

G.4.5 Request for Comment Letters

March 28, 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:

I would like to take this opportunity to thank you for participating in the Section 106 Consulting Parties Meeting for the Robert Moses Parkway Removal Project (the "Project"), which is proposed to extend from Main Street to Findlay Drive in Niagara Falls. Per your request at the meeting, enclosed please find a CD containing the full Phase IA Cultural Resources Investigation, prepared by Panamerican Consultants, Inc. (PCI).

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Please submit any comments via regular mail at the address above or via email at: Thomas.Donohue@parsons.com. Please include the Project Identification Number (PIN) and Project name in the subject line of your letter or email.

Sincerely,

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



Thomas R. Donohue
Principal Project Manager

Enclosure

cc: Andy Giarrizzo, NYS Office of Parks, Recreation, & Historic Preservation
Craig Mozrall, NYS Department of Transportation
Kimberly Lorenz, NYS Department of Transportation
Paul Tronolone, USA Niagara Development Corp.

March 28, 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:

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March 28, 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**

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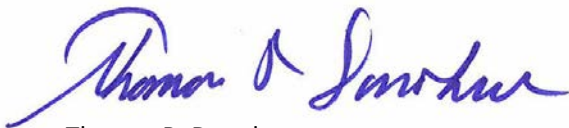
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March 28, 2016

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
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March 28, 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**

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March 28, 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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March 28, 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**

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June 9, 2016

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

**RE: PIN 5761.90, Niagara Gorge Corridor
Robert Moses Parkway Removal Project – Main Street to Findlay Drive
Niagara Falls, Niagara County, New York**

Dear Mr. Davis:

As a follow-up in our continued consultation with you in the Section 106 Consultation Process for the above-stated project, this is written to advise you that a Phase 1B Cultural Resource Investigation Report and Draft Section 106 Finding Documentation were prepared and submitted to the New York State Historic Preservation Office (NY SHPO) on April 13, 2016 and May 4, 2016, respectively. Copies of these documents are enclosed.

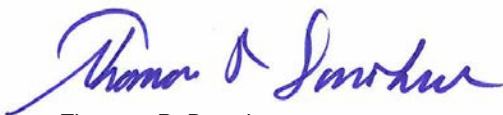
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Before FHWA can prepare its final effect determination pursuant to Section 106 requirements, we are requesting, as part of your role as a designated Consulting Party for this project, your review and any final comment on the Draft Section 106 Finding Documentation, NY SHPO's review/concurrence letter and the Phase 1B Cultural Resource Investigation Report. According to 36 CFR Part 800, Consulting Parties are entitled to a 30 day review period. However, we kindly ask that any comments you have be submitted within 15 days of your receipt of this letter. If no comments have been received by that time, we will contact you to verify if any comments are forthcoming or if you have any verbal comments to share that will be made in writing prior to the end of the 30 day review period. Our intent is to determine if you generally intend to agree or disagree with the finding. The next step would then be the public release of the Design Report / Environmental Assessment and the subsequent public hearing.

If you have any questions, please contact me at 716-541-0733 or via email at Thomas.Donohue@parsons.com. All comments should be directed to my attention at the above mailing address or email address. Please include the Project Identification Number (PIN) and Project name in the subject line of your letter or email.

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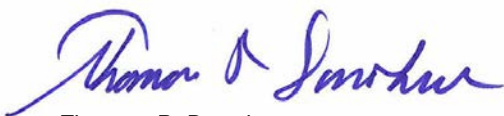
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Mr. Lewis Buttery
BRI-NK Foundation / NFHPS
1201 Pine Street - Suite 118
Niagara Falls, NY 14301

**RE: PIN 5761.90, Niagara Gorge Corridor
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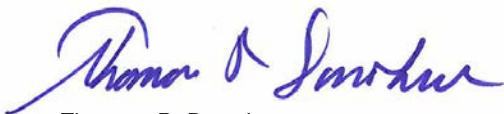
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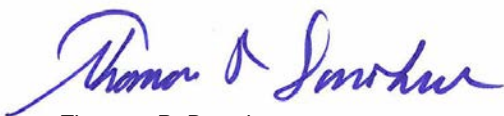
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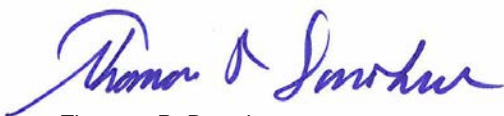
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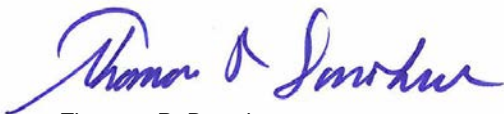
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Dear Ms. Timm:

As a follow-up in our continued consultation with you in the Section 106 Consultation Process for the above-stated project, this is written to advise you that a Phase 1B Cultural Resource Investigation Report and Draft Section 106 Finding Documentation were prepared and submitted to the New York State Historic Preservation Office (NY SHPO) on April 13, 2016 and May 4, 2016, respectively. Copies of these documents are enclosed.

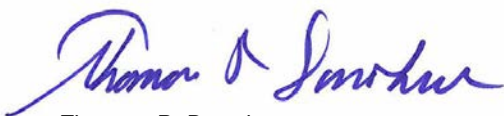
On May 26, 2016, the Federal Highway Administration (FHWA) received a notice and letter via NY SHPO's Cultural Resources Information System (CRIS) indicating its concurrence that "the proposed project will have No Adverse Effect upon historic resources provided that construction protection plans are put in place for all historic resources within 90 feet of construction." Such protection plans are being proposed to be put in place and will be specifically stated in the Design Report/Environmental Assessment. A copy of this concurrence letter from NY SHPO is also enclosed.

