

G.4 Consulting Parties Consultation & Correspondence

G.4.1 Consulting Party Applications

PIN 5757.91 The Niagara Gorge Corridor
Section 106 Consulting Party Application



I would like to participate as a Section 106 Consulting Party for the Niagara Gorge Corridor Project:

Daniel Davis
Contact Name (Print)

NONE
Organization / Agency

2639 Wehch Avenue
Address

Niagara Falls
City

New York
State

14304
Zip Code

716-284-4705
Phone No.

Fax No.

dandavis43@msn.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 Niagara Gorge Corridor Project:

As author of "The Life and Times of Suspension Bridge Village" on the history of Niagara Falls' North End as well as being active in the economic development of the city with a community blog and numerous social media groups and pages I am very concerned with the economic development of the Niagara Gorge.

Daniel Davis
Signature

09/23/2015
Date

Please mail, fax, or email your forms to:

Mail: Thomas R. Donohue, PE
Parsons
40 LaRiviere Drive, Suite 350
Buffalo, New York 14202

Email: thomas.donohue@parsons.com

Fax: 716-541-0760

Advisory Council on Historic Preservation: "A Citizen's Guide to Section 106 Review"
www.ACHP.gov/citizensguide.html



U.S. Department of Transportation
Federal Highway Administration



NEW YORK
STATE OF
OPPORTUNITY
Department of
Transportation

PIN 5757.91 The Niagara Gorge Corridor
Section 106 Consulting Party Application



I would like to participate as a Section 106 Consulting Party for the Niagara Gorge Corridor Project:

STEPHANIE CROCKATT
Contact Name (Print)

BUFFALO OLIVEST PARKS CONSERVANCY
Organization / Agency

84 PARKSIDE AVE
Address

BUFFALO NY 14214
City State Zip Code

716 8381249 x14
Phone No. Fax No.

Stephanie@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 Niagara Gorge Corridor Project:

AS TRANSPORTATION ROUTES THROUGH THE CULTURAL AND
HISTORIC LANDSCAPE CONTINUE TO EMERGE WITH OPPORTUNITIES
TO REMOVE BARRIERS AND IMPROVE QUALITY OF LIFE, THIS
PROCESS PARTICIPATION COULD BE A KEY EXPERIENCE.
OUR ORGANIZATION IS CURRENTLY REVIEWING THE 199 EXPRESSWAY.

[Signature]
Signature

1/21/14
Date

Please mail, fax, or email your forms to:

Mail: Thomas R. Donohue, PE
Parsons
40 LaRiviere Drive, Suite 350
Buffalo, New York 14202
Email: thomas.donohue@parsons.com
Fax: 716-541-0760

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U.S. Department of Transportation
Federal Highway Administration



Department of
Transportation

PIN 5757.91 The Niagara Gorge Corridor
Section 106 Consulting Party Application



I would like to participate as a Section 106 Consulting Party for the Niagara Gorge Corridor Project:

MARJORIE E. GILLIES
Contact Name (Print)

Individual / Niagara Falls National Heritage Area P.P.B.N.
Organization / Agency

1175 OAK PLACE
Address

NIAGARA FALLS City NEW YORK State 14304-2535 Zip Code

(716) 283-8829 Phone No. NONE Fax No.

mgillies@uenvzom.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 Niagara Gorge Corridor Project:

I have had a long association with a variety of non-profit organizations along the Niagara River Corridor. Such groups include the Main Street Business & Professional Association (past President & former Economic Development Consultant); the Niagara Beautification Commission (former Chair - 11 years); the Niagara Falls Historic Preservation Society, Inc. (co-founder & president (2007-2014); the Niagara Falls National Heritage Area (currently Secretary); the Tatter Inc. (Pres. 2013 to present). I am a Master Gardener (Cornell Cooperative Extension) and have a strong interest in native plant restoration along the Gorge. I am also a member of the Board of Preservation Buffalo Niagara & serve as Governance Chair, (P.B.N)

Marjorie E. Gillies
Signature

1/27/2016
Date

Please mail, fax, or email your forms to:

Mail: Thomas R. Donohue, PE
Parsons
40 LaRiviere Drive, Suite 350
Buffalo, New York 14202
Email: thomas.donohue@parsons.com
Fax: 716-541-0760

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U.S. Department of Transportation
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NEW YORK
STATE OF
OPPORTUNITY
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Transportation

PIN 5757.91 The Niagara Gorge Corridor
Section 106 Consulting Party Application



I would like to participate as a Section 106 Consulting Party for the Niagara Gorge Corridor Project:

LEWIS BUTTERY
Contact Name (Print)

BRI-NK FOUNDATION
Organization / Agency

1201 PINE ST SUITE 118
Address

NIAGARA FALLS
City

NY
State

14301
Zip Code

716-434-5051
Phone No.

Fax No.

LEWISBUTTERY@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 Niagara Gorge Corridor Project:

PLEASE SEE ATTACHED LETTER AND PHOTOS

Lewis Buttery
Signature

1-29-16
Date

Please mail, fax, or email your forms to:

Mail: Thomas R. Donohue, PE
Parsons
40 LaRiviere Drive, Suite 350
Buffalo, New York 14202

Email: thomas.donohue@parsons.com

Fax: 716-541-0760

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U.S. Department of Transportation
Federal Highway Administration



NEW YORK
STATE OF
OPPORTUNITY
Department of
Transportation

Mr. Thomas Donohue
Parsons Transportation Group
40 LaRiviere Drive – Suite 350
Buffalo, NY 14202

BRI-NK Foundation
1201 Pine Ave, Suite 118
Niagara Falls, NY 14301

September 29, 2015

Re: Niagara Gorge Corridor Project

Dear Mr. Donohue:

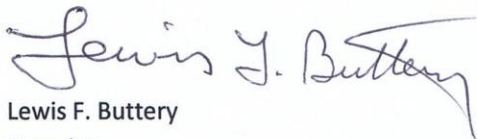
I am requesting that the BRI-NK Foundation be granted status as a consulting party under Section 106, for this project in relation to the area between Chasm Ave. and Chestnut St., known as the site of the Buttery Elevators.

The BRI-NK Foundation was started in 2014 to research, document and commemorate my family's extensive history on the Niagara Frontier during the 19th Century. In November 2014, the Foundation leased a suite of rooms at the Niagara Arts and Cultural Center (NACC) for the BRI-NK Museum to commemorate 18 sites and events that occurred on the Niagara Frontier that my family participated in.

John M. Buttery leased portions of Mile Strip 34 and 35 from the future Whirlpool St. to the River in 1856 from the Deveaux Trustees. There was an existing Sawmill being powered by a water wheel in the river, I have Stereoview cards of this sawmill. In 1869, John M. Buttery replaced the Sawmill with a tourist elevator to provide access to the river rapids, which became known as the Buttery Rapids, and the Whirlpool. In 1895, the Great Gorge Railroad built a second elevator to service the Train Station at the river level and the station platform remains in existence today. The Elevators and the buildings at cliff top and river bottom were removed by a controlled burn in 1901.

The BRI-NK Foundation is interested in preserving any remaining artifacts such as building foundations and remnants of the elevators and their supports along the Gorge wall. To this end the Foundation requests to be consulted during the removal of the Robert Moses Parkway and the landscaping and historic way-marking of the area between Chasm Ave. and Chestnut St. If you have any questions or would like to discuss the historic nature of the Buttery Elevator site, please feel free to contact me at: (716) 545-7101.

Sincerely,



Lewis F. Buttery
Founder

info@BRI-NK.ORG
WWW.BRI-NK.ORG

THE BUTTERY ELEVATORS

The Passing of a 19th-Century Landmark

The public accessed the Whirlpool Rapids via a rickety stairway at an old sawmill that was purchased by John M. Buttery in the 1850s. When the site became a popular tourist destination, Buttery abandoned the mill and built a safer stairway into the gorge. In 1849 to further improve access to the Whirlpool Rapids, he built the Buttery Elevators on land purchased from DeVaux College for Orphans and Deserote Children. The Buttery family operated the elevators, which were powered by a water wheel, for over 20 years.

In 1887, the family formed the Buttery Whirlpool Rapids Company, and in 1893, a new longer shaft with double elevator cars was built. The company also erected an electric plant to light a park, the elevators, and the rapids. To attract even more visitors, the company petitioned

for an extension of the Niagara Falls Street Railway to its property. Eventually, the property was sold to the Gorge Railroad. In 1899, a windstorm blew down the original elevator building, and a rockslide almost completely destroyed the machinery in the newer elevator building. In 1901, the city of Niagara Falls burned them in a controlled fire.



John M. Buttery was born in the western province of York, Canada in 1788 and moved to Niagara Falls in 1810. He took an active part in the 1827 Canadian Rebellion and supported the acquisition of the "Through Cut" of the Lockport & Niagara Falls Railroad.



Courtesy of the Niagara Falls Public Library

Whirlpool Rapids

DOUBLE ELEVATOR

Most charming and Delightful Spot ABOUT NIAGARA.

GRAND VIEW OF THE OLD SUSPENSION BRIDGE.

Over Niagara crossed the gorge by a rope and 200 feet high in the air, the grandest work of the kind through the world.

GRAND VIEW OF RAPIDS AND BRIDGE

The finest scenery from the point in the park of the water falls and rapids.

Don't Fall in Visit the Spot & BUTTERY'S HOME

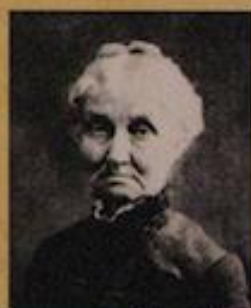
The Fall Gazette, September 9, 1881



You are standing near the site of the Buttery Elevators. Churn water, which runs over at Whirlpool Bridge, is one mile to the edge of the gorge. The map shows the Niagara Falls Street Railway operating in the Buttery Elevators.

