Appendix F1
Historic and Cultural Resources Supplemental Information

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Appendix F. Historic and Cultural Resources Supplemental Information

This appendix provides additional details on 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 F2, "Historic Resources Report", and Appendix F3, "Historic Effects Assessment," presents additional information regarding the effects assessment for built resources. Table F-1 summarizes the historic properties and archaeological resources effects findings related to the Project.

Table F-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

F.1 REGULATORY CONTEXT AND METHODOLOGY

The Project is an undertaking subject to compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended (54 U.S.C. § 300101 et seq.) and its implementing regulations (36 CFR Part 800). Section 106 of the NHPA requires Federal agencies consider the effects of their actions on historic properties.

Historic properties are defined at 36 CFR § 800.(l)(1) as "any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, [NRHP]." Section 106 requires the lead Federal agency, in consultation with the State Historic Preservation Officer (SHPO), to develop the area of potential effects (APE), identify historic properties in the APE, and assess the proposed Project's effects on historic properties in the APE. Section 106 regulations require that the lead Federal agency consult with the SHPO, consulting parties, and the public during planning and development of the proposed project. The Federal Advisory Council on Historic Preservation may participate in the consultation or may leave such

involvement to the SHPO and other consulting parties who have a demonstrated interest in the undertaking. These agencies, groups, and individuals may participate in developing a Memorandum of Agreement or Programmatic Agreement to avoid, minimize, or mitigate adverse effects.

As part of the Section 106 process, agency officials apply the NRHP Criteria for Evaluation. A property is eligible for the NRHP if it is significant under one or more of the following criteria defined in 36 CFR § 60.4:

- Criterion A: Associated with events that have made a significant contribution to the broad patterns of our history.
- Criterion B: Associated with the lives of persons significant in our past.
- Criterion C: Embodies the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction.
- Criterion D: Has yielded, or may be likely to yield, information important in prehistory or history.

Built resources are typically evaluated under Criteria A, B, and C; Criterion D applies primarily to archaeological resources. According to guidance found in the NRHP Bulletin "How to Apply the National Register Criteria for Evaluation," different aspects of integrity may be more or less relevant depending on why a specific historic property was listed in or determined eligible for listing in the NRHP. Generally, properties 50 years of age or older are identified and evaluated for NRHP eligibility; however, qualifying exceptions called Criteria Considerations exist for properties less than 50 years in age, as well as for religious properties, cemeteries, relocated properties, and other specific property types.

Once historic properties have been identified, project effects are assessed by applying the criteria of adverse effect described at 36 CFR § 800.5:

- An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative.

Following the effects assessment, the Federal agency will make one of the following findings of effect:

- **No Historic Properties Affected**. Per 36 CFR § 800.4(d)(1), an undertaking may have no effect to historic properties in the APE, and a finding of "No Historic Properties Affected" may be determined for an undertaking. This finding indicates that an undertaking would not alter any aspects of integrity for any historic properties.
- **No Adverse Effect**. Per 36 CFR § 800.5(b), an undertaking may be determined to have "No Adverse Effect" to historic properties if the undertaking's effects do not meet the criteria of adverse effect as described above. If project implementation would alter a specific aspect of integrity for a historic property but the effect would not alter a characteristic that qualifies the resource for inclusion in the NRHP in a manner that diminishes the significant aspect of integrity, then the finding for that aspect of integrity is "No Adverse Effect."
- **Adverse Effect**. An "Adverse Effect" per 36 CFR § 800.5(a)(1) is determined if the undertaking would alter a characteristic that qualifies the historic property for inclusion in the NRHP in a manner that diminishes the aspect(s) of integrity.

As part of the Section 106 process, official agency consultation may continue with SHPO and consulting parties to seek ways to avoid, minimize, or mitigate adverse effects and may include development of a project-specific Memorandum of Agreement or Programmatic Agreement to memorialize these decisions and conclude the Section 106 process.