Before FHWA can prepare its final effect determination pursuant to Section 106 requirements, we are requesting, as part of your role as a designated Consulting Party for this project, your review and any final comment on the Draft Section 106 Finding Documentation, NY SHPO's review/concurrence letter and the Phase 1B Cultural Resource Investigation Report. According to 36 CFR Part 800, Consulting Parties are entitled to a 30 day review period. However, we kindly ask that any comments you have be submitted within 15 days of your receipt of this letter. If no comments have been received by that time, we will contact you to verify if any comments are forthcoming or if you have any verbal comments to share that will be made in writing prior to the end of the 30 day review period. Our intent is to determine if you generally intend to agree or disagree with the finding. The next step would then be the public release of the Design Report / Environmental Assessment and the subsequent public hearing.

If you have any questions, please contact me at 716-541-0733 or via email at Thomas.Donohue@parsons.com. All comments should be directed to my attention at the above mailing address or email address. Please include the Project Identification Number (PIN) and Project name in the subject line of your letter or email.

Sincerely,

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



Thomas R. Donohue
Principal Project Manager

Enclosures

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

G.4.6 Comment Letters Received from Consulting Parties

From: [Daniel Davis](#)
To: [Donohue, Thomas](#)
Subject: Cantilever Bridge Abutments
Date: Wednesday, March 30, 2016 5:04:27 PM

Maybe it is just me, but shouldn't the abutments for the Cantilever Bridge be included in the Cultural Resources Investigation.

Take Care,
Dan

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

April 15, 2016

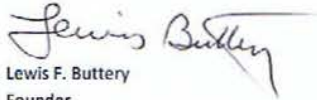
Re: Niagara Gorge Corridor Project

Dear Mr. Donohue:

The BRI_NK Foundation would like to recommend that the archeological resources in the APE zone include the Buttery Elevators and the Van Horn and Manning Elevators and all of the other historical sites that used to exist along the Gorge rim between the Whirlpool Bridge and the Whirlpool.

please feel free to contact me at: (716) 545-7101.

Sincerely,



Lewis F. Buttery
Founder

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

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

NFHPS
1201 Pine Ave, Suite 118
Niagara Falls, NY 14301

April 15, 2016

Re: Niagara Gorge Corridor Project

Dear Mr. Donohue:

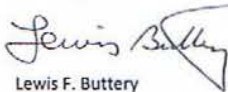
The Niagara Falls Historic Preservation Society has a recommendation that was passed at the April 15, 2016 board meeting:

The NFHPS recommends that the name "North End Cultural District" is inappropriate and would prefer a name better related to the history of that area by using "Suspension Bridge Village" or "Suspension Bridge Cultural District".

The BRI_NK Foundation supports this recommendation.

If you have any questions, please feel free to contact me at: (716) 545-7101.

Sincerely,



Lewis F. Buttery

G.4.7 Responses to Comments Received

Date	CP Member	Comment	Response
03/30/2016	Daniel Davis	Shouldn't the abutments for the Cantilever Bridge be included in the Cultural Resources Investigation?	<p>The abutment is noted on a Building Structure Inventory form (which also includes a HAER inventory card) in the NY State Historic Preservation Office's (SHPO) Cultural Resource Information System (CRIS). However, the National Register status of the abutment is undetermined as noted in CRIS.</p> <p>In the project design, the abutment may be part of a future gorge trail access point similar to, or incorporating, what already exists; however, the abutment itself will not be damaged or directly affected by the project. The demolition of the overpass will not damage or affect the abutment (Notes in the final plans would be included to that effect).</p> <p>The abutment does not meet the eligibility criteria for National Register listing and will not be affected by the project.</p>
04/15/2016	Lewis Buttery	The BRI_NK Foundation would like to recommend that the archeological resources in the APE zone include the Buttery Elevators and the Van Horn and Manning Elevators and all of the other historical sites that used to exist along the Gorge rim between the Whirlpool Bridge and the Whirlpool.	Both of the former elevators were mainly in the gorge and since minimal project related work will be conducted west of the Parkway in this area; there is no potential for associated archaeological resources, if they exist, to be affected by the Project. Also see response letter dated June 27, 2016
04/15/2016	Lewis Buttery	<p>The Niagara Falls Historic Preservation Society has a recommendation that was passed at the April 15, 2016 board meeting:</p> <p>The NFHPS recommends that the name "North End Cultural District" is inappropriate and would prefer a name better related to the history of that area by using "Suspension Bridge Village or "Suspension Bridge Cultural District".</p> <p>The BRI_NK Foundation supports this recommendation.</p>	The Upper Main Street Historic District was delineated in the Phase 1A report as a potential National Register eligible historic district. The district is restricted to a section of Main Street between Michigan and Ontario Avenues recommended as potentially eligible for listing in the S/NRHP under Criterion C as a largely intact, contiguous collection of late nineteenth-century to mid-twentieth-century, brick commercial buildings that collectively represent a period of intense development and growth in the history of City of Niagara Falls. Thus, it is outside of what would be the period of significance of a potential Suspension Bridge historic district. It is also likely that a potential Suspension Bridge district would incorporate a larger geographic area, by an order of magnitude.

June 27, 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 your continued participation in the Section 106 Consultation Process for the Robert Moses Parkway Removal Project and your review and comments on the Phase IA and Phase 1B Cultural Resources Investigations along with the Section 106 Finding Documentation.

