side community is a vicious unproductive cycle that prevents us from moving forward. We should all be working together at every stage to identify the best solutions that will improve the historic integrity of a community already overburdened by heavy commercial traffic. It is the people who live here day in and day out, some for generations who know what is needed to improve their quality of life.

Sincerely,

Kathy Mecca, President
Niagara Gateway Columbus Park Association
Serving the Prospect Hill-Columbus Park Historic District
716-984-4218
krmecca@yahoo.com

Also submitted on behalf of members of Columbus Park Association and Consulting Party Members:
Joanne Certo
Peter Joseph Certo
Elizabeth Martina
Carole D. Perla

Encl: [PPHD] Summary of the points elaborated in the complete Foit-Albert survey & History of the proposed Prospect Hill Historic District, F.K. Kowsky

Cc:
National Trust for Historic Preservation
Advisory Council on Historic Preservation
Preservation League of NYS
State Historic Preservation Office of NYS
Preservation Buffalo Niagara
Campaign for Greater Buffalo
City of Buffalo Common Council
Clean Air Coalition of WNY
Prospect Hill - Columbus Park Section 106 Consulting Party members
Local media contacts

Summary of the points elaborated in the complete Foit-Albert survey & History of the proposed Prospect Hill Historic District

F.K. Kowsky
SUNY Distinguished Professor Emeritus

I. Period of Significance 1830s-1950s

There are several distinct historic periods in the development of this residential neighborhood, which began as part of the Village of Black Rock and a suburb of the City of Buffalo. In 1853, the area was annexed to the expanding city.

Period 1: 1800-1830s.

British troops took present Niagara Street through the area to reach the Village of Buffalo which they burned in December 1813 as an action of the War of 1812. In 1825, the Erie Canal was opened and traversed the western edge of the area where Peter Porter, the promoter of Black Rock, had lived. By the mid 1830s, Porter had laid out the grid system of streets that exists today. The area was then part of the Village of Black Rock. Streets running parallel with the Niagara River were numbered from the river inland. The current Busti Avenue was originally Seventh Street.

Period 2: 1840s-1860s:
Prospect Hill area becomes a desirable residential neighborhood.

Military Square and Market Square are created as public spaces surround by residential lots. These two spaces (the present Columbus Park and Prospect Park) are among the oldest public residential squares in Buffalo. In 1837, Col. MacKay built his so-called castle in the area. The most imposing Gothic Revival residence in the area, it indicated the attraction the area held for the rising class of home owners. In 1853, the neighborhood, part of Black Rock, was annexed to Buffalo.

Period 3: late 1860s-1900s:
Inclusion in the Buffalo Park and Parkway System.

In 1870, Frederick Law Olmsted and Calvert Vaux designated the open land used informally for recreation as The Front (present Front Park)as one of the new parks they proposed for Buffalo and linked the neighborhood via Porter Avenue and The Bank with their Buffalo Park and Parkway System. This landmark scheme in the history of American urban planning promoted further residential development in the Prospect Hill area. A number of architect designed homes are built here during this period. The present Busti Avenue, like Nottingham Terrace facing the present Delaware Park, became one of the most desirable residential streets in Buffalo. This attractive residential streetscape remains largely intact

Period 4: 1900 to 1950s:
An Italian-American residential Neighborhood

The streets of the area continued to be filled in with middle class residential architecture. The area becomes identified as a solidly middle class Italian American neighborhood; a number of the residents commission homes by local architects until the mid-1950s.

II. Prospect Hill As An Historic Residential Suburb.

The area clearly meets the National Park Services criteria for Historic Residential Suburbs as laid out in the National Register Bulletin written by David L. Ames and Lind Flint McClelland, *Historic Residential Suburbs: Guidelines for Evaluation and Documentation for the National Register of Historic Places* (Washington: National Park Service, 2002). As listed on page 93, the Prospect Hill qualifies

Under Criterion A:

- **Neighborhood reflects an important historic trend in the development of a locality or metropolitan area**
- **Neighborhood is associated with the heritage of social, racial, or ethnic groups important in the history of the locality or metropolitan area.**

Under Criterion C:

- **Collection of residential architecture is an important example of distinctive period[s] of construction, method of construction, or the work of one or more notable architects**

Under Criterion D

- **Neighborhoods likely to yield important information about vernacular house types, yard design, gardening practices, and patterns of domestic life.**

CP #29

August 30, 2013

NY Gateway Connections Improvement Project to the
U.S. Peace Bridge Plaza
New York State Department of Transportation, Design Office
100 Seneca Street
Buffalo, NY 14203

Jonathan D. McDade
Division Administrator, New York Division
U.S. Federal Highway Administration
Leo O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207

Darrell F. Kaminski
Regional Director, Region 5
New York State Department of Transportation
100 Seneca Street
Buffalo, NY 14203

Merlene Wells-Brewer
NYSDOT Region 5
Landscape Architecture/Environmental Unit
100 Seneca Street
Buffalo, NY 14203

RE: Public Comment on Section 106; NY Gateway Connections Improvement Project to the US Peace Bridge Plaza

Dear Ms. Wells-Brewer,

The following comments are submitted on behalf of the Preservation League of New York State as part. We request that they be included in the official record for the above project as part of the Section 106 review process.

The Preservation League of New York State is the statewide membership not-for-profit committed to the continued use of our state's incomparable cultural, historic and architectural resources. These include individual landmarks, neighborhoods, commercial centers, waterfronts, landscapes and the many other resources that express our shared heritage and enhance the quality of life and economic well being of the state, its citizens and visitors. We accomplish our work through public policy initiatives, grants in-aid, education and advocacy.

The Preservation League has been pleased to serve as a consulting party throughout the required state and federal review processes of the Peace Bridge Plaza project. We have demonstrated our concern about negative project impacts on the Prospect Hill-Columbus Park Neighborhood in a number of ways. Among them are:

- participating in person and by phone in the Section 106 review meetings and providing comments on impacts on historic resources;
- including the Prospect Hill-Columbus Park Neighborhood in our *Seven to Save Endangered Properties* list which puts in high relief the threats to historic resources and provides support for the eliminations or reduction of the negative impacts;
- awarding a *Preserve New York Grant* to further document the significance of the buildings, structures and landscapes in the project area; and
- working constructively with other stakeholder groups in ways that are consistent with our mission and area of expertise, historic preservation.

With this information as background, the Preservation League offers the following comments on the NY Gateway Connections Improvement Project:

- Despite efforts to mitigate deleterious impacts on the neighborhood, the Columbus Park area is no better off as a valued historic place in which to live and invest than at earlier stages of the overall Plaza project.
- The proposal for the NY Gateway Connections Project only adds to the <u>cumulative</u> negative impacts of the overall Peace Bridge Plaza project.
- Given its limited scope but its undeniable association with and physical connection to the overall Plaza project, the presentation of the NY Gateway Connections Improvement Project can only be viewed as an act of segmentation, thus in violation of the State Environmental Quality Review Act. This is most significant given the critical role that the New York State Department of Transportation plays in both this Connections project and in the overall Plaza Project.

We find that many of the comments offered by the Niagara Gateway Columbus Park Association regarding historic resources to be particularly compelling. We also make special note of the action taken by the U.S. Federal Highway Administration (FHWA) in January 2012, the issuance of a "Notice to Rescind", to be especially instructive. The FHWA terminated its role as lead agency in the environmental review process of the Buffalo-Fort Erie Public Bridge Authority Expansion Project (2007). Among its findings is the understanding that community concerns about "the profound impacts on its historic resources, environment, air quality and health and welfare of a designated community of environmental justice" made completing the review process (FEIS) not achievable. It seems that the same factors prevail in this proposed Gateway Connections project. At this point of the Section 106 process it is not known it a different conclusion will be reached. However, the Preservation League does see the FHWA's view of "profound impacts" on historic resources to be pertinent to this review as well.

In conclusion, the Preservation League finds that the area of Project Effects to be so narrowly drawn as to preclude a meaningful review of impacts on the neighborhood and its historic resources. This and the presentation of the NY Gateway Connections Improvement Project as a discrete undertaking while real-world experience and common sense show it to be a linked segment of the overall Peace Bridge Plaza project make the current Section 106 process challenging to respond to in a meaningful way and in good faith.

We at the Preservation League appreciate that people of good will and different professional and personal backgrounds can disagree and that it is imperatives to resolve the impacts facing the Prospect Hill-Columbus Park neighborhood. Therefore, we look forward to continuing the consultations underway

Sincerely,

Tania Werbizky, Regional Director
Preservation League of New York State.

Cc:
National Trust for Historic Preservation
Advisory Council on Historic Preservation
New York State Office of Parks, Recreations, and Historic Preservation
Preservation Buffalo Niagara
Campaign for Greater Buffalo
Niagara Gateway Columbus Park Association

November 8, 2013

NYSDOT letter to Consulting Parties –
Transmittal of No Adverse of Effects
Determination and Finding Documentation

(*See Section 4 Agency Correspondence #40*)

6 Transcript from July 30, 2013 Consulting Parties Meeting

Electronic Copy of the Transcript is available on a CD included with this appendix or upon request.

1 NY Gateway Connections Improvement Project to the
2 U.S. Peace Bridge Plaza Section 106 Consulting Party
3 Meeting held pursuant to Notice, at the Department
4 of Transportation at 100 Seneca Street, Buffalo, New
5 York, on Tuesday, July 30th at 1:00 p.m. before
6 Susan Capobianco, Notary Public.
7
8
9
10
11 PRESENT:
12 Department of Transportation State of New York
DANIEL A. STREETT, P.E.,L.S.
13 Special Assistant to Chief Engineer
Engineering Division, Room 6E41
14 50 Wolf Road, Albany, New York 12232
15
PARSONS
16 THOMAS R. DONOHUE
Principal Project Manager
17 40 La Riviere Drive, Suite 350
Buffalo, New York 14202
18
19
20
21
22 MR. STREETT: Good afternoon, everyone.
23 We will get started here. There's a couple of more

people coming in. Feel free to find a seat anywhere you can. We have a sign-in list that is going around. The sign-in list is the actual official register of who is here. If for some reason a name got mistyped or something like that, feel free to correct the name. There should be no additional names being added to that, that we know of. All right. As I said, there is a sign-in list. We ask that everyone register to sign-in so we have an official record that you were actually here.

The meeting today will provide consulting parties an opportunity to articulate their views regarding the projects actual effects on historical property. And to offer their input on possible measures to avoid, mitigate and minimize any adverse effects on those projects. The consulting party members will each have an equal opportunity to speak, participants concerning the discussion. We ask that everybody maintain a positive atmosphere in the discussion. We have a stenographer here. Her name is Susan. She will be capturing all the information that is discussed. We ask that you speak one at a time, articulate

carefully what you say and speak loudly enough so that she can hear that. We want to make sure that we capture your words correctly. We ask that you respect each person that is speaking at there will be one speaker at a time. I will be the facilitator for the meeting. I will attempt to go around and give everyone an opportunity to speak. There will be no limitations on who speaks. Just everyone will have to please wait their turn, that's all we ask. We ask when you do speak you identify your name and who are you representing so the stenographer will know who you are and why you are here. We ask that no side bar conversations continues that adds additional background noise and makes it difficult to hear who might be speaking at the time. We ask that you stay focused on the agenda. This is Section 106 process. It is not the appropriate forum to get on discussions of other environmental issues. It will be strictly focused on the Section 106 for us. All right.

By the way, the rules are -- the guideline today that I just covered are right up here on the board as a reference.