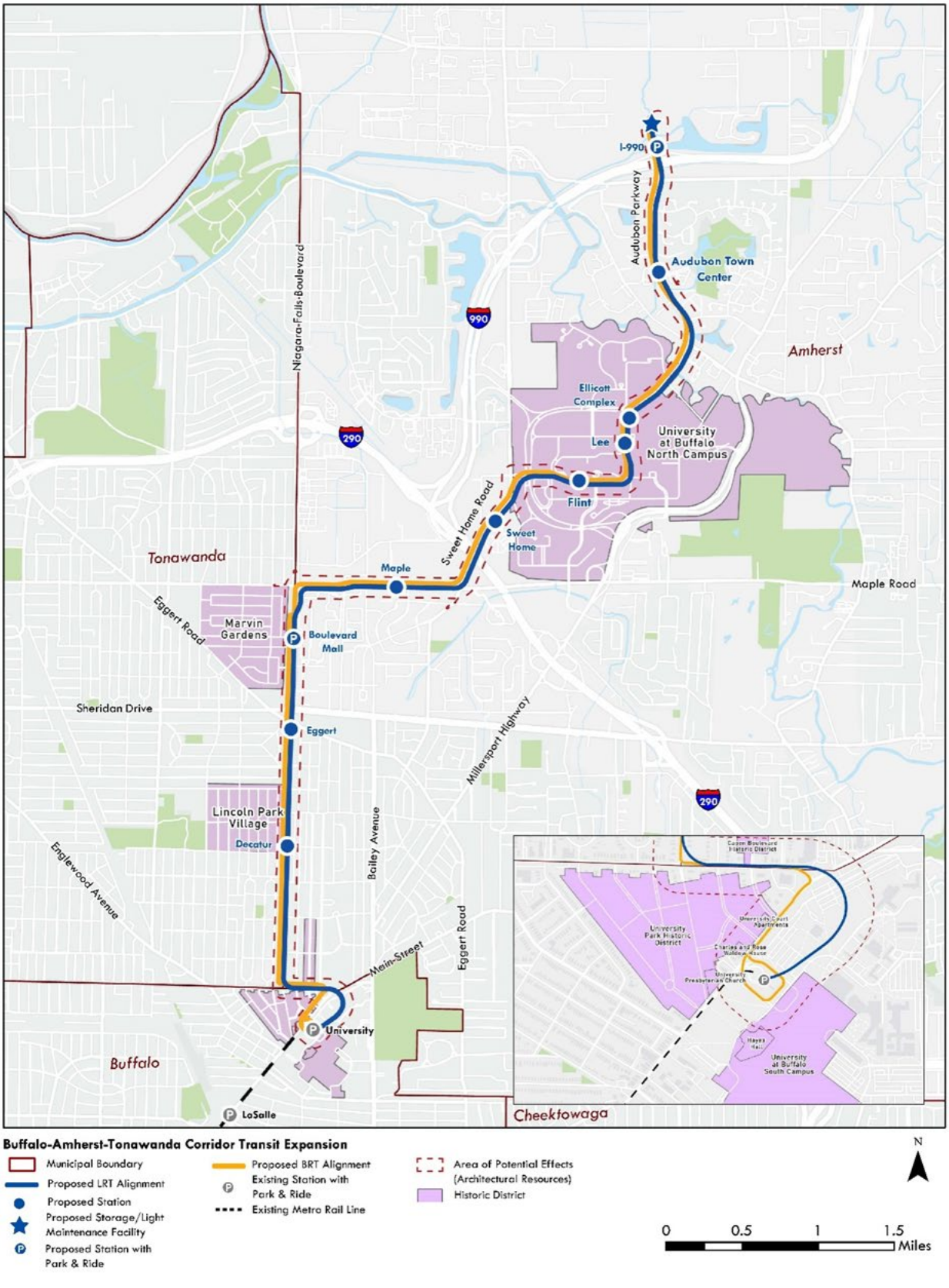
F.1.1 Area of Potential Effects

The Area of Potential Effect (APE) is defined at 36 CFR § 800.16(d) as follows:

- The geographic area or areas which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.

Individuals that meet the Professional Qualifications Standards of the Secretary of the Interior (SOI), conducted a site visit in May 2019 to delineate the APE. This APE extends along the Project alignment with a 300-foot buffer, as shown in Figure F-1.

Figure F-1. Area of Potential Effects



For archaeological resources, the APE is limited to areas subject to ground disturbance. For the built environment, the APE developed considers both direct and indirect effects. Direct project effects may include a physical effect in a particular area in addition to visual, noise, vibration, or other atmospheric effects. Indirect effects may include those due to project implementation that occur later in time, are farther removed in distance, or are cumulative. The APE was provided to SHPO on April 8, 2020, as part of the *Historic Resources Report*.[1] SHPO provided no comments on the APE in their response letter dated April 29, 2020.

During the comment period for the State Environmental Quality Review Act Draft Environmental Impact Statement, the Federal Transit Administration (FTA) requested lead agency participation, requiring that the environmental review be conducted pursuant to the National Environmental Policy Act (NEPA). FTA also requested that Metro evaluate a BRT Build Alternative in addition to the locally preferred LRT Build Alternative as part of the NEPA process.

As a result, in December 2022, the APE was revised and extended along the BRT Build Alternative alignment in the vicinity of the UB South Campus in Buffalo along Main Street. Consistent with the methodology used in developing the APE for the LRT Build Alternative, the BRT Build Alternative's APE extension is the same 300-foot buffer along the proposed alignment. Further Project development also identified areas where roadway and intersection improvements are required, such as lane modifications and right-of-way acquisitions. Some of these areas extend beyond the APE's 300-foot buffer. In those situations, the APE was extended to encompass only the limits of project activities for those proposed improvements because the work is minor, low-lying, and consistent with existing roadway infrastructure. Vibration analyses conducted for the Project did not require additional modifications to the APE.

F.2 AFFECTED ENVIRONMENT

The Project alignment is flanked by low- and medium-density residential neighborhoods, suburban commercial development, and two university campuses. During a field view in May 2019, the architectural historians noted that the Project alignment extends through areas with varying character that developed during different periods of time. The Project alignment begins at the UB South Campus, which first developed in the 1800s, and in the vicinity of University Park Historic District, which contains residences exhibiting early twentieth-century styles, including Colonial Revival, Craftsman, and Tudor Revival as well as American Foursquare and bungalow forms. Nearby historic properties along Main Street and Kenmore Avenue also reflect popular early twentieth-century architectural styles.

[1] NFTA-Metro, Metro Rail Expansion Project: Historic Resources Report (2020); Cultural Resource Information System, New York State, *https://cris.parks.ny.gov*; Jennifer Walkowski, Historic Preservation Program Analyst, Survey and National Register Unit – Western NY Region to Rachel Maloney Joyner, "Re: FTA Metro Rail Expansion Construction Project Amherst, Tonawanda and Buffalo, Erie County, NY, 19PR01900," April 29, 2020.

