Section 4.6
Historic and Cultural Resources

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Acronyms and Abbreviations

APE ..... Area of Potential Effects
BRT ..... Bus Rapid Transit
CRIS ..... Cultural Resource Information System
EIS ..... Environmental Impact Statement
FTA ..... Federal Transit Administration
LRT ..... Light Rail Transit
Metro ..... Niagara Frontier Transit Metro System, Inc.
Metro Rail ..... Metro Light Rail Transit System
NFTA ..... Niagara Frontier Transportation Authority
NRHP ..... National Register of Historic Places
Project ..... Buffalo-Amherst-Tonawanda Corridor Transit Expansion
SHPO ..... State Historic Preservation Office
TSP ..... Transit Signal Priority
UB ..... University at Buffalo

4.6 HISTORIC AND CULTURAL RESOURCES

This section describes the effects of the Project on built historic properties and archaeological resources. Built historic properties include historic districts, sites, buildings, structures, and objects that are listed in or eligible for listing in the National Register of Historic Places (NRHP). Quantitative data documenting the presence of historic properties that are listed in or eligible for listing in the NRHP, along with assessments of the Build Alternatives' effects to these historic properties, are provided here within. Data documenting the presence of archaeological resources and an assessment of the Build Alternatives' effects to these archaeological resources are also provided within this section.

Appendix F1, "Historic and Cultural Resources Supplemental Information", Appendix F2, "Historic Resources Report", and Appendix F3, "Historic Effects Assessment," presents additional information regarding the effects assessment for built resources. Table 4.6-1 summarizes the historic properties and archaeological resources effects findings related to the Project.

Table 4.6-1. Built Historic Properties and Archaeological Resources – Effects Summary

Alternative	Built Historic Properties	Archaeological Resources
No Build Alternative	No effects	No effects
LRT Build Alternative	No adverse effects	Findings of Phase 1B Archeological Field Investigation will be included within the Final EIS
BRT Build Alternative	No adverse effects	Findings of Phase 1B Archeological Field Investigation will be included within the Final EIS

4.6.1 No Build Alternative

The No Build Alternative would maintain the roadway network and Metro Rail system in its existing configuration. The No Build Alternative assumes no improvements within Project corridor besides those planned by others or implemented as part of routine maintenance. Any historic properties located within the area of potential effects (APE) would remain in place and would not be affected by the No Build Alternative. Therefore, the No Build Alternative would have no effects on historic or archaeological resources.

4.6.2 Build Alternatives

Potential adverse effects on cultural resources as a result of constructing and operating the Project are assessed through application of the Criteria of Adverse Effect found in the Section 106 regulations at 36 C.F.R. § 800.5. Under this section, a Project's effects are analyzed to determine whether they could change the characteristics that qualify a property for inclusion in the NRHP.

The *Built Historic Properties Assessment of Effects Report* was submitted to SHPO in June 2023. On July 5, 2023, SHPO provided comments on the report and requested additional information detailing the proposed work, particularly in the vicinity of Lincoln Park Village and University Park Historic District. As documented in Appendix F7, "Section 106 Documentation," on August 16, 2023, individuals from NFTA and the project team held a virtual meeting with a SHPO representative to discuss SHPO's July 5 letter and provide further Project details. NFTA submitted a memorandum to SHPO with the requested information on November 7, 2023. In a response letter dated January 25, 2024, SHPO stated it had no further architectural concerns but requested a Phase IB archaeological testing plan; SHPO did not concur with a recommendation for archaeological monitoring under construction or a proposed conditional No Adverse Effect pending the result of archaeological investigations.

A Phase IB investigation and its findings will be included within the Final EIS. Phase IB will include additional research, including location-specific analyses and a review of geotechnical soil boring logs and utility surveys, to understand the specific effects of past development and local conditions on the likelihood of site preservation in the four areas of archaeological potential. Phase IB fieldwork will include subsurface testing to determine the presence or absence of archaeological resources in these areas. If archeological resources are identified during the Phase IB, a Phase II would be required to determine whether any identified resources meet the NRHP eligibility criteria. A Phase IB work plan was sent to SHPO in May 2024. On June 26, 2024, SHPO responded that they reviewed the archaeological work plan and support the Phase IB testing strategies outlined in the work plan (Appendix F5, "Archaeological Testing Work Plan"). See Appendix F7, "Section 106 Documentation" for correspondence from SHPO.