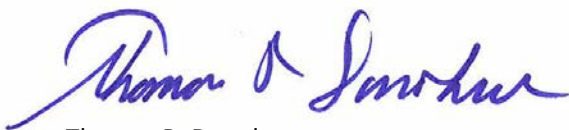
As noted during our phone conversation we are in receipt of your comment letter and other materials provided to us on April 15, 2016 and reiterated in an email dated June 19, 2016. As we discussed, the Buttery Elevators along with the Van Horn and Manning Elevators that used to exist along the gorge rim between the Whirlpool Bridge and Whirlpool State Park could have been noted in our Phase 1A Report within the section that addressed Mapped Documented Structures. However, these elevators and associated structures were located on and adjacent to the gorge rim, and it does not appear that any of the original area occupied by the historic facilities, would be affected by the project.

Therefore as discussed, we agreed that in lieu of making any modifications to the cultural resource reports, it is more important to include appropriately designed pathways, signage, overlooks or other features that could be included in the project to call the public's attention to these historic structures that once stood along the gorge. As such, during the final design phase of the project we would like to give you and other members of the Consulting Parties the opportunity to meet with the design team to provide input on those features.

I hope and trust that the above is a fair representation of our discussion and serves as a satisfactory response to your comments on the project.

Sincerely,

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



Thomas R. Donohue
Principal Project Manager

Enclosure

cc: Andy Giarrizzo, NYS Office of Parks, Recreation, & Historic Preservation
Craig Mozrall, NYS Department of Transportation
Kimberly Lorenz, NYS Department of Transportation
Paul Tronolone, USA Niagara Development Corp.



G.4.8 Tribal Nation Invitation Letters



**Department of
Transportation**

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

DARRELL F. KAMINSKI, P.E.
Regional Director

February 17, 2016

Paul Barton, THPO and NAGPRA Representative
Cultural/Historic Preservation Program
23701 South 655 Road
Grove, OK 74344

**RE: SECTION 106 NATION CONSULTATION: NIAGARA GORGE CORRIDOR
ROBERT MOSES PARKWAY REMOVAL PROJECT
MAIN STREET TO FINDLAY DRIVE, NIAGARA FALLS, NIAGARA COUNTY
PIN 5757.91.121**

Dear Mr. Barton:

The New York State Office of Parks, Recreation and Historic Preservation ("State Parks"), in partnership with New York State Department of Transportation (NYSDOT), the City of Niagara Falls, USA Niagara Development Corporation (USAN), and the New York Power Authority (NYPA) has proposed construction of the above-referenced project which is subject to Section 106 of the National Historic Preservation Act.

An Environmental Assessment (EA) will be prepared in accordance with the National Environmental Policy Act (NEPA) for the removal of the existing Robert Moses Parkway (RMP) between Main Street and Findlay Drive, a distance of almost two (2) miles, and the reconstruction of Third Street and Whirlpool Street which, in combination, parallel the RMP along this segment. The Federal Highway Administration (FHWA) is the NEPA Lead Agency. FHWA would like to initiate the consultation process with the Seneca Cayuga Tribe of Oklahoma regarding this project. Enclosed for your information and review, please find a map showing the project location and the study area for historic and cultural resources.

The Project proposes to provide a road system addressing future transportation needs while considering how to balance objectives to improve the park/Niagara Gorge area, provide better access to the Niagara Gorge from adjacent neighborhoods, and enhance opportunities for sustainable economic development. Alternatives under consideration in the EA include: 1.) the "No-Build Alternative," which would involve largely leaving existing conditions in place and 2.) a "Build Alternative," which would involve removal of the RMP (i.e., all lanes, overpasses, interchanges, and accessory facilities) from Main Street (NYS Route 104) to Findlay Drive and reconstructing Third Street (from Main Street to Cedar Avenue) and Whirlpool Street (from Cedar Avenue to Findlay Drive) as an at-grade, 30-MPH local street to accommodate north-south automobile/bus access in the project area. The "Build Alternative" would also include restoration of the landscape/habitat on land along the Niagara Gorge, and construction

Paul Barton, THPO and NAGPRA Representative

PIN 5757.91.121

February 17, 2016

Page 2 of 3

of a pedestrian/bicycle trail network that would connect to other trail systems and adjoining neighborhoods.

We invite you to meet with FHWA, State Parks, and NYSDOT representatives to discuss and consider your views on this project and its potential to affect properties of religious and cultural significance to the Seneca Cayuga Tribe of Oklahoma. We have tentatively scheduled a meeting to be held at New York State Parks De Veaux Woods Auditorium on Wednesday March 16, 2016, from 2:00PM to 4:00PM. If this date and time is not convenient for you please contact us to discuss an alternative.

It would be greatly appreciated if you could RSVP your attendance by Friday March 11, 2016. If the Seneca Cayuga Tribe of Oklahoma cannot attend, but would like to participate in the Section 106 process, please let us know and we would be happy to forward the meeting information to you for your review and comment.

On behalf of FHWA, State Parks, and NYSDOT, we look forward to your participation in the Section 106 Consultation. If you have any questions, please feel free to call me at (716) 847-3189.