As the Project alignment moves north onto Niagara Falls Boulevard, it is flanked by neighborhoods exhibiting post-World War II and mid-twentieth century forms, although visual survey confirms substantial alterations occurred to many of these residences since their construction. These alterations appear more frequently to properties facing Niagara Falls Boulevard than those located to the east and west that face interior neighborhood streets. Altered commercial buildings are also located along Niagara Falls Boulevard between Paige Avenue and Decatur Road. North of Longmeadow Road, modest mid-twentieth century and contemporary suburban commercial and religious buildings flank Niagara Falls Boulevard. Common suburban commercial architecture continues along Maple Road as the Project alignment turns toward the east. At Sweet Home Road, where the Project alignment moves toward the northeast, contemporary apartment complexes face the Project alignment before it turns east toward the UB North Campus, which contains numerous mid-rise institutional buildings dating from the 1970s to the present. The Project alignment then moves north and east along John James Audubon Parkway where municipal and office complexes, primarily developed after the 1970s, line the parkway until its intersection with I-990.

F.2.1 Built Resources

As defined at 36 CFR § 800.4, and in consultation with the SHPO, project cultural resource evaluations included efforts to identify previously identified or evaluated properties within the APE and conduct field investigations to identify any previously unidentified resources.

Literature Review and Research

After developing the APE, SOI-qualified professionals completed a review of environmental, cultural, historic, archaeological, and other background information to determine potential historic and archaeological resources that are present within the APE. The New York SHPO Cultural Resource Information System (CRIS) database was used to determine previously identified and evaluated resources within the APE.

Primary efforts focused on obtaining information that informed the assessment of properties 45 years of age or older that were either previously unevaluated or unidentified. Historic context statements were developed for these properties using information obtained during archival research efforts. Cultural resources staff gathered additional background information using maps and atlases, prior surveys, published county and town histories, aerial photographs, and other sources. In addition, the Town of Amherst completed a town-wide survey of its historic resources in 2011 and compiled the information in the *Updated Reconnaissance Level Survey of Historic Resources, Town of Amherst, Erie County, New York*. This survey was used as a basis for assessments for those properties that were within its purview. Historic context statements were developed for properties using information obtained during archival research efforts. Research was conducted in-person and online at the following repositories:

- Buffalo History Museum
- UB Library and Archives
- Library of Congress

- Buffalo Niagara Heritage Village, Niederlander Research Library and Archives
- Buffalo & Erie County Public Library Grosvenor Room

Field Investigations and Evaluations

A survey team of architectural historians who meet the SOI Professional Qualifications Standards conducted the field investigations from July 29 through August 2, 2019. Fieldwork began with the survey, which entailed identifying and photographing properties 45 years of age or older within the APE that required additional investigation. The architectural historians recorded the location of each property within the APE and verified the field data using the Erie County assessor's database. Digital cameras were used to photograph individual properties as well as representative views and streetscapes, as needed. In total, approximately 600 individual properties were identified within the APE. Historians noted groupings of buildings that should be evaluated as districts and documented historic landscape features and settings. Neighborhoods with cohesive designs or small groupings of commercial buildings with shared features or a consistent development period were evaluated as districts rather than individually.

Each building, structure, or district was assessed for significance using the NRHP Criteria for Evaluation (36 CFR § 60.4) and guidelines provided in the NRHP bulletin "How to Apply the National Register Criteria for Evaluation."[2] The qualified historians recorded survey results in a *Historic Resources Report* (Appendix F1) that adheres to the Reconnaissance-Level Historic Resource Survey guidance provided by the SHPO and provided determinations of eligibility for resources that warranted further investigation. The *Historic Resources Report* provided eligibility determinations for 90 properties, including those identified as districts. Many of these properties were included in the Town of Amherst's *Updated Reconnaissance Level Survey of Historic Resources, Town of Amherst, Erie County, New York*, a town-wide survey of its resources completed in 2011.

The *Historic Resources Report* was submitted to the SHPO for review on April 8, 2020. In its response letter dated April 29, 2020, the SHPO concurred with the report's identification of UB South Campus and University Park Historic District as NRHP-Eligible historic properties and Capen Boulevard Historic District as NRHP-eligible. The SHPO did not concur with the eligibility determinations for Lincoln Park Village, Marvin Gardens, and UB North Campus. SHPO stated that Lincoln Park Village appeared to be NRHP-eligible based on SHPO review; Marvin Gardens required additional study and a site visit and would remain with an Undetermined status; and UB North Campus, although less than 50 years of age at the time of survey, would also remain with an Undetermined status pending a full historic context and survey pending from the State University of New York (SUNY).

[2] National Park Service, "How to Apply the National Register Criteria for Evaluation," 1997.

Following FTA's involvement in the Project, and in response to SHPO's comments from 2020, FTA accepted the SHPO eligibility determination for Lincoln Park Village and, for purposes of this Project, will treat Marvin Gardens and UB North Campus as NRHP-eligible.

Following development of the BRT Build Alternative, and subsequent APE revisions in December 2022 that extended the APE along the BRT Build Alternative alignment in Buffalo, qualified architectural historians reviewed the APE to identify any additional historic properties. The qualified architectural historians also reviewed the entire APE to identify any properties 45 years of age or older as of December 2022, corresponding to a year-built date of 1977, that may require additional evaluation. As a result of these investigations, two additional NRHP-listed historic properties, University Presbyterian Church and Edmund B. Hayes Hall, and two additional NRHP-eligible historic properties, the Charles and Rose Waldow House and University Court Apartments, were identified within the APE. No additional properties within the APE required further evaluation. As a result, 10 historic properties are located within the APE. Table F-2 includes these properties, which are described in Appendix F1, "Historic Resources Report". Properties with an eligibility status marked by a (*) are those treated as NRHP-eligible for purposes of the Project. These identified historic properties were provided to SHPO as part of the *Built Historic Properties Assessment of Effects Report* in June 2023. Consultation with SHPO regarding the Project's effects on historic properties is described in Section 4.7.4.

