

8

Historic and Cultural Resources

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Acronyms/Abbreviations

CRIS	Cultural Resource Information System
NFTA	Niagara Frontier Transportation Authority
NHPA	National Historic Preservation Act of 1966
NRHP	National Register of Historic Places
SEQRA	State Environmental Quality Review Act
SHPA	State Historic Preservation Act
SHPO	State Historic Preservation Office
SRHP	State Register of Historic Places
UB	University at Buffalo

8 Historic and Cultural Resources

This chapter outlines the regulatory background, methodology, standards, and permit requirements necessary to complete required cultural resources investigations of historic built and archaeological resources. The analysis has been completed by architectural historians and archaeologists who meet the Secretary of the Interior’s Professional Qualifications Standards in their respective fields.

8.1 REGULATORY CONTEXT

The New York State Environmental Quality Review Act (SEQRA) requires that state agencies consider cultural resources during project planning. To fulfill this requirement, SEQRA can be completed in coordination with the New York State Historic Preservation Act (SHPA), Section 14.09. If a project requires federal permits or will use federal funding, compliance with Section 106 of the National Historic Preservation Act of 1966 (54 USC 300101) (NHPA) and its implementing regulations (36 CFR 800) would be required. The state and federal review processes are similar and sometimes vary only in nomenclature but not process or intent. Analyses conducted pursuant to the SHPA inform compliance with the NHPA. The SHPA was developed to complement the NHPA and affirm the State of New York’s commitment to historic preservation.

In addition to creating the State Register of Historic Places (SRHP)—a state counterpart to the federal National Register of Historic Places (NRHP)—the SHPA requires state agencies to consider the impacts of their actions on properties listed in or eligible for listing in the SRHP and provide an opportunity for public comment. The lead state agency—in consultation with the New York State Office of Parks, Recreation and Historic Preservation, which is the New York State Historic Preservation Office (SHPO)—develops a Project Impact Area; identifies properties within the impact area that are registered (listed) or eligible for listing in the SRHP; and assesses a project’s impact on those properties in the Project Impact Area. For purposes of this documentation, these properties will be referred to as “historic properties,” which follows the federal terminology used in the NHPA and regulations describing the Section 106 process.

8.1.1 Standards and Guidelines

Qualified cultural resources staff complied with state requirements for the Proposed Action, using the following standards and guidelines:

- Archeology and Historic Preservation: Secretary of the Interior’s Standards and Guidelines [As Amended and Annotated] (National Park Service, 1983)
- Treatment of Archeological Properties: A Handbook (Advisory Council on Historic Preservation, 1980)
- National Register Bulletin, How to Apply the National Register Criteria for Evaluation (Revised 2002)

8.2 METHODOLOGY

The Project Impact Area is the geographic area within which a proposed undertaking may cause change (beneficial or adverse) in the character or use of an eligible or registered property. SHPA regulations at 9 NYCRR 428.4 state that changes include but are not limited to the following:

- Property restoration, rehabilitation, landscaping, or improvement projects
- Projects that may destroy or alter portions of the property
- Alterations to a property's surrounding environment, or
- The introduction of visual, audible, or atmospheric elements that may lead to the destruction, alteration, or neglect of the property.

The Project Impact Area considers both archaeological resources and the built environment and would be identical to the area of potential effects as required by the federal Section 106 process at 36 CFR 800. For archaeological resources, the Project Impact Area is limited to areas subject to ground disturbance. For the built environment, the boundaries include all properties that can be expected to experience both direct and indirect project-related impacts, such as direct physical impacts, noise, vibration, atmospheric effects, visual or setting changes as well as cumulative impacts. Qualified cultural resources staff conducted a site visit in May 2019 to delineate a Project Impact Area. This Project Impact Area extends along the Proposed Action alignment with a 300-foot buffer, as shown in Figure 8-1. The buffer incorporates areas that would have views to the Proposed Action, including stations.