4.6.2.1 Built Resources

LRT BUILD ALTERNATIVE

The LRT Build Alternative would travel from the existing University Station underground in two independent track tunnels that would use the existing tail track and tunnel segments located at University Station. The tunnels would travel northeast beneath an existing UB South Campus Faculty & Staff Parking Lot outside the UB South Campus historic property boundary before turning north and west to cross Main Street and travel within the existing right-of-way of Kenmore Avenue at a depth of 35 feet, passing outside the Capen Boulevard Historic District and University Park Historic District boundaries. At the intersection of Kenmore Avenue and Niagara Falls Boulevard, the tunnels would turn and surface through a portal just north of Kenilworth Avenue approximately 1,100 feet north of the University Park Historic District. While tunnel construction would utilize mechanical tunnel boring beneath UB South Campus, along Kenmore Avenue and Niagara Falls Boulevard, the tunnels would be built using a cut-and-cover construction. Following this temporary construction work, the street would be restored, and the tunnel would not be visible.

The alignment would then continue at-grade in a median-dedicated alignment with an overhead catenary system along Niagara Falls Boulevard. Decatur Station would be located north of the Decatur Road-Niagara Falls Boulevard intersection and include a platform located east of

Lincoln Park Village. Residences along Niagara Falls Boulevard and within Lincoln Park Village would face the new station; however, the roadway has long been used as a transportation corridor and currently features a bus route with numerous stops, including one at Decatur Road. Minor property acquisition is anticipated to facilitate construction of the station and realign travel and turning lanes on Niagara Falls Boulevard; sidewalks and landscaping would be restored following construction.

Moving north, the alignment passes outside of, and is not visible from areas within, the historic property boundary of Marvin Gardens. A platform would be located north of Treadwell Road before the alignment turns east onto Maple Road. Minor right-of-way acquisition would be required at two parcels within Marvin Gardens for intersection improvements at Brighton Road and Niagara Falls Boulevard. From there, the alignment moves east within the median of Maple Road, turns northeast along Sweet Home Road and east to enter the UB North Campus, which was developed in the 1970s with an NFTA line included as part of its master plan. Three platforms would be located within the UB North Campus historic property boundary. The alignment then turns northeast and north to run along John James Audubon Parkway.

LRT Build Alternative Summary

Following an assessment of Project effects on historic properties under the LRT Build Alternative, the Project would result in no effects on UB South Campus, Edmund B. Hayes Hall, University Presbyterian Church, Charles and Rose Waldow House, and University Court Apartments, and no adverse effects on University Park Historic District, Capen Boulevard Historic District, Lincoln Park Village, Marvin Gardens, and UB North Campus. Thus, the LRT Build Alternative would result in a finding of No Adverse Effects. SHPO concurred with the Project's no adverse effects finding for built historic properties; no mitigation for built historic properties is required. Table 4.6-2 summarizes the effects of the LRT Build Alternative on historic properties. Refer to Appendix F3, "Historic Effects Assessment," for detailed information regarding the LRT Build Alternative's effects assessment.

Table 4.6-2. Summary of LRT Build Alternative Effects on Built Historic Properties

Property Name	LRT Build Alternative	Effects
University at Buffalo South Campus	Underground tunnels would not alter any of the characteristics or diminish the integrity of UB South Campus.	No Adverse Effects
Edmund B. Hayes Hall	Underground tunnels would not alter any of the characteristics or diminish the integrity of Edmund B. Hayes Hall.	No Adverse Effects
University Presbyterian Church	The LRT Build Alternative does not affect this property. LRT alignment is in an area currently used for transit and is consistent with existing conditions. No Project work occurs in the vicinity of the University Presbyterian Church.	No Effects
Charles and Rose Waldow House	LRT alignment is in an area currently used for transit and is consistent with existing conditions. No Project work occurs in the vicinity of the Charles and Rose Waldow House.	No Effects
University Court Apartments	LRT alignment is in an area currently used for transit and is consistent with existing conditions. No Project work occurs in the vicinity of University Court Apartments	No Effects
University Park Historic District	Underground tunnels would not alter any of the characteristics or diminish the integrity of University Park Historic District.	No Adverse Effects
Capen Boulevard Historic District	Underground tunnels would not alter any of the characteristics or diminish the integrity of Capen Boulevard Historic District.	No Adverse Effects
Lincoln Park Village	At-grade construction and operation will require property acquisition. This acquisition represents a small fraction of the overall historic district and occurs on parcels identified as having resources with diminished integrity. LRT alignment is in an area currently used for transit and is consistent with existing conditions. The LRT Build Alternative would not alter any of the characteristics or diminish the integrity of Lincoln Park Village.	No Adverse Effects
Marvin Gardens	No Project work occurs in the vicinity of the Marvin Gardens.	No Effects
University at Buffalo North Campus	The LRT Build Alternative occurs within the historic property boundary of the UB North Campus. However, original plans for the campus from the 1970s included an anticipated NFTA transit corridor. As a result, The LRT Build Alternative would not alter any of the characteristics or diminish the integrity of UB North Campus.	No Adverse Effects