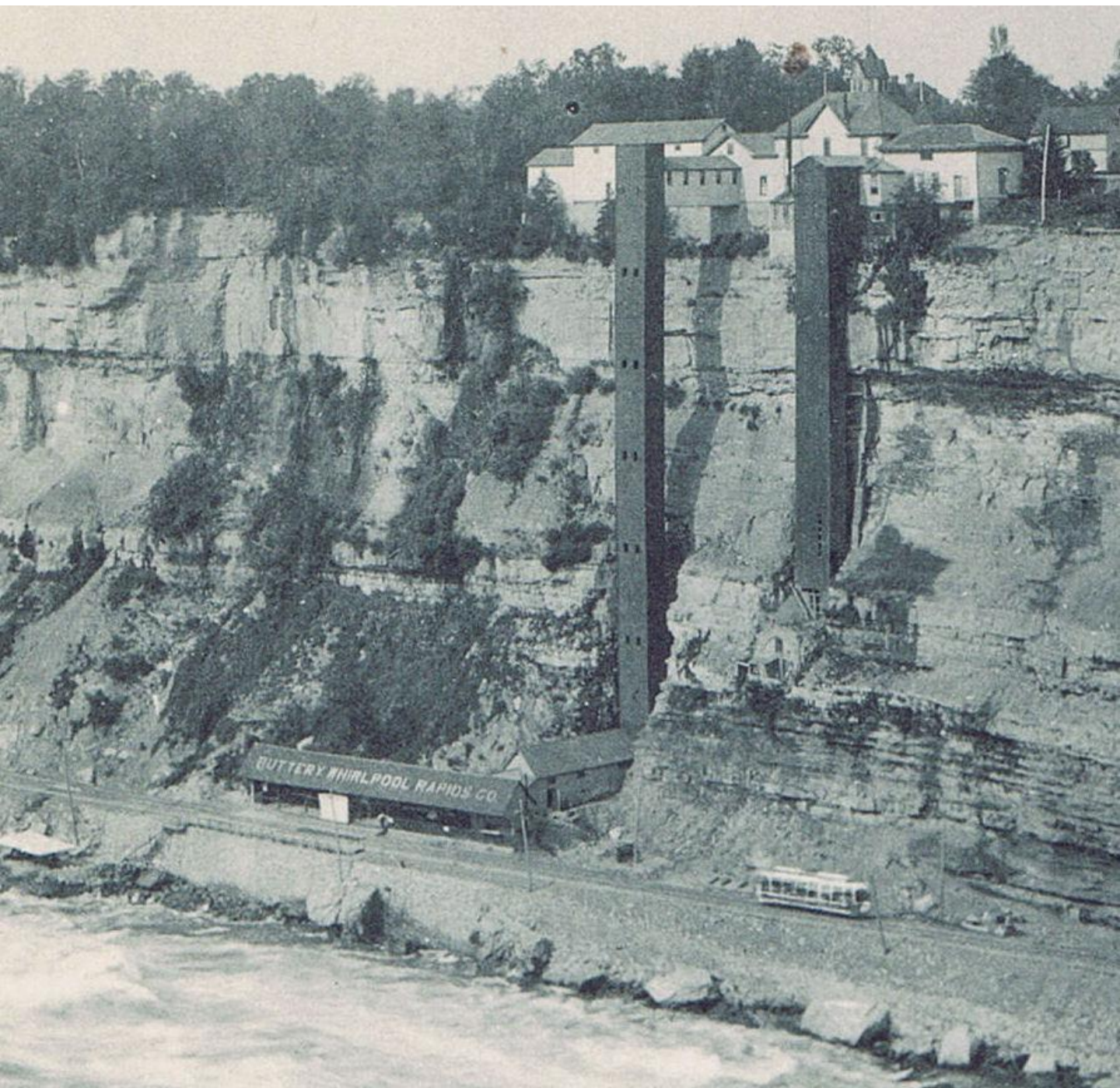


The Buttery Whirlpool Rapids Company successfully petitioned for the extension of the cable-railway, including construction of the land and the operation of Spring House, from Buffalo Avenue to Churn Water. Courtesy of the Niagara Falls Public Library



Rebecca Buttery, born in 1812, and her family moved to Niagara Falls in 1818, eventually settling in a home in 1820. She was a central figure in the life of the city, and following her husband's death, managed the Buttery Elevators for 20 years.







Chestnut Ave

Robert Moses Pkwy

Whippool St

Chasm Ave

Spring St

Gillette

Scale of 1" = 100'

600

49

2827

2821

2819

2815

2811

2807

2801

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2789

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PIN 5757.91 The Niagara Gorge Corridor
Section 106 Consulting Party Application



I would like to participate as a Section 106 Consulting Party for the Niagara Gorge Corridor Project:

LEWIS BUTTERY
Contact Name (Print)

NFHPS - NIAGARA FALLS HISTORIC
Organization / Agency PRESERVATION SOCIETY

1201 PINE ST SUITE 118
Address

NIAGARA FALLS
City

NY
State

14301
Zip Code

716-434-5051
Phone No.

Fax No.

LEWISBUTTERY@GMAIL.COM
Email Address

Please indicate if you are an individual or representing the interests of an organization. I AM A BOARD MEMBER OF NFHPS

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the Niagara Gorge Corridor Project:

NFHPS WAS FOUNDED TO ADVOCATE FOR HISTORIC PRESERVATION IN THE CITY OF NIAGARA FALLS AND TO ADVOCATE THE CAUSE OF HISTORIC PRESERVATION AS ECONOMIC DEVELOPMENT.
AS THE RMP AND THE NIAGARA GORGE HAS A DIRECT IMPACT ON THE HISTORY OF NIAGARA FALLS THE NFHPS WOULD REQUEST TO BE INVOLVED IN THE REMOVAL OF THE RMP AND ENCOURAGING TOURISM OF THE HISTORY THAT SURROUNDS THE NIAGARA GORGE.

Lewis Buttery
Signature

1-29-16
Date

Please mail, fax, or email your forms to:

Mail: Thomas R. Donohue, PE
Parsons
40 LaRiviere Drive, Suite 350
Buffalo, New York 14202

Email: thomas.donohue@parsons.com

Fax: 716-541-0760

Advisory Council on Historic Preservation: "A Citizen's Guide to Section 106 Review"
www.ACHP.gov/citizensguide.html



U.S. Department of Transportation
Federal Highway Administration



Department of
Transportation



PIN 5757.91 The Niagara Gorge Corridor
Section 106 Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the Niagara Gorge Corridor Project:

MICHAEL MURPHY
Contact Name (Print)

PARK PLACE HISTORIC DIST. BLOCK CLUB
Organization / Agency

642 4th Street
Address

NIAGARA FALLS NY 14301
City State Zip Code

716-534-1544
Phone No. Fax No.

MICHAEL @ FESTIVAL AT THE FALLS.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 Niagara Gorge Corridor Project:

I am an individual and do not represent an organization
I am a home owner in the Park Place District and am
very involved in the Niagara Falls Community

[Signature]
Signature

8/21/16
Date

Please mail, fax, or email your forms to:

Mall: Thomas R. Donohue, PE
Parsons
40 LaRiviere Drive, Suite 350
Buffalo, New York 14202
Email: thomas.donohue@parsons.com
Fax: 716-541-0760

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U.S. Department of Transportation
Federal Highway Administration



Department of
Transportation



**PIN 5757.91 The Niagara Gorge Corridor
Section 106 Consulting Party Application**

I would like to participate as a Section 106 Consulting Party for the Niagara Gorge Corridor Project:

RICHARD CROGAN
Contact Name (Print)

NIAGARA FALLS MUSIC AND ART FEST
Organization / Agency

642 4th Street
Address

Niagara Falls NY 14301
City State Zip Code

716-534-1546
Phone No. Fax No.

RACROGAN@AOL.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 Niagara Gorge Corridor Project:

I am not representing any organization.
I am a business and home owner in the Park Place
District. I am involved in several community
organizations. I am also a member of NF and
and its members

RACROGAN 2/2/16
Signature Date

Please mail, fax, or email your forms to:

Mall: Thomas R. Donohue, PE
Parsons
40 LaRiviere Drive, Suite 350
Buffalo, New York 14202
Email: thomas.donohue@parsons.com
Fax: 716-541-0760

Advisory Council on Historic Preservation: "A Citizen's Guide to Section 106 Review"
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U.S. Department of Transportation
Federal Highway Administration



Department of
Transportation

PIN 5757.91 The Niagara Gorge Corridor
Section 106 Consulting Party Application



I would like to participate as a Section 106 Consulting Party for the Niagara Gorge Corridor Project:

Elaine Timm
Contact Name (Print)

City of Niagara Falls Historian
Organization / Agency

1283 93rd St
Address

Niagara Falls
City

NY
State

14304-2607
Zip Code

716 471 2217
Phone No.

—
Fax No.

etimm01@aol.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 Niagara Gorge Corridor Project:

I am interested in history and changes in my city.
Currently sit on the Historic Preservation Commission

Elaine Timm
Signature

2/8/16
Date

Please mail, fax, or email your forms to:

Mail: Thomas R. Donohue, PE
Parsons
40 LaRiviere Drive, Suite 350
Buffalo, New York 14202

Email: thomas.donohue@parsons.com

Fax: 716-541-0760

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U.S. Department of Transportation
Federal Highway Administration



NEW YORK
STATE OF
OPPORTUNITY
Department of
Transportation

G.4.2 FHWA Application Approvals



U.S. Department
of Transportation
**Federal Highway
Administration**

New York Division

February 16, 2016

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

In Reply Refer To:
HED-NY

Mr. Andrew Brayman
New York State Department of Transportation, Region 5
100 Seneca Street
Buffalo, NY 14203-2939

Subject: PIN 5757.91 Robert Moses Parkway Removal Project
City of Niagara Falls, Erie County
Approval of Section 106 Consulting Party Status

Dear Mr. Brayman:

We have reviewed your February 12 email transmitting 7 requests for Section 106 consulting party status on the Robert Moses Parkway Removal Project. 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. Daniel Davies – Local/History Author
2. Stephanie Crockatt – Buffalo Olmsted Parks Conservancy
3. Majorie Gillies – Niagara Falls National Heritage
4. Lewis Buttery – BRI-NK Foundation, Niagara Falls Historic Preservation Society
5. Michael Murphy – Park Place Historic District Resident
6. Richard Crogan – Park Place Historic District Resident
7. Elaine Timm – City of Niagara Falls Historian

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

Hans Anker, P.E.
Senior Area Engineer

cc:

John Bonafide, New York State Office of Parks, Recreation, and Historic Preservation
Carol Legard, ACHP
Mary Santangelo, NYSDOT
Kimberly Lorenz, NYSDOT Region 5

bcc: PIN 5757.91, p:\projects\Region 5\5757.91 Section 106 Consulting Party Approval.docx,
s:\fy16\2nd\ltr\5757.91 Section 106 Consulting Party Approval.pdf, HANKER:ha:tm:2/16/16

G.4.3 Invitations to attend Consulting Party Meeting

February 26, 2016

Mr. Daniel Davis
2639 Welch Avenue
Niagara Falls, NY 14304

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Mr. Davis:

Thank you for showing an interest in becoming a Consulting Party Member for the above named project.

As stated in 36 CFR Part 800.2(c)(5) of the National Historic Preservation Act of 1966:

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.

Your application to receive Consulting Party status has been reviewed and approved by the Federal Highway Administration (FHWA).

Consulting party status entitles you to share views, receive and review pertinent information, offer ideas, and consider possible solutions together with the FHWA, NYSDOT, and other consulting parties.

We, therefore, cordially invite you to the Section 106 Consulting Parties Meeting to be held on **Wednesday, March 16, 2016, from 6:00 PM to 8:00 PM at the DeVeaux Theater, @ DeVeaux Woods State Park.** You will be receiving a separate information package to review prior to the meeting.

As part of the information to review, we have enclosed 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 716-541-0733 or via email at Thomas.Donohue@parsons.com.

Sincerely,

**PARSONS TRANSPORTATION GROUP
OF NEW YORK, INC.**



Thomas R. Donohue
Principal Project Manager

cc: Craig Mozrall, Kimberly Lorenz, NYSDOT – Region 5
Paul Tronolone, USAN
Andy Giarrizzo, State Parks



February 26, 2016

Ms. Marge Gillies, President
Niagara Falls National Heritage
1175 Oak Place
Niagara Falls, NY 14304-2535

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Ms. Gillies:

Thank you for showing an interest in becoming a Consulting Party Member for the above named project.

As stated in 36 CFR Part 800.2(c)(5) of the National Historic Preservation Act of 1966:

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If you have any questions, please contact me at 716-541-0733 or via email at Thomas.Donohue@parsons.com.

Sincerely,

**PARSONS TRANSPORTATION GROUP
OF NEW YORK, INC.**



Thomas R. Donohue
Principal Project Manager

cc: Craig Mozrall, Kimberly Lorenz, NYSDOT – Region 5
Paul Tronolone, USAN
Andy Giarrizzo, State Parks



February 26, 2016

Mr. Lewis Buttery
BRI-NK Foundation / NFHPS
1201 Pine Street – Suite 118
Niagara Falls, NY 14301

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Mr. Buttery:

Thank you for showing an interest in becoming a Consulting Party Member for the above named project.

As stated in 36 CFR Part 800.2(c)(5) of the National Historic Preservation Act of 1966:

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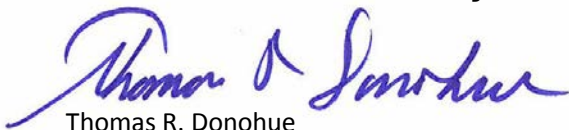
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As part of the information to review, we have enclosed a copy of the Advisory Council on Historic Preservation's (ACHP) guide entitled "Protecting Historic Properties: A Citizen's Guide to Section 106 Review".

