DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

March 25, 2019

Environmental Analysis Branch

Daniel Mackay
Deputy Commissioner
Office of Parks, Recreation and Historic Preservation
New York State Division for Historic Preservation
Peebles Island State Park
P.O. Box 189
Waterford, NY 12188-0189

Dear Mr. Mackay:

The U.S. Army Corps of Engineers, New York District (District), in partnership with the New York State Department of Environmental Conservation (NYSDEC), has been preparing the draft Hudson River Habitat Restoration (HRHR) Feasibility Study and Environmental Assessment. A report, entitled *Preliminary Historical and Archaeological Assessment for the Hudson River Habitat Restoration Project, Hudson River Basin, New York,* was prepared to identify potential impacts to cultural resources in accordance with NEPA and the National Historic Preservation Act and is enclosed (Enclosure 1). The survey consisted of a review of existing data pertaining to historic and archaeological resources for six restoration sites and an assessment of the potential for adverse effects to cultural resources associated with the recommended restoration measures, or Tentatively Selected Plan (TSP).

The District is recommending restoration measures at five of the six sites that were evaluated in the feasibility study. At this time the District has identified the Area of Potential Effect (APE) for each site and identified any previously documented historic properties that may be impacted by the proposed restoration measures as well as areas that are considered archaeologically sensitive or requiring further investigations. The District has determined that additional investigations will be required at these sites as detailed designs are developed and the APE is better defined to complete a determination of adverse effects to historic properties. To that end the District has elected to develop a Programmatic Agreement (PA) to outline the steps required to carry out the District's remaining Section 106 responsibilities including conducting additional surveys, consulting with interested parties, determining adverse effects, and, if necessary, mitigating for adverse effects (Enclosure 2).

The District invites the New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) to review the report and the draft Programmatic Agreement and provide comments. The PA is to be entered into by the District and the NYSOPRHP. The Advisory Council on Historic Preservation are also being invited to participate in this Agreement. In addition, several federally recognized Native American Tribes with significant cultural heritage in the region have been invited to participate as interested parties. The invited tribes are the St. Regis Mohawk, the Delaware Nation, the Delaware Tribe of Indians and the Stockbridge-Munsee Community. If the NYSOPRHP wishes to add any other groups to the list of interested parties who should participate in this process please include that information with your

comments.

Please review the enclosed report and draft PA and provide Section 106 comments pursuant to 36 CFR 800.5. If you feel it would be beneficial to schedule a meeting amongst the signatories and interested parties, please include that with your comments. The District looks forward to working with you on the HRHR Project. If you or your staff require additional information or have any questions, please contact Carissa Scarpa, Project Archaeologist, at (917) 790-8612 or Carissa.a.scarpa@usace.army.mil.

Sincerely,

Peter M. Weppler
Chief, Environmental Analysis Branch

Enclosures