

# **I-81 VIADUCT PROJECT**

## **SECTION 6-4-1**

### **HISTORIC AND CULTURAL RESOURCES**

#### **6-4-1.1 SECTION 106 REVIEW**

As a Federally funded project requiring Federal approval, the Project is an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, and its implementing regulation, 36 CFR Part 800. The following subsections describe the steps taken in compliance with Section 106 review and consultation.

##### **6-4-1.1.1 REGULATORY CONTEXT**

Under Section 106, Federal agencies, including the FHWA, are required to take into account the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on such undertakings. A historic property is defined in 36 CFR Part 800.16(l)(1) as any prehistoric or historic district, site, building, structure or object included in, or eligible for inclusion in, the National Register of Historic Places (NRHP) maintained by the Secretary of the Interior. Consultation with the New York State Historic Preservation Officer (SHPO), Federally recognized Native Nations, and other designated Consulting Parties is also required as part of the Section 106 process.

##### **6-4-1.1.2 SECTION 106 PROCESS**

The Section 106 process includes the following steps:

- Initiation with SHPO, Native Nations, and other Consulting Parties;
- The definition of Areas of Potential Effects (APE) for the build alternatives;
- Identification of historic resources in the APE;
- Evaluation of effects on historic properties within the APE;
- Consideration of measures to avoid, minimize, or mitigate adverse effects;
- Documentation of assessment of effects on historic properties; and
- Consultation to avoid, minimize, or mitigate adverse effects.

##### **6-4-1.1.3 INITIATION OF SECTION 106 PROCESS**

FHWA issued a notice in the Federal Register on August 26, 2013, advising the public of the preparation of an EIS and initiating the Section 106 process. In a letter dated June 16, 2014, FHWA invited the ACHP to participate in the process. In a second letter dated April 11, 2016, FHWA repeated the invitation to ACHP to participate. ACHP responded in a letter dated December 22, 2017, notifying FHWA of their intent to participate.

The following meetings took place to initiate the Project:

- June 27, 2014: Project Initiation Field Meeting with SHPO and FHWA;

- June 24, 2015: Meeting with SHPO and FHWA to discuss existing conditions and Section 106 consultation in coordination with NEPA; and
- September 23, 2015: Project Field Meeting.

NYSDOT, on behalf of FHWA, sent a letter initiating Section 106 consultation on June 16, 2014 to the Onondaga Nation, the only Federally recognized Native Nation at that time with an identified interest in the geographical area for this Project. In December 2017, the Tuscarora Nation notified FHWA that Onondaga County is a geographical area of interest for Section 106 consultation. NYSDOT, on behalf of FHWA, sent a letter to the Tuscarora Nation on September 13, 2018 initiating Section 106 consultation for the Project.

Invitations to participate in Section 106 consultation as Consulting Parties were extended to public agencies, preservation groups, and other stakeholders. A public notice, in English and Spanish, was published in local newspapers to advise parties with a demonstrated interest that they could apply for Consulting Party status. Copies of *A Citizen's Guide to Section 106 Review*, published by the ACHP, applications for Consulting Party status, and other information about the Section 106 process were available at the public meetings and Project website. Through these means, parties expressed interest to serve as Consulting Parties.

FHWA and NYSDOT coordinated to identify, approve, and notify interested parties of their status as Section 106 Consulting Parties. In addition to the Onondaga Nation and the Tuscarora Nation, representatives from 16 organizations requested Consulting Party status and were approved by FHWA on November 12, 2014 (see **Appendix E-7**). There have been subsequent requests by individuals and organizations to serve as Consulting Parties, and the requests have been approved by FHWA. The list of Consulting Parties for the Project appears in the Finding Documentation, included in **Appendix E-4** and in **Chapter 9, Agency Coordination and Public Outreach**.

Section 106 Consulting Parties meetings were held in 2016, 2019, and 2021 (see **Chapter 9, Agency Coordination and Public Outreach**). Information presented to the Consulting Parties included the results of the historic and archaeological studies to date. The preliminary study areas were presented to the Consulting Parties, and they had an opportunity to provide information regarding known resources within the study area. Comments provided by the Consulting Parties were considered during the identification and evaluation of historic architectural resources.

### 6-4-1.1.4 IDENTIFICATION OF HISTORIC PROPERTIES

I-81, I-481, and I-690 are exempt from the requirements of Section 106 under a nationwide exemption for the Interstate Highway System, *Section 106 Exemption Regarding Effects on the Interstate Highway System*, issued by ACHP on March 10, 2005. Certain elements identified on the *Final List of Nationally and Exceptionally Significant Features of the Federal Interstate Highway System*, published in the Federal Register on December 19, 2006, are excluded from the Section 106 exemption. Interstate elements on this list continue to be subject to consideration under Section 106. I-81, I-481, and I-690 do not appear on the *Final List of Nationally and Exceptionally Significant Features of the Federal Interstate Highway System*. Therefore, the Section 106 process for the Project is limited to a consideration of the Project's potential effects on other historic properties that are not components of the Interstate Highway System.