If you have any questions, please contact me at 716-541-0733 or via email at Thomas.Donohue@parsons.com.

Sincerely,

**PARSONS TRANSPORTATION GROUP
OF NEW YORK, INC.**



Thomas R. Donohue
Principal Project Manager

cc: Craig Mozrall, Kimberly Lorenz, NYSDOT – Region 5
Paul Tronolone, USAN
Andy Giarrizzo, State Parks



February 26, 2016

Mr. Michael Murphy
Park Place Historic District
642 4th Street
Niagara Falls, NY 14301-1014

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Mr. Murphy:

Thank you for showing an interest in becoming a Consulting Party Member for the above named project.

As stated in 36 CFR Part 800.2(c)(5) of the National Historic Preservation Act of 1966:

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If you have any questions, please contact me at 716-541-0733 or via email at Thomas.Donohue@parsons.com.

Sincerely,

**PARSONS TRANSPORTATION GROUP
OF NEW YORK, INC.**



Thomas R. Donohue
Principal Project Manager

cc: Craig Mozrall, Kimberly Lorenz, NYSDOT – Region 5
Paul Tronolone, USAN
Andy Giarrizzo, State Parks



February 26, 2016

Mr. Richard Crogan
Park Place Historic District
642 4th Street
Niagara Falls, NY 14301-1014

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Mr. Crogan:

Thank you for showing an interest in becoming a Consulting Party Member for the above named project.

As stated in 36 CFR Part 800.2(c)(5) of the National Historic Preservation Act of 1966:

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.

Your application to receive Consulting Party status has been reviewed and approved by the Federal Highway Administration (FHWA).

Consulting party status entitles you to share views, receive and review pertinent information, offer ideas, and consider possible solutions together with the FHWA, NYSDOT, and other consulting parties.

We, therefore, cordially invite you to the Section 106 Consulting Parties Meeting to be held on **Wednesday, March 16, 2016, from 6:00 PM to 8:00 PM at the DeVeaux Theater, @ DeVeaux Woods State Park.** You will be receiving a separate information package to review prior to the meeting.

As part of the information to review, we have enclosed 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 716-541-0733 or via email at Thomas.Donohue@parsons.com.

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Paul Tronolone, USAN
Andy Giarrizzo, State Parks



February 26, 2016

Ms. Stephanie Crockatt, Director
Buffalo Olmsted Parks Conservancy
84 Parkside Avenue
Buffalo, NY 14214

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Ms. Crockatt:

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Paul Tronolone, USAN
Andy Giarrizzo, State Parks



February 26, 2016

Ms. Elaine Timm
City of Niagara Falls Historian
1283 93rd Street
Niagara Falls, NY 14304-2607

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Ms. Timm:

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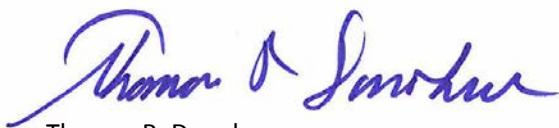
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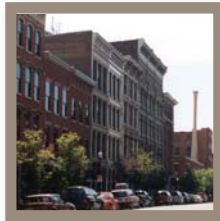


Protecting Historic Properties

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Protecting Historic Properties:

A CITIZEN'S GUIDE TO SECTION 106 REVIEW



WWW.ACHP.GOV

Preserving America's Heritage

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COVER PHOTOS:

Clockwise, from top left: Historic Downtown Louisville, Kentucky; Section 106 consultation at Medicine Lake, California; bighorn sheep petroglyph in Nine Mile Canyon, Utah (photo courtesy Jerry D. Spangler); Worthington Farm, Monocacy Battlefield National Historic Landmark, Maryland (photo courtesy Maryland State Highway Administration).

About the ACHP

The mission of the Advisory Council on Historic Preservation (ACHP) is to promote the preservation, enhancement, and productive use of the nation's historic resources and advise the President and Congress on national historic preservation policy.

The ACHP, an independent federal agency, also provides a forum for influencing federal activities, programs, and policies that affect historic properties. In addition, the ACHP has a key role in carrying out the Preserve America program.

The 23-member council is supported by a professional staff in Washington, D.C. For more information contact:

Advisory Council on Historic Preservation
1100 Pennsylvania Avenue, NW, Suite 803
Washington, D.C. 20004
(202) 606-8503
www.achp.gov

Introduction

Proud of your heritage? Value the places that reflect your community's history? You should know about Section 106 review, an important tool you can use to influence federal decisions regarding historic properties. By law, you have a voice when a project involving federal action, approval, or funding may affect properties that qualify for the National Register of Historic Places, the nation's official list of historic properties.

This guide from the Advisory Council on Historic Preservation (ACHP), the agency charged with historic preservation leadership within federal government, explains how your voice can be heard.

Each year, the federal government is involved with many projects that affect historic properties. For example, the Federal Highway Administration works with states on road improvements, the Department of Housing and Urban Development grants funds to cities to rebuild communities, and the General Services Administration builds and leases federal office space.

Agencies like the Forest Service, the National Park Service, the Bureau of Land Management, the Department of Veterans Affairs, and the Department of Defense make decisions daily

about the management of federal buildings, parks, forests, and lands. These decisions may affect historic properties, including those that are of traditional religious and cultural significance to federally recognized Indian tribes and Native Hawaiian organizations.

Projects with less obvious federal involvement can also have repercussions on historic properties. For example, the construction of a boat dock or a housing development that affects wetlands may also impact fragile archaeological sites and require a U.S. Army Corps of Engineers permit. Likewise, the construction of a cellular tower may require a license from the Federal Communications Commission and might compromise historic or culturally significant landscapes or properties valued by Indian tribes or Native Hawaiian organizations for traditional religious and cultural practices.

These and other projects with federal involvement can harm historic properties. The Section 106 review process gives you the opportunity to alert the federal government to the historic properties you value and influence decisions about projects that affect them.

Public Involvement Matters



Dust from vehicles may affect historic sites in Nine Mile Canyon, Utah. (photo courtesy Jerry D. Spangler; Colorado Plateau Archaeological Alliance)

What is Section 106 Review?

In the National Historic Preservation Act of 1966 (NHPA), Congress established a comprehensive program to preserve the historical and cultural foundations of the nation as a living part of community life. Section 106 of the NHPA is crucial to that program because it requires consideration of historic preservation in the multitude of projects with federal involvement that take place across the nation every day.

Section 106 requires federal agencies to consider the effects of projects they carry out, approve, or fund on historic properties. Additionally, federal agencies must provide the ACHP an opportunity to comment on such projects prior to the agency's decision on them.

Section 106 review encourages, but does not mandate, preservation. Sometimes there is no way for a needed project to proceed without harming historic properties. Section 106 review does ensure that preservation values are factored into federal agency planning and decisions. Because of Section 106, federal agencies must assume responsibility for the consequences of the projects they carry out, approve, or fund on historic properties and be publicly accountable for their decisions.

Conservation



The National Soldiers Monument (1877) at Dayton (Ohio) National Cemetery was cleaned and conserved in 2009 as part of a program funded by the American Recovery and Reinvestment Act. (photo courtesy Department of Veterans Affairs)

Understanding Section 106 Review

Regulations issued by the ACHP spell out the Section 106 review process, specifying actions federal agencies must take to meet their legal obligations. The regulations are published in the Code of Federal Regulations at 36 CFR Part 800, "Protection of Historic Properties," and can be found on the ACHP's Web site at www.achp.gov.

Federal agencies are responsible for initiating Section 106 review, most of which takes place between the agency and state and tribal or Native Hawaiian organization officials. Appointed by the governor, the State Historic Preservation Officer (SHPO) coordinates the state's historic preservation program and consults with agencies during Section 106 review.

Agencies also consult with officials of federally recognized Indian tribes when the projects have the potential to affect historic properties on tribal lands or historic properties of significance to such tribes located off tribal lands. Some tribes have officially designated Tribal Historic Preservation Officers (THPOs), while others designate representatives to consult with agencies as needed. In Hawaii, agencies consult with Native Hawaiian organizations (NHOs) when historic properties of religious and cultural significance to them may be affected.

To successfully complete Section 106 review, federal agencies must do the following:

- ▶ gather information to decide which properties in the area that may be affected by the project are listed, or are eligible for listing, in the National Register of Historic Places (referred to as "historic properties");
- ▶ determine how those historic properties might be affected;
- ▶ explore measures to avoid or reduce harm ("adverse effect") to historic properties; and
- ▶ reach agreement with the SHPO/THPO (and the ACHP in some cases) on such measures to resolve any adverse effects or, failing that, obtain advisory comments from the ACHP, which are sent to the head of the agency.

What are Historic Properties?

In the Section 106 process, a historic property is a prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places. This term includes artifacts, records, and remains that are related to and located within these National Register properties. The term also includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization, so long as that property also meets the criteria for listing in the National Register.

The National Register of Historic Places

The National Register of Historic Places is the nation's official list of properties recognized for their significance in American history, architecture, archaeology, engineering, and culture. It is administered by the National Park Service, which is part of the Department of the Interior. The Secretary of the Interior has established the criteria for evaluating the eligibility of properties for the National Register. In short, the property must be significant, be of a certain age, and have integrity:

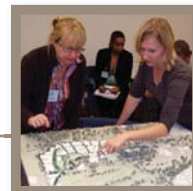
- ▶ **Significance.** Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were historically important? With distinctive architectural history, landscape history, or engineering achievements? Does it have the potential to yield important information through archaeological investigation about our past?
- ▶ **Age and Integrity.** Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?

During a Section 106 review, the federal agency evaluates properties against the National Register criteria and seeks the consensus of the SHPO/THPO/tribe regarding eligibility. A historic property need not be formally listed in the National Register in order to be considered under the Section 106 process. Simply coming to a consensus determination that a property is eligible for listing is adequate to move forward with Section 106 review. (For more information, visit the National Register Web site at www.cr.nps.gov/nr).

When historic properties may be harmed, Section 106 review usually ends with a legally binding agreement that establishes how the federal agency will avoid, minimize, or mitigate the adverse effects. In the very few cases where this does not occur,

the ACHP issues advisory comments to the head of the agency who must then consider these comments in making a final decision about whether the project will proceed.

Section 106 reviews ensure federal agencies fully consider historic preservation issues and the views of the public during project planning. Section 106 reviews do not mandate the approval or denial of projects.



SECTION 106: WHAT IS AN ADVERSE EFFECT?

If a project may alter characteristics that qualify a specific property for inclusion in the National Register in a manner that would diminish the integrity of the property, that project is considered to have an adverse effect. Integrity is the ability of a property to convey its significance, based on its location, design, setting, materials, workmanship, feeling, and association.

Adverse effects can be direct or indirect and include the following:

- ▶ physical destruction or damage
- ▶ alteration inconsistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties
- ▶ relocation of the property
- ▶ change in the character of the property's use or setting
- ▶ introduction of incompatible visual, atmospheric, or audible elements
- ▶ neglect and deterioration
- ▶ transfer, lease, or sale of a historic property out of federal control without adequate preservation restrictions

Determining Federal Involvement

If you are concerned about a proposed project and wondering whether Section 106 applies, you should first determine whether the federal government is involved. Will a federal agency fund or carry out the project? Is a federal permit, license, or approval needed? Section 106 applies only if a federal agency is carrying out the project, approving it, or funding it, so confirming federal involvement is critical.