Table F-2. Built Historic Properties

Property Name	NRHP No.	NRHP Status	NRHP Criteria	Period of Significance
University at Buffalo South Campus	—	Eligible	C	1865 to 1963
Edmund B. Hayes Hall	16000394	Listed	A, C	1925 to 1962
University Park Historic District	11000273	Listed	A, C	1913 to 1941
University Presbyterian Church	15000820	Listed	A, C	1928 to 1956
Charles and Rose Waldow House (3404 Main St.)	—	Eligible	—	—
University Court Apartments (3442 Main St.)	—	Eligible	—	—
Capen Boulevard Historic District	—	Eligible	A, C	—
Lincoln Park Village	—	Eligible	A, C	—
Marvin Gardens	—	Eligible*	—	—
University at Buffalo North Campus	—	Eligible*	—	—

Sources: NFTA-Metro, Metro Rail Expansion Project: Historic Resources Report (2020); Cultural Resource Information System, New York State, https://cris.parks.ny.gov; Jennifer Walkowski, Historic Preservation Program Analyst, Survey and National Register Unit – Western NY Region to Rachel Maloney Joyner, "Re: FTA Metro Rail Expansion Construction Project Amherst, Tonawanda and Buffalo, Erie County, NY, 19PR01900," April 29, 2020. Information included in the table reflects known available information.

F.2.2 Archaeology

Within the APE, effects to archaeological resources were considered for portions of the Project where ground surfaces could be disturbed through Project implementation. This disturbance could consist of excavation, construction, or ground surface compaction that could occur through the staging of construction materials or the movement of heavy machinery. Identifying archaeological resources is a multiphase process generally consisting of the following:

- Phase IA: Literature Search and Sensitivity Study assesses the archaeological sensitivity of a project area through documentary analysis.
- Phase IB: Field Investigation determines the presence or absence of archaeological resources through subsurface testing, surface inspection, and monitoring.
- Phase II: Site Evaluation appraises the integrity, significance, and NRHP eligibility of identified resources.
- 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—mitigates the unavoidable effects of a project by recovering the data value of the resource.

The first phase of this process has been completed with preparation of a Phase IA Study (AKRF 2023; Appendix F3). Given the size of the APE and the extent of previous investigations within this area, Phase IA assessed the Project's effects on archaeological resources meeting the eligibility requirements of the NRHP through a review of three types of information:

- Previously completed archaeological resource investigations for areas within or adjacent to the APE.
- Online site-file data on previously identified archaeological sites located within an approximately 0.75-mile radius of the APE.
- Documentary evidence of previous development and earth moving activities in order to characterize disturbances to ground surfaces along the APE.

Characterizing previous ground-surface disturbances consisted of the following:

- Reviewing aerial photographs and historic maps for information regarding the historical development of the APE.
- Using Computer Aided Design/Geographic Information System data regarding the location of underground utilities and other subsurface features.
- Examining the APE's existing conditions through Google Map's street view feature.
- Examining photographs taken during the architectural field survey.

The Project team synthesized these information sources to identify areas of archaeological sensitivity and then considered subsequent modern ground disturbance to identify general areas of archaeological potential (areas where modern development only minimally or moderately affected areas of archaeological sensitivity). Phase IA (2023) recommended completion of a Phase IB to determine the presence or absence of archeological resources in the areas of sensitivity. A Phase IB investigation and its findings are anticipated to 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. An archaeological 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. See Appendix F5, Section 106 Documentation for correspondence from SHPO.

Previous Archaeological Surveys

SHPO's CRIS database indicates that eight archaeological surveys have been previously completed for areas that are within or adjacent to the APE. However, a review of these eight reports, which were completed over the past 20 years, indicates that additional surveys have also been completed for portions of the APE for a number of large-scale projects. These additional surveys were primarily completed during the 1970s through the 1990s, long before the CRIS platform was developed and therefore are not documented in the CRIS database. Other referenced surveys were completed as long ago as the early 20th century. Though these earlier surveys were not directly reviewed for this assessment, the eight available reports provided summaries of the relevant earlier data. Figure F-2 shows the primary projects for which relevant cultural resource studies were completed within the APE. (Those not available through CRIS are noted.) Figure F-2 indicates the approximate location of these earlier surveys.

In addition to the projects listed in Table F-3, a few smaller surveys for individual development projects have been undertaken adjacent to the APE, none of which identified any archaeological resources. Table F-4 lists these smaller surveys and Figure F-2 shows their approximate location.