1 I think now what we will do is go around
2 the room and ask each person to identify your name
3 and who or what you are representing here at the
4 meeting and can we begin with you please?
5 MR. RABB: Sure. Andy Rabb, City of
6 Buffalo, Parks and Rec.
7 MR. SENSENHEY: Mike Sensenhey, Buffalo
8 Department of Public Works.
9 MS. LEGARD: Carol Legard, I'm with the
10 Advisory Council on Historic Preservation out of
11 Washington, D.C.
12 MS. KRAMER: Kaylie Kramer, Federal
13 Highway, New York Division.
14 MR. ANKER: Hans Anker, Federal Highway,
15 New York Division.
16 MR. HITT: Dan Hitt, New York State
17 Department of Transportation, Office of Environment.
18 MS. SANTANGELO: Mary Santangelo, New
19 York State Department of Transportation, Office of
20 Environment.
21 MS. LORENZ: Kim Lorenz, I'm landscape
22 environmental manager here at DOT.
23 MS. LEHMAN: Maria Lehman, New York

1 State Thruway.
2 MR. HERRERA-MISHLER: Thomas
3 Herrera-Mishler, CEO and president of Buffalo
4 Olmsted Parks and Conservancy.
5 MR. DOLD: Brian Dold, landscape
6 architect for Buffalo Olmstead Parks Conservatory.
7 MS. HERTER: Nancy Herter, Archeologist
8 with the state of New York Preservation Office.
9 MR. MONTAGUE: Nathan Montague,
10 Archeological Survey at SUNY.
11 MS. MARTINIA: Elizabeth Martina,
12 resident of Columbus Parkway and Prospect Hill
13 Columbus Park Community.
14 MS. MECCA: Kathy Mecca, resident of
15 Columbus Park and Columbus Park Association
16 MS. PERLA: Carole Perla, resident of
17 Columbus Parkway and the Prospect Hill Historic
18 District.
19 MR. CERTO: Peter Joseph Certo. I'm
20 also a Columbus Parkway resident and member of the
21 Columbus Park Association.
22 MR. RAYMOND: Andy Raymond, New York
23 State Department of Transportation Buffalo

1 Landscaping Environmental.
2 MR. MOZELLE: Greg Mozelle, New York
3 State Department of Transportation Buffalo Design
4 Office
5 MR. WILSON: Jason Wilson from
6 Preservation Buffalo Niagara.
7 MR. TIELMAN: Tim Tielman, Campaign for
8 Greater Buffalo History, Architecture and Culture.
9 MR. BROWN: Clinton Brown, Clinton Brown
10 Company Architecture.
11 MR. GRIFFIS: Jim Griffis, Ecology and
12 Environment.
13 MS. GREGORY: Ecology and Environment.
14 MS. LANGTON: Anglia Langton, New York
15 State Department of Transportation.
16 MR. DOFF: Chris Doff, Parsons.
17 MS. JONES: Sylvia Jones, I'm the
18 Regional Environmental contact for DOT.
19 MR. JAMES: Mr. James, New York State
20 Department or Conservation of Region 5 Design.
21 MR. SCHOLLS: Cameron Scholls, New York
22 State Department of Transportation Region 5 Design.
23 MR. PERRELLI: Doug Perrelli, Director

of UB Archeological Survey.

MS. DETINE: Linda DeTine, Prospect Hill resident.

MS. SMITH: Rachel Smith, Ecology and Environment.

MR. ROBINSON: Terry Robinson, board member of Preservation Buffalo Niagara.

MR. STREETT: My name is Dan Streett Special Assistant to Chief Engineer of DOT.

Today we have three shorts presentations for you. First of all to brief you on the project itself. We will go through those presentations and then after we have the presentations then we will provide an open forum for individualized comments.

So with that, I'd like to turn it over to Tom Donohue for Parsons Transportation Group. They are our consultants and they will provide you with a technical presentation.

MR. DONOHUE: This is going to be kind of like on overview of the project in general. Some of you might have seen some of these slides at the scoping meeting last month.

But the first slide is just the purpose

1 and need of the project. It was really stated in
2 the NOI that was published a while ago now, but the
3 primary need for the project is to address the
4 limited direct access between the plaza and I-190
5 and the purpose is to reduce the need of local
6 streets by interstate traffic and provide access to
7 the existing Plaza at its current location. The
8 objective, therefore, are to address the need for
9 direct access from the Plaza to the northbound lanes
10 of the Thruway and to redirect through traffic from
11 Front Park and to remove Baird Drive.
12 So in order to kind of accomplish these
13 objectives, let's take a look at the project
14 overview and take a look at existing proposed
15 conditions.
16 First of all, looking at the traffic
17 routing off the Plaza first. This project intends
18 to maintain the existing route off the Plaza to the
19 southbound Thruway off the Plaza to the local
20 network using the ramp behind the Plaza and creating
21 a new ramp D from the Plaza directly onto the
22 northbound Thruway. The traffic heading towards the
23 Plaza, the existing route from the northbound

1 Thruway will be maintained as it is today. A new
2 route for local traffic accessing the Plaza, would
3 actually go down Porter Avenue, but down on to this
4 new ramp PN, which will be connected to the existing
5 ramp which takes us to the Plaza. And conversely,
6 the Thruway southbound route would also use the same
7 ramp coming off Porter Avenue.
8 A few things we actually have to
9 consider was, a lot of things we have to consider,
10 some of the major things we need to consider, as far
11 as engineering goes, is the -- I should have stopped
12 here. Once we get this kind of condition in place,
13 we could review Baird Drive. All this is showing is
14 Baird Drive being removed and restored to green
15 space. But some of the conditions we haven't looked
16 at is the highlight of the Riverwalk, the existing
17 ramp that takes you off of Porter Avenue on to the
18 Thruway northbound, the entrance into the existing
19 Front Park and Porter Avenue itself, specifically
20 the bridge and the area next to the ramp and the
21 area connecting to LaSalle Park.
22 The first piece I want to take a look at
23 is the Riverwalk. This is just an aerial view kind

of taken off of a helicopter right where the existing Riverwalk crosses over the railroad tracks, goes down a ramp and underneath the Thruway. Now, if you can visualize this new ramp D, in this yellow arrow here, that is pretty much where it would be on this aerial. It's going right over the top or at least cutting part of the Riverwalk in half right there. One of the things that we considered was just narrowing down the Riverwalk a little bit to squeeze it in and narrowing down this existing access road to make everything fit. It's a very tight squeeze and I think we lose a couple of feet width of the Riverwalk.

MR. MOZELLE: Can you hold up for a second? We need to dial someone in.

MR. STREETT: This is Region 5.

MS. WARBIDSKI: I think a number of us are on. This is Tanya from the Preservation League of New York State.

MR. STREETT: You each need to state your name and who you are calling in from for the stenographer's purposes. So go ahead, Tanya.

MS. WARBIDSKI: Tanya Warbidski,

1 Preservation League of New York State.
2 MR. STREETT: Thank you. Next?
3 MS. KATHERINE LESLIE: Katherine Leslie
4 from New York State DOT main office.
5 MS. RITA CAMPON: Rita Campon from
6 Parsons Transportation Group.
7 MR. STREETT: Thank you very much. We
8 will continue along now with our presentation.
9 MS. MERRITT: Elizabeth Merritt,
10 National Trust for Historic Preservation.
11 MR. STREETT: Thank you all. Tom, if
12 you could continue with your presentation now.
13 MR. DONOHUE: We have to squeeze
14 everything in here. What we are also considering is
15 not having the Riverwalk in that area, so I took the
16 red line off and relocated the Riverwalk a little
17 bit north of where it comes across the track and the
18 Thruway to the south of the bridge. We will get it
19 all the way across the Thruway to where it comes
20 almost up to the canal and run along the canal and
21 tie it in right where it comes out underneath the
22 Thruway.
23 Another drawing of this here is showing

the same thing on an aerial view. This here area is the Riverwalk shown. I think I'm showing basically a directional affect of the direction we are going to using. This also helps us -- if we get the Riverwalk out of the way, it helps us actually to open up this access road to the pumping station. We could actually provide a two lane road for those folks. I think that's it for this one.

I want to go around the outside of the project and kind of start with Front Park itself. This drawing here or this photograph here, shows the hatched area of where the existing pavement and sidewalk would be actually moved underneath this project. We wanted to maintain the existing walkways which would be severed by taking this pavement out. So we wanted to maintain a continuous walkway from the existing park up to basically Busti Avenue, both on the south side of the park and the north side of the park near this ramp. We will be working with Olmstead to see if this makes any sense with their project as well or with their master plan.

Coming down from Front Park, and the

1 entrance from Front Park, we were considering
2 relocating that as well. The existing parkway
3 entrance comes out the park at this area here. And
4 we are going to be modifying the intersection a
5 little bit further down. So we thought we would
6 move this driveway and line it up with the existing
7 intersection that would be modified from removing
8 Baird Drive. This is Baird Drive coming out. We
9 were thinking about relocating the park entrance off
10 of the existing driveway area. This was actually an
11 old connection at one time, not that long ago, to
12 Baird Drive. And just utilize some of that pavement
13 and bring it in square with Lakeview on the other
14 side of street and maintain the traffic signal right
15 there for pedestrians to cross. Again, we are
16 looking at maintaining the walkways and connecting
17 to the existing walkway system in the park. This
18 helps us provide a safe and secure area for
19 pedestrians that cross Porter Avenue and to avoid
20 what is coming down the street further with these
21 new ramps going up. So this area here seemed to be
22 an ideal place for pedestrians crossing from
23 pedestrians coming out of the park in this direction

just across the sidewalk and have a wide area or wide sidewalk on the south side of Porter Avenue. It could possibly be a multiuse path as well.

Moving a little bit further down towards the LaSalle Park, there is a couple of options we have for the connections of ramp PN, a new ramp PN and ramp P. This is obviously a roundabout. We would have connections from Porter Avenue around the roundabout to both getting on the bridge, which is ramp PN and also onto the Thruway ramp P.

Again, pedestrian area would be located along the south side of this roundabout. At one time we were considering crossing there on the north side. We heard a lot of comments from the scoping meeting that it should be on the south side or at least an area where it would not cross a lot of the children and pedestrians and bicyclists across those new ramps. Another option is possibly a signalized intersection to eliminate the roundabout. The same thing, we would have basically indicated lanes, depending if you wanted to go on the Thruway or to the Peace Bridge. The traffic signals aren't shown here, but we would have to arrange somehow for

1 signals at this intersection. And, again, this
2 would also show the pedestrians on the south side of
3 the Porter Avenue.
4 Now, we did in part of our scoping we
5 did talk to some of the stakeholders, a couple of
6 them actually being the City of Buffalo and the
7 Thruway Authority. And during our discussions with
8 the Thruway Authority they have future plans to
9 replace the Porter Avenue Bridge over the Thruway.
10 And if things could be timed out correctly, we might
11 incorporate their work on the Thruway Bridge with
12 the work that is going to go on with these ramps.
13 This idea was kind of born out of that combination.
14 We were thinking about -- considering bringing the
15 ramp off the Thruway northbound a little bit sooner
16 and bring them on this side of this abutment that
17 currently exists. This abutment would have to be
18 replaced as well. But this would also straighten
19 out the ramps coming off the Thruway. It would also
20 separate the two ramps that are taking you to the
21 Peace Bridge into the Thruway itself. It might even
22 eliminate the traffic signals and just get by with
23 stop signs. This would just be one direction off of

1 Porter Avenue. We would have to study it to make
2 sure it would even be feasible.
3 This is just showing the traffic headed
4 off the Thruway and heading onto the new ramp. And
5 from there, of course, they go either straight to
6 Niagara Street or over to the Plaza.
7 And, again, like I was saying the
8 pedestrians would stay right on the south side all
9 the way across this new bridge. And even if the
10 bridge didn't get replaced, we are considering
11 taking these four lanes that currently exist bring
12 it down to three lanes and make a nice wide sidewalk
13 on one side for pedestrians. Right now it's a very
14 narrow sidewalk and either way. It's not ideal. So
15 either way this pedestrian way would be provided.
16 Schedule wise, we are still kind of on
17 schedule. The scoping meeting was held last month.
18 We have the meeting today for the consulting
19 parties. We hope to get this project scoped out
20 actually next week or maybe the week after, but it's
21 going to be early August. We are going to have the
22 DEIS out for public review in November with the
23 public hearing in December of this year. We