Historic



Falls of Clyde, in Honolulu, Hawaii, is the last surviving iron-hulled, four-masted full rigged ship, and the only remaining sail-driven oil tanker. (photo courtesy Bishop Museum Maritime Center)



IS THERE FEDERAL INVOLVEMENT? CONSIDER THE POSSIBILITIES:

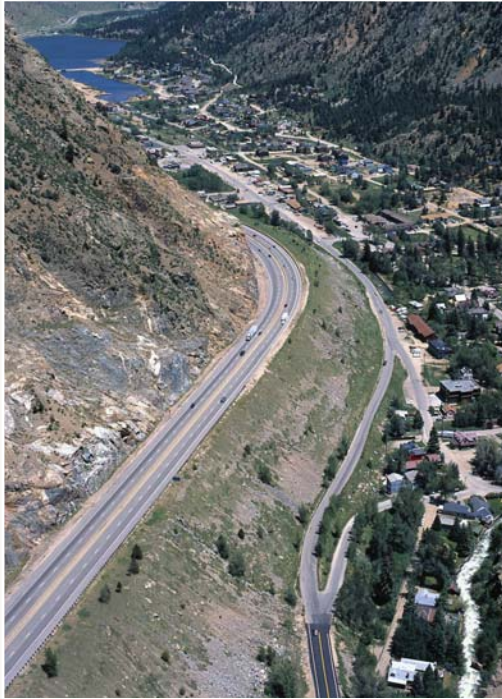
Is a federally owned or federally controlled property involved, such as a military base, park, forest, office building, post office, or courthouse? Is the agency proposing a project on its land, or would it have to provide a right-of-way or other approval to a private company for a project such as a pipeline or mine?

Is the project receiving federal funds, grants, or loans? If it is a transportation project, frequent sources of funds are the Federal Highway Administration, the Federal Transit Administration, and the Federal Railroad Administration. Many local government projects receive funds from the Department of Housing and Urban Development. The Federal Emergency Management Agency provides funds for disaster relief.

Does the project require a federal permit, license, or other approval? Often housing developments impact wetlands, so a U.S. Army Corps of Engineers permit may be required. Airport projects frequently require approvals from the Federal Aviation Administration.

Many communications activities, including cellular tower construction, are licensed by the Federal Communications Commission. Hydropower and pipeline development requires approval from the Federal Energy Regulatory Commission. Creation of new bank branches must be approved by the Federal Deposit Insurance Corporation.

Federal Funds



Interstate 70 at the Georgetown-Silver Plume National Historic Landmark, Colorado (photo courtesy J.F. Sato & Associates)

Sometimes federal involvement is obvious. Often, involvement is not immediately apparent. If you have a question, contact the project sponsor to obtain additional information and to inquire about federal involvement. All federal agencies have Web sites. Many list regional or local contacts and information on major projects. The SHPO/THPO/tribe, state or local planning commissions, or statewide historic preservation organizations may also have project information.

Once you have identified the responsible federal agency, write to the agency to request a project description and inquire about the status of project planning. Ask how the agency plans to comply with Section 106, and voice your concerns. Keep the SHPO/THPO/tribe advised of your interest and contacts with the federal agency.

MONITORING FEDERAL ACTIONS

The sooner you learn about proposed projects with federal involvement, the greater your chance of influencing the outcome of Section 106 review.

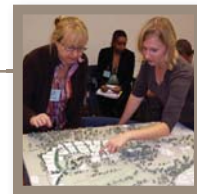
Learn more about the history of your neighborhood, city, or state. Join a local or statewide preservation, historical, or archaeological organization. These organizations are often the ones first contacted by federal agencies when projects commence.

If there is a clearinghouse that distributes information about local, state, tribal, and federal projects, make sure you or your organization is on its mailing list.

Make the SHPO/THPO/tribe aware of your interest.

Become more involved in state and local decision making. Ask about the applicability of Section 106 to projects under state, tribal, or local review. Does your state, tribe, or community have preservation laws in place? If so, become knowledgeable about and active in the implementation of these laws.

Review the local newspaper for notices about projects being reviewed under other federal statutes, especially the National Environmental Policy Act (NEPA). Under NEPA, a federal agency must determine if its proposed major actions will significantly impact the environment. Usually, if an agency is preparing an Environmental Impact Statement under NEPA, it must also complete a Section 106 review for the project.



Working with Federal Agencies

Throughout the Section 106 review process, federal agencies must consider the views of the public. This is particularly important when an agency is trying to identify historic properties that might be affected by a project and is considering ways to avoid, minimize, or mitigate harm to them.

Agencies must give the public a chance to learn about the project and provide their views. How agencies publicize projects depends on the nature and complexity of the particular project and the agency's public involvement procedures.

Public meetings are often noted in local newspapers and on television and radio. A daily government publication, the *Federal Register* (available at many public libraries and online at www.gpoaccess.gov/fr/index.html), has notices concerning projects, including those being reviewed under NEPA. Federal agencies often use NEPA for purposes of public outreach under Section 106 review.

Federal agencies also frequently contact local museums and historical societies directly to learn about historic properties and community concerns. In addition, organizations like the National Trust for Historic Preservation (NTHP) are actively engaged in a number of Section 106 consultations on projects around the country. The NTHP is a private, non-profit membership organization dedicated to saving historic places and revitalizing America's communities. Organizations

like the NTHP and your state and local historical societies and preservation interest groups can be valuable sources of information. Let them know of your interest.

When the agency provides you with information, let the agency know if you disagree with its findings regarding what properties are eligible for the National Register of Historic Places or how the proposed project may affect them. Tell the agency—in writing—about any important properties that you think have been overlooked or incorrectly evaluated. Be sure to provide documentation to support your views.

When the federal agency releases information about project alternatives under consideration, make it aware of the options you believe would be most beneficial. To support alternatives that would preserve historic properties, be prepared to discuss costs and how well your preferred alternatives would meet project needs. Sharing success stories about the treatment or reuse of similar resources can also be helpful.

Applicants for federal assistance or permits, and their consultants, often undertake research and analyses on behalf of a federal agency. Be prepared to make your interests and views known to them, as well. But remember the federal agency is ultimately responsible for completing Section 106 review, so make sure you also convey your concerns directly to it.

Learn About the Project



Hangar I, a historic dirigible hangar at Moffett Field at NASA Ames Research Center, California

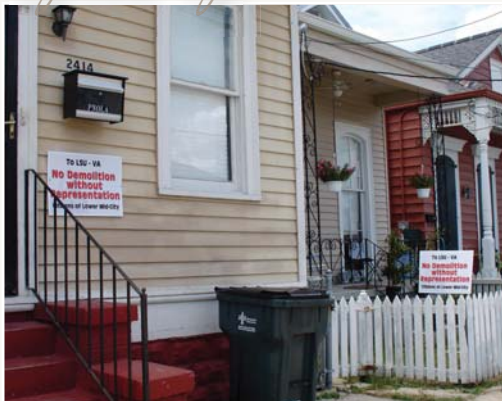
Influencing Project Outcomes

In addition to seeking the views of the public, federal agencies must actively consult with certain organizations and individuals during review. This interactive consultation is at the heart of Section 106 review.

Consultation does not mandate a specific outcome. Rather, it is the process of seeking, discussing, and considering the views of consulting parties about how project effects on historic properties should be handled.

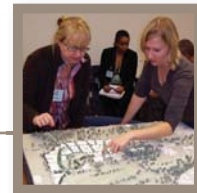
To influence project outcomes, you may work through the consulting parties, particularly those who represent your interests. For instance, if you live within the local jurisdiction where a project is taking place, make sure to express your views on historic preservation issues to the local government officials who participate in consultation.

Speak Up



Residents in the Lower Mid-City Historic District in New Orleans express their opinions about the proposed acquisition and demolition of their properties for the planned new Department of Veterans Affairs and Louisiana State University medical centers which would replace the facilities damaged as a result of Hurricane Katrina.

You or your organization may want to take a more active role in Section 106 review, especially if you have a legal or economic interest in the project or the affected properties. You might also have an interest in the effects of the project as an individual, a business owner, or a member of a neighborhood association, preservation group, or other organization. Under these circumstances, you or your organization may write to the federal agency asking to become a consulting party.



WHO ARE CONSULTING PARTIES?

The following parties are entitled to participate as consulting parties during Section 106 review:

- ▶ Advisory Council on Historic Preservation;
- ▶ State Historic Preservation Officers;
- ▶ Federally recognized Indian tribes/THPOs;
- ▶ Native Hawaiian organizations;
- ▶ Local governments; and
- ▶ Applicants for federal assistance, permits, licenses, and other approvals.

Other individuals and organizations with a demonstrated interest in the project may participate in Section 106 review 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." Their participation is subject to approval by the responsible federal agency.

When requesting consulting party status, explain in a letter to the federal agency why you believe your participation would be important to successful resolution. Since the SHPO/THPO or tribe will assist the federal agency in deciding who will participate in the consultation, be sure to provide the SHPO/THPO or tribe with a copy of your letter. Make sure to emphasize your relationship with the project and demonstrate how your connection will inform the agency's decision making.

If you are denied consulting party status, you may ask the ACHP to review the denial and make recommendations to the federal agency regarding your participation. However, the federal agency makes the ultimate decision on the matter.

Consulting party status entitles you to share your views, receive and review pertinent information, offer ideas, and consider possible solutions together with the federal agency and other consulting parties. It is up to you to decide how actively you want to participate in consultation.

Get Involved



Section 106 consultation with an Indian tribe

MAKING THE MOST OF CONSULTATION

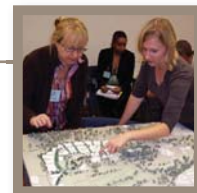
Consultation will vary depending on the federal agency's planning process and the nature of the project and its effects.

Often consultation involves participants with a wide variety of concerns and goals. While the focus of some may be preservation, the focus of others may be time, cost, and the purpose to be served by the project.

Effective consultation occurs when you:

- ▶ keep an open mind;
- ▶ state your interests clearly;
- ▶ acknowledge that others have legitimate interests, and seek to understand and accommodate them;
- ▶ consider a wide range of options;
- ▶ identify shared goals and seek options that allow mutual gain; and
- ▶ bring forward solutions that meet the agency's needs.

Creative ideas about alternatives—not complaints—are the hallmarks of effective consultation.



How the ACHP Can Help

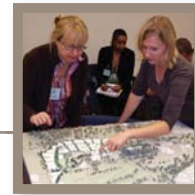
Under Section 106 review, most harmful effects are addressed successfully by the federal agency and the consulting parties without participation by the ACHP. So, your first points of contact should always be the federal agency and/or the SHPO/THPO.

When there is significant public controversy, or if the project will have substantial effects on important historic properties, the ACHP may elect to participate directly in the consultation. The ACHP may also get involved if important policy questions are raised, procedural problems arise, or if there are issues of concern to Indian tribes or Native Hawaiian organizations.

Whether or not the ACHP becomes involved in consultation, you may contact the ACHP to express your views or to request guidance, advice, or technical assistance. Regardless of the

scale of the project or the magnitude of its effects, the ACHP is available to assist with dispute resolution and advise on the Section 106 review process.

If you cannot resolve disagreements with the federal agency regarding which historic properties are affected by a project or how they will be impacted, contact the ACHP. The ACHP may then advise the federal agency to reconsider its findings.



CONTACTING THE ACHP: A CHECKLIST

When you contact the ACHP, try to have the following information available:

- ▶ the name of the responsible federal agency and how it is involved;
- ▶ a description of the project;
- ▶ the historic properties involved; and
- ▶ a clear statement of your concerns about the project and its effect on historic properties.

If you suspect federal involvement but have been unable to verify it, or if you believe the federal agency or one of the other participants in review has not fulfilled its responsibilities under the Section 106 regulations, you can ask the ACHP to investigate. In either case, be as specific as possible.

Collecting Comments



A panel of ACHP members listen to comments during a public meeting.