Table F-3. Previous Archaeological Surveys (Major)

Map Ref.[1]	Project and Location	Types of Surveys	Results
1	SUNY University at Buffalo, North and South Campus	Multiple surveys in the 1990s* and a comprehensive Phase IA in 2012[3]	Identification of multiple archaeological sites and delineation of areas of archaeological sensitivity
2	Improvements to Sweet Home Road between Interstate 990 and Maple Road	Multiple surveys[4]	Identification of multiple archaeological sites
3**	Ellicott Creek Watershed/Audubon Project	Multiple surveys during the 1970s*	Identification of dozens of archaeological sites
4	Construction of Lockport Expressway (Interstate 990)	Multiple surveys during the 1970s and 1980s*	Identification of multiple archaeological sites, all destroyed by road construction

[3] Montague, Nathan and Douglas J. Perrelli. 2012. Phase 1A Archaeological Resources Sensitivity Assessment University at Buffalo's Comprehensive Physical Plan: North, South, and Downtown Campus, Town of Amherst and City of Buffalo, Erie County, NY. Reports of the Archaeological Survey, Vol. 41, No. 25, Department of Anthropology, State University of NY at Buffalo. Prepared for Beyer Blinder and Belle Architects and Planners, LLP.

[4] Hartner, James et al. 1999. *Archaeological and Architectural Reconnaissance Survey, 1999-2000, PIN 5803.35.121, Widening and Improvement of Sweet Home Road, Town of Amherst, Eries County, NY.* Reports of the Archaeological Survey, Vol. 31, No. 20, Archaeological Survey, SUNY Buffalo. Prepared for the NY State Museum.

Map Ref.[1]	Project and Location	Types of Surveys	Results
5	Muir Woods Development, Muir Woods north of Interstate 990	Phase IA/IB/2[5],[6]	Extensive subsurface testing of 326-acre project area identified only a single precontact site determined not NRHP eligible

Source: SHPO's CRIS database, August 2019
Note: See Figure F-2 for approximate location of associated project area; * Not available in CRIS; ** The project areas for these surveys have not been determined but are likely in the vicinity of the APE.

Table F-4. Previous Archaeological Surveys (Minor)

Map Ref.[1]	Project and Location	Type of Survey	Results
1	Student housing on Rensch Road west of John James Audubon Parkway	Two separate combined Phase IA/IB surveys[7]	Subsurface testing failed to identify any archaeological resources
2	Construction project on the east side of John James Audubon Parkway at North Forest Road*	Phase IA and IB	Subsurface testing failed to identify any archaeological resources
3	Audubon Apartments on the west side of John James Audubon Parkway south of Bryant Woods	Phase IA and IB[8]	Subsurface testing failed to identify any archaeological resources

Source: SHPO's CRIS database, August 2019
Note: See Figure F-2 for approximate location of associated project area; * Not available in CRIS.

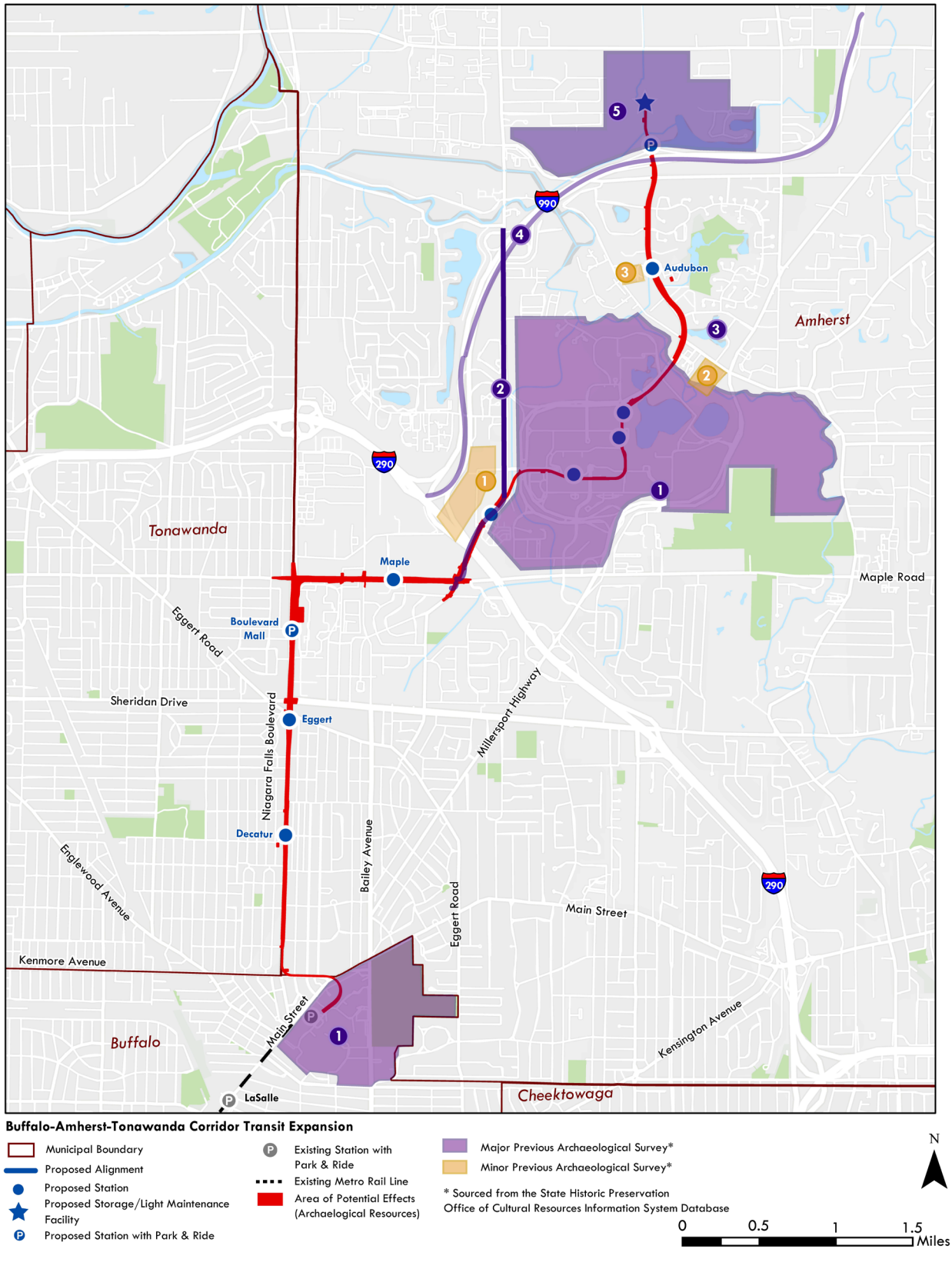
5 Pierce, Carolyne A. 2001a. Stage 1 Cultural Resource Investigation for the Muir Woods Development, Town of Amherst, Erie County, NY. Prepared by CCRG, Inc. for Ciminelli Development Co., Inc.