1 anticipate having the FDIS out for review in
2 February of next year. A record of decision in
3 April and construction to actually start in May of
4 next year.
5 So that's an overview of where we are
6 with designs and considerations, as far as the
7 alternatives being looked at.
8 We have another presentation coming up
9 now to give us an overview of the Section 106
10 process.
11 MR. STREETT: Thank you, Tom. Our next
12 speaker, who is on her way around is Sylvia Jones.
13 She is the Regional Environmental Contact and
14 Cultural Resource Coordinator here in Region 5 in
15 Buffalo. Sylvia will be able to talk about the
16 series of steps that defines the Section 106
17 consultation process, including the process of
18 evaluating properties for the National Register
19 eligibility and assessing the project effects.
20 Sylvia.
21 MS. JONES: Hi, everybody. How are you
22 doing? Can everybody hear me? I'm not accused
23 quiet so. If I start to taper down, give me a

1 thumbs up in the back and I'll speak up.
2 So what you're looking at here is an
3 1897 picture with a painting and it is a vantage
4 point from the front. So just a little fun fact
5 there.
6 So the Section 106 National Historic
7 Preservation Act. Okay, so basically this requires
8 the federal agencies to account for their
9 undertaking and the affect it has on historic
10 properties. So they also involve the council and by
11 council we usually refer to as the Advisory Council
12 for Historic Preservation and we typically refer to
13 them as the council or ACHP, which is a mouthful.
14 So when you hear me say council, that is what I'm
15 referring to.
16 36 CFR, part 800 is the protection. It
17 defines now the federal agencies go about protecting
18 historic properties through the 106 process. And
19 it's pretty lengthy and you can find it online and
20 read away.
21 The purpose of the 106 process is to
22 accommodate historic preservation concerns with the
23 need for federal undertakings. By federal

1 undertakings we mean anything that requires federal
2 actions. So any federal permits, any federal
3 licenses or approvals, that's what we mean by a
4 federal undertaking.
5 The goal of consultation is to identify
6 historic properties that affect the undertaking and
7 find ways to avoid and minimize and mitigate those
8 affects on historic properties.
9 So who participates? Well, you have
10 FHWA, DOT, SHPO the Adversary Council, federally
11 recognized tribes and other consulting parties and
12 the public.
13 So I'm going to go through each one and
14 kind of give you an overview of those participant's
15 role in the 106 process.
16 So FHWA, they are responsible for the
17 106 findings and the documentation. They approve
18 the project and any action as a result of the 106
19 compliance. So basically they are the be all and
20 end all. They the deciding factor in everything.
21 DOT's role, they initiate the
22 consultation. They prepare the information.
23 They've analyze the data and they recommend the

1 eligibility and affect and they do that with
2 consultation.
3 SHPO. SHPO has an advisory role. They
4 assist FHWA and the DOT with the 106 responsibility.
5 They consult on the findings of eligibility and
6 effect as well as measures to avoid minimize and
7 mitigate any affects to historic properties.
8 The council, they have an oversee and
9 regulation compliance role. They may choose to
10 participate. They are not required to participate
11 in the consultation process. For this particular
12 project the council is participating and we --
13 MS. LEGARD: Well, we are just providing
14 technical assistance.
15 MS. JONES: Technical assistance at this
16 point, okay, but they are here present today.
17 Federally recognized -- wait one more
18 slide. Federally recognized tribes. Consultation
19 is held regarding the properties that may have a
20 religious or cultural significance to the nations.
21 And the federal agencies, in our case FHWA,
22 maintains the government to government relationship
23 with the nations. Now we have both the Seneca

1 Nation of Indians as well as the Tonawanda Senecas
2 participating in the consultation process for this
3 project.
4 Other consulting parties and the public.
5 Consulting parties are approved by the federal
6 agency, in this case FHWA, and based on the
7 requirements submitted and reviewed, those
8 individuals have been specifically invited to
9 participate as a consulting party and here you all
10 are. Consulting parties have the right to receive
11 information and articulate your views. Your views
12 are then accompanied with the public input go into
13 the decision making process. So there's basically
14 four steps to the 106 process. There is initiating
15 for the section 106 process, identifying historic
16 properties, assessing the projects effects, and
17 resolving any adverse effects that may be found.
18 So I'm going to go kind of go through
19 them step by step to give you an idea of what is
20 entailed in each one of those steps. So step one is
21 initiating the 106 process. So first you have too
22 establish whether or not the 106 -- section 106
23 applies to this undertaking and we have already done

1 that and established that that it is, which is why
2 we are here.
3 Does the project have the potential to
4 cause affect to historic properties? Well, we are
5 working on that. That's part of the process of
6 undergoing the 106 process.
7 Identifying the federally recognized
8 tribes and we have done that and like I said, we
9 have the Seneca Nation and Tonawanda Senecas
10 participating.
11 Involve the public and identify the
12 consulting parties. So as Tom mentioned, back in
13 June 11th of this year, we had a scoping meeting.
14 And at the scoping meeting we identified the
15 project. We presented the project and we gave
16 everybody an opportunity to become a consulting
17 party in the 106 process.
18 So step 2 is identifying the historic
19 properties. So we start out by looking at the area
20 of potential effect. And the area of potential
21 effect is basically a geographic area of the project
22 where alterations of historic properties may occur.
23 It doesn't mean that they are going to occur, but

1 they may occur. So for this particular project the
2 AP has already been defined and everybody received a
3 map of that in the package that you were sent for
4 this meeting. So the AP defines the scope of
5 identification effort. So basically anything that
6 is within the project APE will be looked at to
7 determine whether or not there is historic
8 properties within that boundary. It delineates the
9 horizontal and vertical boundaries as well. And
10 should the project scope change for whatever reason
11 or any reason, we may reevaluate the APE and that
12 may change. It doesn't necessarily have to change,
13 but it is looked at periodically through the
14 process.
15 So identifying historic properties
16 within the APE. The responsibility for that is
17 basically a good faith effort that you put forth to
18 determine that you have identified all the historic
19 properties that could be affected that is within the
20 APE.
21 Is it a perfect scheme? No, there are
22 times where you might miss something, but it is
23 basically a good faith effort to try and identify

1 everything. To establish and document the APE,
2 which we have already established and review and
3 update any existing information on historic
4 properties. So we have studies that show us where
5 historic properties were for this particular project
6 and we sent people out and they updated that
7 information through field surveys and evaluation to
8 the see if anything new came into those criteria.
9 So what do we look for when we are
10 looking for historic properties? So we are
11 basically looking for building sites, district
12 structures, objects that are listed or eligible for
13 listing on the National Historic Registry of
14 Historic Places. The age of the structure comes
15 into play. So typically it's about 50 years. It
16 doesn't necessarily mean it has to be 50 years. A
17 perfect example would be the Twin Towers for 9/11.
18 Obviously they are not 50 years old, but they have a
19 historic significance to this country. So that type
20 of issue would mean something less, but it has to
21 have a exceptional significance.
22 To be eligible the property must meet at
23 least one once of the National Register's criteria

1 and retain essential characters or character
2 defining features from that period. I'll give you
3 the National Register criteria says from the next
4 slide. So basically it has to maintain those
5 characteristics.
6 So here are the characteristics for the
7 National Register Criteria. There are basically
8 four of them. I'm not going to read them to you.
9 You've got them in your handouts and they are
10 basically pretty self-explanatory.
11 So as we mentioned in the slide
12 previous, you must meet at least one or more of
13 these criteria and it must maintain its integrity
14 and the ability for the property to convey its
15 historic identity. So basically when and why it was
16 eligible for the National Register to begin with so
17 it has to maintain that.
18 So this is the slide of the APE and
19 everybody got a copy of this and I guess it's a pink
20 line. I thought it was a red line, but the pink
21 line shows the project APE. So you'll see that that
22 kind of extends wider and it encompasses the
23 Prospect Hill Historic District. That's the blue

1 district there. All it is is outlining the district
2 and the green is the direct APE. That's where we
3 were looking to find where you might have the most
4 effects based on the projects review. And like I
5 said, it is subject to change, based on the scope of
6 the project.
7 So now the next -- I would say five or
8 six slides are basically the meat and potatoes
9 effects. So it's going to tell you basically how we
10 determine the effects of a project or an
11 undertaking.
12 So effect means basically the alteration
13 of characteristics of the historic property. So
14 again changes to what made it eligible for the
15 National Register to begin with.
16 So no historic properties affected. If
17 no historic properties are found, then the project
18 will a no affect because you don't have any historic
19 properties. Or if the historic properties exist,
20 but the undertaking of the project is not impacting
21 them then you'll have a no impact or no adverse
22 effect or a no adverse effect.
23 So if historic properties are affected,

1 this supplies the criteria of an adverse effect, and
2 that's in the next slide. And it actually gives you
3 the criteria associated with an adverse effect.
4 So the criteria of an adverse effect.
5 An adverse effect occurs when the project alters
6 directly or indirectly any of the characteristics of
7 a historic property that qualified the property for
8 inclusion in the National Register in a manner that
9 diminishes the integrity of the properties location,
10 design, setting, materials, workmanship, feelings or
11 association.
12 If the criteria of an adverse effect do
13 not apply, then a no adverse effect is issued. And
14 then a documentation of finding of no adverse effect
15 is sent to SHPO and consulting parties and the 30
16 day review begins.
17 So basically you have three ways of
18 determining an effect of the undertaking. You have
19 a no effect. You have a no adverse effect and then
20 you have an adverse effect.
21 So once you make an affective
22 determination, you document the assessment of that
23 effect. The documentation is the same for a no

1 adverse effect as it is for an adverse effect. To
2 the documentation remains the same.
3 So basically you have the description of
4 the APE. Steps taken to identify the historic
5 property. The description of the historic property
6 and its qualifying characteristics. A description
7 of the projects effects on historic properties, an
8 explanation of why the criteria is either a no
9 adverse effect or an adverse effect, depending on
10 what is found. And then conditions to avoid,
11 minimize and mitigate those effects on the historic
12 property and then a summary of the consulting
13 parties and the public's view.
14 So the written comments that come in
15 during the 30 day comment period are then reviewed
16 and then are considered in the decision making
17 process. Then FHWA issues a no adverse effect
18 determination or an adverse effect determination,
19 I'm not saying what they are going to do. So if
20 it's a no adverse effect determination, that
21 fulfills the requirements of 36 CFR Part 800. If
22 it's an adverse effect is found then an additional
23 consultation is needed to resolve any of those

1 issues.
2 So the final step is step 4 which would
3 be resolving those adverse effect issues. So these
4 are elements -- these are elements that would find
5 that affect the property. So, for example, if you
6 had a no adverse effect and you had a historic, say,
7 home and in front of that historic home is a 200
8 year old tree. It's part of the setting of that
9 historic home, but it doesn't actually change the
10 historic elements of the building itself. So if the
11 proposed undertaking needed to remove that tree, you
12 may mitigate that impact of removing that tree from
13 the setting of the historic property to planting
14 another tree adjacent to where that tree was
15 removed. So that would be a no adverse effect.
16 You've not actually changing the historic structure,
17 but you altered something that contributed to the
18 setting of that historic structure. So an adverse
19 effect would be if you had to do something that
20 impacted the actual structure itself. So if that is
21 found to be the case, additional consultation to
22 develop and evaluate measures to avoid minimize and
23 mitigate the adverse effect of the historic

1 property.
2 Then you need to make a memorandum of
3 agreement, which we call an MOA. And that basically
4 documents the measures that were agreed upon to
5 mitigate the adverse effect. Then the MOA becomes
6 the record of compliance for the 106 and then FHWA
7 ensures that the project carries out what was
8 written in the MOA to make sure that the mitigation
9 is complete.
10 MR. STREETT: Thank you, Sylvia. We are
11 moving onto the next presentation, the third one,
12 will be Jim Griffis from Ecology and Environmental.
13 He will be summarizing the preliminary assessment of
14 effects on the identified historical properties
15 within the AP.
16 MR. GRIFFIS: Thank you. Good
17 afternoon. In my presentation I'm going to go
18 through some of the same steps that Sylvia talked
19 about, but we are going to talk about them in
20 relation to this project in particular.
21 This afternoon my presentation will
22 briefly describe the various actions,
23 investigations, analysis and consultations that DOT

