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

March 25, 2019

Environmental Analysis Branch

Ms. Nekole Alligood
Cultural Preservation Director
Delaware Nation
P.O. Box 825
Anadarko, OK 73005

Dear Ms. Alligood:

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).

As a tribe with significant cultural heritage in the region, the District would like to take this opportunity to invite you to review and comment upon the survey report and draft PA for the HRHR Project. The PA is also being coordinated with the SHPO, Advisory Council on Historic Preservation, Delaware Tribe of Indians, the St. Regis Mohawk, and the Stockbridge-Munsee Community. The draft PA will be available for public review in the project's draft Integrated Feasibility Report and Environmental Assessment, prepared under the National Environmental Policy Act, which will serve as part of the Corps' Section 106 public coordination.

The District invites the Delaware Nation to participate in the PA and the project as a consulting party. Please provide a written response within 30 days to the project archaeologist, Carissa Scarpa by mail (US Army Corps of Engineers, CENAN-PL-EA, 26 Federal Plaza, Room 2151, New York, NY 10278) or by email to Carissa.a.scarpa@usace.army.mil. If you or your

staff require additional information or have any questions, please contact Ms. Scarpa at (917) 790-8612.

Sincerely,

Peter M. Weppler
Chief, Environmental Analysis Branch

Enclosures