6 Pierce, Carolyne A. 2001b. *Stage 2 Archaeological Investigations at the Area C Site (A029-02-0600), Muir Woods Development, Town of Amherst, Erie County, NY.* Prepared by CCRG, Inc. for Ciminelli Development Co., Inc.

7 Hanley, Robert J. et al. 2015. Phase 1 Cultural Resources Investigations for the Proposed Audubon Apartments, 491 John James Audubon Parkway, Town of Amherst, NY. Prepared by Panamerican Consultants, Inc. for MEL Investors, LLC.

8 Hanley, Robert J. et al. 2007. Phase I Cultural Resources Investigation for the Proposed 22.65-acre Rensch Road Student Housing Project, Town of Amherst, Erie County, NY. Prepared by Panamerican Consultants, Inc. for GMH Communities.

Figure F-2. Previous Archaeological Surveys



Several reports related to the projects include comprehensive background research and detailed environmental, precontact, and historic contexts for the region. Generally, these surveys determined that level, well-drained areas near fresh water sources are sensitive for precontact campsites, lithic scatters, and isolated precontact find spots, and that historic roadways and areas near historic map-documented structures are sensitive for 19th century through early 20th century historic resources, depending on the degree of subsequent ground surface disturbance. The surveys within the APE are discussed in additional detail in the following sections.

UNIVERSITY AT BUFFALO

The 2012 Phase IA completed for UB's comprehensive physical plan (Montague 2012) includes archaeological sensitivity assessments for the UB North and South Campuses. The report documents 25 previously identified precontact and historic archaeological sites within or immediately adjacent to the UB North Campus, few of which are documented in the CRIS database. Five of these sites (four unidentified precontact sites and one historic site) are either immediately adjacent to or very close to the Project alignment. The report also indicates the location of dozens of map-documented structures and historic roadways that were removed during creation of the UB campuses. Several of these map-documented structures are depicted either on or immediately adjacent to the Project alignment. The report lists six previously identified archaeological sites within a one-mile radius of the UB South Campus, two of which are depicted on the campus itself (the Erie County Poorhouse Cemetery and an unidentified precontact quarry). None of these sites are located on the Project alignment.

According to the report, the UB North Campus has a "high archaeological potential" for the presence of precontact "short-term camps, lithic scatters, and artifact find spots" although their "sensitivity may be degraded by modern land use, including recent utility installations, commercial and residential development, parking lot and sidewalk construction, and landscaping" (Montague 2012). The report ranks the UB South Campus as having low potential for precontact sites. Both campuses were determined to have a moderate to high potential for historic resources. The report recommends Phase IB field testing if feasible or monitoring during construction to determine the presence or absence of archaeological resources (Montague 2012).

The Project through the UB South Campus has low to high archaeological potential (at the ground surface, which is above the depth of the LRT Build Alternative tunnel in this area). The Project through the UB North Campus is depicted as having moderate to high archaeological potential.

SWEET HOME ROAD

Both sides of the portion of Sweet Home Road included within the Project Corridor were subjected to subsurface testing during a Phase IA/IB survey for a road widening project. No

archaeological resources were encountered during the testing.[9] Precontact remains were encountered 1,000 feet to the north, close to a stream, and over 1,000 feet to the west on a well-drained elevated area.

MUIR WOODS

A large Phase IA/IB survey of a 326-acre portion of Muir Woods located immediately north of I-990 was performed.[10] The survey's project area included the proposed location of the northern terminus of the Project, including the proposed I-990 Station, park & ride facility, and storage and light maintenance facility for both Build Alternatives. Despite the excavation of hundreds of shovel test pits, only one small area of precontact sensitivity was identified over 1,000 feet west of the Project Corridor. This site was subsequently determined ineligible for the NRHP through completion of a Phase 2 evaluation.[11] No resources were identified within the Project Corridor.

Previously Identified Archaeological Sites

A review of the CRIS database revealed 37 previously identified SHPO Archaeological Sites located within an approximately 0.75-mile radius of the Project alignment (Figure F-2). An additional 15 museum sites are also depicted within this area. However, CRIS provides no information for any of these museum sites, which likely date back to the early- to mid-20th century when standards for the collection of locational information were informal. Moreover, many of the museum sites are likely represented by the set of 37 SHPO sites. Therefore, they are not included in Table F-5. None of these previously identified archaeological sites are located on the Project alignment.