Sincerely,



Andrew G. Brayman

Regional Cultural Resource Coordinator

SJJ/AGB/lfg

Attachments

cc: Hans Anker, P.E., Area Engineer, FHWA, New York Division (e-mail w/attach)
Thomas Donohue, Senior Project Manager, Parsons (e-mail)
Peter Dunleavy, Landscape Architect, Office of Environment, POD# 41 (e-mail)
Craig S. Mozrall, P.E., Special Projects Manager, NYSDOT (e-mail)
Ron Hayes, Public Involvement Coordinator, NYSDOT (e-mail)
Kimberly A. Lorenz, Landscape Arch/Environmental Mngr., NYSDOT (e-mail)



**Department of
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ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

DARRELL F. KAMINSKI, P.E.
Regional Director

February 17, 2016

Bryan Printup
Tuscarora Environment Office
5226 East Walmore Road
Lewiston, NY 14092

**RE: SECTION 106 NATION CONSULTATION: NIAGARA GORGE CORRIDOR
ROBERT MOSES PARKWAY REMOVAL PROJECT
MAIN STREET TO FINDLAY DRIVE, NIAGARA FALLS, NIAGARA COUNTY
PIN 5757.91.121**

Dear Mr. Printup:

The New York State Office of Parks, Recreation and Historic Preservation ("State Parks"), in partnership with New York State Department of Transportation (NYSDOT), the City of Niagara Falls, USA Niagara Development Corporation (USAN), and the New York Power Authority (NYPA) has proposed construction of the above-referenced project which is subject to Section 106 of the National Historic Preservation Act.

An Environmental Assessment (EA) will be prepared in accordance with the National Environmental Policy Act (NEPA) for the removal of the existing Robert Moses Parkway (RMP) between Main Street and Findlay Drive, a distance of almost two (2) miles, and the reconstruction of Third Street and Whirlpool Street which, in combination, parallel the RMP along this segment. The Federal Highway Administration (FHWA) is the NEPA Lead Agency. FHWA would like to initiate the consultation process with the Tuscarora Nation regarding this project. Enclosed for your information and review, please find a map showing the project location and the study area for historic and cultural resources.

The Project proposes to provide a road system addressing future transportation needs while considering how to balance objectives to improve the park/Niagara Gorge area, provide better access to the Niagara Gorge from adjacent neighborhoods, and enhance opportunities for sustainable economic development. Alternatives under consideration in the EA include: 1.) the "No-Build Alternative," which would involve largely leaving existing conditions in place and 2.) a "Build Alternative," which would involve removal of the RMP (i.e., all lanes, overpasses, interchanges, and accessory facilities) from Main Street (NYS Route 104) to Findlay Drive and reconstructing Third Street (from Main Street to Cedar Avenue) and Whirlpool Street (from Cedar Avenue to Findlay Drive) as an at-grade, 30-MPH local street to accommodate north-south automobile/bus access in the project area. The "Build Alternative" would also include restoration of the landscape/habitat on land along the Niagara Gorge, and construction

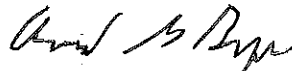
of a pedestrian/bicycle trail network that would connect to other trail systems and adjoining neighborhoods.

We invite you to meet with FHWA, State Parks, and NYSDOT representatives to discuss and consider your views on this project and its potential to affect properties of religious and cultural significance to the Tuscarora Nation. We have tentatively scheduled a meeting to be held at New York State Parks De Veaux Woods Auditorium on Wednesday March 16, 2016, from 2:00PM to 4:00PM. If this date and time is not convenient for you please contact us to discuss an alternative.

It would be greatly appreciated if you could RSVP your attendance by Friday March 11, 2016. If the Tuscarora Nation cannot attend, but would like to participate in the Section 106 process, please let us know and we would be happy to forward the meeting information to you for your review and comment.

On behalf of FHWA, State Parks, and NYSDOT, we look forward to your participation in the Section 106 Consultation. If you have any questions, please feel free to call me at (716) 847-3189.

Sincerely,



Andrew G. Brayman
Regional Cultural Resource Coordinator

SJJ/AGB/llg
Attachments

cc: Hans Anker, P.E., Area Engineer, FHWA, New York Division (e-mail w/attach)
Thomas Donohue, Senior Project Manager, Parsons (e-mail)
Peter Dunleavy, Landscape Architect, Office of Environment, POD# 41 (e-mail)
Craig S. Mozrall, P.E., Special Projects Manager, NYSDOT (e-mail)
Ron Hayes, Public Involvement Coordinator, NYSDOT (e-mail)
Kimberly A. Lorenz, Landscape Arch/Environmental Mngr., NYSDOT (e-mail)



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MATTHEW J. DRISCOLL
Commissioner

DARRELL F. KAMINSKI, P.E.
Regional Director

February 17, 2016

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

**RE: SECTION 106 NATION CONSULTATION: NIAGARA GORGE CORRIDOR
ROBERT MOSES PARKWAY REMOVAL PROJECT
MAIN STREET TO FINDLAY DRIVE, NIAGARA FALLS, NIAGARA COUNTY
PIN 5757.91.121**

Dear Mr. Hill:

The New York State Office of Parks, Recreation and Historic Preservation ("State Parks"), in partnership with New York State Department of Transportation (NYSDOT), the City of Niagara Falls, USA Niagara Development Corporation (USAN), and the New York Power Authority (NYPA) has proposed construction of the above-referenced project which is subject to Section 106 of the National Historic Preservation Act.

An Environmental Assessment (EA) will be prepared in accordance with the National Environmental Policy Act (NEPA) for the removal of the existing Robert Moses Parkway (RMP) between Main Street and Findlay Drive, a distance of almost two (2) miles, and the reconstruction of Third Street and Whirlpool Street which, in combination, parallel the RMP along this segment. The Federal Highway Administration (FHWA) is the NEPA Lead Agency. FHWA would like to initiate the consultation process with the Tonawanda Seneca Nation regarding this project. Enclosed for your information and review, please find a map showing the project location and the study area for historic and cultural resources.