1 and FHWA and the other parties involved have taken
2 place to lead up to the drafting of the effects,
3 findings that you have all received or should have
4 received or got this afternoon. And let's talk
5 about four particular areas.
6 This review quickly what is the APE
7 for/or areas of potential effect for this project,
8 the process of identifying historic architectural
9 resources within the APE. The determination of the
10 effects on those resources and I'm going to touch
11 briefly on the archeological resources that may or
12 may not be in the area.
13 In dividing the area of potential
14 effect, it starts off with New York State DOT
15 defining the area in coordination with FHWA and in
16 consultation with the State Historic Preservation
17 Office or otherwise known as SHPO. As Sylvia
18 mentioned, it represents the geographical area
19 within which the project may directly or indirectly
20 cause the alterations in the character for use of
21 the historic properties. In this case the APE is
22 important to remember, is determined directly as it
23 relates to this project and what the purpose of this

1 project is. If we go back and remember what those
2 were, mentioned earlier, is the direct connection to
3 the front of the Peace Bridge Plaza through the
4 northbound Thruway 190, that's ramp D with the
5 newest access point for the Peace Bridge from the
6 city of Buffalo, that's the one coming off of Porter
7 Avenue. The renewal of Baird Drive through Front
8 Park and the proposed relocation of the Porter
9 Avenue entrance into Front Park.
10 Now, as mentioned earlier too, you have
11 remember that as this project develops the APE may
12 change as we move forward, in fact, it has from the
13 initial finding earlier. I'll get to that in a
14 minute.
15 The process -- to identify the historic
16 process as far as resources in the area, we reviewed
17 the existing information and many of you who were
18 here and involved in the previous Peace Bridge
19 project, over the last 10 years, we have done an
20 extensive review of the area and we have identified
21 a number of those properties, something like about a
22 110 within the neighborhood. And then we consulted
23 the National Register to make sure that everything

1 was built the same, as we have done it before,
2 understood it to be before and then DOT recently
3 hired UB's Department of Anthropology to review the
4 information to review the situation in the
5 neighborhood and update the information as
6 appropriate.
7 This process has resulted in an
8 understanding of the above ground structures that we
9 have in the area and has provided us with some
10 information that might relate to unidentified or as
11 yet unidentified archeological resources that are in
12 the area.
13 A number of properties in the area have
14 been identified in two basic areas. One the Front
15 Park and Porter Avenue, which are part of the
16 Olmstead Parks National Listing. They are
17 contributing aspects of the whole park listing and
18 the Prospect Hill Historic District which are APE as
19 you saw a minute ago, covers part of that area.
20 Once DOT defined that area then we
21 drafted up a letter and sent it to SHPO and they
22 have reviewed it. In fact we have sent two, as I
23 mentioned a minute ago, and they have concurred with

1 our APE as it is currently drawn on July 3rd. I
2 suspect, as we move forward with some of the
3 alternatives that we are discussing, that we might
4 adjust it once again. And if that happens,
5 obviously the consulting parties will be kept
6 appraised of the situation.
7 We have received concurrence from SHPO
8 of the APE, as it exists at the present time. And
9 this has been passed on to federal highways and they
10 concurred with the APE on July 5th. So we are
11 moving ahead in that direction.
12 I'll bring you back to this slide here.
13 There is only one APE in the project, that's the
14 outline in red or pink, if you are colorblind like I
15 am a little bit. We are going incorporate, not only
16 the area where we are going to to have direct
17 impact, those are the areas shaded in green; that's
18 where the construction is going to take place, but
19 the areas where you have indirect impact, outside
20 the construction zone.
21 And as I have mentioned to you before,
22 the direct area of impact, which is shaded in green,
23 I know has to be changed a little bit because of the

1 area up in here where we are changing the movement
2 of the Riverwalk, that has to be expanded so we will
3 be going back to SHPO and then FHWA again at least
4 to talk about that. We may also incur some changes
5 down here in Porter Avenue in the future, if that
6 becomes a reality, as part of this project.
7 In the archeological resources, We
8 haven't put shovel to ground yet in the area. We
9 don't know what is there. All we know is what might
10 be there. So we are going to have to pay particular
11 attention as we move through, as this project
12 progresses.
13 The results of the preliminary findings
14 have indicated that we don't have anything in the
15 area that we know of and for now the finding and
16 effect reports no adverse effect to those resources.
17 If something happens and we find something again
18 then we will have to make those changes.
19 The basis for finding that there is no
20 adverse effect in either the archeological or the
21 historical resources at this point in time, is that
22 the project does not alter the characteristics and
23 quality of the historic properties that permit it to

1 be listed or eligible for listing on the National
2 Register. And the project that's then determined,
3 the project will not diminish the integrity of any
4 of the historic properties, location, design,
5 settings, materials, workmanship, feelings or
6 association.
7 Specifically Front Park and Porter
8 Avenue changes will not alter the characteristics of
9 either property to qualify them for the listing on
10 the National Register. And the proposed removal of
11 Baird Drive will eliminate traffic from the park
12 returning to green space along with proposed
13 restoration of the pedestrian walkways and will
14 improve the activity between Front Park and the
15 adjacent residential neighborhood, therefore, it has
16 a beneficial effect. The proposed reconstruction of
17 the Porter Avenue entrance into Front Park will
18 improve access for the public and safety of those
19 users. None of the project's proposed changes to
20 Front Park, including any changes in the landscaping
21 elements, preclude future implementation of the
22 Buffalo Olmstead Park Conservancy's plans for the
23 development of the project. And the proposed new

1 ramps and their intersection with Porter Avenue, and
2 the southwest corner of the park and Porter Avenue
3 Bridge are outside the boundaries, so they will not
4 impact the properties.
5 For Prospect Hill Historic District,
6 it's determined that the chances will not alter the
7 characteristics that qualify the properties in
8 National Register listing and its elements of the
9 historic districts or for individual listings. It
10 will not introduce adverse visual effects that
11 diminish the historic integrity of those properties.
12 Again, the removal of Baird Drive from the park will
13 have a positive impact on the district's
14 contributing resources within the area of potential
15 effects by enhancing the view of Front Park and
16 eliminating the visual and auditory impact
17 associated with through traffic in the park. The
18 project will have no direct adverse on the district
19 itself or other contributing resources.
20 Archeological resources. As I
21 indicated earlier, looking at the previous reports
22 and in looking at the SUNY Buffalo's updated, we
23 have not identified any archaeological resources

1 that are known to the area. The study area has been
2 substantially modified by past development and the
3 introduction of expensive amounts of fill in the
4 area which has altered the landscape considerably,
5 particularly below the bluff. The terms of the
6 archeological sensitivity of Front Park is
7 considered to have an extremely low sensitivity
8 primarily because it was undeveloped at the time the
9 park was designated. And despite the extensive
10 ground disturbances that have taken place within the
11 study here, we realize there remains a slight chance
12 of some prehistoric and potentially historical
13 archeological resources within the context of the
14 urban setting.
15 For that reason the procedures that we
16 are moving forward on, in the absence of any
17 identified adverse effect, we would not prepare a
18 memorandum or agreement at this point in time. And
19 the proposed -- although we have a proposed finding
20 of no adverse effects, as the project moves forward,
21 additions for construction will include
22 archaeological monitoring to insure that any
23 potential cultural resources or deposits that are

1 encountered during construction, will be identified,
2 evaluated and addressed in accordance with the 106
3 guidelines. We will have archeological monitors
4 on-site during construction activity,
5 In conclusion then, the takeaway is that
6 we have analyzed the project area. We have
7 identified the area of potential effects. We have
8 identified the potential effects on historic
9 properties within the area and prepared the
10 preliminary draft findings, which you have in your
11 hands.
12 Now, we need your input as we move
13 forward and would like to open this up for the
14 roundtable discussion. Dan?
15 MR. STREETT: Please hold your
16 questions, okay? We will get to everybody with the
17 questions.
18 Tom, could you slip us back to that
19 slide? For one thing I'm just going to attempt to
20 do here is to clarify exactly what the scope of the
21 project is, okay? Just so there is no
22 misunderstanding. We went through a number of
23 different iterations of what was being proposed.

1 For the scope of this project, what we are proposing
2 is the primary intent is to provide a transportation
3 link onto I-190 north. And new ramp D, as Tom
4 explained earlier, is what is being proposed to
5 being put in there. As part of that construction of
6 that ramp, that causes some constraints along the
7 Riverwalk where it comes across here and comes down
8 along between the CSX right-of-way and the 190
9 right-of-way and then crosses underneath here. So
10 the reason because of that conflict in that area,
11 that's why we are considering relocating Riverwalk
12 to put a new bridge in and across the CSX and the
13 190 over to the bank over here and continue down and
14 reconnect it. The intent of relocating the
15 Riverwalk was caused by the fact that we constructed
16 the new ramp and it created a constraint in between
17 here for providing the access. I just want to be
18 clear and that's why that is included in the scope.
19 One of the other intents is to remove
20 Baird Drive, going through the park, as was
21 mentioned before, and the relocation of the entrance
22 into the park. And Tom had covered three different
23 options of how to handle traffic getting from the

1 local street into the Plaza, which is all located
2 down in this area. There is a roundabout in this
3 area and then he also described an individual
4 intersection in that area. Those were two different
5 ways to deal with the traffic as shown on this
6 sheet.
7 As part of our scoping process, we
8 determined that there was a possibility of being
9 able to include the replacement of this bridge,
10 which was already on the program for the New York
11 State Thruway for replacement. By replacing that
12 bridge provide other opportunities in how to
13 configure these ramps in this area. So we are
14 looking at a third option of possibly putting a ramp
15 in a different way down here. The sole purpose of
16 that was to determine the best configuration of
17 ramps in this area to get the traffic onto ramp A
18 which comes into the Peace Bridge Plaza. So those
19 three options down there are being considered. They
20 will be carried forth into the drafting
21 environmental impact statement as options at this
22 point, until we make a determination of which best
23 suits the needs and objectives of the project. All

right? So I just wanted to make sure I covered that to insure that everybody was clear of what was being presented.

Next, just briefly we're going to have Dan Hitt to explain the information you have received a couple of packages, whether you know it or not. You received some information here today. You have received or will be receiving information in the mail. I'll ask Dan to explain that to you.

MR. HITT: Thanks, Dan. On July 12th, all the of consulting parties should have received a copy of the area of potential effects as well as a copy of the undated Historic Properties and the Archaeological Sensitivity Report. Did anyone not get that package?

MS. MERRITT: This is Betsy Merritt from the National Trust. I have no record of ever receiving that package.

MR. HITT: We'll send you a copy. Also yesterday we sent out a draft of the findings documentation that overnight delivery. So if you haven't gotten it yet, you should get it sometime today. We will handout copies of the draft effects

finding here. This is the exact same copy that you will get in the mail, if you haven't gotten your mail already. Anybody who hasn't gotten it.

MR. STREETT: Keep in mind these are two sets of the exact same documentation. If you get it here, you are going to get it at home which is fine. I just want to let you know, nobody is going to be missing out on not having the information.

MR. HITT: So everybody should have gotten both packages in the mail. We will followup with Betsy. Let us know if you didn't get the copies. Everybody that is a recognized consultant party was sent both packages. They were sent yesterday and they were overnight, so you'll get it some time today.

MR. STREETT: All right. We will begin the process now of opening up the forum for questions, comments or concerns. This gentleman has been raising his hand for a while. So we will let him go first, if you don't mind.