Associated site file forms for the 37 sites indicate 19 sites date to the precontact period, 10 to the historic period, one includes both a precontact and a historic component, and nine provide no information regarding the type of archaeological site. Most of the forms indicate the archaeological site has been destroyed by development and one indicates that it is NRHP eligible—the Chestnut Ridge 4 Site (UB 3633), located over 1,000 feet west of the Project Corridor. When described, the precontact sites generally consist of low-density lithic scatters, often recovered from the plow zone of a formerly agricultural field. Only a few of the historic sites provided information regarding the type of site. Of note, there is a historic cemetery (Erie County Poorhouse Cemetery) depicted on the east side of UB South Campus and a flour and grist mill (the Wolf Hill Site) depicted northeast of the UB North Campus about 0.25 mile southeast of John James Audubon Parkway.

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9 Hartner, James et al. 1999. Archaeological and Architectural Reconnaissance Survey, 1999-2000, PIN 5803.35.121, Widening and Improvement of Sweet Home Road, Town of Amherst, Eries County, NY. Reports of the Archaeological Survey, Vol. 31, No. 20, Archaeological Survey, SUNY Buffalo. Prepared for the NY State Museum.

10 Pierce, Carolyne A. 2001a. Stage 1 Cultural Resource Investigation for the Muir Woods Development, Town of Amherst, Erie County, NY. Prepared by CCRG, Inc. for Ciminelli Development Co., Inc.

11 Pierce, Carolyne A. 2001b. Stage 2 Archaeological Investigations at the Area C Site (A029-02-0600), Muir Woods Development, Town of Amherst, Erie County, NY. Prepared by CCRG, Inc. for Ciminelli Development Co., Inc.

Table F-5. Previously Identified Archaeological Sites

Identifier (Name)	Cultural Affiliation	Additional Information
A02902-0075 (Dickson's Nightmare/UB 2039)	Historic, early 20th century	
A02902-0250 (Neihaus Site/UB 2732)	Historic, late 19th through early 20th centuries	Foundation remains and associated artifacts
A02902-0393 (Chestnut Ridge 1)	Historic, mid-19th century	
A02902-0394 (Chestnut Ridge 2)	Precontact	Lithics in a plow zone
A02902-0589 (Chestnut Ridge 3/UB 3045)	Precontact	Lithics
A02902-0794 (Chestnut Ridge 4/UB 3633)	Precontact	NRHP Eligible
A02902-0824 (Brunner Farm)	Historic, mid-19th century	Sheet midden
A02902-0880 (Poison Ivy Site/UB 4075)	Precontact	
A02902-0001 (UB 196)	No information	
A02902-0002 (UB 222)	No information	
A02902-0003 (UB 232)	No information	
A02902-0006 (UB 252C)	No information	
A02902-0024 (UB 252)	No information	
A02902-0022 (Wolf Hill)	Historic, 19th century	Flour and grist mill
A02902-0020 (UB 1300)	No information	
A02902-0019 (Audubon 8/UB 1299)	Precontact, probably Archaic	
A02902-0017 (Audubon 1/UB 1223)	Precontact, Meadowood, Early Woodland	Multicomponent site
A02902-0016 (Big Hoop 2/UB 953)	Precontact, probably Archaic	
A02902-0015 (UB 895)	No information	
A02902-0013 (Big Hoop 1/UB 891)	Precontact, probably Archaic	
A02902-0011 (North Forest Road/UB 283)	Precontact, Late Woodland	
A02902-0009 (UB 260)	No information	
A02902-0008 (UB 253)	Precontact, Archaic to Early Woodland	
A02902-0026 (Audubon 4/UB 1295)	Precontact	
A02902-0027 (UDC 1/UB 1513)	Precontact, Archaic; Historic, 19th century	
A02902-0028 (UDC 2/UB 1514)	Precontact	
A02902-0029 (UDC 3/UB 1515)	Precontact, Archaic	
A02902-0249 (Snyder-Smith Site/UB 2731)	Historic, 19th century	
A02940-0106 (UB Campus Site/UB 233)	Precontact	
A02902-0600 (Area C Site)	Precontact	Toolmaking, lithics recovered from plow zone
A02940-24949 (Erie County Poorhouse Cemetery/UB 2756)	Historic, 1850-1900	
A02902-0079 (St. Rita's Lane Site/UB 2472)	Historic	
A02902-0078 (St. Rita's Lane Site/UB 2472)	Historic	
A02902-0014 (UB 893)	No Information	
A02902-0398 (Beechwood Locus)	Precontact	
A02902-1353 (PCI/Kulbacks-1)	Precontact	
A02902-1523 (Narty-Oswald)	Precontact and Historic	

Source: SHPO's CRIS database, August 2019

Disturbance Characterization

This section characterizes the extent of previous ground-surface disturbance along the Project alignment. The Project alignment is flanked by residential neighborhoods, suburban commercial development, and mid-rise institutional buildings and its ground surface primarily consists of paved areas and to a much lesser extent grass-covered areas. The paved areas consist of roadways such as Niagara Falls Boulevard, Maple Road, Sweet Home Road, John James Audubon Parkway, the sidewalks and curbs that line some of the roadways, and several parking lots. The unpaved areas include the front yards lining the southern portion of the Niagara Falls Boulevard portion of the Project alignment, the shoulders adjacent to portions of the alignment's roads, and the median between the northbound and southbound lanes of John James Audubon Parkway. The Project alignment also crosses through a large grassy field south of the UB's Jacobs Management Center on the UB North Campus and several smaller grassy areas.