The Project proposes to provide a road system addressing future transportation needs while considering how to balance objectives to improve the park/Niagara Gorge area, provide better access to the Niagara Gorge from adjacent neighborhoods, and enhance opportunities for sustainable economic development. Alternatives under consideration in the EA include: 1.) the "No-Build Alternative," which would involve largely leaving existing conditions in place and 2.) a "Build Alternative," which would involve removal of the RMP (i.e., all lanes, overpasses, interchanges, and accessory facilities) from Main Street (NYS Route 104) to Findlay Drive and reconstructing Third Street (from Main Street to Cedar Avenue) and Whirlpool Street (from Cedar Avenue to Findlay Drive) as an at-grade, 30-MPH local street to accommodate north-south automobile/bus access in the project area. The "Build Alternative" would also include restoration of the landscape/habitat on land along the Niagara Gorge, and construction

of a pedestrian/bicycle trail network that would connect to other trail systems and adjoining neighborhoods.

We invite you to meet with FHWA, State Parks, and NYSDOT representatives to discuss and consider your views on this project and its potential to affect properties of religious and cultural significance to the Tonawanda Seneca Nation. We have tentatively scheduled a meeting to be held at New York State Parks De Veaux Woods Auditorium on Wednesday March 16, 2016, from 2:00PM to 4:00PM. If this date and time is not convenient for you please contact us to discuss an alternative.

It would be greatly appreciated if you could RSVP your attendance by Friday March 11, 2016. If the Tonawanda Seneca Nation cannot attend, but would like to participate in the Section 106 process, please let us know and we would be happy to forward the meeting information to you for your review and comment.

On behalf of FHWA, State Parks, and NYSDOT, we look forward to your participation in the Section 106 Consultation. If you have any questions, please feel free to call me at (716) 847-3189.

Sincerely,


Andrew G. Brayman
Regional Cultural Resource Coordinator

SJJ/AGB/lfg
Attachments

cc: Christine Abrams, Tonawanda Seneca Nation (e-mail w/attach)
Hans Anker, P.E., Area Engineer, FHWA, New York Division (e-mail w/attach)
Thomas Donohue, Senior Project Manager, Parsons (e-mail)
Peter Dunleavy, Landscape Architect, Office of Environment, POD# 41 (e-mail)
Craig S. Mozrall, P.E., Special Projects Manager, NYSDOT (e-mail)
Ron Hayes, Public Involvement Coordinator, NYSDOT (e-mail)
Kimberly A. Lorenz, Landscape Arch/Environmental Mngr., NYSDOT (e-mail)



**Department of
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ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

DARRELL F. KAMINSKI, P.E.
Regional Director

February 17, 2016

Scott Abrams, Director
Tribal Historic Preservation Officer
Seneca Nation of Indians
90 Ohi:Yo´ Way
Salamanca, NY 14779

**RE: SECTION 106 NATION CONSULTATION: NIAGARA GORGE CORRIDOR
ROBERT MOSES PARKWAY REMOVAL PROJECT
MAIN STREET TO FINDLAY DRIVE, NIAGARA FALLS, NIAGARA COUNTY
PIN 5757.91.121**

Dear Mr. Abrams:

The New York State Office of Parks, Recreation and Historic Preservation (“State Parks”), in partnership with New York State Department of Transportation (NYSDOT), the City of Niagara Falls, USA Niagara Development Corporation (USAN), and the New York Power Authority (NYPA) has proposed construction of the above-referenced project which is subject to Section 106 of the National Historic Preservation Act.

An Environmental Assessment (EA) will be prepared in accordance with the National Environmental Policy Act (NEPA) for the removal of the existing Robert Moses Parkway (RMP) between Main Street and Findlay Drive, a distance of almost two (2) miles, and the reconstruction of Third Street and Whirlpool Street which, in combination, parallel the RMP along this segment. The Federal Highway Administration (FHWA) is the NEPA Lead Agency. FHWA would like to initiate the consultation process with the Seneca Nation of Indians regarding this project. Enclosed for your information and review, please find a map showing the project location and the study area for historic and cultural resources.

The Project proposes to provide a road system addressing future transportation needs while considering how to balance objectives to improve the park/Niagara Gorge area, provide better access to the Niagara Gorge from adjacent neighborhoods, and enhance opportunities for sustainable economic development. Alternatives under consideration in the EA include: 1.) the “No-Build Alternative,” which would involve largely leaving existing conditions in place and 2.) a “Build Alternative,” which would involve removal of the RMP (i.e., all lanes, overpasses, interchanges, and accessory facilities) from Main Street (NYS Route 104) to Findlay Drive and reconstructing Third Street (from Main Street to Cedar Avenue) and Whirlpool Street (from Cedar Avenue to Findlay Drive) as an at-grade, 30-MPH local street to accommodate north-south automobile/bus access in the project area. The “Build Alternative” would also include

Scott Abrams, Director

PIN 5757.91.121

February 17, 2016

Page 2 of 3

restoration of the landscape/habitat on land along the Niagara Gorge, and construction of a pedestrian/bicycle trail network that would connect to other trail systems and adjoining neighborhoods.

We invite you to meet with FHWA, State Parks, and NYSDOT representatives to discuss and consider your views on this project and its potential to affect properties of religious and cultural significance to the Seneca Nation of Indians. We have tentatively scheduled a meeting to be held at New York State Parks De Veaux Woods Auditorium on Wednesday March 16, 2016, from 2:00PM to 4:00PM. If this date and time is not convenient for you please contact us to discuss an alternative.