When Agencies Don't Follow the Rules

A federal agency must conclude Section 106 review before making a decision to approve a project, or fund or issue a permit that may affect a historic property. Agencies should not make obligations or take other actions that would preclude consideration of the full range of alternatives to avoid or minimize harm to historic properties before Section 106 review is complete.

If the agency acts without properly completing Section 106 review, the ACHP can issue a finding that the agency has prevented meaningful review of the project. This means that, in the ACHP's opinion, the agency has failed to comply with Section 106 and therefore has not met the requirements of federal law.

A vigilant public helps ensure federal agencies comply fully with Section 106. In response to requests, the ACHP can investigate questionable actions and advise agencies to take corrective action. As a last resort, preservation groups or individuals can litigate in order to enforce Section 106.

If you are involved in a project and it seems to be getting off track, contact the agency to voice your concern. Call the SHPO or THPO to make sure they understand the issue. Call the ACHP if you feel your concerns have not been heard.

Following Through

Stay Informed



Milton Madison Bridge over the Ohio River between Kentucky and Indiana (photo courtesy Wilbur Smith Associates/Michael Baker Engineers)

After agreements are signed, the public may still play a role in the Section 106 process by keeping abreast of the agreements that were signed and making sure they are properly carried out. The public may also request status reports from the agency.

Designed to accommodate project needs and historic values, Section 106 review relies on strong public participation. Section 106 review provides the public with an opportunity to influence how projects with federal involvement affect historic properties. By keeping informed of federal involvement, participating in consultation, and knowing when and whom to ask for help, you can play an active role in deciding the future of historic properties in your community.

Section 106 review gives you a chance to weigh in when projects with federal involvement may affect historic properties you care about. Seize that chance, and make a difference!

Contact Information

Advisory Council on Historic Preservation

Office of Federal Agency Programs
1100 Pennsylvania Avenue, NW, Suite 803
Washington, D.C. 20004
Phone: (202) 606-8503
Fax: (202) 606-8647
E-mail: achp@achp.gov
Web site: www.achp.gov

The ACHP's Web site includes more information about working with Section 106 and contact information for federal agencies, SHPOs, and THPOs.

National Association of Tribal Historic Preservation Officers

P.O. Box 19189
Washington, D.C. 20036-9189
Phone: (202) 628-8476
Fax: (202) 628-2241
E-mail: info@nathpo.org
Web site: www.nathpo.org

National Conference of State Historic Preservation Officers

444 North Capitol Street, NW, Suite 342
Washington, D.C. 20001
Phone: (202) 624-5465
Fax: (202) 624-5419
Web site: www.ncshpo.org
For the SHPO in your state, see www.ncshpo.org/find/index.htm

National Park Service

Heritage Preservation Services
1849 C Street, NW (2255)
Washington, D.C. 20240
E-mail: NPS_HPS-info@nps.gov
Web site: www.nps.gov/history/hps

National Register of Historic Places
1201 Eye Street, NW (2280)
Washington, D.C. 20005
Phone: (202) 354-2211
Fax: (202) 371-6447
E-mail: nr_info@nps.gov
Web site: www.nps.gov/history/nr

National Trust for Historic Preservation

1785 Massachusetts Avenue, NW
Washington, D.C. 20036-2117
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Office of Hawaiian Affairs

711 Kapi`olani Boulevard, Suite 500
Honolulu, HI 96813
Phone: (808) 594-1835
Fax: (808) 594-1865
E-mail: info@oha.org
Web site: www.oha.org

Beneath the Surface



Ohio Department of Transportation workers made an unanticipated archaeological discovery while working just north of Chillicothe along state Route 104. It is a remnant of an Ohio & Erie Canal viaduct. (photo courtesy Bruce W. Aument, Staff Archaeologist, ODOT/Office of Environmental Services)

TO LEARN MORE

For detailed information about the ACHP, Section 106 review process, and our other activities, visit us at www.achp.gov or contact us at:

Advisory Council on Historic Preservation
1100 Pennsylvania Avenue, NW, Suite 803
Washington, D.C. 20004
Phone: (202) 606-8503
Fax: (202) 606-8647
E-mail: achp@achp.gov



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G.4.4 Consulting Party Meeting Summary



Niagara Gorge Corridor

Robert Moses Parkway Removal

Main Street to Findlay Drive

Section 106 Consultation Meeting

Consulting Parties Meeting

March 16, 2016

6:00 PM to 8:00 PM

DeVeaux Woods State Park
Auditorium

Summary of Events

This Section 106 meeting held to discuss and consider the views of the consulting parties on the Niagara Gorge Corridor - Robert Moses Parkway Removal - Main Street to Findlay Drive project and its potential to affect properties of religious and cultural significance.

1. Invitations

Meeting invitations were mailed on March 2, 2016 to the following consulting party members:

- Dan Davis, concerned citizen
- Marge Gillies, Niagara Falls National Heritage
- Lewis BATTERY, BRI-NK Foundation/NFHPS
- Michael Murphy, Park Place Historic District
- Richard Crogan, Park Place Historic District
- Stephanie Crockatt, Buffalo Olmsted Parks Conservancy
- Elaine Timm, City of Niagara Falls Historian

Attached to each invitation was the following information:

- a. Area of Potential Effect (APE) Maps
- b. Summary and Recommendation – Cultural Resource Survey
- c. Summary Table of Anticipated Effects
- d. Build Alternative – Graphic
- e. Draft Preliminary Plans

A copy of the invitations and attachments are included in **Attachment A**.

2. Meeting Attendance and General Data

All seven members of the consulting parties attended.

A copy of the Sign-in Sheet is included in **Attachment B**.

3. Project Background and Section 106 Presentation

A PowerPoint presentation was provided to help inform attendees about the project history, current proposed build alternative, the cultural studies that have been completed to date and their results. A hard copy of the slides is included in **Attachment C**.

4. Display Boards

A total of 6 display boards were available for viewing. They included:

- Plan View – Proposed Build Alternative – 6 boards at 24” x 48”

Copies of the boards are included in **Attachment D**.

5. Comments

A summary of the discussion and comments generated at the conclusion of the presentation is included in **Attachment E**.

ATTACHMENT A

Parsons

40 La Riviere Drive • Suite 350 • Buffalo, NY 14202 • (716) 541-0730 • Fax: (716) 541-0760 • www.parsons.com

March 2, 2016

Mr. Daniel Davis
2639 Welch Avenue
Niagara Falls, NY 14304

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Mr. Davis:

Attached for your review and information is a copy of the following documents:

1. Area of Potential Effect (APE) Map (2 pages)
2. Summary and recommendation - cultural resource survey (2 pages)
3. Summary Table of Anticipated Effects (3 pages)
4. Build Alternative – Graphic (2 pages)
5. DRAFT - Preliminary Plans (14 sheets)

Please review these materials prior to our Section 106 Consulting Parties Meeting to be held on **Wednesday, March 16, 2016 from 6:00 PM to 8:00 PM at the DeVeaux Theater, @ DeVeaux Woods State Park.**

If you have any questions, please contact me at 716-541-0733 or via email at Thomas.Donohue@parsons.com.

Sincerely,

PARSONS TRANSPORTATION GROUP
OF new York, inc.



Thomas R. Donohue
Principal Project Manager

cc: Craig Mozrall, NYSDOT – Region 5
Kimberly Lorenz, NYSDOT – Region 5
Paul Tronolone, USAN
Andy Giarrizzo, State Parks



March 2, 2016

Ms. Marge Gillies, Secretary
Niagara Falls National Heritage
1175 Oak Place
Niagara Falls, NY 14304-2535

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Ms. Gillies:

Attached for your review and information is a copy of the following documents:

1. Area of Potential Effect (APE) Map (2 pages)
2. Summary and recommendation - cultural resource survey (2 pages)
3. Summary Table of Anticipated Effects (3 pages)
4. Build Alternative – Graphic (2 pages)
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Sincerely,

PARSONS TRANSPORTATION GROUP
OF new York, inc.



Thomas R. Donohue
Principal Project Manager

cc: Craig Mozrall, NYSDOT – Region 5
Kimberly Lorenz, NYSDOT – Region 5
Paul Tronolone, USAN
Andy Giarrizzo, State Parks

March 2, 2016

Mr. Lewis Buttery
BRI-NK Foundation / NFHPS
1201 Pine Street – Suite 118
Niagara Falls, NY 14301

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Mr. Buttery:

Attached for your review and information is a copy of the following documents:

1. Area of Potential Effect (APE) Map (2 pages)
2. Summary and recommendation - cultural resource survey (2 pages)
3. Summary Table of Anticipated Effects (3 pages)
4. Build Alternative – Graphic (2 pages)
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Sincerely,

PARSONS TRANSPORTATION GROUP
OF new York, inc.



Thomas R. Donohue
Principal Project Manager

cc: Craig Mozrall, NYSDOT – Region 5
Kimberly Lorenz, NYSDOT – Region 5
Paul Tronolone, USAN
Andy Giarrizzo, State Parks

March 2, 2016

Mr. Michael Murphy
Park Place Historic District
642 4th Street
Niagara Falls, NY 14301-1014

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Mr. Murphy:

Attached for your review and information is a copy of the following documents:

1. Area of Potential Effect (APE) Map (2 pages)
2. Summary and recommendation - cultural resource survey (2 pages)
3. Summary Table of Anticipated Effects (3 pages)
4. Build Alternative – Graphic (2 pages)
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If you have any questions, please contact me at 716-541-0733 or via email at Thomas.Donohue@parsons.com.

Sincerely,

PARSONS TRANSPORTATION GROUP
OF new York, inc.



Thomas R. Donohue
Principal Project Manager

cc: Craig Mozrall, NYSDOT – Region 5
Kimberly Lorenz, NYSDOT – Region 5
Paul Tronolone, USAN
Andy Giarrizzo, State Parks

Parsons

40 La Riviere Drive • Suite 350 • Buffalo, NY 14202 • (716) 541-0730 • Fax: (716) 541-0760 • www.parsons.com

March 2, 2016

Mr. Richard Crogan
Park Place Historic District
642 4th Street
Niagara Falls, NY 14301-1014

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Mr. Crogan:

Attached for your review and information is a copy of the following documents:

1. Area of Potential Effect (APE) Map (2 pages)
2. Summary and recommendation - cultural resource survey (2 pages)
3. Summary Table of Anticipated Effects (3 pages)
4. Build Alternative – Graphic (2 pages)
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Sincerely,

PARSONS TRANSPORTATION GROUP
OF new York, inc.



Thomas R. Donohue
Principal Project Manager

cc: Craig Mozrall, NYSDOT – Region 5
Kimberly Lorenz, NYSDOT – Region 5
Paul Tronolone, USAN
Andy Giarrizzo, State Parks



March 2, 2016

Ms. Stephanie Crockatt, Director
Buffalo Olmsted Parks Conservancy
84 Parkside Avenue
Buffalo, NY 14214

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Ms. Crockatt:

Attached for your review and information is a copy of the following documents:

1. Area of Potential Effect (APE) Map (2 pages)
2. Summary and recommendation - cultural resource survey (2 pages)
3. Summary Table of Anticipated Effects (3 pages)
4. Build Alternative – Graphic (2 pages)
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If you have any questions, please contact me at 716-541-0733 or via email at Thomas.Donohue@parsons.com.

Sincerely,

PARSONS TRANSPORTATION GROUP
OF new York, inc.