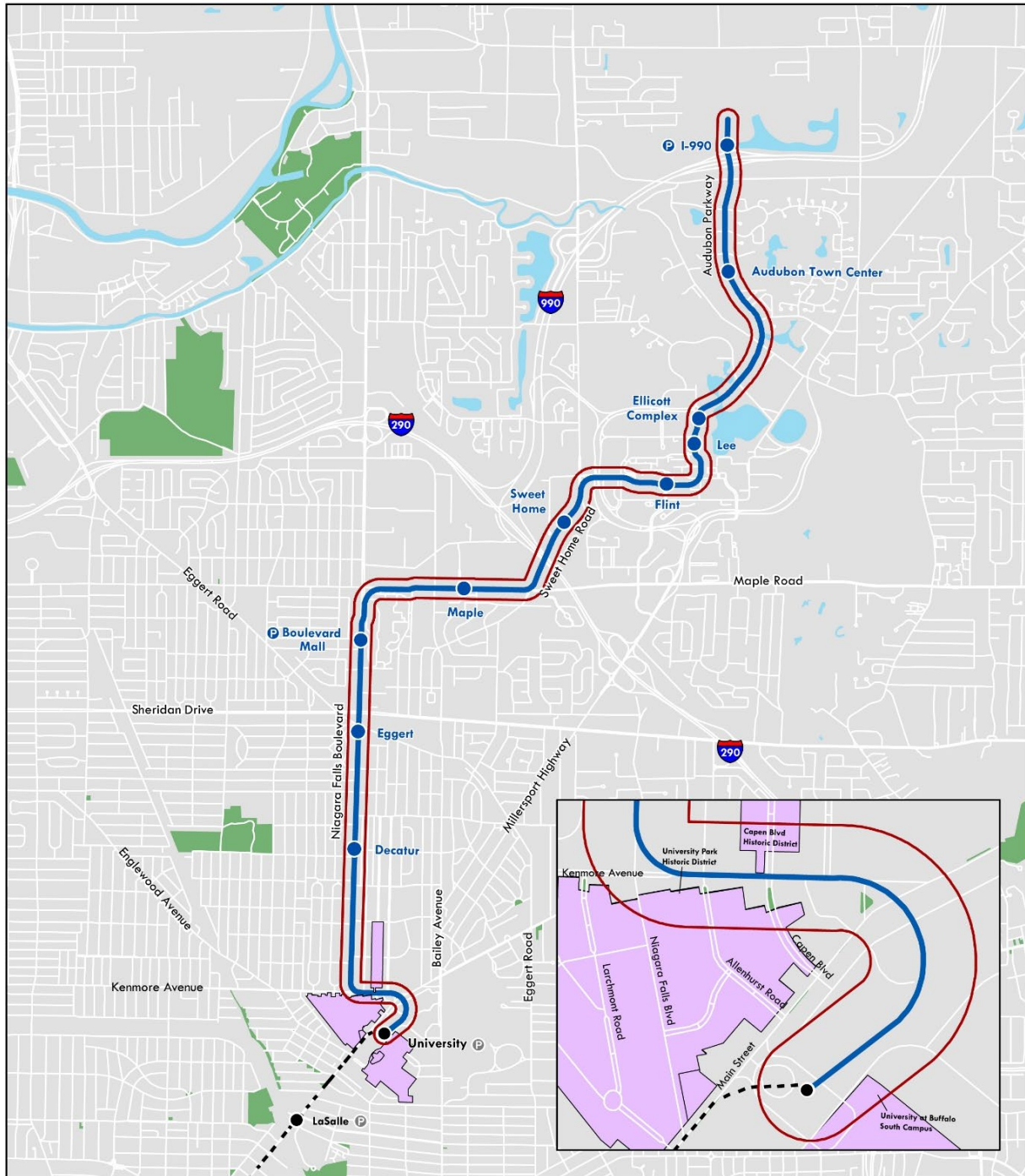
8.2.1 Literature Review and Research

Qualified cultural resources staff completed a review of environmental, cultural, historic, archaeological, and other background information to determine potential historic and archaeological resources that are present within the Project Impact Area. The New York SHPO Cultural Resource Information System (CRIS) database was used to determine previously identified and evaluated resources within the Project Impact Area (see Section 8.3.3).

Primary efforts focused on obtaining information that informed the assessment of properties more than 45 years of age 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, published county and town histories, aerial photographs, and other sources. Research was conducted in-person and online at the following repositories:

- Buffalo History Museum
- University at Buffalo Library and Archives
- Library of Congress
- Buffalo Niagara Heritage Village, Niederlander Research Library and Archives
- Buffalo & Erie County Public Library Grosvenor Room

Figure 8-1. Project Impact Area



- Metro Rail Expansion**
- Project Impact Area
 - Proposed Alignment
 - Proposed Station
 - ★ Proposed Storage/Light Maintenance Facility
 - P Proposed Park & Ride
 - Existing Station
 - Existing Metro Rail Line
 - Historic District

8.3 EXISTING CONDITIONS

The Proposed Action 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 Proposed Action alignment extends through areas with varying character that developed during different periods of time. The Metro Rail extension is beneath 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.

As the Proposed Action alignment moves to grade on Niagara Falls Boulevard, the line 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 proposed extension turns toward the east. At Sweet Home Road, where the Proposed Action alignment moves toward the northeast, contemporary apartment complexes face the 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 Proposed Action 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 Interstate 990.

Figure 8-2. Typical Commercial Buildings along Niagara Falls Boulevard



8.3.1 Architectural Field Investigations

A survey team of architectural historians who meet the Secretary of the Interior’s Professional Qualifications Standards completed the field investigations. Fieldwork commenced with the survey, which entailed identifying and photographing properties more than 45 years of age or older within the Project Impact Area that required detailed investigation. Digital cameras were used to photograph individual properties as well as representative views and streetscapes, as needed, and kept a photographic log. Historians noted groupings of buildings that should be evaluated as districts. Any historic landscape features and noted buildings’ settings were documented. The architectural historians recorded the location of each property within the Project Impact Area and verified the field data using the Erie County assessor’s database.