It would be greatly appreciated if you could RSVP your attendance by Friday March 11, 2016. If the Seneca Nation of Indians cannot attend, but would like to participate in the Section 106 process, please let us know and we would be happy to forward the meeting information to you for your review and comment.

On behalf of FHWA, State Parks, and NYSDOT, we look forward to your participation in the Section 106 Consultation. If you have any questions, please feel free to call me at (716) 847-3189.

Sincerely,


Andrew G. Brayman
Regional Cultural Resource Coordinator

SJJ/AGB/llg
Attachments

cc: Jay Toth, Tribal Historic Preservation Officer, SNI (e-mail w/attach)
Benjamin Anderson, Special Projects Planner, SNI (e-mail w/attach)
Hans Anker, P.E., Area Engineer, FHWA, New York Division (e-mail w/attach)
Thomas Donohue, Senior Project Manager, Parsons (e-mail)
Peter Dunleavy, Landscape Architect, Office of Environment, POD# 41 (e-mail)
Craig S. Mozrall, P.E., Special Projects Manager, NYSDOT (e-mail)
Ron Hayes, Public Involvement Coordinator, NYSDOT (e-mail)
Kimberly A. Lorenz, Landscape Arch/Environmental Mngr., NYSDOT (e-mail)



June 10, 2016

Paul Barton, THPO and NAGPRA Representative
Culture/Historic Preservation Program
Seneca Cayuga Tribe
23701 South 655 Road
Grove, OK 74344

**RE: SECTION 106 NATION CONSULTATION – NIAGARA GORGE CORRIDOR
ROBERT MOSES PARKWAY REMOVAL PROJECT
MAIN STREET TO FINDLAY DRIVE, NIAGARA FALLS
NIAGARA COUNTY, PIN 5757.91.121**

Dear Mr. Barton:

As indicated in the original invitation letter that was sent to you, dated February 17, 2016, New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP), in partnership with New York State Department of Transportation (NYSDOT), the City of Niagara Falls, USA Niagara Development Corporation (USAN) and New York Power Authority (NYPA), has proposed construction of the above-referenced project which is subject to Section 106 of the National Historic Preservation Act. As a follow-up in our continued consultation with the Seneca Cayuga Tribe in the Section 106 Consultation Process for the project, which included the consultation meeting held on March 16, 2016 that you were invited to attend, this letter is to advise you that a Draft Section 106 Finding Document was prepared and submitted to the New York State Historic Preservation Office (SHPO) on May 4, 2016. A copy of this document and the completed Phase 1B Survey Report are enclosed for your review and comment.

On May 26, 2016 the Federal Highway Administration (FHWA) received a notice and letter via SHPO's Cultural Resource Information System (CRIS) indicating its concurrence that *"the proposed project will have no adverse effect upon historic resources provided that construction protection plans are put in place for all historic resources within 90 feet of construction"*. Such protection plans are being proposed to be put in place and will be specifically stated in the Design Report/Environmental Assessment. A copy of this concurrence letter from SHPO is also enclosed.

Before FHWA can prepare its final effect determination for this project, we are requesting, as part of your ongoing consultation role in the Section 106 process, your review and any final comment on the Section 106 Finding Documentation, the Phase 1B Survey Report and SHPO's concurrence letter. According to 36 CFR Part 800, Native American Nations, as a Consulting Party, are entitled to a 30 day review period. I will

Paul Barton, THPO and NAGPRA Representative

PIN 5757.91.121

June 10, 2016

Page 2 of 2

contact you in approximately 15 days to inquire about forthcoming comments and to solicit verbal comments. Our intent is to determine if you generally agree or disagree with the finding. The next step would then be the public release of the Design Report/Environmental Assessment and the subsequent public hearing.

Please submit any comments via regular mail to my attention; Andrew Brayman, 100 Seneca Street, Buffalo, NY 14203 or via e-mail at Andrew.Brayman@dot.ny.gov. If you have any questions regarding this project or would like additional information, feel free to contact me at (716) 847-3189.

On behalf of NYSDOT, I would like to thank you for your participation in consultation for transportation projects in New York State.

Sincerely,



Andrew G. Brayman

Regional Cultural Resource Coordinator

AGB/lhg

Enclosures: Finding Document, SHPO concurrence letter, and Phase 1B Survey Report

cc: Hans Anker, P.E., Senior Area Engineer, FHWA, NY Division (email w/o encl)
Chris J. Millington, P.E., Acting Area Engineer, FHWA, NY Division (email w/o encl)
Mary Santangelo, Environment Specialist, NYSDOT, POD 4-1 (email w/o encl)
Ron Hayes, Regional Local Project Liaison, NYSDOT, R-5 (email w/o encl)
Craig Mozrall, P.E., Special Projects Manager, NYSDOT, R-5 (email w/o encl)
Kimberly A. Lorenz, Landscape Architecture/Env. Mngr., NYSDOT, R-5 (w/o encl)
Andy Giarrizzo, Senior Landscape Architect, State Parks (email w/o encl)
Paul Tronolone, VP Policy, Planning & Project Development, ESD (email w/o encl)
Thomas Donohue, Senior Project Manager, Parsons (email)



June 10, 2016

Bryan Printup
Tuscarora Environment Office
5226 East Walmore Road
Tuscarora Nation
Lewiston, NY 14092