MR. BROWN: Thank you, Dan. Clinton Brown. I may be representing a potential consulting party. The Erie Canal Way National Heritage

1 Corridor Commission is a body created by congress
2 under the aegis of the Department of the Interior
3 and the National Park Service I'm a commissioner
4 appointed by the secretary of interior. Whether our
5 office responded to a request to be a consulting
6 party or not, I don't see us on the list and I think
7 we ought to be on the list because this is within
8 the area of the National Heritage Corridor.
9 Regarding that, we are undertaking a National
10 Register nomination of the New York State Barge
11 Canal in cooperation with the Canal Corporation and
12 the Thruway Authority, which is in the process of
13 being worked on with the State Historic Preservation
14 Office in consultation with the New York State
15 Museum and the National Park Service. So we are
16 identifying historic and cultural resources within
17 the boundaries of the State Barge Canal as a first
18 step to identifying resources within the historic
19 Erie Canal and all its permutations, including the
20 area here and more specifically the Porter Avenue
21 Bridge has remnants of the Erie Canal incorporated
22 into its construction. So as Tom pointed out, the
23 potential for reconstruction of that bridge, those

1 resources -- as well as resources in the waterway as
2 the APE grows to include the Riverwalk potential
3 ought to be acknowledged as historic resources that
4 could be impacted, may or may not be impacted, but
5 they ought be on the list.
6 Similarly within that corridor are the
7 CPO Club or former CPO Club which was preliminarily
8 identified by the Historic Preservation Office and
9 eligible for listing in the National Register of
10 Historic Places and the federal government is
11 undertaking rehabilitation in consultation with the
12 Historic Preservation Office.
13 MR. STREETT: Do you know what the CPO
14 stand for?
15 MR. BROWN: Chief Petty Officer's Club.
16 It's associated with the New York Naval Reserve
17 Campus to the west of the Thruway and the APE. And
18 the APE may want to go to the water's edge to
19 incorporate their concerns in terms of vehicular
20 impact. Similarly, the Buffalo Yacht Club at the
21 foot of Porter Avenue in my view, I don't know if
22 anybody's advocated the Historic Preservation Office
23 through their officials, that that could be eligible

1 for listing of National Register of Historic Places,
2 similarly the Cornell Ward Pumping Station.
3 If I might briefly touch on mitigation.
4 It seems to me that in the update of the inventory
5 figures 6, 7 and 8 show the intent of the business
6 people and the Olmstead Commission on the output
7 design of the Front Park and putting the new
8 entrance drive, where Tom's slides have showed it,
9 would not necessarily enhance its restoration
10 because the entranceway to the park historically was
11 at the corner of Busti and Porter. And as to the
12 citizens who created the Olmstead, related Elmwood
13 Park District. It was purposely designed that way.
14 It would be a goal for mitigation to seek the
15 restoration of the original Olmstead design when
16 there is so much work going on anyway as distinct
17 from the proposed creation of an intersection where
18 there is a system driveway as you have shown in the
19 slide.
20 Just one final comment. I have been
21 involved with the Peace Bridge expansion for about
22 20 years now one way or the other. And I have to
23 commend the Department of Transportation for the

1 seriousness with which it has taken its
2 responsibility in this project and which it has
3 sought to engage at the public opinion. It's very
4 refreshing and it's a great way to go forward.
5 MR. STREETT: Thank you. Next person.
6 The gentleman with the --
7 MR. TEILMAN: Tim Teilman, and I'm
8 speaking on behalf of the Campaign for Greater
9 Buffalo History, Architecture and Culture. I want
10 to comment on a couple of areas.
11 The first is the need and it wasn't
12 clear from this document. It states that the need
13 has reduced the use of local streets by existing
14 traffic and provides access to the existing plaza
15 and its current location. It's difficult to tell
16 why this is necessary without an idea of profile of
17 what the traffic has been. Because a 2010 study by
18 a pitched rating using Public Bridge Authority
19 Traffic Statistics indicates year-to-year a two
20 percent decline in traffic from the day the
21 Lewiston-Queenston Bridge opened. Now, what
22 impact -- I mean what is this going to address if
23 traffic already declining? Is traffic on local

1 streets declining?
2 And then I think we have to look at, and
3 again it's not in here, whether this project in fact
4 will induce more traffic. So traffic inducing
5 effects, things that make the Peace Bridge
6 particularly easier to use for tractor trailer
7 traffic have to be considered.
8 And I understand why this is being
9 perhaps considered in isolation, but everyone is
10 aware that Public Bridge Authority, as well as Duty
11 Free America, they have plans that are ongoing and
12 have been ongoing for 15 years to expand the Plaza.
13 And there is no indication of how --
14 MR. STREETT: Excuse me. I just may
15 have to interrupt you for a moment. We need to make
16 sure that for the last line there, the agenda here
17 is to stay focused on the 106 process, the
18 historical properties. I'm just trying to ask you
19 stay focused on -- the traffic is not really related
20 to this topic. That's why I'm just trying to ask
21 you to stay focused.
22 MR. TEILMAN: Well, I think obviously
23 the impact of traffic noise that has a direct effect

1 on the desirability of the historic properties, the
2 enjoyment of historic properties by residents and
3 citizens. The amount of traffic traversing these
4 ramps in front of Front Park between the viewer and
5 the lake that resource that they want to enjoy,
6 there is a direct effect
7 MR. STREETT: Okay.
8 MR. TEILMAN: Another issue is the APE.
9 I have here in front of me an original 1871, the
10 first parks report by Olmstead and Baus and it has a
11 map of Front Park, the bank, Sixth Street. This
12 isn't included in the APE. The bank particularly on
13 the north hand side, remnants of it remains. It's a
14 very important scenic resource and historic resource
15 for Buffalo. If it's not in the National Register
16 documentation, it's got to be revisited because
17 Olmsted and Baus clearly saw that as important for
18 people coming from the north. The bank was the
19 first point of which they see Lake Erie and the
20 Niagara coming together and that's important because
21 again you have a visual resource. And particularly
22 new ramp D, it's unknown from the documentation
23 provided because it's only bird's eye view straight

1 down. How is that going to affect people on the
2 ground? The view shed from given points. It's very
3 unclear and this has to be part of the evaluation.
4 We don't know and it's obvious from the materials
5 handed out and we are being asked to evaluate how
6 this is going to appear to a user of Front Park or a
7 user of the bank. You know, we don't have any tools
8 to evaluate whether your work is in fact being done
9 properly and what the impacts are.
10 And further, just one point, there's a
11 discrepancy between the slides that were presented
12 today and at least one and again, I received this at
13 11:45 this morning, the draft finding documentation
14 for preliminary assessment of effect, so I didn't
15 have truthfully time to go through it at all.
16 But figure 2, the conceptual plan and I
17 think, I don't know whether Clint alluded to it or
18 not, the previous speaker. But if you look at that
19 map, it certainly is denoted as Front Park and the
20 entry way there, it does not jive with the slide,
21 for example, Front Park entrance on page 4 of the
22 handout. The entrance is in two different
23 locations. I'm not sure what the source of the

1 discrepancy is. Thank you.
2 MR. STREETT: Comments noted. Thank
3 you. Next person that would like to speak.
4 MR. HERRERA: Thomas Herrera. I'm the
5 CEO and president of the Buffalo Olmsted Park
6 Conservancy. I'll go through my comments in order.
7 I have jotted a few down.
8 I don't think it's a historically
9 resource, but I want to comment that the realignment
10 of the Riverwalk, moving the walkway down to the
11 water, that appears to be a real positive impact on
12 the recreational assets. I think that's a good
13 thing.
14 Overall, the project allows for
15 recapturing historic parkland that's been dedicated
16 to transportation usage for about 60 years and the
17 conservancy has been advocating for the elimination
18 of Baird Drive for a very long time. And so we see
19 this as a very positive impact because it allows us
20 to recapture historic park land, allows us to
21 restore that park land to its original design. And
22 we also feel that it reconnects the park land to the
23 surrounding community. So we see all of those being

1 positive steps and something that the conservancy
2 has been advocating for quite some time now.
3 We have looked at the proposed entrance
4 connection at Lakeview as opposed to the original
5 design. We certainly have a strong interest in
6 seeing the original entrance recreated, if possible.
7 We also understand the complexity of making a modern
8 entrance to the park there with the traffic
9 concerns, meeting the needs of modern vehicles to
10 enter the park on a diagonal out of making a five
11 way intersection. So we do think that the proposed
12 driveway might be an adequate solution to get modern
13 vehicles into the park, but we would continue to
14 strive to recreate as much as the original entrance
15 as the pedestrian experience as possible.
16 We are still waiting to see the impact
17 of the entrance ramp PN on Porter Avenue. Certainly
18 there was no roundabout there historically, but they
19 are used throughout the Olmsted street scape system,
20 including the bank and other places. We want to
21 make sure that the pedestrian connection between
22 Front Park and the South Park is made as strong as
23 possible, whatever solution that is best to further

1 that goal. I guess reserving judgment on that
2 specific until we know more of what is being
3 proposed. But certainly wider sidewalks on the
4 Porter Avenue Bridge is something that we would
5 advocate for.
6 Almost done. We feel that overall the
7 project will have a very positive impact on the
8 historic landscape, for the reasons that I have
9 already mentioned and we concur that the negative --
10 there is no negative impact rather many, many
11 positives to this project on the Front Park land.
12 MS. PERLA: Carol Perla. I was just
13 reading something with the continuation of the
14 Olmsted plan when they did the roundabout at
15 Kleinhan's and all the other roundabouts. They did
16 it specifically to stop traffic and trucks from
17 coming through. That was the reason for the
18 roundabouts, to stop the trucks.
19 MR. STREETT: This gentleman all the way
20 in the back.
21 MR. OBERST: A-l-a-n O-b-e-r-s-t,
22 Vision Niagara. Working on improvements to Niagara
23 Street just north of the Peace Bridge area.

1 Several things, well, these preliminary
2 findings. Some people got them a couple of hours
3 before the meeting. I don't know. I didn't get
4 mine as probably a lot of folks didn't get them. I
5 don't think that works. I think what we need to do
6 is we all need the chance to evaluate that in order
7 to give really good quality input, which I'm sure is
8 what you folks want. We have a lot of people here
9 with a lot of good experience with the area. I
10 think what we need to do is look at looking at a
11 second Section 106 review meeting after we have had
12 the chance to digest some of this, these
13 presentations. I know it's preliminary findings. I
14 think we need to do that and then have a second
15 meeting. I think that is crucial.
16 I would like to say on the APE boundary.
17 I thought the APE boundary was too narrowly gone. I
18 think what is going to happen with this project is
19 it's going to change to lot of traffic patterns
20 which are going to affect the neighborhoods and, you
21 know, what happens with the traffic in the
22 neighborhoods and where the traffic goes and doesn't
23 go. Are you able to hear me? Is there a microphone

here? Should I be talking into a microphone? I'll just do my best to project that. What happens with the traffic in and amongst the neighborhoods is crucial on neighborhood development and property values and people being able to improve their properties. It does have an affect on the historic character of the neighborhoods and a number of changes are going to be made that are going to affect properties that are outside of the AP. So I think we need to look at the surrounding neighborhoods, especially a block or two south of Porter. If we are looking at a connection in from Porter, then people may be coming through some of the neighborhoods, that include like Second Street, Seventh Street, south of Porter. So we need to take a look at that. Also, I think we need to expand the APE to include up to Hampshire Street, west to the river and east to Niagara Street and then south on Porter as I described. I think that's the only way we can really take into affect the traffic patterns in the neighborhood.