### Definition of the Areas of Potential Effects (APE)

The APE for the Project was established by NYSDOT and FHWA in consultation with SHPO, in accordance with 36 CFR §800.4(a)(1), to incorporate “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist.” The APE for the Project is based on the scopes of work for the two build alternatives, the Viaduct Alternative and the Community Grid Alternative, under consideration, and it establishes the geographical scope of efforts for the identification of historic properties as follows:

- Archaeological resources within the APE associated with direct physical effects, and
- Architectural resources within the APE, including both direct and indirect effects.

FHWA and NYSDOT provided documentation illustrating and describing the APE to SHPO on September 6, 2016 (see **Appendix E-1**). In a letter to NYSDOT dated September 27, 2016, SHPO concurred with the APE (see **Appendix E-7**). Based on subsequent refinements to the Project design between September 2016 and May 2021, the APE was revised to extend the boundary for direct and indirect effects in discrete locations, applying the same method used to define the initial APE. The revised APE is described in the Finding Documentation (**Appendix E-4**).

Direct effects on architectural resources include demolition, alteration, or damage to the property from construction. Indirect effects include the introduction of visual, audible, or atmospheric elements that may alter the characteristics of the historic property. As defined in 36 CFR 800.16(i), “Effect means an alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register.” Potential archaeological resources may be affected by construction activities such as excavation, grading, pile driving, cutting and filling, and staging, which result in disturbance to the ground surface.

The APE incorporates potential direct and indirect (visual and auditory) effects associated with the Project’s two build alternatives. The existing topography and building heights have also been taken into consideration in the development of the APE. As distance and obstructions increase, the potential for adverse effects to a resource’s setting due to visual and audible effects decreases. The APE includes areas that would have the most proximate and unobstructed views of the Project site and areas in which proposed Project elements may alter the character or setting of historic properties.

Within the APE, a smaller area representing potential direct effects from physical alterations or ground disturbance associated with the Project has been identified. This area represents the combined limits of disturbance of the two build alternatives, the Viaduct Alternative and the Community Grid Alternative, and includes the area in which construction has the potential to result in direct effects on historic resources.

The Central Study Area is generally a dense, urban environment characterized by buildings of varying height, scale, use, and style; surface streets and parking lots; pedestrian areas, public spaces, and sidewalks; and elevated interstate highway infrastructure (bridges and ramps). The topography of the Central Study Area ranges from relatively flat along the interstate corridors in Downtown Syracuse to more varied topography moving outward into surrounding neighborhoods. The I-481 South, I-481 East, and I-481 North Study Areas are less densely developed, with buildings typically one to three stories in height. The topography of the three outlying study areas is flat to moderately hilly.

The APE is illustrated and described in detail in a Documentation of the APE memorandum (September 6, 2016) submitted to SHPO and previously noted (see **Appendix E-1**). Subsequent updates to the APE are presented in the Finding Documentation (**Appendix E-4**) and in a memorandum dated May 14, 2021 (see **Appendix E-7**). The boundary of the APE is briefly summarized below. The Project has been divided into four areas, the Central Study Area (the largest portion of the Project Area, including Downtown Syracuse) and three outlying areas (the I-481 North, I-481 South, and I-481 East Study Areas<sup>1</sup>) where improvements to I-481, interchange improvements, and noise wall installation would occur.

The APE for the Central Study Area is of variable width and extend approximately four miles, from East Brighton Avenue on the south to the Onondaga Lake Parkway's intersection with the City of Syracuse's municipal boundaries on the north. The Central Study Area APE extends approximately two and one-half miles along I-690, from Hiawatha Boulevard West on the west to roughly one-tenth of a mile beyond Peat Street on the east. An additional non-contiguous segment extends approximately 800 feet along I-690 from South Midler Avenue on the west to Champlin Drive to the east. Three interchange areas that are not contiguous with the Central Study Area described above are the I-481 South Study Area (the I-481/I-81 interchange south of Downtown Syracuse in the Outer Comstock area); the I-481 North Study Area (the I-481/I-81 interchange north of Syracuse in the Town of Cicero) and an area between the I-90/New York State Thruway and Mattydale Circle; and the I-481 East Study Area (Interchange 3 [New York State Routes 5/92] to Interchange 7 [I-90/New York State Thruway] east of Syracuse in and near the Town of DeWitt). The APE for these three study areas include only parcels that are within or adjacent to the Project's limits of disturbance.