**RE: SECTION 106 NATION CONSULTATION – NIAGARA GORGE CORRIDOR
ROBERT MOSES PARKWAY REMOVAL PROJECT
MAIN STREET TO FINDLAY DRIVE, NIAGARA FALLS
NIAGARA COUNTY, PIN 5757.91.121**

Dear Mr. Printup:

As indicated in the original invitation letter that was sent to you, dated February 17, 2016, New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP), in partnership with New York State Department of Transportation (NYSDOT), the City of Niagara Falls, USA Niagara Development Corporation (USAN) and New York Power Authority (NYPA), has proposed construction of the above-referenced project which is subject to Section 106 of the National Historic Preservation Act. As a follow-up in our continued consultation with the Tuscarora Nation in the Section 106 Consultation Process for the project, which included the consultation meeting held on March 16, 2016 that you were invited to attend, this letter is to advise you that a Draft Section 106 Finding Document was prepared and submitted to the New York State Historic Preservation Office (SHPO) on May 4, 2016. A copy of this document and the completed Phase 1B Survey Report are enclosed for your review and comment.

On May 26, 2016 the Federal Highway Administration (FHWA) received a notice and letter via SHPO's Cultural Resource Information System (CRIS) indicating its concurrence that *"the proposed project will have no adverse effect upon historic resources provided that construction protection plans are put in place for all historic resources within 90 feet of construction"*. Such protection plans are being proposed to be put in place and will be specifically stated in the Design Report/Environmental Assessment. A copy of this concurrence letter from SHPO is also enclosed.

Before FHWA can prepare its final effect determination for this project, we are requesting, as part of your ongoing consultation role in the Section 106 process, your review and any final comment on the Section 106 Finding Documentation, the Phase 1B Survey Report and SHPO's concurrence letter. According to 36 CFR Part 800, Native American Nations, as a Consulting Party, are entitled to a 30 day review period. I will

Bryan Printup
PIN 5757.91.121
June 10, 2016
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contact you in approximately 15 days to inquire about forthcoming comments and to solicit verbal comments. Our intent is to determine if you generally agree or disagree with the finding. The next step would then be the public release of the Design Report/Environmental Assessment and the subsequent public hearing.

Please submit any comments via regular mail to my attention; Andrew Brayman, 100 Seneca Street, Buffalo, NY 14203 or via e-mail at Andrew.Brayman@dot.ny.gov. If you have any questions regarding this project or would like additional information, feel free to contact me at (716) 847-3189.

On behalf of NYSDOT, I would like to thank you for your participation in consultation for transportation projects in New York State.

Sincerely,


Andrew G. Brayman
Regional Cultural Resource Coordinator

AGB/lfg

Enclosures: *Finding Document, SHPO concurrence letter, and Phase 1B Survey Report*

cc: Hans Anker, P.E., Senior Area Engineer, FHWA, NY Division (email w/o encl)
Chris J. Millington, P.E., Acting Area Engineer, FHWA, NY Division (email w/o encl)
Mary Santangelo, Environmental Specialist, NYSDOT, POD 4-1 (email w/o encl)
Ron Hayes, Regional Local Project Liaison, NYSDOT, R-5 (email w/o encl)
Craig Mozrall, P.E., Special Projects Manager, NYSDOT, R-5 (email w/o encl)
Kimberly A. Lorenz, Landscape Architecture/Env. Mngr., NYSDOT, R-5 (w/o encl)
Andy Giarrizzo, Senior Landscape Architect, State Parks (email w/o encl)
Paul Tronolone, VP Policy, Planning & Project Development, ESD (email w/o encl)
Thomas Donohue, Senior Project Manager, Parsons (email)



June 10, 2016

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

**RE: SECTION 106 NATION CONSULTATION – NIAGARA GORGE CORRIDOR
ROBERT MOSES PARKWAY REMOVAL PROJECT
MAIN STREET TO FINDLAY DRIVE, NIAGARA FALLS
NIAGARA COUNTY, PIN 5757.91.121**

Dear Chief Hill:

As indicated in the original invitation letter that was sent to you, dated February 17, 2016, New York State Office of Parks Recreation and Historic Preservation (NYSOPRHP), in partnership with New York State Department of Transportation (NYSDOT), the City of Niagara Falls, USA Niagara Development Corporation (USAN), and New York Power Authority (NYPA), has proposed construction of the above-referenced project which is subject to Section 106 of the National Historic Preservation Act. As a follow-up in our continued consultation with the Tonawanda Seneca Nation in the Section 106 Consultation Process for the project, which included the consultation meeting held on March 16, 2016 that you were invited to attend, this letter is to advise you that a Draft Section 106 Finding Document was prepared and submitted to the New York State Historic Preservation Office (SHPO) on May 4, 2016. A copy of this document and the completed Phase 1B Survey report are enclosed for your review and comment.

On May 26, 2016 the Federal Highway Administration (FHWA) received a notice and letter via SHPO's Cultural Resource Information System (CRIS) indicating its concurrence that *"the proposed project will have no adverse effect upon historic resources provided that construction protection plans are put in place for all historic resources within 90 feet of construction"*. Such protection plans are being proposed to be put in place and will be specifically stated in the Design Report/Environmental Assessment. A copy of the concurrence letter from SHPO is also enclosed.