And this is really crucial; there has been some things that happened with the Peace Bridge

1 just in the last couple of weeks, that have backed
2 up traffic into the neighborhoods. It has created a
3 little bit of gridlock. So what happens at the
4 Peace Bridge definitely affects what happens in the
5 neighborhoods. I know that you folks would want to
6 look at those impacts.
7 I also think the APE needs to recognize
8 that the pumping station is also historic. And I
9 think what you are doing may affect that access and
10 egress into the pumping station. I think that is
11 something that should be taken into account, the
12 access and the egress and the entire property where
13 the pumping station was.
14 Most critically if you are talking about
15 doing a ramp, that is going to be up the air,
16 anything up in the air affects the view shed into
17 the park.
18 I'm not an expert at all with Olmsted
19 parks, but of all Olmsted parks in Buffalo, the view
20 shed here is the most critical future. When it was
21 opened it was basically the most popular place in
22 the city to come and view.
23 I'm also part of the Riverwalk

1 Revitalization Committee. It's a project that is
2 going on right now to look at improvements to the
3 Riverwalk. I actually did a site visit with some
4 folks from Buffalo Niagara River Keeper. A group
5 that is overseeing those improvements. We went out
6 and walked Sheridan Terrance into the area of the
7 Peace Bridge property. It's a place where hardly
8 anyone goes. This is a group that focuses on the
9 river and they have never been there. We went in
10 and walked in and the view, going in where the
11 terrace originally connected, where the Peace Bridge
12 Plaza is now open to Front Park. The view from the
13 terrace is just -- it's one of a kind. You can see
14 where the lake and the river come together, yes, but
15 you are also elevated and you can actually see the
16 east end of Lake Erie is an abatement. So you can
17 actually see to like the southern portion to where
18 the lake goes down into Cattaraugus and Chautauqua
19 County. It's a place that people need to be able to
20 see and be able to get there. We don't know what
21 the impact of this ramp is going to be on that view
22 shed. I think what needs to be done is like what
23 was done by Erie Canal Harbor Development, when they

1 were looking at options for bridges in the inner
2 harbor area. They got UB to do 3D modeling for some
3 of the bridge options. Usually there is only a
4 limited range of options. So they looked at some of
5 these options and they modeled them 3D and we have
6 some stakeholder meetings and we looked at these 3D
7 options. I think that is the only way we are going
8 to know what the impacts are to the view shed is by
9 looking at 3D modeling and having some things to
10 look at. So we need to look at the view shed from
11 the park from places like Sheridan Terrace from the
12 bank. Those are all crucial places we need to focus
13 on and that aren't in the APE. So we need to look
14 into that.
15 And I think the side benefit that you'll
16 find with that modeling is once you have a 3D
17 modeling, you can also model what the impact is
18 going to be the emissions, you know, when you have
19 vehicles up there on something elevated up in the
20 air with the prevailing winds blowing over the west
21 side. So I'm not sure we can really make a good
22 determination without having that stuff to look at.
23 I think we need to go back to the drawing board a

1 little bit and look at some other steps in this
2 process. So thank you.
3 MR. STREET: This gentleman here.
4 MR. WILSON: My name is Jason Wilson and
5 I'm representing Preservation Buffalo Niagara. I'm
6 concerned that there will be several adverse impacts
7 that will arise from the result of the proposed
8 project. Some of these concerns have already been
9 noted, but I will go through them again.
10 First and foremost the destruction of
11 the historic view shed from Front Park. Historic
12 resource listed under the National Register of
13 Historic Places. The destruction of the proposed
14 ramp. I believe it is PN along the southwestern
15 boundary of Front Park will obstruct the view of
16 Lake Erie the waterfront and the Niagara River. The
17 park was obviously designed by noted landscape
18 architect Frederick Law Olmsted in the early 1870's
19 and it's a key part of the nations first park and
20 parkway system. And one of Front Parks original
21 historic purposes was to showcase the sweeping views
22 and vistas of Lake Erie, waterfront and the Niagara
23 River available from this site. The current

1 proposed project, as we can tell from the
2 information given to us, will have an adverse impact
3 on the historic resource by obstructing these
4 principle views as originally designed and intended.
5 I would have to echo Alan's statements
6 regarding having some type of 3D modeling to
7 actually know what the ramps are going to do to the
8 historic view and vista from Front Park.
9 Second, the destruction of the historic
10 view shed from the historic resources that are
11 directly adjacent to Front Park along the northern
12 boundary along Busti Avenue. The construction and
13 configuration of the proposed ramps along the
14 southwestern boundary of Front Park will obstruct
15 the principle view of the lake, the river front and
16 the Niagara River originally intended for the
17 residents and their properties along the adjacent
18 street along Busti Avenue.
19 The current configuration of the
20 proposed ramps will force wide load trucks that are
21 prohibited from taking the Thruway to use local
22 streets as they do now, including Busti Avenue. If
23 there is congestion, as there was in the last few

1 weeks on the bridge, these trucks will be forced to
2 use Busti Avenue and to sit in front of these
3 already identified historic resources and obstruct
4 the historic view shed of the lake, the water front
5 and Niagara River.
6 Finally the Section 106 process, review
7 process provides an excellent opportunity to review
8 the boundary of the area of potential effect. It
9 truly measures the adverse impact of the proposed
10 project. The boundaries of the APE need to be
11 expanded and we have touched on this before with
12 previous speakers.
13 There are several historic resources in
14 either of the adjacent neighborhoods that are either
15 currently outside the APE, that provides the
16 historic complex of Front Park and historic
17 resources listed on the National Register of
18 Historic Places and/or historic resources not yet
19 identified in adjacent neighborhoods. Some of those
20 previously stated were the pumping station, the CPO
21 Club, the Buffalo Yacht Club as well as the bank.
22 So I would propose before moving forward with any
23 conclusions to re-examine the APE.

1 MR. STREETT: Thank you. Thank you.
2 MS. MECCA: Does anyone have a berm I can
3 stand on? Kathy Mecca, President, Niagara Gateway
4 Columbus Park Association. These comments I'd like
5 entered into the record on behalf of the Prospect
6 Hill Historic District.
7 All of the elements, concerns and
8 adverse impact raised by the Prospect Hill Columbus
9 Park Historic District as stated in Section 106
10 meeting, transcript and written statements from the
11 2008 through 2011 when the federal highway with
12 these agents in the 2007 proposed Peace Bridge
13 Expansion Project remain unchanged. We're the same
14 communities living adjacent to the second busiest
15 international bridge crossing in the United States.
16 Within the same stretch of the New York State
17 Thruway surrounded by the same nationally protected
18 Olmsted Park built along side of Lake Erie and the
19 Niagara River. Therefore, the collective community
20 is stating the following for the record. In January
21 2012, the Federal Highways Federal Register
22 published a notice to rescind terminating the EIS
23 process, the 2007 Peace Bridge Expansion Project,

1 thus terminating their roles as lead agents in the
2 project. And this is a quote from that federal
3 register. "As a result of the comprehensive
4 environmental review and coordination with federal
5 and state resource agencies the community and
6 resource agencies' concerns, relating to historic
7 impact relocation and other environmental impacts,
8 were at this time becoming increasingly paramount."
9 Therefore, it is our belief that the same historic
10 and environmental challenges for shutting down the
11 previous transportation project continues to exist
12 today. None of the presenting issues were resolved
13 because the Section 106 process ended abruptly prior
14 to the federal notice to rescind. Both the federal
15 highway and DOT were involved in the 2007 through
16 2012 process.
17 Today we are here because the DOT is the
18 lead agent for a Peace Bridge Transportation Project
19 and co-partnering with federal highway. The same
20 government agent, the same Peace Bridge crossing,
21 the same area of potential effect so how could the
22 outcome be any different.
23 We object to the report prepared by

1 Nathan Montague and Doug Perrelli because it uses
2 the same flawed information from the 2007 report.
3 In 2008 Mr. Perrelli told consulting parties members
4 after a tour of the APE, that its team was advised
5 by DOT not to assess individual properties,
6 buildings or streets, other than what was included
7 in their contract. We have no reason to believe
8 that this isn't happening again.
9 Therefore, we reject the report as an
10 objective document because it is influenced by the
11 contractual relationship between the author and the
12 DOT and does not objectively evaluate the totality
13 of the historic community.
14 According to the ACHC guidelines to
15 Section 106, agencies should not make obligations to
16 take other actions that would preclude consideration
17 of the full range of alternatives to avoid or
18 minimize harm to historic properties before Section
19 106 review is completed. However, the DOT has
20 already issued a letter of interest, designed built
21 services for road and bridge construction to
22 potential bidders. The DOT issued a coordination
23 plan on July 11th outlining on page 6 and 7 a full

1 accounting of the anticipated timeline for the
2 intended project. On July 26th the DOT identified
3 the range of alternatives prior to even engaging in
4 Section 106 information that most of us here don't
5 have or had a chance to look at.
6 Only one date was given for Section 106
7 process which is today. Tomorrow on July 31st, they
8 are holding a conference call with cooperating
9 agencies which include the City of Buffalo and the
10 County of Erie. Part of the participating agency's
11 role is to provide input and the range of
12 alternatives to be considered in this building
13 process. Does the timeline allow the participating
14 agencies enough time to perform their role to
15 provide input on alternatives?
16 In a letter dated August 10th, 2012,
17 the then PBA chairman Sam Houett received a letter
18 from the New York State Department of DOT
19 Commissioner Joan McDonald that states, quote,
20 "Although the concept of the direct connection ramp
21 appears plausible, there is no funding currently
22 available to cover the estimated cost of 24 to 29
23 million dollars. What caused the commissioner to

1 change her position and find the money? What is the
2 pressing need to build this project right now?
3 This project is not required by the
4 Department of Homeland Security, the General
5 Services Administration or Customs and Boarder
6 Protection. It did not receive board approval from
7 the PBA yet it is called the New York Gateway
8 Connections Improvement Project to the Peace Bridge.
9 The PBA itself is not a lead agent or
10 consulting member to this project. In fact, they
11 submitted a number of concerns outlining the
12 potential negative impact this project could create
13 during peek hours on the U.S. Plaza. The PBA's
14 concern that the egress from the Plaza and Customs
15 Inspection could be disrupted during the
16 construction period. Any disruption to the U.S.
17 Plaza has an adverse impact on the adjacent park
18 lands, local streets and historic community.
19 The PBA will be implementing their own
20 on Plaza construction projects and renovating the
21 commercial customs building and widening the
22 approach to the bridge. This will be happening
23 simultaneously with the Gateway Project. What

1 coordination efforts have been made between agencies
2 during the construction phase of two major projects
3 to insure that Front Park, Prospect Hill Historic
4 District and access to the water front will not be
5 adversely impacted.
6 Governor Cuomo, and other elected
7 officials, have made public statements that the
8 state will be involved in expanding the U.S. Plaza.
9 The New York State Empire State Development
10 Corporation has purchased the Episcopal Church Home,
11 the three point seven acre parcel of land, for
12 future use for the Peace Bridge.
13 The ESD has issued an RSP for
14 demolition of all the buildings on the property
15 except for the landmark Gordon home and the
16 Hutchinson Chapel.
17 The pending use of the property
18 continues to be shrouded in secrecy. The demolition
19 at the Episcopal Church Home will be happening at
20 the same time as the Peace Bridge renovation, the
21 widening of the bridge entrance and the Gateway
22 Connections Project. Front Park and Prospect Hill
23 will be surrounded by construction projects on all

1 fronts.
2 Governor Cuomo said in 2012, that the
3 state would take Busti Avenue for the Peace Bridge
4 expansion, but no plans have been public. No one
5 knows why the state wants Busti Avenue.
6 The Gateway Connections Project and the
7 Peace Bridge Plaza Renovation Project and the
8 purchase of the Episcopal Church Home are being
9 identified as separate independent projects from one
10 another, while they all have one common goal;
11 facilitating traffic entering and leaving the Peace
12 Bridge. Therefore, the collective community
13 considers all of these projects to be interconnected
14 requiring one scoping process, one environmental
15 review underneath the seeker and federal
16 transportation law 4F. Failing to do so constitutes
17 segmentation which violates State Supreme Court
18 ruling.
19 The DOT and the Federal Highway has
20 failed to take into consideration Olmsted's previous
21 position on Peace Bridge projects for the removal of
22 Baird Drive. Specifically for public statements
23 made by Olmsted in 2008, 2009, 2010 and 2011

1 opposing any additional Peace Bridge projects that
2 required the use of any public park or historic
3 site, unless all feasible alternatives are explored.
4 In the 2010 legal brief Olmsted
5 criticized the Federal Highway for failing to
6 address key issues pertaining to the impact of the
7 2007 Peace Bridge Expansion Project on Front Park
8 and surrounding Prospect Hill neighborhoods. Sorry.
9 I have asthma.
10 Specifically the removal of Baird Drive,
11 as part of the broader proposal to reconfigure
12 traffic patterns relating to the Peace Bridge
13 constitutes a direct quote "use" of the park itself.
14 And such removal without associated restoration of a
15 historic park wing on which Baird Drive is situated,
16 quote "undisputedly constitutes a direct use of park
17 land with noise, air pollution and general
18 unsightliness." Such destructive uses are clearly
19 present at Front Park.
20 The community is at a loss to explain
21 why DOT and the Federal Highway would intentionally
22 ignore Olmsted's position and negotiate an agreement
23 with them to take Baird Drive out of Front Park when