BRT BUILD ALTERNATIVE

The BRT Build Alternative would begin at Main Circle on the UB South Campus near its historic property boundary, over 300 feet from Edmund B. Hayes Hall, and approximately 740 feet from University Presbyterian Church. BRT buses would enter Main Circle from Main Street and stop at a new BRT station platform opposite the upper-level entrance on Hayes Road. When departing, buses would leave the station by turning right onto Main Street. Transit Signal Priority (TSP) would be included at the intersection of Main Street and Main Circle to improve

BRT operations through the intersection. Buses would operate in mixed traffic along Main Street, Kenmore Avenue, and the southernmost portion of Niagara Falls Boulevard, passing by the Charles and Rose Waldow House, University Court Apartments, Capen Boulevard Historic District, and University Park Historic District. The mixed-traffic bus operations would not require lane modifications and occur where bus routes currently operate. At Kenilworth Avenue, approximately 850 feet north of the University Park Historic District's historic property boundary, the buses would begin operating in dedicated lanes with TSP. No overhead catenary system would be installed.

Decatur Station would be in the median just north of the Decatur Road-Niagara Falls Boulevard intersection. Station elements include platforms to accommodate up to two articulated 60-foot BRT vehicles and level boarding to be compliant with the Americans with Disabilities Act. Residences along Niagara Falls Boulevard and within Lincoln Park Village would face the new station; however, the roadway has long been used as a transportation corridor and currently features a bus route with numerous stops, including one at Decatur Road. Minor right-of-way acquisition is anticipated to facilitate construction of the station and realign travel and turning lanes on Niagara Falls Boulevard; sidewalks and landscaping would be restored following construction.

Moving north, the BRT Build Alternative alignment passes outside of and is not visible from areas within the historic property boundary of Marvin Gardens. A station would be located north of Treadwell Road before the alignment turns east onto Maple Road. Minor right-of-way acquisition would be required at two parcels within Marvin Gardens for intersection improvements at Brighton Road and Niagara Falls Boulevard. From there, the alignment turns east in the median of Maple Road, northeast adjacent to Sweet Home Road, and east to enter the UB North Campus, which was developed in the 1970s with an NFTA line included as part of its master plan. Three stations would be located within the UB North Campus historic property boundary. The alignment then turns northeast and north to run along John James Audubon Parkway.

BRT Build Alternative Summary

Following an assessment of Project Effects on historic properties under the BRT Build Alternative, the Project would result in no Effects on University Park Historic District, University Presbyterian Church, Charles and Rose Waldow House, University Court Apartments, and Capen Boulevard Historic District, and no adverse Effects on UB South Campus, Edmund B. Hayes Hall, Lincoln Park Village, Marvin Gardens, and UB North Campus. Thus, the BRT Build Alternative would result in a finding of No Adverse Effects. SHPO concurred with the Project's no adverse Effects finding for built historic properties; no mitigation for built historic properties is required. Table 4.6-3 summarizes the Effects of the BRT Build Alternative on historic properties. Refer to Appendix F3, "Historic Effects Assessment," for detailed information regarding the BRT Build Alternative's effects assessment.