### Archaeological Resources

A phased process is being used for the identification and evaluation of archaeological properties, pursuant to 36 CFR §800.4(b)(2), due to the large geographic area encompassed by the APE for direct effects and because a large portion of that area is inaccessible for testing (because it is situated under roads, parking lots, paved surfaces, etc.). A *Phase IA Archaeological Sensitivity Assessment* (Phase IA Report) for the APE was completed in September 2016 (see **Appendix E-3**). The purpose of the Phase IA Report was to determine whether previously identified archaeological resources are located within the APE, and to evaluate the potential for previously unidentified archaeological resources to be located within the APE. The Phase IA Report was conducted in accordance with established standards, including the New York Archaeological Council's (NYAC) *Standards for Cultural Resources Investigations and the Curation of Archaeological Collections in New York State* (NYAC 1994), the New York State Education Department's (NYSED) *Cultural Resources Survey Program Work Scope Specifications for Cultural Resources Investigations on New York State Department of Transportation Projects* (NYSED 2004), and the New York State Office of Parks, Recreation, and Historic Preservation's (NYSOPRHP) *Phase I Archaeological Report Format Requirements* (NYSOPRHP 2005). Per these standards and guidelines, the Phase IA Report relies on background data and historical information specific to the Project setting to assess the likelihood that archaeological resources are located in the APE. This includes detailed historic context narratives for the long period of Pre-Contact Native American settlement and use of the APE and vicinity, as well as descriptions of the settlement and development of the APE during

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<sup>1</sup> The APE is described in Section 106 documentation as the North, the South, and the East Study Areas.

the historic-period. This site-specific historic context provides a foundation for the Section 106 evaluation of the potential for archaeological resources. The Phase IA Report also includes documentation of the horizontal and vertical extent of prior ground disturbance within the APE, which affects the integrity of potential archaeological resources.

The archaeological sensitivity assessment in the Phase IA Report describes the potential for archaeological sites to be located within the APE based on analysis of the following information:

- The environmental setting, geology, and soils within the APE and vicinity;
- Existing conditions within the APE, based on reconnaissance-level site visits and illustrated with representative photographs;
- The locations of previously identified archaeological sites located within and adjacent to the APE;
- The results of previous archaeological surveys and investigations within and adjacent to the APE; and
- Previous ground disturbance within the APE.

There are 14 previously-recorded archaeological sites within or adjacent to the APE for direct effects. These include eight historic-period sites and six Pre-contact Native American sites.

As documented in the Phase IA Report, the APE is within a very developed urban area with a complex history of prior ground disturbance that will affect the integrity of potential archaeological resources. Examples of previous ground disturbance within the APE for direct effects include land filling activities associated with nineteenth-century urban development in the City of Syracuse; demolition and construction associated with mid-twentieth-century highway construction; disturbance associated with construction, expansion, or modification of buildings; areas of cut and fill associated with road and highway construction; and installation of underground utilities. The Phase IA Report documents the extent of previous ground disturbance within the APE. The analysis includes consideration of mapped soils, buried utilities, demolished structures (as determined by geo-referencing historic maps and NYSDOT demolition/construction plans), Geographic Information System (GIS) analysis of 995 soil borings to estimate depth of fill/disturbed soils within the APEs, identification of highway cut-and-fill embankment areas based on review of NYSDOT demolition and construction plans, aerial imagery (including oblique views and historical imagery), and field reconnaissance/confirmation.

Based on these data sources, the Phase IA Report includes an evaluation of the potential for the following types of archaeological resources to be located within the APE:

- Pre-contact Native American Archaeological Sensitivity
- Historic-Period Archaeological Sensitivity:
  - Contact and Colonial Period Native American Archaeological Sensitivity;
  - Erie and Oswego Canal-related Archaeological Sensitivity;
  - Potential for Large-scale Commercial, Industrial, and Institutional Archaeological Sites;
  - Potential for Residential and Small-scale Commercial Archaeological Sites; and
  - Military Sites Archaeological Sensitivity.

- Potential for Human Remains and Cemeteries:
  - Potential for Native American Human Remains; and
  - Cemeteries.

The extent of previous disturbance in many areas within the APE for direct effects limits the potential for presence of archaeological resources that retain physical and contextual integrity. Potential Native American archaeological sites within the APE would necessarily pre-date the extensive filling and engineering of the landscape that took place as part of the development of the City of Syracuse throughout the nineteenth and twentieth centuries. Therefore, potential Native American archaeological sites are anticipated to be located only in areas with undisturbed soils. Potential historic-period archaeological resources in the APE includes sites and features related to the Erie and Oswego Canals; large-scale commercial, industrial, and institutional sites; residential and small-scale commercial sites; and military sites (although none of the latter are known to be located within the APE). As described in the Phase IA Report, approximately 19.1 acres within the APE for direct effects is undisturbed, or disturbance cannot be documented, and therefore potentially sensitive for Native American archaeological resources. There is a potential for historic-period archaeological resources to be located throughout portions of the APE for direct effects; however, the APE is mostly within a heavily disturbed highway corridor.

Based on the results of the research conducted as part of the Phase IA assessment and through consultation with the Onondaga Nation, there is a potential for human remains to be located (or to be formerly located) within the APE. Historical accounts described Native American human remains that were disturbed during nineteenth-century construction activities in one location within the APE. In addition, one historic-period cemetery, the Oakwood Cemetery, listed in the NRHP, is located within the APE, and two historic-period cemeteries, Old St. Mary's Cemetery and House Family Cemetery, are located adjacent to, but outside of, the APE. The Project would not disturb any of these three cemeteries.