Before FHWA can prepare its final effect determination for this project, we are requesting, as part of your ongoing consultation role in the Section 106 process, your review and any final comment on the Section 106 Finding Documentation, the Phase 1B Survey Report and SHPO's concurrence letter. According to 36 CFR Part 800, Native American Nations, as a Consulting Party, are entitled to a 30 day review period. I will contact you in approximately 15 days to inquire about any forthcoming comments and to

Chief Darwin Hill, Tonawanda Seneca Nation

PIN 5757.91.121

June 10, 2016

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solicit verbal comments. Our intent is to determine if you generally agree or disagree with the finding. The next step would be the public release of the Design Report/Environmental Assessment and the subsequent public hearing.

Please submit any comments via regular mail to my attention; Andrew Brayman, 100 Seneca Street, Buffalo, NY 14203 or via e-mail at Andrew.Brayman@dot.ny.gov. If you have any questions regarding this project or would like additional information, feel free to contact me at (716) 847-3189.

On behalf of NYSDOT, I would like to thank you for your participation in consultation for transportation projects in New York State.

Sincerely,



Andrew G. Brayman
Regional Cultural Resource Coordinator

AGB/lfg

Enclosures: Finding Document, SHPO concurrence letter, and Phase 1B Survey Report

cc: Christine Abrams, Tonawanda Seneca Nation (email w/o encl)
Hans Anker, P.E., Senior Area Engineer, FHWA, NY Division (email w/o encl)
Chris J. Millington, P.E., Acting Area Engineer, FHWA, NY Division (email w/o encl)
Mary Santangelo, Environmental Specialist, NYSDOT, POD 4-1 (email w/o encl)
Ron Hayes, Regional Local Project Liaison, NYSDOT, R-5 (email w/o encl)
Craig Mozrall, P.E., Special Projects Manager, NYSDOT, R-5 (email w/o encl)
Kimberly A. Lorenz, Landscape Architecture/Env. Mngr., NYSDOT, R-5 (w/o encl)
Andy Giarrizzo, Senior Landscape Architect, NYS Parks (email w/o encl)
Paul Tronolone, VP Policy, Planning & Project Development, ESD (email w/o encl)
Thomas Donohue, Senior Project Manager, Parsons (email)



June 10, 2016

Scott Abrams, Director
Tribal Historic Preservation Officer
Seneca Nation of Indians
90 Ohi:Yo' Way
Salamanca, NY 14779

**RE: SECTION 106 NATION CONSULTATION – NIAGARA GORGE CORRIDOR
ROBERT MOSES PARKWAY REMOVAL PROJECT
MAIN STREET TO FINDLAY DRIVE, NIAGARA FALLS
NIAGARA COUNTY, PIN 5757.91.121**

Dear Mr. Abrams:

As indicated in the original invitation letter that was sent to you, dated February 17, 2016, New York State Office of Parks Recreation and Historic Preservation (NYSOPRHP), in partnership with New York State Department of Transportation (NYSDOT), the City of Niagara Falls, USA Niagara Development Corporation (USAN), and New York Power Authority (NYPA), has proposed construction of the above-referenced project which is subject to Section 106 of the National Historic Preservation Act. As a follow-up in our continued consultation with the Seneca Nation of Indians in the Section 106 Consultation Process for the project, which included the consultation meeting held on March 16, 2016 that you were invited to attend, this letter is to advise you that a Draft Section 106 Finding Document was prepared and submitted to the New York State Historic Preservation Office (SHPO) on May 4, 2016. A copy of this document and the completed Phase 1B Survey Report are enclosed for your review and comment.

On May 26, 2016 the Federal Highway Administration (FHWA) received a notice and letter via SHPO's Cultural Resource Information System (CRIS) indicating its concurrence that *"the proposed project will have no adverse effect upon historic resources provided that construction protection plans are put in place for all historic resources within 90 feet of construction"*. Such protection plans are being proposed to be put in place and will be specifically stated in the Design Report/Environmental Assessment. A copy of this concurrence letter from SHPO is also enclosed.

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Scott Abrams, Director
PIN 5757.91.121
June 10, 2016
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solicit verbal comments. Our intent is to determine if you generally agree or disagree with the finding. The next step would be the public release of the Design Report/Environmental Assessment and the subsequent public hearing.

Please submit any comments via regular mail to my attention; Andrew Brayman, 100 Seneca Street, Buffalo, NY 14203 or via e-mail at Andrew.Brayman@dot.ny.gov. If you have any questions regarding this project or would like additional information, feel free to contact me at (716) 847-3189.

On behalf of NYSDOT, I would like to thank you for your participation in consultation for transportation projects in New York State.

Sincerely,



Andrew G. Brayman
Regional Cultural Resource Coordinator

AGB/llg

Enclosures: Finding Document, SHPO concurrence letter, and Phase 1B Survey Report

cc: Jay Toth, Tribal Archaeologist, Seneca Nation of Indians (email w/o encl)
Hans Anker, P.E., Senior Area Engineer, FHWA, NY Division (email w/o encl)
Chris J. Millington, P.E., Acting Area Engineer, FHWA, NY Division (email w/o encl)
Mary Santangelo, Environmental Specialist, NYSDOT, POD 4-1 (email w/o encl)
Ron Hayes, Regional Local Project Liaison, NYSDOT, R-5 (email w/o encl)
Craig Mozrall, P.E., Special Projects Manager, NYSDOT, R-5 (email w/o encl)
Kimberly A. Lorenz, Landscape Architecture/Env. Mngr., NYSDOT, R-5 (w/o encl)
Andy Giarrizzo, Senior Landscape Architect, State Parks (email w/o encl)
Paul Tronolone, VP Policy, Planning & Project Development, ESD (email w/o encl)
Thomas Donohue, Senior Project Manager, Parsons (email)