1 the historic park is owned by the city of Buffalo
2 and not Olmsted.
3 The Community would like to know what
4 involvement the City of Buffalo has had in this
5 agreement to remove Baird Drive from a nationally
6 registered park. It is our belief that such an act
7 would require an involvement from the Buffalo Common
8 Council.
9 What weight was given to the legal
10 ground identified in the 2010 brief before the State
11 decided to take Baird Drive out of Front Park. What
12 is the plan and funding to fully restore the park,
13 remove all noise and air pollution and general
14 unsightliness as a result of the change of traffic
15 patterns and elevated ramps that will surround the
16 front.
17 DOT and Federal Highway should be able
18 to demonstrate the benefits the ramp road connection
19 project will bring to users of Front Park and the
20 adjacent Prospect Hill neighborhood had and its
21 residents before concluding section 106 or moving
22 forward with the project.
23 And lastly, why did the DOT and the

1 Federal Highway ignore, on November 29th, 2007 EPA
2 report which states that other alternatives to
3 building additional infrastructure to Peace Bridge
4 crossing should be explored. Specifically routing
5 all truck traffic to the Lewiston-Queenston Bridge.
6 Also ignored were two City of Buffalo
7 common council resolutions calling for the merger
8 from the Public Bridge Authority and the Niagara
9 Falls Bridge Commission and to evaluate removing the
10 commercial truck traffic off the Peace Bridge.
11 Governor Cuomo's 2012 Stage Commission
12 Report calling for a need to further study merging
13 with the two bridge authorities. And in 2012 the
14 EPA designated Buffalo's impoverished lower west
15 side a community of environmental justice because of
16 the disproportionate volume of diesel exhaust coming
17 from heavy commercial traffic. The DOT has chosen
18 to ignore the EPA findings. Two letters from the
19 residents of Prospect Hill Historic District,
20 rejecting and objecting any transportation projects
21 leading to the Peace Bridge without first conducting
22 the study to move the commercial trucks off of the
23 Peace Bridge. And two reports issued by the

1 Partnership for Public Good and its 100
2 participating members converged the Bridge Authority
3 to move the commercial trucks off of the Peace
4 Bridge.
5 It is incumbent upon our government
6 agencies to embrace this information and not dismiss
7 it before spending taxpayer dollars. Thank you.
8 MR. ROBINSON: Terry Robinson,
9 Preservation Buffalo Niagara. I obviously have very
10 little to add to Kathy's comprehensive statement.
11 And really I kind of echo most of the statements
12 that have already been made.
13 The one point that I think everyone has
14 made, and I think it can't be over emphasized, is
15 that this project is not another off ramp on a state
16 highway along some nondescript area. That this is
17 in many ways the probably second most significant
18 scenic resource within the region. I would say
19 second only to perhaps Niagara Falls, but it's
20 linkage to Niagara Falls is obviously inextricable.
21 It is a component of the Olmsted plan and the
22 Olmsted's plan for the reservations at Niagara
23 Falls. He obviously complimented it with his -- at

1 the source -- at the source of the Niagara River
2 there in that view scape. It is of incomparable
3 value, the scenic resource that is there. I note
4 and I'm kind of at a loss to explain at how it can
5 be attempted to be compartmentalized in so narrow a
6 manner.
7 The two most important words to
8 preservation to history are prospective and context.
9 And to remove -- to attempt to remove this resource
10 completely from its context, its relationship to the
11 surrounding neighborhoods and its historic resources
12 within that vicinity is making a mockery of all of
13 the 106, seeker, coastal zone management and other
14 processes that have been put in place to protect
15 just such resources. So I would really recommend
16 that everyone take just a step back and reevaluate
17 and say does this serve the purpose of what these
18 regulatory guidelines give us? Does it protect the
19 scenic resources? Does it protect the historic
20 resources? There is always going to be a balance
21 between the economic and environmental whatever
22 benefits. But are we weighing those accurately?
23 Are we weighing them honestly?

1 The leak to the no finding, without
2 even a mention of policies 23 and 24 of the Coastal
3 Zone Management. Policy 23 to protect, enhance and
4 restore structures, districts, areas or sites that
5 are significant in the history, architecture,
6 archeology or culture of the state, its communities
7 or the nation, and the wonderful explanation that is
8 given there, I think not. And also prevent
9 impairment under policy 24 of scenic resources of
10 state wide significance.
11 In the late 60's what was it? If you're
12 not part of the solution, you're part of the
13 problem. So even if it does not necessarily erect
14 some sort of new and penetrable barrier. Does it
15 reenforce? Does it act to mitigate destructive
16 actions that have already occurred.
17 The destruction of Olmsted's -- well,
18 Olmsted's are scenic view scapes from the Old Fort
19 Porter in the front are almost exclusively the
20 product of two agencies; the Public Bridge Authority
21 and the New York State Department Of Transportation
22 historically in placing the Thruway there and the
23 bridge. They are there. It's fact, but the

1 question is does every action we take reinforce
2 and/or aggravate those past actions or does it in
3 some way mitigate or move forward to restore and
4 enhance what exists there right now? I think that
5 that sort of context is really for us as
6 preservationists, as citizens of the city of
7 Buffalo, what we would like to see. We would like
8 to see the best plan, given whatever existing
9 parameters exist. We still require the best plan
10 that New York State, DOT, FHWA, PBA can come up
11 with. How this can be segmented from the other
12 improvements and/or proposals, including the State
13 and National Register eligible Peace Bridge is
14 beyond me. I mean, I see no mention of it even
15 though it's obviously the elephant in the room.
16 In terms of the integrity of certain
17 things like the previous studies would seem to be
18 driven to arrive at this no effect. I'm at a loss
19 to explain how it can completely omit any mention of
20 the significance of what is essentially the river
21 crossing, the ferry before the bridge, the bridge,
22 river crossing and its significance in terms of
23 African-American history is incredible. The

1 Italian-American history in the region over a period
2 of roughly a century, with absolutely no mention and
3 no archeological effects and no presence in an
4 attempt to set the setting even of the historical
5 statement of the significance of the area, once
6 again to me is incomprehensible. To completely omit
7 the ethic cultural significance in the area and the
8 historical significance within that perimeter of
9 roughly a couple miles, the building of -- well, the
10 capture of the boats on the Fort Erie side, the
11 resetting of them at the old Navy yard and the
12 launching of Perry's Fleet from that vicinity,
13 complete omission of that and to concede that there
14 could be no linkage; that's the part to me as I lose
15 is the no linkage.
16 You can not approach this thing in so
17 narrow a way with so defined a scope to attempt to
18 achieve a traffic solution with all of the attended
19 things that that brings on the neighborhood. I'm
20 not even getting into the traffic. We not getting
21 into the environment. We are not getting into the
22 process issues here. Other than those process
23 issues that seem to me to be fatal to a legitimate

1 106 analysis of this project. To constrict them in
2 this way is really a disservice to everyone and
3 briefly that's it.
4 MR. STREETT: Yes. In the back.
5 MS. DETINE: Hi, I'm Linda DeTine. I'm
6 just a neighborhood resident and member of Columbus
7 Park Association. We all live over in Prospect
8 Hill.
9 First of all, we just want to say, you
10 can ignore those Prospect Hill historic district
11 boundaries in your materials because that's
12 somebody's idea of what Prospect Hill should look
13 like, but it's not the residents' idea and those
14 boundaries were never formally adopted or agreed to.
15 We think our district is a lot larger than that.
16 I do concur with Preservation Buffalo
17 Niagara's comments, Clint Brown's comments and Kathy
18 Mecca for the neighborhood.
19 In addition, to needing -- to those
20 comments. In addition, we need not just visible
21 view sheds in other to evaluate, but also data on
22 the noise impact. For example, a roundabout is
23 likely to create more noise than not having a

1 roundabout. So you might be moving some noise away
2 from -- closer to Busti, but increasing the noise
3 down for the users of the park. So we would need to
4 see what's going to happen noise wise from
5 changing -- as Terry was talking about, those
6 traffic patterns.
7 Also, we do want to object to the fact
8 that apparently Olmsted Conservancy was given the
9 benefit to come in earlier in the process and
10 actually have input on the various options that
11 might have been discarded or considered. What we
12 are looking at now appears to be something that one
13 organization was invited to weigh in on. The
14 residents are not part of that organization. I
15 don't know if anybody that got to weigh in lives
16 even in the neighborhood. No offense, Thomas, but
17 their executive director lives in Orchard Park. I
18 think it's against the spirit, if not the letter of
19 the law, to invite one not for profit in at such an
20 early stage and have so powerful of a voice before
21 you have consulted the residents who are actually
22 going to live with this.
23 I also want to point out and object

because the project as a whole further imbeds the notion that we are going to have an expressway, a high speed expressway between the park and the water. Buffalo's comprehensive plan I believe still has proposals to drop this down to a parkway. So any dollar we spend, further intrenching this as an expressway site, puts the idea of a parkway instead into further impossibilities. The last time the citizens, not the Olmsted Conservancy, but the citizens were pulled as part of the green code, the citizens don't want the 109. The citizens want a parkway.

I also want to point out that Olmsted himself was hired by the City to bring the park down to where the yacht club and the rowing club and so forth to have the parkway go right to the water's edge. And again, this plan further cuts off the neighborhood and the users of the park from the water, but also creates an impossibility that Olmsted's plan, that Buffalo at one point supported, is never going to become a reality. Again, every time we put more infrastructure in here, we are creating so many barricades we will never get back

1 what the citizens want.
2 You know, what we have right now, if you
3 do this, Oliver Perry in his statute is not going to
4 be looking at the lake, he is going to be bravely
5 gazing out at a ramp. I just don't think that's
6 what Olmsted intended. I think that is it. Let me
7 just check. Yes, that's it. Thank you.
8 MR. STREETT: I just want to give the
9 opportunity to anybody on the phone. Do you have
10 any comments that you would want to offer?
11 MS. WARBIDSKI: This is Tanya. Not at
12 this time. I think many of the people who spoke
13 regarding the limitations are opposed by the -- what
14 is drawn on the map as the APE are speaking very
15 clearly, very forcefully to that point and the
16 Preservation League will take all of that into
17 account. And we will certainly avail ourselves the
18 opportunity to provide written comments by the
19 deadline of August 30th. This has been a very, very
20 informative session.
21 MR. STREETT: We are not done yet,
22 Tanya. I didn't want to give you the false
23 impression yet.

MS. WARBINSKI: No, no, that's our intention.

MR. STREETT: Okay, all right. Thank you. Anyone else?

MR. ROBINSON: I have a question, just one question. This project seems to have -- come from the previous, you know, 11 year process and there are some reference within the materials to the previous 180 studies and that sort of thing. I haven't been able to draw the 5753.8 project number on either the DOT or FHWA sites, which I suppose is where that material is. If they spent 10, 11 years doing a lot of work there, I would think that would be kind of -- I know it would be valuable to me to be able to access a lot of that prior work on the historical resources.

MR. HITT: You're talking about project information for the old project, not this project, right?

MR. ROBINSON: Right.

MR. HITT: We can look it up and we can make it available if it applies to this project, but when we asked UB to update the study, we just

1 referred to the information that was needed for this
2 project.
3 MR. ROBINSON: You know, there were the
4 filters there that said planned, complete, in
5 progress. I was looking under the complete and --
6 but I don't know how long you archived the projects,
7 but I guess I can get a link to that stuff.
8 MR. HITT: We will pull it up and we'll
9 see what it is and we'll make it available.
10 (Break in the proceedings.)
11 MR. STREETT: Can we get started here?
12 I guess we are getting close to wrapping up. We
13 want to make sure that everyone has had an
14 opportunity. Do we have any additional comments
15 that that you would like to provide?
16 MR. OBERST: I have some additional
17 comments.
18 MR. STREET: Would you mind coming up?
19 Just state your name again.
20 MR. OBERST: No.
21 MR. STREET: Just state your name again.
22 MR. OBERST: Yes. It's Alan Oberst with
23 the Vision Niagara Group.