The Phase IA assessment was completed in consultation with SHPO and the Onondaga Nation, and the Phase IA Report was provided to SHPO and the Onondaga Nation in advance of developing a scope of work for the Phase IB archaeological survey. SHPO concurred with the recommendation for Phase IB testing in a letter dated September 22, 2016 (see **Appendix E-7**).

The *Phase IB Archaeological Survey Work Plan* (Phase IB Work Plan) (see **Appendix E-5**) was developed in accordance with established standards for Phase IB archaeological surveys, in consultation with SHPO and the Onondaga Nation. The Phase IB Work Plan describes methodologies for field investigations to identify archaeological resources within the Project's APE, in accordance with 36 CFR Part 800.4(b). The Phase IB Work Plan outlines field methods for the Phase IB archaeological survey for the Project to include shovel testing, machine-aided excavation, and archaeological monitoring during construction.

A draft of the Phase IB Work Plan was circulated to SHPO, FHWA, and the Onondaga Nation for review and comment in June 2017. Comments on the draft Phase IB Work Plan were received from SHPO and the Onondaga Nation and incorporated into the final Phase IB Work Plan that was re-circulated to the above-listed parties in October 2017. The Phase IB Work Plan is summarized below. The schedule and timing of the Phase IB archaeological field investigations, particularly in areas where the removal of pavement and other machine-aided testing will be necessary, was and will continue to

be coordinated to minimize multiple episodes of soil disturbance and disruption of existing land uses. It is anticipated that archaeological monitoring during construction would be restricted to those areas where removal of pavement in advance of construction is not feasible (such as within active roadways). The Phase IB archaeological investigations would be carried out prior to the start of construction, to the extent possible, in those areas where shovel testing and machine-aided excavation are proposed:

- Phase IB archaeological investigations to date have consisted of the excavation of shovel tests in unpaved areas and/or areas where considerable fill deposits are not documented or anticipated (see further discussion below).
- Mechanized excavation/machine-aided archaeological testing would be employed in a representative sample of paved and/or previously disturbed areas where the proposed depth of construction activities is anticipated to be greater than 2 feet (61 cm) below existing grade or otherwise involve large amounts of ground disturbance. This work would be carried out in advance of the Project's construction activities, to the extent possible.
- Archaeological monitoring during construction would be employed in existing public roadways where the proposed depth of construction activities is anticipated to be greater than 2 feet (61 cm) below existing grade or otherwise involve large amounts of ground disturbance, and where there is a potential for important archaeological resources to be located (e.g., Erie and Oswego Canal resources).

The *Phase IB Archaeological Survey: Shovel Testing* (Phase IB Survey) report for portions of the APE was completed in July 2019 and updated in September 2020. The methodology used during the shovel testing portion of the Phase IB archaeological survey was consistent with the approved Phase IB Work Plan. The survey included pedestrian reconnaissance inspection of 90 acres within the APE and the excavation of 437 shovel tests in unpaved areas and areas where considerable fill deposits were not present. As a result of the Phase IB archaeological survey, the following two archaeological sites within the APE – the Britton Lime Kiln Site and the Crouse Road Site—were identified.

- The Britton Lime Kiln Site, which consists of the remains of a late-nineteenth/early-twentieth-century lime works and associated infrastructure. The Britton Lime Works Site represents very limited remains of a lime works that is also similar to others in the region. Due to its diminished integrity, the site has no potential to yield important information about the lime and natural cement industry in Onondaga County and therefore was determined not eligible for listing on the NRHP.
- The Crouse Road Site consists of twentieth-century artifacts (for the most part, glass bottle fragments) recovered from disturbed soils in the location of a commercial building that was built between 1951 and 1957 and demolished during construction of the I-481/I-690 interchange during the late 1960s/early 1970s. The site has no potential to yield important information about local history or archaeology and was determined not eligible for listing on the NRHP.

The identification of archaeological resources will continue to be carried out through the implementation of the approved Phase IB Work Plan (see **Appendix E-5**), in consultation with SHPO, the Onondaga Nation, and the Tuscarora Nation.

### Architectural Resources

Architectural resources in the APE were identified in consultation with SHPO and other Consulting Parties and documented in the *Architectural Resources Survey: I-81 Viaduct Project* (Architectural Resources Survey) in 2016, prepared in accordance with NYSED's *Cultural Resources Survey Program Work Scope Specifications for Cultural Resources Investigations on New York State Department of Transportation Projects* (NYSED, 2004). The Architectural Resources Survey is included in **Appendix E-2**. Information on properties previously evaluated for NRHP eligibility was collected from the SHPO online Cultural Resource Information Systems (CRIS) database. Properties that were previously determined eligible, not eligible, or listed in the NRHP were compiled, tabulated, and mapped. Comments and information provided by Consulting Parties were considered as part of the identification of architectural resources.