Thomas R. Donohue
Principal Project Manager

cc: Craig Mozrall, NYSDOT – Region 5
Kimberly Lorenz, NYSDOT – Region 5
Paul Tronolone, USAN
Andy Giarrizzo, State Parks

March 2, 2016

Ms. Elaine Timm
City of Niagara Falls Historian
1283 93rd Street
Niagara Falls, NY 14304-2607

**RE: PIN 5757.91.121, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Ms. Timm:

Attached for your review and information is a copy of the following documents:

1. Area of Potential Effect (APE) Map (2 pages)
2. Summary and recommendation - cultural resource survey (2 pages)
3. Summary Table of Anticipated Effects (3 pages)
4. Build Alternative – Graphic (2 pages)
5. DRAFT - Preliminary Plans (14 sheets)

Please review these materials prior to our Section 106 Consulting Parties Meeting to be held on **Wednesday, March 16, 2016 from 6:00 PM to 8:00 PM at the DeVeaux Theater, @ DeVeaux Woods State Park.**

If you have any questions, please contact me at 716-541-0733 or via email at Thomas.Donohue@parsons.com.

Sincerely,

PARSONS TRANSPORTATION GROUP
OF new York, inc.



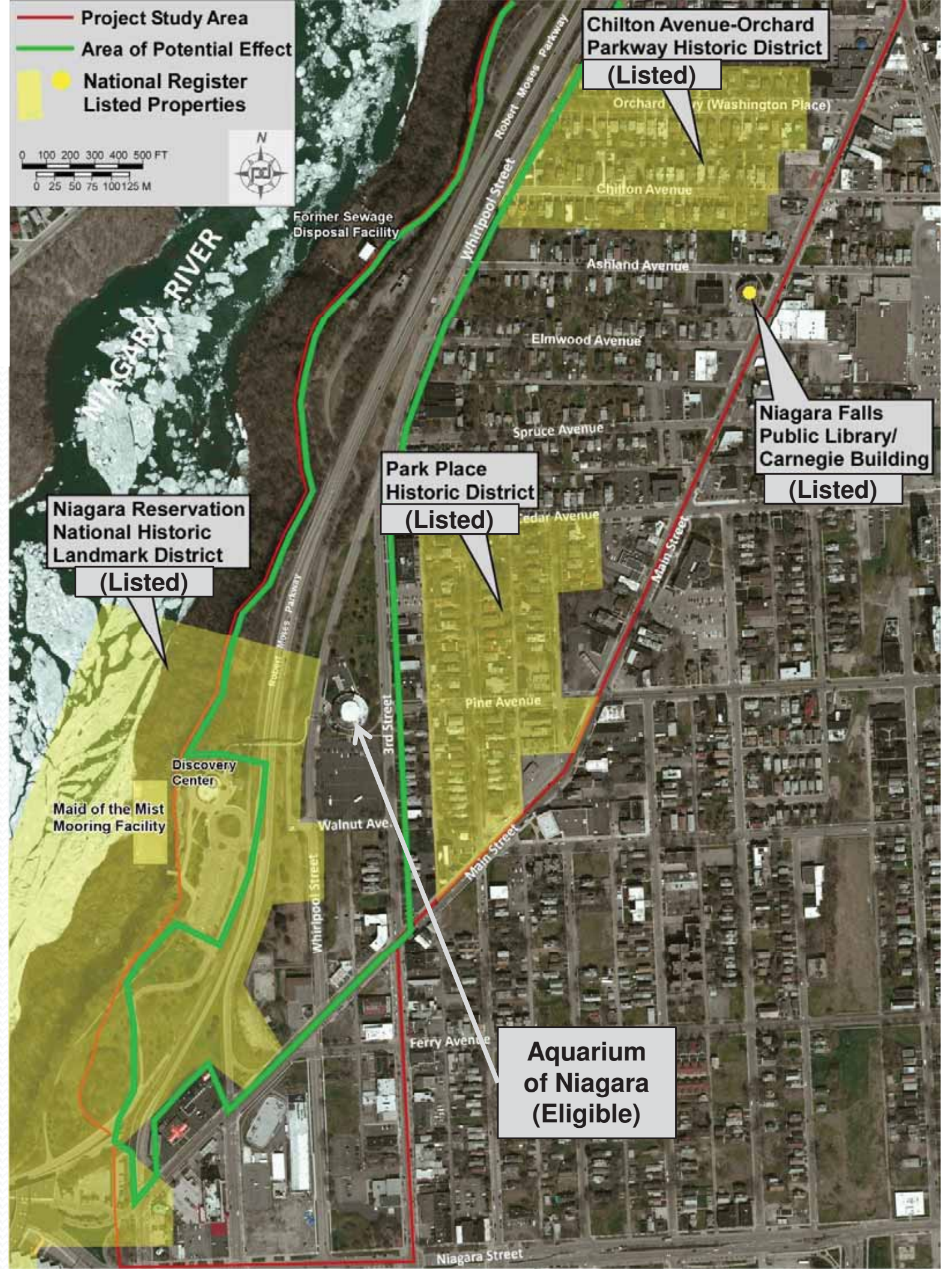
Thomas R. Donohue
Principal Project Manager

cc: Craig Mozrall, NYSDOT – Region 5
Kimberly Lorenz, NYSDOT – Region 5
Paul Tronolone, USAN
Andy Giarrizzo, State Parks

PROPOSED APE RMP Removal Project Main to Findlay (North End)



PROPOSED APE RMP Removal Project Main to Findlay (South End)



Summary and Recommendations

1 ARCHAEOLOGICAL RESOURCES

There are a number of known sites within or adjacent to the APE as well as several areas that are sensitive for the presence of historic period archaeological deposits (see Figure 3.1 and 3.2).

2 ARCHITECTURAL RESOURCES

The Phase 1A survey identified 414 architectural resources in the study area. The breakdown of resources in the Project study area includes the following: 399 buildings (inclusive of complexes), four structures greater than 50 years old, nine buildings/structures less than 50 years old, one state park, and one parkway. The Niagara Reservation/State Park is a National Historic Landmark that includes part of the Robert Moses Parkway.

Three State/National Register Listed Individual properties and two State/National Register Listed Historic Districts are in the project study area:

- Old Customs House (90NR01962), 2245 Whirlpool Street
- Niagara Falls Public Library/Carnegie Building (90NR01965), 1022 Main Street
- James G. Marshall House (04NR000709) 740 Park Place
- Park Place Historic District (10NR06113)
- Chilton Avenue-Orchard Parkway Historic District; 10NR06119

The NRL Old Customs House (90NR01962) at 2245 Whirlpool Street abuts the APE. The Old Customs House does not have a setback from the street. Its east façade and south lawn border the existing concrete sidewalk. Four properties (contributing) located in two NRL Historic Districts have associated property in or adjacent to the proposed road reconstruction along Whirlpool Street.

A total of 39 individual State/National Register Eligible historic resources are in the study area (see Section 4.4). Four contributing resources in the NRL Chilton Avenue-Orchard Parkway Historic District have associated property adjacent to the proposed road reconstruction along Whirlpool Street—605 Chilton Avenue; 614 Chilton Avenue; 609 Orchard Parkway (Henry Wasnide House); and, 620 Orchard Parkway (Herman Hain House).

Landscape features for the above contributing resources generally include grassy strips, granite curbing, sections of lawn, and concrete sidewalks.

The present study recommends 23 individual properties as NRHP-eligible (see Appendix A HRI Forms). One of the recommended resources, Aquarium of Niagara at 701 Whirlpool Street, is adjacent to the proposed Project. The aquarium property is located between Whirlpool and Third streets. Associated landscape features on the parcel include a landscaped lawn, grassy strip, mature trees, parking lot, and concrete sidewalk.

Upper Main Street Historic District is recommended as potentially eligible for listing in the S/NRHP under Criterion C as a largely intact, contiguous collection of commercial buildings associated with a period of intense development and growth in the history of City of Niagara

Falls from ca. 1850s through 1950s. The initial recommendation for the Upper Main Street Historic District includes 23 contributing resources, four non-contributing resources, and three non-contributing vacant parcels (see Table 4.1). This possible historic district encompasses resources along the west and east sides of Main Street in the neighborhood historically known as Bellevue/Suspension Bridge/Niagara City in the northwestern section of the City of Niagara Falls. Preliminary boundaries as identified by the current study begin at Michigan Avenue at the district's southern end and extend north to Ontario Avenue. The proposed district is located on the eastern edge of the study area. Note, properties on the east side of Main Street are not in the study area.

3 RECOMMENDATIONS

Archaeology – With regard to the reconstruction of Whirlpool Street; if the depth of disturbance resulting from the reconstruction does not exceed the original construction depth, there should be no concerns regarding that part of the project (Figure 5.1). If the vertical APE exceeds the present disturbance, measures may need to be taken based on consultation and may include construction monitoring. To address the relocation of portions of Whirlpool Street to the west, it is recommended that shovel testing be conducted in sensitive areas along the west side of the street, where feasible. It is also recommended that sensitive portions of the APE also be shovel tested to address the impacts of trail construction, removal of the parkway overpass over the Whirlpool Bridge and landscaping (Figures 5.2 and 5.3). The original parkway construction was highly destructive and was built largely on a rail bed with multiple tracks (see Section 2.3.3). As a result of this prior disturbance and the natural shallowness of the soil, no archaeological testing is recommended for the area occupied by the parkway. Mechanical trenching may be undertaken if the shovel testing indicates the need.

Architecture – With one exception there are no National Register Listed or Eligible buildings that will be directly affected by the proposed project. No additional architectural survey work is recommended. The railroad bridge over Whirlpool Street that is part of the approach to the unused rail bridge over the gorge may be removed as part of the project. While the bridge over Whirlpool Street is not individually eligible for the S/NRHP, it may contribute to the eligibility of the bridge over the gorge. This issue can be resolved through consultation with NYSHPO.

PIN 5757.91.121 Robert Moses Parkway (RMP) Removal Project: Main Street to Findlay Drive, Niagara Falls, NY
SHPO Project Reference No. 15PR04311
 Summary of Anticipated Effects of Alternatives to S/NRHP-Listed and S/NRHP-Eligible Properties within the APE
 (Excluding Any Potential S/NRHP-Eligible Archaeological Resources)

Property/District Within or Abutting the APE	S/NRHP No. (if listed) or "Eligible"	Address or General Location	Year or Period Built	Keys Character-Defining Elements/Aspects of Property/District	Anticipated Effects Under Each Alternative	
					No Build Alternative (Expressway Remains in Place)	Build Alternative (Removal of all expressway features; Restoration of Gorge rim and installation of trail network; reconstruction of Whirlpool Street & portion of Third Street)
Niagara Reservation	90NR01961 (also listed as National Historic Landmark)	Extends along Niagara Gorge, Niagara Falls and Niagara River in Niagara Falls, NY	1885	Designed by Frederick Law Olmsted; Nation's oldest state park; 16 contributing resources within the Reservation, none of which are located in or near the APE; Architectural resources in the APE portion of the Reservation (i.e., Niagara Gorge Discovery Center and Niagara Gorge Trail information and Public Restroom) are less than 50 years old and not included in CRIS. This area of the park was historically the main industrial locus in the City of Niagara Falls and was not part of the Olmsted design. It is part of the NHL because it is within the reservation boundaries which were used as the NHL boundary.	Expressway components of the RMP and Robert Moses Parkway Trail would continue to traverse the northern end of the Reservation, thereby physically restricting public access to and from neighborhoods to the east, as well as pedestrians and bicyclists to only two locations (i.e., Main Street / Rainbow Boulevard at the south end of the Project and at the pedestrian bridge between the Niagara Gorge Discovery Center and the adjacent Aquarium of Niagara). This portion of the Reservation was recently and significantly disturbed by the aborted construction of a State Parks police station at a previously-proposed site along the Gorge rim, as well as the new site for the State Parks police station between the RMP and Whirlpool Street (2 nd Street), now under construction.	Removal of all pavement and components of the RMP and Robert Moses Parkway Trail in the northern portion of the Reservation; removal of the pedestrian bridge between the Niagara Gorge Discovery Center and the adjacent Aquarium of Niagara property; currently paved areas would be restored with grass, trees and/or native vegetation. Removal of existing pavement and natural restoration of reclaimed land would result in an increase of 5.94 acres of contiguous green space within the property; construction of new connecting ramp between Niagara Falls Bridge Commission's existing access road below the Rainbow Bridge and Main Street would slightly offset this gain in contiguous green space with a transportation-related pavement increase of 0.04 acres; several 13-ft-wide multi-use paths to accommodate bicyclists and pedestrians, as well as several narrower connecting paths would be constructed and would provide unlimited public access to pedestrians and bicyclists.
Aquarium of Niagara	Eligible	701 Whirlpool Street, Niagara Falls, NY	1965	The Aquarium of Niagara is historically significant for its association with innovative aquarium technology that manufactured synthetic sea water for aquariums. The Aquarium of Niagara is also a good example of Mid-Century Modern design, which was popularized during a thirty-year period from post-WWII through the mid-1970s.	Aquarium property would continue to be physically separated from the Niagara Gorge rim and adjacent recreational properties by Whirlpool Street, the pump station access road and the RMP on the west and Third Street on the east	Removal of the closed section of Whirlpool Street, the pump station access road and the RMP on the west side of the property; Reconstruction of Third Street adjacent to the east side of the property; Construction of a new access road to the NFWB sewage pumping station across an already disturbed portion of the property near existing parking and access drives; Aquarium property would be directly connected to nearby Niagara Gorge Discovery Center and Niagara Reservation. The net effect would be positive for access as well as the property's setting.