Construction of roadways involves replacing the upper original soil layers with some type of bedding material upon which the road would be constructed. This process typically disturbs or destroys any archaeological resources that could have been present in the upper few feet of the original ground surface (these disturbances would be expected to be shallower below sidewalks or curbs). This is likely the case for Project Corridor roadways such as Niagara Falls Boulevard, Maple Road, and Sweet Home. However, sometimes roads are constructed on top of fill to achieve a desired elevation. This appears to be the case for portions of John James Audubon Parkway between UB North Campus and I-990. This road extends through the originally low-lying flood plain of Ellicott Creek and crosses streams on two occasions. Comparison of the parkway's topography to adjacent areas beyond the roadway's shoulder indicate that portions of the road were constructed on top of fill, most likely to keep it at a higher elevation than the historically flood-prone waterway. If the fill material was deposited directly on top of the original ground surface, or if there are older, deeper ground surfaces buried by seasonal flooding of the creek, it is possible that there are undisturbed archaeologically sensitive areas along this portion of the Project Corridor.

Another form of disturbance considered in this assessment is the installation of subsurface utilities, which typically involve excavating a trench sufficiently wide to install the utility and can disturb or destroy archaeological resources along the route. Utility mapping for the Town of Amherst and for the UB's North and South Campuses was examined and UB's architectural planner was consulted for additional information regarding utilities in the grassy field south of UB's Jacobs Management Center on the UB North Campus.

Subsurface utility lines are present along the Project alignment. These utilities include electrical lines for street lighting, sewer, water, storm, and gas lines. Other indications of subsurface disturbance include fire hydrants, storm drains, traffic lights, and telephone poles. Disturbance associated with these utilities could range from localized to significant.

Detailed information for the UB North and South Campuses indicate the following utility lines: chilled water supply, chilled water return, 24-inch storm, 12-inch-diameter domestic water, 24-

inch-diameter sanitary, communications, and electric for exterior lighting. These lines run through the large grassy field south of UB's Jacobs Management Center on the UB North Campus, indicating a high likelihood that any archaeological resources present in this area have been disturbed by the installation of utility lines. Anecdotal information suggests that a portion of this area was also prepared to be a roadway during the development of UB North Campus. Although never completed, this development included establishing a line of fire hydrants and construction of a roadbed. No visual sign of this roadbed exists today aside from the fire hydrants.

Archaeological Sensitivity Assessment

Based on the results of previous archaeological surveys and the archaeological site-file review, the Project alignment would be considered sensitive for the presence of precontact archaeological resources in well-drained level areas near fresh water sources and historic archaeological resources along historic roadways and map-documented structures. However, intensive modern development such as road construction and the installation of utilities along the Project alignment has likely disturbed or destroyed most of the original ground surface. This appears to be the case for Niagara Falls Boulevard, Maple Road, and Sweet Home Road. Only four portions of the Project alignment appear to retain archaeological sensitivity, as follows (from south to north):

- Unpaved or minimally disturbed areas within the UB South Campus such as the grassy areas and parking lots along the campus' northwestern edge.
- Undisturbed residential lawns beyond the edge of pavement within the Niagara Falls Boulevard right-of-way.
- Unpaved or minimally disturbed areas within the UB North Campus such as grassy areas, sidewalks, and parking lots.
- Original ground surfaces and stream terraces in the vicinity of Ellicott Creek buried beneath John James Audubon Parkway.

F.3 PUBLIC INVOLVEMENT AND CONSULTATION

Public outreach and consultation have occurred throughout the planning, conceptual design, and environmental review process for the Project, including meetings and the Project website.[12] A public scoping period beginning in August 2021 followed publication of the Project's Notice of Intent (NOI) to prepare an EIS in the *Federal Register* on August 30, 2021. Public meetings following the NOI occurred in September. As stated in, the APE was submitted to SHPO on

[12] https://www.nftametrotransitexpansion.com/

April 8, 2020, as part of the *Historic Resources Report*.[13] SHPO provided no comments on the APE in their response letter dated April 29, 2020.

As a part of the NEPA scoping process and in accordance with 36 CFR § 800.2, Metro identified potential Consulting Parties and held Section 106 Consulting Party meetings. Attendees included agency representatives, landowners, and other parties and individuals identified as having a demonstrated interest in the project's historic and/or cultural issues (see full list in Appendix F5, "Section 106 Documentation"). Comments were gathered on the Project area and the Project Build Alternatives. Since that time, additional meetings and field visits have occurred to address specific concerns raised by Consulting Parties. These meetings are included below in Table F-6.

Table F-6. Public Outreach and Section 106 Consultation

Date	Location
Pre-NEPA Period Meetings	
February 25 and 26, 2020	In-person
Public Scoping Period Meetings	
December 15, 2021	Virtual

F.3.1 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 the brt

besides those planned by others or implemented as part of routine maintenance. Any historic properties located within the 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.

F.3.2 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

[13] NFTA-Metro, Metro Rail Expansion Project: Historic Resources Report (2020); Cultural Resource Information System, New York State, *https://cris.parks.ny.gov*; Jennifer Walkowski, Historic Preservation Program Analyst, Survey and National Register Unit – Western NY Region to Rachel Maloney Joyner, "Re: FTA Metro Rail Expansion Construction Project Amherst, Tonawanda and Buffalo, Erie County, NY, 19PR01900," April 29, 2020.

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.

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 F-7 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 F-7. 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 F-8 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 F-8. 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

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.

F.3.3 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.