Table 4.6-3. Summary of BRT Build Alternative Effects on Built Historic Properties

Property Name	BRT Build Alternative	Effects
University at Buffalo South Campus	BRT station platform and alignment is in an area currently used for transit and is consistent with existing conditions on campus at this location. The BRT Build Alternative would not alter any of the characteristics or diminish the integrity of UB South Campus.	No Adverse Effects
Edmund B. Hayes Hall	BRT station platform and alignment is in an area currently used for transit and is consistent with existing conditions on campus at this location. The BRT Build Alternative would not alter any of the characteristics or diminish the integrity of Edmund B. Hayes Hall.	No Adverse Effects
University Presbyterian Church	BRT station platform and alignment is in an area currently used for transit and is consistent with existing conditions. The BRT Build Alternative would not alter any of the characteristics or diminish the integrity of the University Presbyterian Church.	No Adverse Effects
Charles and Rose Waldow House	BRT station platform and alignment is in an area currently used for transit and is consistent with existing conditions. The BRT Build Alternative would not alter any of the characteristics or diminish the integrity of the Charles and Rose Waldow House.	No Adverse Effects
University Court Apartments	BRT alignment is in an area currently used for transit and is consistent with existing conditions. The BRT Build Alternative would not alter any of the characteristics or diminish the integrity of the University Court Apartments.	No Adverse Effects
University Park Historic District	BRT alignment is in an area currently used for transit and is consistent with existing conditions. The BRT Build Alternative would not alter any of the characteristics or diminish the integrity of the University Park Historic District.	No Adverse Effects
Capen Boulevard Historic District	BRT alignment is in an area currently used for transit and is consistent with existing conditions. The BRT Build Alternative would not alter any of the characteristics or diminish the integrity of the Capen Boulevard Historic District.	No Adverse Effects
Lincoln Park Village	At-grade construction and operation will require property acquisition. This acquisition represents a small fraction of the overall historic district and occurs on parcels identified as having resources with diminished integrity. The BRT Build Alternative would not alter any of the characteristics or diminish the integrity of Lincoln Park Village.	No Adverse Effects
Marvin Gardens	No Project work occurs in the vicinity of the Marvin Gardens.	No Effects
University at Buffalo North Campus	The BRT Build Alternative occurs within the historic property boundary of the UB North Campus. However, original plans for the campus from the 1970s included an anticipated NFTA transit corridor. As a result, The BRT Build Alternative would not alter any of the characteristics or diminish the integrity of UB North Campus.	No Adverse Effects

4.6.2.2 Archaeology

As described in the Phase IA Study, (Appendix F4), four general areas of archaeological potential exist along the Project alignment (from south to north): 1) portions of the UB South Campus, 2) undisturbed grassy areas and residential lawns beyond the edge of pavement within the Niagara Falls Boulevard right-of-way, 3) portions of the UB North Campus, and 4) deeply buried habitable landforms beneath portions of John James Audubon Parkway. A Phase IB Field Investigation Survey will be completed and its findings included within the Final EIS to determine the presence or absence of archeological resources in these areas. The potential of each of these areas is briefly summarized below.

ARCHAEOLOGICAL POTENTIAL OF UB SOUTH CAMPUS

The 2012 Phase 1A completed for both UB campuses (Montague 2012) identified areas of both moderate and high archaeological potential. On the UB South Campus, the LRT Build Alternative calls for a tunnel beneath an area of high archaeological potential and a 160-foot by 100-foot staging area in an area of moderate archaeological potential. Because the tunnel is expected to extend below the depth of archaeological sensitivity, it is not expected to affect archaeological resources if present. However, the proposed staging area would be constructed in the Allen Hall Parking Lot, between Main Street and Goodyear Road, (Appendix B2, "Conceptual Design Plans"), that area is identified in the 2012 assessment as having moderate archaeological potential for historic period resources and moderate prior disturbance. The findings of the Phase 1B Field Investigation, to be documented within the Final EIS, will determine the presence or absence of archaeological resources in this area. If archaeological resources are present, and if they meet the eligibility requirements of the NRHP, then the LRT Build Alternative would likely constitute an adverse effect.

ARCHAEOLOGICAL POTENTIAL OF NIAGARA FALLS BOULEVARD

The LRT Build Alternative will affect the grassy lawn areas of dozens of homes along the residential portion of the Project alignment along Niagara Falls Boulevard to a depth of five to 10 feet (Appendix B2, "Conceptual Plans"). It will also include localized disturbance from construction of two substations in this area. Effects from the BRT Build Alternative are more limited. These areas do not appear to have been previously developed and have only been used as residential lawns since the mid-19th century. They are considered to have low to moderate archaeological potential for both precontact and historic period resources. Any archaeological resources present in these grassy areas may be intact or only minimally disturbed from such activities as landscaping, localized utility work, and creations of sidewalks. The findings of the Phase 1B Field Investigation, to be documented within the Final EIS, will determine the presence or absence of archaeological resources in this area. If archaeological resources are present, and if they meet the eligibility requirements of the NRHP, then the Build Alternatives would likely constitute an adverse effect.