Subsequent to the inventory of previously evaluated properties, architectural historians meeting the National Park Service (NPS) Professional Qualification Standards for Architectural History (36 CFR Part 61) conducted field surveys within the APE to inventory and evaluate previously unevaluated properties over 50 years in age. Properties 50 years old and older in the APE were photographed and evaluated for the NRHP according to the Criteria for Evaluation, which are found in 36 CFR Part 60.4. Information collected during the field survey was supplemented by research, including consultation with local historical societies, local libraries, municipal historians, and historic preservation organizations to gather data on historic resources in the APE. Properties currently designated as City of Syracuse Landmarks and properties determined eligible for such listing were inventoried for reference only. Research was conducted at multiple repositories in Syracuse as well as online.

NYSDOT consulted with SHPO for review of the documents prepared as part of the evaluation of architectural resources and to finalize the identification of historic resources. The Architectural Resources Survey (**Appendix E-2**) was sent to SHPO in September 2016 with additional consultation occurring on November 21, 2016, December 7, 2016, and December 21, 2016 (**Appendix E-7**). Since 2016, the evaluation of historic resources has been updated to incorporate proposed project modifications and refinements, updated information from the SHPO CRIS, and changes in existing conditions. In September 2020, these changes were summarized in the *Architectural Resources Survey Addendum: I-81 Viaduct Project* (Architectural Resources Survey Addendum); see **Appendix E-2**. The Addendum was sent to SHPO in October 2020. The final list of NRHP-listed and eligible properties identified in the APE are documented in the Updated Building Eligibility Assessment Table found in Appendix C of the Finding Documentation (see **Appendix E-4**).

Four historic districts and 96 individually NRHP-listed or eligible properties are located within the APE. Information regarding these architectural resources is provided in the Architectural Resources Survey and the Architectural Resources Survey Addendum (**Appendix E-2**) and summarized in the Finding Documentation (**Appendix E-4**). The locations of the properties are also identified in Figure 2a-h of Appendix A of the Finding Documentation (**Appendix E-4**).



#### 6-4-1.1.5 EVALUATION OF EFFECTS

##### **Architectural Resources**

As noted above, four historic districts and 96 individually NRHP-listed or eligible properties are located within the APE. The Viaduct Alternative would cause adverse effects on identified historic properties due to the proposed removal and demolition of NRHP-listed and eligible buildings. The Community Grid Alternative would avoid adverse effects on historic architectural properties. The assessment of effects is documented in the Finding Documentation (see **Appendix E-4**).

There have been multiple refinements of the Viaduct Alternative as the Project has progressed in an effort to minimize effects on known historic properties. Based on the design and assessments prepared in 2016, approximately 20 historic resources would have been demolished under Option V-2. Subsequent design modifications to avoid architectural resources resulted in the development of Option V-4 and reduced the projected number of demolitions of historic buildings to approximately 12, and that number has currently been further reduced to 11 historic buildings (9 individual historic properties and two buildings that contribute to one historic district, for a total of 10 historic properties) for the current Viaduct Alternative. Refer to **Chapter 3, Alternatives** for more information about design refinements during alternatives development.

Despite the efforts to minimize effects on historic architectural properties, under the Viaduct Alternative adverse effects would result from the proposed demolition and removal of 11 historic buildings (10 historic properties). Therefore, there would be an adverse effect to 10 historic properties (9 individual properties and one historic district) under the Viaduct Alternative. These properties are listed below (building numbers provided correspond to Figure 2 of Appendix A of the Finding Documentation (see **Appendix E-4**):

- The North Salina Street Historic District (HD-2). Two contributing resources, the Britton Block at 319-325 North Salina Street (Building 90) and the Learbury Centre at 329 North Salina Street (Building 91), would be removed;
- The New York Central Railroad Passenger & Freight Station complex at 400 Burnet Avenue and 515 Erie Boulevard East (Building 11) would be directly affected by the removal of the freight station, one of the buildings that contributes to the complex, and impacts to the upper portions of the freight tunnel;
- The Veteran's Fastener Supply Corp. building at 117 Butternut Street (Building 15) would be removed;
- Smith Restaurant Supply at 500 Erie Boulevard (Building 24) would be removed;
- Reid Hall at 610 Fayette Street East (Building 30) would be removed;
- Peck Hall at 309 McBride Street (Building 36) would be removed;
- The Syracuse Herald Building at 212 Herald Place (Building 45) would be removed;
- 471-81 Oswego Boulevard (aka 1 Webster's Landing or VIP Structures) (Building 52) would be removed;

- Wag Foods at 909 North State Street (Building 72) would be removed; and
- 123-129 Willow Street East (the Howard & Jennings Pump Factory) (Building 88) would be removed.

In addition to the removal of the 11 buildings (10 historic properties), there would be minor acquisitions of land from 4 historic properties under the Viaduct Alternative. For these properties, the Viaduct Alternative would cause no adverse effects since there would be no changes to the contributing features that qualify these properties for the NRHP.