PIN 5757.91.121 Robert Moses Parkway (RMP) Removal Project: Main Street to Findlay Drive, Niagara Falls, NY
SHPO Project Reference No. 15PR04311
 Summary of Anticipated Effects of Alternatives to S/NRHP-Listed and S/NRHP-Eligible Properties within the APE
 (Excluding Any Potential S/NRHP-Eligible Archaeological Resources)

Property/District Within or Abutting the APE	S/NRHP No. (if listed) or "Eligible"	Address or General Location	Year or Period Built	Keys Character-Defining Elements/Aspects of Property/District	Anticipated Effects Under Each Alternative	
					No Build Alternative (Expressway Remains in Place)	Build Alternative (Removal of all expressway features; Restoration of Gorge rim and installation of trail network; reconstruction of Whirlpool Street & portion of Third Street)
Chilton Avenue-Orchard Parkway Historic District	10NR06119	Portions of Chilton Avenue and Orchard Parkway between Whirlpool and Main streets.	Late 19 th and early 20 th centuries	Late Victorian: Queen Anne, Tudor revival and Craftsman. The district consists of 103 contributing and 36 non-contributing buildings.	The district would not be affected by the No Build Alternative.	The reconstruction of Whirlpool Street would neither directly nor indirectly affect the district. None of the buildings in the district front Whirlpool Street.
Old Customs House	90NR01962	2245 Whirlpool Street, Niagara Falls, NY	1863	The Old Customs House is the oldest federal building in the City of Niagara Falls and the oldest extant resource associated with this historically important Whirlpool Land Port of Entry. It is architecturally and historically significant under NRHP criteria A and C.	The Customs House would continue to be adjacent to, and in the shadow of the RMP high-level viaduct that passes over the Whirlpool Bridge Plaza, a condition that already affects the visual environment and historic setting of this resource. The building has been renovated/restored and incorporated into the newly-built train station and is no longer a free-standing intact building.	No physical impact to the Customs House would occur as a result of the Project; Removal of the current RMP viaduct in this area would result in a positive visual effect on this resource, and would partially restore its historic setting.

PIN 5757.91.121 Robert Moses Parkway (RMP) Removal Project: Main Street to Findlay Drive, Niagara Falls, NY
SHPO Project Reference No. 15PR04311
 Summary of Anticipated Effects of Alternatives to S/NRHP-Listed and S/NRHP-Eligible Properties within the APE
 (Excluding Any Potential S/NRHP-Eligible Archaeological Resources)

Property/District Within or Abutting the APE	S/NRHP No. (if listed) or "Eligible"	Address or General Location	Year or Period Built	Keys Character-Defining Elements/Aspects of Property/District	Anticipated Effects Under Each Alternative	
					No Build Alternative (Expressway Remains in Place)	Build Alternative (Removal of all expressway features; Restoration of Gorge rim and installation of trail network; reconstruction of Whirlpool Street & portion of Third Street)
Michigan Central Railroad Bridge (out of service; owned by the City of Niagara Falls, Ontario)	Eligible	Crosses Lower Niagara River/Niagara Gorge west of Whirlpool Street, between Bath and Ontario Avenues, Niagara Falls, NY	1924-1925	Currently known as Canadian Pacific Railway Bridge; a steel arch bridge spanning the Niagara Gorge between Niagara Falls, Ontario, and Niagara Falls, New York; designed by William Perry Taylor, Chief Engineer J.L. Delming, and Norwegian consulting engineer Olaf Hoff; bridge no longer in use and tracks have been removed.	The existing abandoned bridge is anticipated to continue to exist.	No direct or indirect impact associated with the proposed Project. Removal of the RMP overpass/viaduct would partially restore the historic setting of the bridge, resulting in a positive effect. Potential for future overlook feature, subject to agreements with current owner.
Whirlpool Rapids Bridge	Eligible	Crosses Lower Niagara River/Niagara Gorge west of Whirlpool Street, between Bath and Ontario Avenues, Niagara Falls, NY	1897	A double-decked, two-hinged, riveted, spandrel-braced, arch-type bridge; 1,080 feet long with a 47.5- foot two-lane roadway; the main span is 547 feet with a rise of 115 feet; the structure consists of riveted girders and I-beams with limestone abutments; Vehicular traffic is carried on the lower deck, which is flanked by cantilevered sidewalk; Upper deck carries one set of railroad tracks currently used by Amtrak and Conrail; On the American side, the bridge rests on the stone abutment of the 1855 suspension bridge; Architecturally significant under NRHP Criterion C as an example of an early steel arch bridge which possesses good integrity and for its association with prominent bridge designer Leffert L. Buck.	The existing bridge is anticipated to continue to exist and to be used for vehicular and rail traffic.	No direct or indirect impact associated with the proposed Project. Removal of the RMP viaduct would partially restore the historic setting of the bridge, resulting in a positive effect.

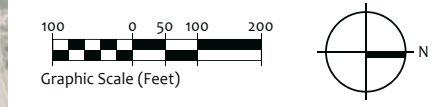
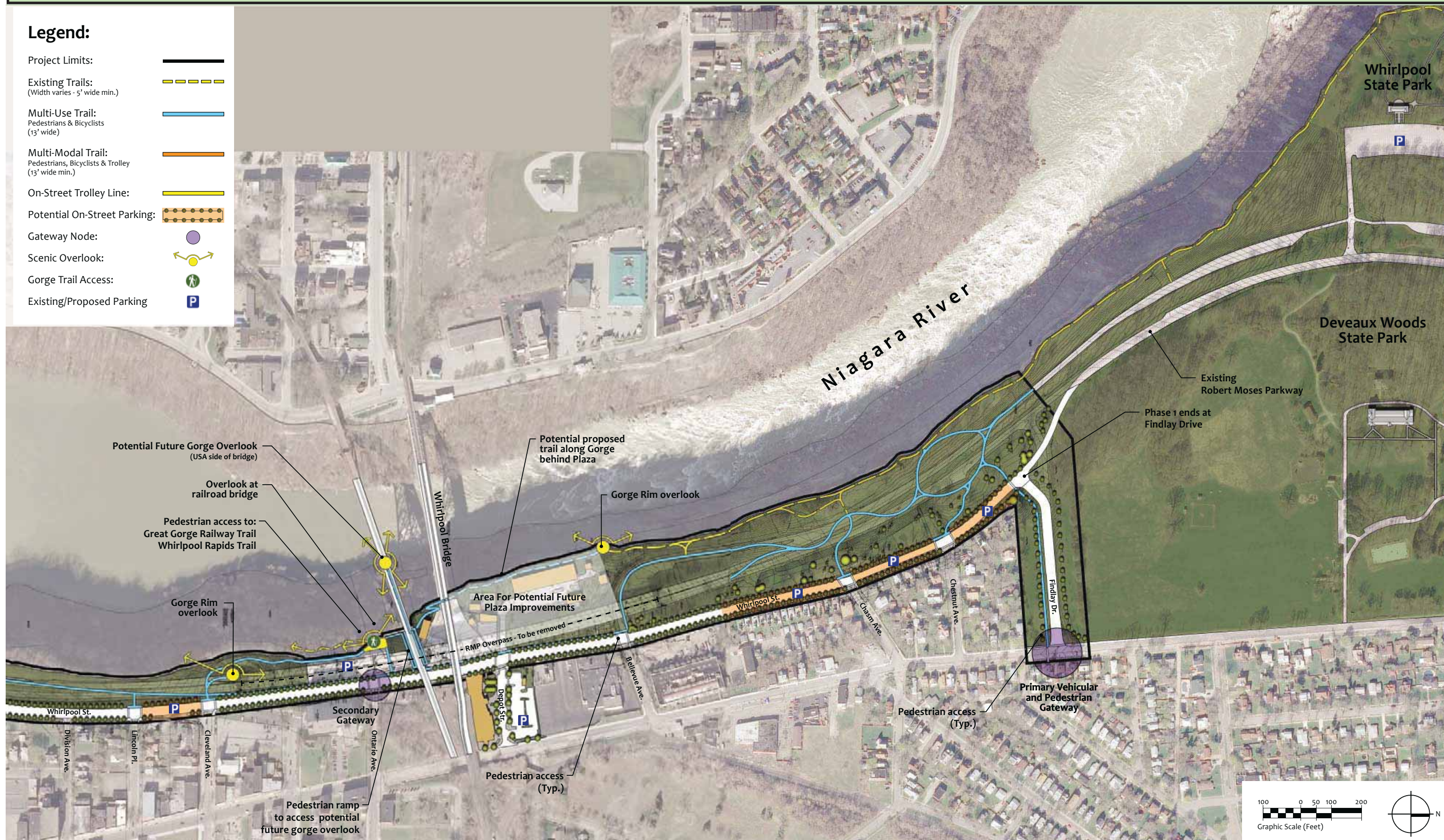
BUILD ALTERNATIVE



BUILD ALTERNATIVE - (CONTINUED)

Legend:

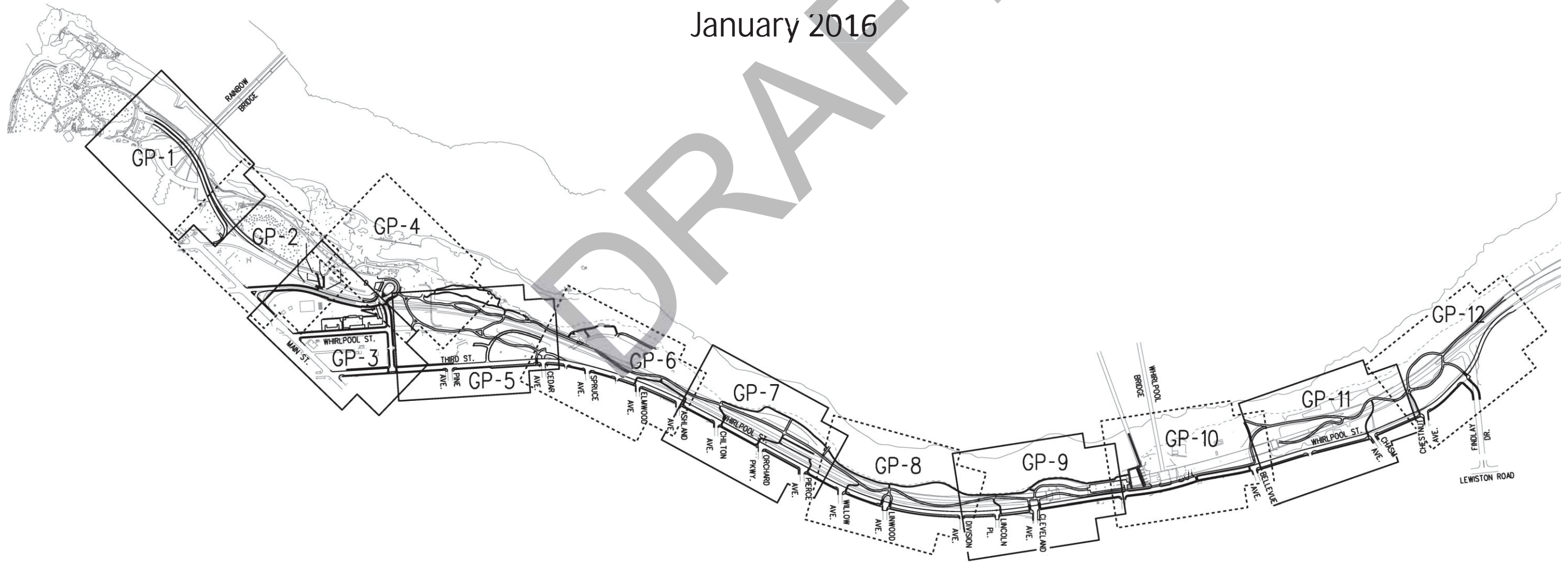
- Project Limits:
- Existing Trails: (Width varies - 5' wide min.)
- Multi-Use Trail: Pedestrians & Bicyclists (13' wide)
- Multi-Modal Trail: Pedestrians, Bicyclists & Trolley (13' wide min.)
- On-Street Trolley Line:
- Potential On-Street Parking:
- Gateway Node:
- Scenic Overlook:
- Gorge Trail Access:
- Existing/Proposed Parking:



NIAGARA GORGE CORRIDOR

Robert Moses Parkway Removal Project: Main Street to Findlay Drive Niagara Falls, NY

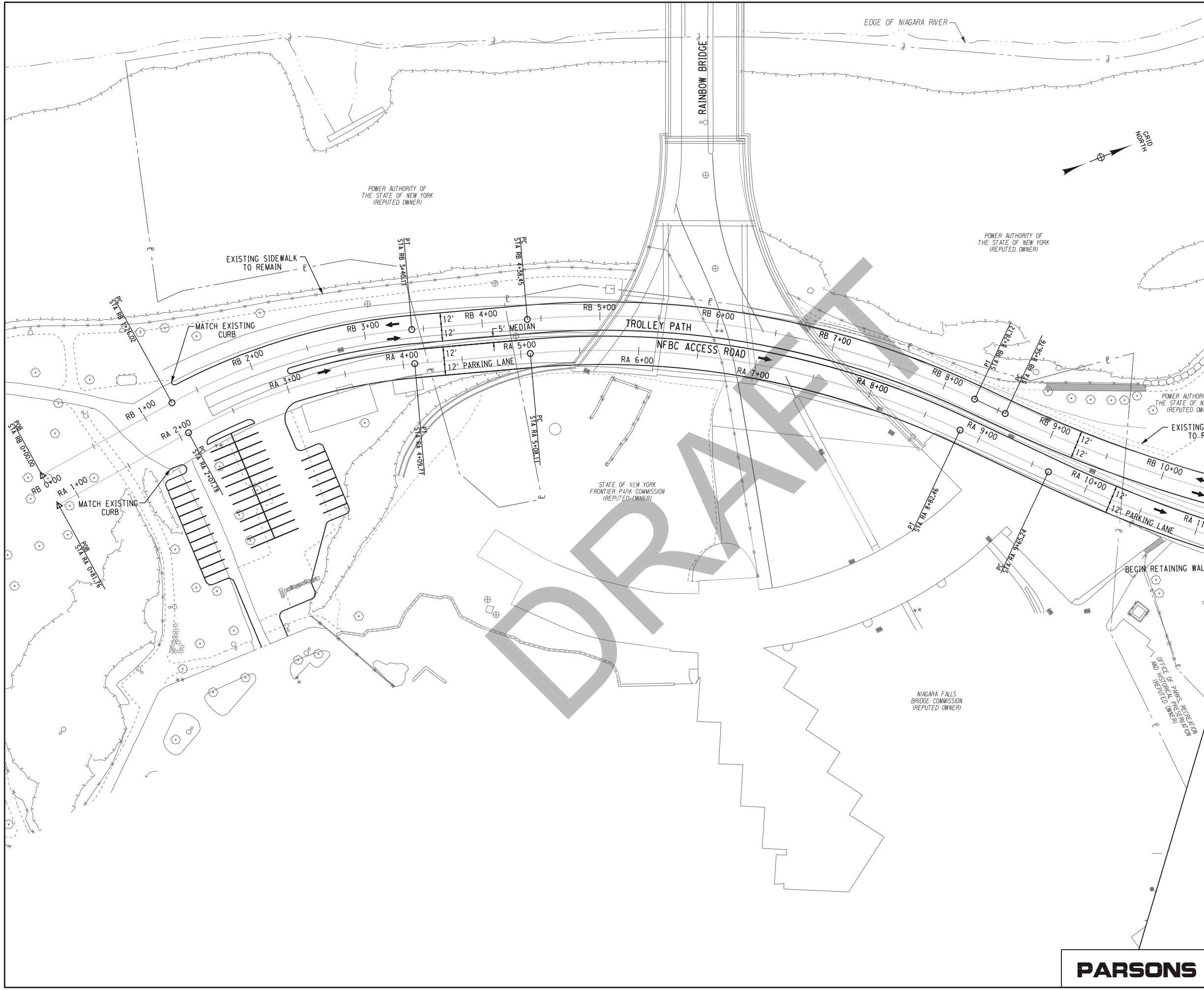
January 2016



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 DATE/TIME = DGN\$USER\$NAME
 USER = DGN\$USER\$NAME

DESIGN SUPERVISOR _____ JOB MANAGER _____ DESIGNED BY _____ CHECKED BY _____ ESTIMATED BY _____ DRAFTED BY _____ CHECKED BY _____

FED ROAD REG. NO.	STATE	FEDERAL AID PROJECT NO.	SHEET NO.	TOTAL SHEETS
1	N.Y.			
P.I.N.		B.I.N.		
NIAGARA GORGE CORRIDOR				
ROBERT MOSES PARKWAY REMOVAL PROJECT				
MAIN STREET TO FINDLAY DRIVE				
NIAGARA FALLS, N.Y.			NIAGARA COUNTY	



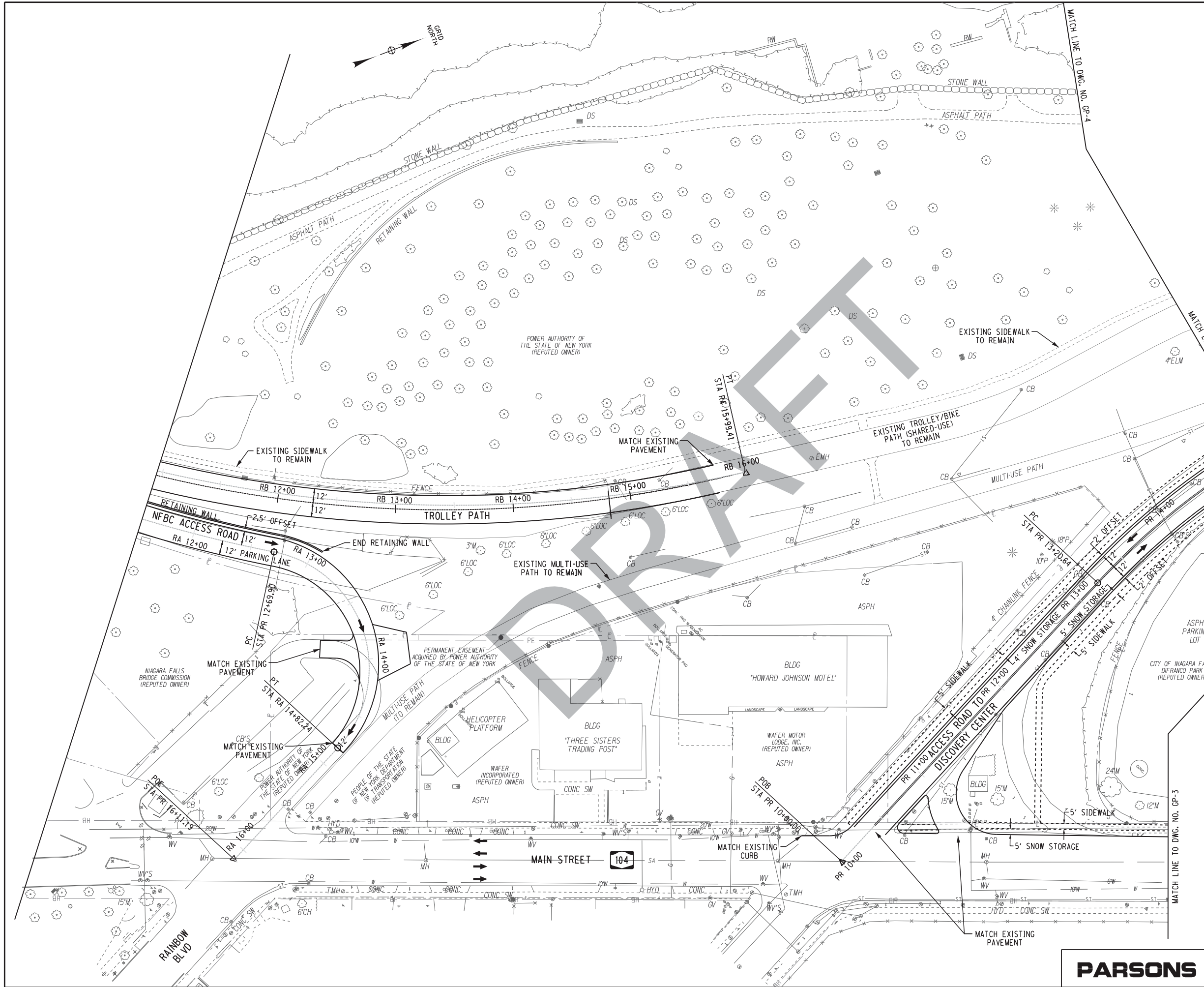
AS BUILT REVISIONS			
SIGNATURE _____		DATE _____	
GENERAL PLANS			
NEW YORK STATE OFFICE OF PARKS, RECREATION & HISTORIC PRESERVATION			
DOCUMENT NAME	DATE	SCALE	DRAWING NO.
		1"=40'	GP-1




FED ROAD REG. NO.	STATE	FEDERAL AID PROJECT NO.	SHEET NO.	TOTAL SHEETS
1	N.Y.			
P.I.N.		B.I.N.		
NIAGARA GORGE CORRIDOR				
ROBERT MOSES PARKWAY REMOVAL PROJECT				
MAIN STREET TO FINDLAY DRIVE				
NIAGARA FALLS, N.Y.			NIAGARA COUNTY	

CHECKED BY
 DRAFTED BY
 ESTIMATED BY
 CHECKED BY
 DESIGNED BY
 JOB MANAGER
 DESIGN SUPERVISOR

FILE NAME = DGN\$SYTIME0123456
 DATE/TIME = DGN\$USER\$NAME
 USER = DGN\$USER\$NAME



AS BUILT REVISIONS			
SIGNATURE		DATE	
GENERAL PLANS			
 NEW YORK STATE OFFICE OF PARKS, RECREATION & HISTORIC PRESERVATION			
DOCUMENT NAME	DATE	SCALE	DRAWING NO.
		1"=40'	GP-2