ARCHAEOLOGICAL POTENTIAL OF UB NORTH CAMPUS

The Project Build Alternatives would directly affect several grassy areas and minimally to moderately disturbed areas such as sidewalks and parking lots within the UB North Campus

through construction of the alignment, stations, substations (LRT only), and the relocation of existing utilities. Some of these areas have been previously determined to have moderate or high archaeological potential for both precontact and historic period resources, depending on the extent of previous ground surface disturbance. The findings of the Phase 1B Field Investigation, to be documented within the Final EIS, will determine the presence or absence of archaeological resources in this area. If archaeological resources are present, and if they meet the eligibility requirements of the NRHP, then the Build Alternatives would likely constitute an adverse effect.

ARCHAEOLOGICAL POTENTIAL OF JOHN JAMES AUDUBON PARKWAY

The final area of archaeological potential comprises original ground surfaces and stream terraces near Ellicott Creek buried beneath John James Audubon Parkway. Many precontact sites have previously been identified in this area. However, the integrity and depth of these areas of sensitivity is unknown. If any intact habitable stream terraces are present along this portion of the Project, they would be considered to have high archaeological potential for the presence of precontact archaeological resources. The Project Build Alternatives call for disturbance along this roadway to a depth of five to ten feet below the current grade for alignment construction and utility relocation, disturbance to 10 to 15 feet for construction of station platforms, and disturbance to up to 40 feet for construction of substations for the LRT Build Alternative only. If effects of the Build Alternatives are expected to extend through fill layers beneath the roadway to natural soil levels, an archaeological survey involving subsurface testing or monitoring will be necessary to determine the presence or absence of deeply buried archaeological resources. The findings of the Phase 1B Field Investigation, to be documented within the Final EIS, will determine the presence or absence of archaeological resources in this area. If archaeological resources are present, and if they meet the eligibility requirements of the NRHP, then the Build Alternatives would likely constitute an adverse effect.

4.6.3 Potential Mitigation Strategies

As documented, the *Built Historic Properties Assessment of Effects Report* was submitted to SHPO in June 2023. On July 5, 2023, SHPO provided comments on the report and requested additional information detailing the proposed work, particularly in the vicinity of Lincoln Park Village and University Park Historic District. On August 16, 2023, individuals from NFTA and the project team held a virtual meeting with a SHPO representative to discuss SHPO's July 5 letter and provide further Project details. NFTA submitted a memorandum to SHPO with the requested information on November 7, 2023. In a response letter dated January 25, 2024, SHPO stated it had no further architectural concerns. SHPO concurred with the Project's no adverse effects finding for built historic properties; no mitigation for built historic properties is required.

In a response letter dated January 25, 2024, SHPO requested a Phase IB archaeological testing plan. A Phase IB archaeological investigation and its findings will be included within the Final EIS. As documented in Appendix F5, "Archaeological Testing Work Plan," A Phase IB testing plan was submitted to SHPO for review and comment on February 16, 2024. The findings of the Phase 1B Field Investigation will determine the presence or absence of archaeological resources in this area.

If archaeological resources are present, and if they meet the eligibility requirements of the NRHP, then Metro will coordinate with SHPO regarding the completion of a Phase II Site Evaluation and Phase III Data Recovery—or another form of mitigation developed in consultation with the New York State Office of Parks, Recreation and Historic Preservation and other consulting parties—that mitigates the unavoidable effects of a project by recovering the data value of the resource.

On May 17, 2024, an unanticipated discoveries plan was submitted to SHPO for review and comment (Appendix F5, "Archaeological Testing Work Plan"). The unanticipated discoveries plan describes coordination and protective actions that would occur in the event of the discovery of an archaeological resource during construction and the roles of construction personnel, the timing of notifications and consultation with the SHPO and other consulting parties, and protective actions that would be taken until the significance of the discovery can be assessed. If required, FTA will enter into a Project-specific Memorandum of Agreement to provide stipulations for future investigations and ways to avoid, minimize, or resolve any adverse effects to archaeological resources as a result of the construction of the Project. As needed, the FTA will continue to consult with the SHPO and other consulting parties to develop the Memorandum of Agreement and identify additional measures and responsibilities to avoid, minimize, and mitigate potential adverse effects to archaeological resources.