There have been multiple versions of the Community Grid Alternative as the Project has progressed. Based on the design and assessments prepared in 2016, approximately three historic buildings (one individually NRHP-eligible historic property and two buildings that contribute to a historic district) would have been adversely affected by the Project under Option CG-1, which was dismissed from further consideration. Option CG-2, which was also under consideration at that time, would result in the removal of two historic buildings (one individually NRHP-eligible historic property and one building that contributes to a historic district). Ultimately, Option CG-2 was advanced as the Community Grid Alternative. Subsequent refinements to the Community Grid Alternative (Option CG-2), would reduce the projected number of adverse effects on historic properties to zero.

As a result of efforts to minimize effects on historic architectural properties within the APE under the Community Grid Alternative, no historic buildings would be removed and changes are limited to minor acquisitions of land from 12 historic properties. For these properties, the Community Grid would cause no adverse effects since there would be no changes to the contributing features that qualify these properties for the NRHP.

In a letter dated March 4, 2021 (**Appendix E-7**), the SHPO concurred that the Viaduct Alternative would have an adverse effect on historic resources and that the Community Grid Alternative, which requires no historic building demolition, would not adversely affect historic above-ground resources. FHWA, in a letter dated April 23, 2021 (**Appendix E-7**), concurred with known effects on historic architectural properties, based on the provided documentation and consultation with the SHPO.

### **Archaeological Resources**

In accordance with 36 CFR §800.5(a)(3), a phased process is being used to evaluate the Project's effects on NRHP-eligible archaeological sites, consistent with the phased identification and evaluation efforts (36 CFR §800.4(b)(2)). The initial stage of archaeological field investigations, consisting of shovel testing conducted in accordance with the Phase IB Work Plan, has been completed. As determined in consultation with SHPO, the Onondaga Nation, and the Tuscarora Nation, no NRHP-eligible archaeological sites have been identified as a result of shovel testing within the APE, and there are no known effects on archaeological sites to date.

Additional archaeological investigations will be carried out as the Project progresses, implementing the remainder of the Phase IB Work Plan for machine-aided excavation in areas of identified sensitivity currently inaccessible for testing, and through archaeological monitoring during construction. Any archaeological resource identified through this process would be subject to consultation among FHWA, SHPO, the Onondaga Nation, the Tuscarora Nation, and NYSDOT to evaluate the resource

and consider measures to avoid, minimize or mitigate adverse effects to each identified NRHP-eligible archaeological site.

As a result of this phased process for archaeological resources, the Project's effects on historic properties cannot be fully determined at this time. The final identification and evaluation of historic properties will be deferred as provided for in a Programmatic Agreement (PA), developed pursuant to 36 CFR §800.14(b)(1)(ii) (see **Appendix E-6**). The PA stipulates procedures to ensure that archaeological investigations are completed in accordance with the approved Phase IB Work Plan. In addition, the PA outlines procedures for consultation among FHWA, SHPO, the Onondaga Nation, the Tuscarora Nation, and NYSDOT to avoid, minimize, or mitigate any adverse effects on archaeological properties. The Section 106 process for the Project will be deemed completed upon concurrence of the FHWA with a written notification from the NYSDOT that all stipulations in the executed PA have been completed.

### **6-4-1.2 NO BUILD ALTERNATIVE**

The No Build Alternative would not affect historic resources as no Project-related disturbances or property acquisitions would occur.

### **6-4-1.3 ENVIRONMENTAL CONSEQUENCES OF THE VIADUCT ALTERNATIVE**

The effects discussed in the sections that follow were identified as part of the Section 106 process described above and are not in addition to the information presented above. The Viaduct Alternative would cause adverse effects on 10 historic properties.

#### **6-4-1.3.1 PERMANENT/OPERATIONAL EFFECTS**

Construction of the Viaduct Alternative would involve ground disturbance, which has the potential to disturb archaeological resources. The presence or absence of archaeological resources within the APE would be determined through Phase IB testing and additional field investigations as needed to evaluate NRHP eligibility in consultation with SHPO, the Onondaga Nation, and the Tuscarora Nations (for Native American sites). If eligible sites are identified, FHWA in coordination with NYSDOT would carry out consultation with SHPO, the Onondaga Nation, and the Tuscarora Nation to consider measures that would avoid, minimize, or mitigate adverse effects on the integrity of the archaeological property.

The Viaduct Alternative would result in the demolition of 24 buildings that would need to be acquired for the construction of the Viaduct Alternative. Eleven (11) of the buildings that would be removed under the Viaduct Alternative are historic buildings. Nine of these are individually NRHP-listed or eligible for NRHP-listing and two contribute to a historic district. As such, the Viaduct Alternative would cause adverse effects on historic resources.

#### **6-4-1.3.2 CONSTRUCTION EFFECTS**

Some historic properties would be subject to temporary construction easements, typically along property edges, for construction staging or sidewalk reconstruction. Construction activities, including those requiring temporary easements, would not directly impact historic buildings or other contributing features of architectural properties and would cause no adverse effects. Changes in traffic and noise during construction (see **Chapter 5, Transportation and Engineering Considerations**,

and Section 6-4-6, Noise) would not alter the characteristics of the historic properties that qualify them for the NRHP.