1 I did have something else that was
2 important to say heritage related. The Vision
3 Niagara Group is working on improvements to the old
4 industrial section of Niagara Street that has like
5 old industrial character, kind of between Busti and
6 the Scajaquada north of the Peace Bridge area.
7 There is a lot of industrial heritage there, just
8 north from the Peace Bridge.
9 One thing we have been looking at is a
10 master plan for that area that would include some of
11 the business stakeholders like Rich Products. And
12 in the course of that master planning work, we have
13 been looking a lot at the heritage in that area.
14 Some of it is the War of 1812 heritage. Real early
15 Buffalo stuff. In fact, there are structures there
16 that are among some of the earliest built structures
17 remaining in the city of Buffalo, but they were part
18 of the original Village of Black Rock. And also the
19 industrial heritage is key because it was along the
20 canal and the railroad belt line. So you had things
21 like Curtis Aircraft, early automotive industry
22 there. Some very important things.
23 One of the things that we have been

1 looking at for our master plan, and we had some
2 preliminary work that was done by some UB students,
3 one of their studio classes, is a heritage trail or
4 an industrial heritage trail that would actually be
5 at the foot of the bank, between the foot of the
6 bank and the railroad tracks. It's something that
7 you might consider a rails width trails. The rails
8 width trails concept is recognized in transportation
9 planning. FHWA has specific guidelines. DOT have
10 the guidelines for rail width trail projects. And
11 we have actually done a couple of site visits to
12 look at this.
13 Now, there is some very important
14 historic features that are down there, including old
15 connections between these industrial facilities and
16 the canal and the railroad, but also what's down
17 there is the remnants of the original Black Rock.
18 You know the thing that so many geographic place
19 names in Buffalo come from Black Rock. Well, the
20 original Black Rock is there at the foot of the bank
21 near the foot of Hampshire Street. So we have been
22 looking at doing a trail that would also give people
23 access to this very important historic site.

1 Now, the reason this ties in so much
2 with the project's area that you all are looking at,
3 and the boundaries that you have shown us, is you're
4 looking at reconfiguring the Riverwalk and
5 potentially moving the pedestrian bridge. Well, in
6 order to get down to the area where we would be
7 looking at footing the trail, we have to have a way
8 to get people down there from the existing
9 Riverwalk. What we have looked at today indicates
10 the most feasible place to do that is where the
11 current pedestrian bridge is because it would allow
12 you to put a ramp that would get people down to
13 where that trail might be in the future. So I think
14 as you all do this work and look at moving the
15 pedestrian bridge, for example, we need to at least
16 be cognizant of that potential opportunity for that
17 heritage trail, that historic trail, and how that
18 can be connected up to the rest of the Riverwalk.
19 Even if it doesn't exist yet, you know, either have
20 a ramp to it or just design whatever is there in
21 such a way that that connection could be added in
22 the future. So, you know, to the degree to which
23 you would want to look at, you know, what the

1 heritage elements are a little bit north of there,
2 you know, just so that people understand the future
3 significance of that connection, you know, that
4 would help justify putting into the project whatever
5 could be put into the project along those lines. So
6 I hope drawing some of those connections makes sense
7 to you all.
8 And the other thing that I just wanted
9 to say about the project in general and has to do
10 with segmentation and we know that there has been
11 talk about, you know, the city selling Busti out.
12 We know that there was work done earlier this year
13 to demolish historic homes. There was pushback
14 against that. There were lawsuits, but they went
15 ahead and did it anyway. And that's just -- they
16 had a very important purpose for wanting to take
17 those homes down. We don't know what that purpose
18 was or is, but we know there was some purpose there.
19 So I think this project, without knowing what's in
20 line there, we don't know to what degree this
21 project and things that you're looking at doing here
22 could be a prelude or a precursor or a prerequisite
23 to other things that are being considered for

whatever the reason is Busti Avenue is going to be shut down. Whatever is going to be built where those historic homes were demolished. So what looks like to me, without knowing those other things and putting those into the mix, this does look like segmentation because you can't look at all the discussion about Busti and the demolitions that were done there without saying, obviously, there is some intention there. And, you know, you can't look at the rest of the things that are being discussed here without saying, well, there may be some connection between these projects and what's intended for whatever is going to happen there at Busti Avenue.

So I think all of these things need to be considered. I don't -- it just doesn't make sense on the face of it to look at these things that we are talking about today in isolation from those other things that might happen in the future. So it does look like a potential case of segmentation and I think that is against the spirit and the letter of the law and the regulations. Thank you.

MS. MECCA: Kathy Mecca from Columbus Parkway. Will we be receiving a copy of the

1 transcript?
2 MR. STREETT: Yes. We'll be covering
3 that in a minute. How about additional input from
4 anyone? Anyone on the phone that would like
5 additional comments? It sounds like somebody is on
6 the phone there. So I guess -- okay. I guess what
7 maybe we will do is start the closeout here. We do
8 have some additional information to provide you.
9 We do want to clarify the process here
10 though because I heard a couple of references to the
11 process ending today or this is the last chance you
12 get to talk. This is the beginning of this process,
13 from my prospect, the 106 process. There is a 30
14 day -- is that correct, Dan?
15 MR. HITT: Yes.
16 MR. STREETT: Thirty day comment period
17 on the process on the effects that were being
18 discussed and, Dan, do you have additional things
19 that you want to mention?
20 MR. HITT: Well, the effect finding that
21 went out yesterday, was only -- we sent it to
22 everybody because we didn't want to miss anybody
23 because we know people weren't going to make it

today, but the intent was it would be handed out today and then you have until August 30th to review and comment. So it wasn't meant to get it yesterday and review by today. It was just, we sent it to everybody so we didn't have to try and figure out who made it and who didn't make it and all that.

MR. STREETT: So you have 30 days to review all this information and provide feedback to us. Actually there is no attempt here to cut you off and this will be your only chance for input.

MS. PERLA: Carole Perla, Columbus Parkway. Are you planning another meeting that we can continue this?

MR. HITT: We haven't decided yet whether we are having another meeting yet or not.

MS. PERLA: What happens to our comments then?

MR. HITT: The comments you made today you will receive -- all the consulting parties will receive a copy of the transcript. We will consider all the comments that have been made, both in the next step of the effect -- you know, with wrapping up the effect determination as well as what we do in

1 preparing the DEIS. Now, if there are changes with
2 the project between now and the end of the August
3 we'll have to --
4 MS. PERLA: There seem to be so many
5 changes with not a roundabout, maybe a roundabout.
6 MR. STREETT: That will not be decided
7 during this phase of the project. Those are options
8 that we will carry forward into the DEIS. We need
9 additional research analysts analyzing the different
10 factors to see which one serves the best purpose in
11 the project.
12 MS. MECCA: Hi, Kathy Mecca again. I
13 know you say that we have until August 30th, but
14 myself and others that are sitting here at this
15 table, we are just ordinary citizens. We don't work
16 for the government. We don't work for an agency.
17 So when we receive after the fact the draft findings
18 of the preliminary assessment and its effects, then
19 if I'm going to respond to that and not have another
20 section 106 meeting then I basically am looking at
21 this information and responding to it in a vacuum by
22 myself without having any dialogue with the Federal
23 Highway or the DOT. So giving us an opportunity to

1 look at this information, digest this information
2 and come back to another meeting to interact with
3 you and have and get an open dialogue about this
4 document certainly is reasonable, is a reasonable
5 request.
6 MR. HITT: We'll consider the comments
7 and we will decide when we get to that point.
8 MR. STREETT: In consultation with FHWA,
9 who has oversight over the DOT.
10 MR. HITT: We were not deciding today if
11 we are having another meeting or not. We will
12 consider the comments made. We will discuss it with
13 the Federal Highway as well as the council of SHPO
14 and then we will decide what the next step is.
15 MR. CERTO: Peter Joseph Certo. So if
16 there is no additional meetings, our next
17 opportunity to comment would be the public hearing
18 after the DEIS?
19 MR. HITT: If that scenario plays out,
20 yes.
21 MR. STREETT: Question in the back?
22 MR. OBERST: Alan Oberst. I'm asking if
23 there were people here today from ACHP?

MS. LEGARD: Carol Legard from ACHP.

MR. STREETT: For those on the phone if you didn't hear, Dan had indicated that the transcript will be sent out to all consulting parties. Any other questions, comments?

MS. WARBIDSKI: The only comment I have at this time, this is Tanya, is the meantime the mailing that you spoke of did arrive.

MR. STREETT: Thank you for confirming that.

MS. WARBIDSKI: I'm very glad it's here. It sure is a lot more interesting.

MR. STREETT: So you should have the complete package of everything that was presented earlier.

MS. WARBIDSKI: I had the earlier package, but the one I guess that was the overnight just came.

MR. STREETT: Okay.

MS. LEGARD: Carol Legard again ACHP. I just would like to -- I guess I'm hoping that by way of coordinating your EPA and 106 that there can be sort of a feedback loop where the information you

1 take in from consulting parties factors in -- gets
2 worked into the alternatives in the DEIS and also
3 these folks get a chance after the DEIS comes out,
4 to have that information to help address the
5 concerns that they have been raising about visuals,
6 noise impacts, traffic changes. I mean, is that
7 DEIS going to provide some of the information that
8 might address some of those issues that were made?
9 MR. STREETT: Absolutely, yes. One of
10 the things that has happens in the DEIS, I'm sure
11 you're aware, is of from the scoping meeting and
12 from the scoping report you get input from the
13 public, you hear what their concerns are and you
14 hear suggestions of how to help the public
15 understand what the project is trying to present.
16 The request for visual -- ways to visualize what is
17 being built, the ramps. Are the ramps a 100 feet up
18 in the air or are the ramps down closer to the
19 ground. To provide that kind of information to you,
20 I don't know how we can do a visualization, but we
21 will try to come up with some way to project that
22 and to present it to the public so you have a better
23 visualization of what is being presented. So part

1 of the input of this today is hearing what your
2 concerns are and having those addressed as part of
3 the DEIS. That is a very important aspect.
4 Anything else? Then given no more comments I
5 believe we are --
6 MS. WARBIDSKI: This is Tanya from the
7 Preservation League. There has been some comments
8 made about the obvious topic that is out there which
9 is the larger Peace Bridge project. Let me ask a
10 very simple, maybe simpleminded question. Would we
11 be talking about this project were it not for the
12 larger plaza, Peace Bridge project that has been the
13 subject of years of discussion, planning, design?
14 MR. STREETT: Well, this project has
15 independent utilities, so from the perspective that
16 is serves a purpose of providing direct
17 transportation link to I-90 northbound. So it, in
18 and of itself, has independent utility and creates
19 its own purpose, within its own confines from the
20 plaza to I-90 northbound. So, yes, I think there is
21 a reason to be able to -- for this project to move
22 forward by itself. Does that answer your question?
23 MS. WARBIDSKI: Well, it makes me wonder

about the scheduling of everything from end of review to construction. It's just hard to imagine that a project with this proximity to that larger project and overall the big picture is moving traffic, that there isn't a linkage and, therefore, if there is a linkage, it would beg the question of segmentation and that has been brought up by some others.

MR. STREETT: Okay. I guess I would suggest that maybe additional information can be provided in the DEIS to help elevate those concerns.

MS. WARBIDSKI: Anymore information, any greater clarify would help, but it's hard -- it begs the question of, gee, just a coincidence? That's a little bit tough to understand at this point. Thank you.

MR. STREETT: All right. I asked before any other comments or questions? All right. I guess we are ready to close out. I thank everybody for coming today and we hope in the next week or so we should be publishing a sloping report.

MS. WARBIDSKI: Thank you for the opportunity to be on the phone. It's a big help.

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1 STATE OF NEW YORK
2 COUNTY OF ERIE
3 I, Susan Capobianco, a Notary Public in and
4 for the State of New York.
5 Present at the New York Gateway Connections
6 Improvement Project to the U.S. Peace Bridge Plaza,
7 Section 106 Consulting Party Meeting, on Tuesday, July
8 30th, 2013, that said hearing was taken down before me
9 at said time and place herein set forth. Said hearing
10 minutes were taken down in shorthand by me and
11 thereafter under my supervision transcribed into the
12 English language.
13 IN WITNESS WHEREOF, I have hereunto
14 subscribed my name this 30th day of July, 2013.
15
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18 _____
Susan Capobianco
Notary Public, State of New York
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