As stipulated in the Project's measures to minimize or otherwise mitigate construction effects (see Table 4-7) and in accordance with standard construction management practices, measures would be implemented to protect adjacent properties from vibration, excavation, and potential damage from heavy equipment.

### 6-4-1.3.3 INDIRECT EFFECTS

As discussed in the Finding Documentation (see Appendix E-4), the Viaduct Alternative would result in changes of varying magnitude to the setting of historic architectural resources within the APE, but these changes would not alter the qualifying characteristics of these properties. In many cases, the setting of historic properties within the APE would be changed by proposed Project elements under the Viaduct Alternative, such as the reconstruction of the I-690 and I-81 viaducts at higher elevations, reconstruction of bridges, and construction or alteration of ramps. However, in general, the existing setting of the historic properties already includes proximate views of comparable transportation infrastructure. Thus, the Viaduct Alternative would not result in adverse indirect effects on historic resources.

### 6-4-1.3.4 CUMULATIVE EFFECTS

The initial construction of the existing highway viaducts in the APE in the middle of the twentieth century resulted in the demolition of numerous buildings and divisions and changes in the character of many of the neighborhoods in the APE. As described in Section 6-2-1, **Neighborhood Character**, a number of developments are planned or ongoing in the vicinity of the APE. The majority of planned developments within the Central Study Area are residential and mixed use residential structures located in two clusters—Downtown and University Hill—several blocks from the elevated highways. This pattern is likely to continue given existing market demand for pedestrian-oriented, mixed-use neighborhoods. None of the known concurrent or planned developments would result in substantial changes to historic districts or individual historic properties in the APE for this Project. Historic preservation regulations require agencies to consider the effects of their undertakings on cultural resources. Under the Viaduct Alternative, elevated highway infrastructure would continue to impede views and noise would continue.

The Viaduct Alternative would have an adverse effect on the North Salina Street Historic District due to the proposed demolition of two contributing properties within that historic district and would adversely affect other historic properties in the Central Study Area. The loss of historic fabric that would result from the Viaduct Alternative would affect the historic character of the urban core to some extent. Because none of the planned or concurrent projects would result in additional substantial changes to historic properties within the APE for this project or to their setting, there would not be an adverse cumulative effect as a result of the Viaduct Alternative.

### 6-4-1.3.5 MITIGATION

NYSDOT has worked to minimize and avoid adverse effects on architectural resources through the continual examination of design requirements and refinements to roadway alignments. Alignment

curves were tightened and non-standard highway features were justified within allowable parameters, given speed requirements, to reduce the roadway right-of-way impact. In addition, efforts were made to further reduce impacts to historic properties by shifting the alternatives' alignments (i.e., moving them farther east or west or farther north or south); however, given the proximity of the proposed right-of-way to historic resources, shifting the alignments would not fully avoid impacts to historic resources.

The Viaduct Alternative option with the alignment that caused the fewest effects to historic resources was carried forward as the Viaduct Alternative, and the other two options were dismissed from further consideration. As such, NYSDOT was able to reduce the number of historic properties that would be adversely affected through removal and demolition under the Viaduct Alternative from 20 to 10; refer to **Chapter 3, Alternatives** for more information about design refinements during alternatives development.

With respect to archaeological resources, as described in the Finding Documentation (see **Appendix E-4**), the identification, avoidance, minimization of impacts, and/or mitigation of impacts to archaeological resources would continue under a phased approach prior to the initiation of construction for the Project. Implementation of the approved Phase IB Work Plan (see **Appendix E-5**) was initiated in November 2017 and will continue through the Project's construction phase.

Despite known adverse effects on architectural resources, the Project's effects on historic properties cannot be fully determined at this time. A PA has been developed for the Project pursuant to 36 CFR §800.14(b)(1)(ii), which stipulates procedures to ensure that archaeological investigations are completed in accordance with the approved Phase IB Work Plan. **Appendix E-6** contains the finalized PA for the Project, which is being circulated for signatures and subsequent execution. In addition, the PA outlines procedures for consultation among FHWA, SHPO, the Onondaga Nation, the Tuscarora Nation, and NYSDOT to evaluate archaeological resources and to seek measures to avoid, minimize, or mitigate any adverse effects on National Register eligible archaeological properties through this process. The PA was developed for the preferred alternative for the Project, which is the Community Grid Alternative (see **Section 6-4-1.4.5**). In the event that the Viaduct Alternative is selected, NYSDOT would develop an agreement through consultation with FHWA, SHPO, the Onondaga Nation, the Tuscarora Nation, and Consulting Parties that is specific to the Viaduct Alternative. This agreement would include mitigation measures to resolve known adverse effects on National Register listed and eligible architectural properties and outline procedures for consultation among FHWA, SHPO, the Onondaga Nation, the Tuscarora Nation, and NYSDOT to evaluate archaeological resources and seek measures to avoid, minimize, or mitigate any adverse effects on National Register eligible archaeological properties. The Section 106 process for the Project will be deemed complete upon concurrence from the FHWA with a written notification from NYSDOT that all stipulations in the executed agreement have been completed.

#### **6-4-1.4 ENVIRONMENTAL CONSEQUENCES OF THE COMMUNITY GRID ALTERNATIVE**

##### **6-4-1.4.1 PERMANENT/OPERATIONAL EFFECTS**

Construction of the Community Grid Alternative would involve ground disturbance, which has the potential to disturb archaeological resources. The presence or absence of archaeological resources would be determined through Phase IB testing and additional field investigations as needed to evaluate NRHP eligibility in consultation with SHPO, the Onondaga Nation, and the Tuscarora Nation (for Native American sites). If eligible sites are identified, FHWA in coordination with NYSDOT would carry out consultation with SHPO, the Onondaga Nation, and the Tuscarora Nation to consider measures that would avoid, minimize, or mitigate adverse effects on the archaeological property.

The Community Grid Alternative would avoid removal and demolition of historic properties, and therefore, would cause no adverse effects on identified historic properties.

##### **6-4-1.4.2 CONSTRUCTION EFFECTS**

Some historic properties would be subject to temporary construction easements, typically along property edges, for construction staging or sidewalk reconstruction. Construction activities, including those requiring temporary easements, would not directly impact historic buildings or contributing features of historic properties and would cause no adverse effects. Changes in traffic and noise under the Community Grid Alternative (see **Chapter 5, Transportation and Engineering Considerations, and Section 6-4-6, Noise**) would not alter the characteristics of the historic properties that qualify them for the NRHP.

As stipulated in the Project's measures to minimize or otherwise mitigate effects (see **Table 4-7**) and in accordance with standard construction management practices, measures would be implemented to protect adjacent properties from vibration, excavation, and potential damage from heavy equipment.

##### **6-4-1.4.3 INDIRECT EFFECTS**

As discussed in the Finding Documentation (see **Appendix E-4**), the Community Grid Alternative would result in changes of varying magnitude to the setting of historic architectural resources within the APE, but these changes would not alter the NRHP-qualifying characteristics of these properties. In many cases, the setting of historic properties within the APE would be changed by proposed Project elements under the Community Grid Alternative, such as the reconstruction of the I-690 at a higher elevation, reconstruction of bridges, and construction or alteration of ramps. However, in general, the existing setting of the historic properties already includes proximate views of comparable transportation infrastructure. Thus, the Community Grid Alternative would result in no adverse indirect effects on historic resources, and, in some cases, the Community Grid Alternative would have a beneficial effect by removing the existing I-81 viaduct from the setting.

##### **6-4-1.4.4 CUMULATIVE EFFECTS**

The initial construction of the existing highway viaducts in the APE in the middle of the twentieth century resulted in the demolition of numerous buildings and divisions and changes in the character of many of the neighborhoods in the APE. As described in **6-2-1, Neighborhood Character**, a number of developments are planned or ongoing in the vicinity of the APE. None of the known

concurrent or planned developments would result in substantial changes to historic districts or individual historic properties in the APE. The majority of planned developments within the Central Study Area are residential and mixed use residential structures located in two clusters—Downtown and University Hill—several blocks from the elevated highways. This pattern is likely to continue given existing market demand is for pedestrian-oriented, mixed-use neighborhoods. None of the known concurrent or planned developments would result in substantial changes to historic districts or individual historic properties in the APE.

The removal of the viaduct and associated local street improvements would reestablish street patterns that existed before the highway was built. Therefore, the Community Grid Alternative would have a beneficial effect on historic resources by improving connections between existing neighborhoods with historic patterns of development and associations.

### 6-4-1.4.5 MITIGATION

NYSDOT has worked to minimize and avoid adverse effects on architectural resources through the continual examination of design requirements and refinements to roadway alignments. As a result, the Community Grid Alternative would cause no adverse effects on historic architectural resources.

As described in the Finding Documentation (see **Appendix E-4**), the identification, avoidance, minimization of impacts, and/or mitigation of impacts to archaeological resources would continue under a phased approach prior to the initiation of construction activities for the Project. Implementation of the approved Phase IB Work Plan (see **Appendix E-5**) was initiated in November 2017 and is expected to continue through the Project's construction phase.

Since the Community Grid would cause no adverse effects on historic architectural resources and because the Project's effect on historic resources cannot be fully determined at this time, the final identification and evaluation of historic properties would be deferred as provided in a PA (see **Appendix E-6**). The PA stipulates procedures to ensure that archaeological investigations are completed in accordance with the approved Phase IB Work Plan. In addition, the PA outlines procedures for consultation among FHWA, SHPO, the Onondaga Nation, the Tuscarora Nation, and NYSDOT to avoid, minimize, or mitigate any adverse effects on archaeological properties. The Section 106 process for the Project will be deemed completed upon concurrence of the FHWA with a written notification from the NYSDOT that all stipulations in the executed PA have been completed.

## I-81 VIADUCT PROJECT

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