Photos and data were recorded for properties that were likely eligible for the SRHP and NRHP and documented character-defining features. Properties that were clearly not eligible for designation were also photographed. Each building, structure, or district was assessed for significance using the SRHP Criteria for Listing and integrity guidelines. For eligible properties, a period of significance and boundary description is included in the documentation. The historians recorded survey results in a report that adheres to the Reconnaissance-Level Historic Resource Survey guidance provided by the SHPO.

8.3.2 Built Historic Resources/Historic Properties

The architectural historians reviewed the Project Impact Area to identify any properties that are listed in or eligible for listing in the SRHP and NRHP through previous evaluations as well as any properties previously unevaluated, which generally include resources more than 45 years of age for the Proposed Action. While 50 years is the general threshold at which a property can be considered historic, the Proposed Action is using 45 years of age to accommodate proposed construction timeframes. Properties are determined eligible for listing by applying the Criteria for Listing found at 9 NYCRR 427.3. The criteria, which are nearly identical to the federal NRHP Criteria for Evaluation, state the following:

- [t]he quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:
- that are associated with events that have made a significant contribution to the broad patterns of our history; or
 - that are associated with the lives of persons significant in our past; or
 - that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
 - that have yielded, or may be likely to yield, information important in prehistory or history.

Several special criteria considerations exist and include, for example, religious properties, cemeteries, or properties less than 50 years of age that have achieved exceptional importance. Eligibility determinations are made by NFTA and its consultants and are subject to SHPO concurrence.

8.3.3 Previously Identified Historic Properties

According to SHPO's CRIS database, 32 previously identified resources exist within the Project Impact Area (Table 8-1). The SHPO CRIS database identifies resources as NRHP Listed, Eligible, Not Eligible, Not Eligible-Demolished, or Undetermined.¹ These resources include individual residential and commercial buildings as well as three historic districts, which are considered as single historic properties although they comprise many buildings. CRIS database information was obtained directly from the SHPO on June 17, 2019.

Figure 8-3. University at Buffalo South Campus



Note: University at South Campus is eligible for listing in the National Register of Historic Places.

¹ Undetermined means the property has been identified but not evaluated.

Table 8-1. Previously Identified Resources

Name/Address	City	CRIS Status	Survey Result
(Bridge) BIN 1072601	Amherst	Undetermined	Constructed in 1982
3484 Main Street	Buffalo	Eligible	No longer extant
3488 Main Street	Buffalo	Undetermined	No longer extant
3492 Main Street	Buffalo	Undetermined	No longer extant
549 Niagara Falls Boulevard	Amherst	Undetermined	Determined not eligible as part of Allenhurst-Niagara district
619 Niagara Falls Boulevard	Amherst	Undetermined	Determined not eligible as part of Allenhurst-Niagara district
1260 Sweet Home Road	Amherst	Undetermined	Constructed in 2011
1310 Sweet Home Road	Amherst	Undetermined	Constructed in 2012
Capen Boulevard Historic District	Amherst	Undetermined	Recommended eligible in 2011 Survey; treated as Eligible
University at Buffalo South Campus	Buffalo	Eligible	No change
University Park Historic District	Buffalo	Listed	No change
61 Allenhurst Road	Buffalo	Listed	Contributing to University Park Historic District
65 Allenhurst Road	Buffalo	Listed	Contributing to University Park Historic District
68 Allenhurst Road	Buffalo	Listed	Contributing to University Park Historic District
69 Allenhurst Road	Buffalo	Listed	Contributing to University Park Historic District
72 Allenhurst Road	Buffalo	Listed	Contributing to University Park Historic District
73 Allenhurst Road	Buffalo	Listed	Contributing to University Park Historic District
77 Allenhurst Road	Buffalo	Listed	Contributing to University Park Historic District
78 Allenhurst Road	Buffalo	Listed	Contributing to University Park Historic District
79 Allenhurst Road	Buffalo	Listed	Contributing to University Park Historic District
81 Allenhurst Road	Buffalo	Listed	Contributing to University Park Historic District
82 Allenhurst Road	Buffalo	Listed	Contributing to University Park Historic District
86 Allenhurst Road	Buffalo	Listed	Noncontributing to University Park Historic District
90 Allenhurst Road	Buffalo	Listed	Contributing to University Park Historic District
33 Capen Boulevard	Buffalo	Listed	Contributing to University Park Historic District
36 Capen Boulevard	Buffalo	Listed	Contributing to University Park Historic District
39 Capen Boulevard	Buffalo	Listed	Contributing to University Park Historic District
40 Capen Boulevard	Buffalo	Listed	Contributing to University Park Historic District
44 Capen Boulevard	Buffalo	Listed	Contributing to University Park Historic District
115 Niagara Falls Boulevard	Buffalo	Listed	Contributing to University Park Historic District
119 Niagara Falls Boulevard	Buffalo	Listed	Contributing to University Park Historic District
123 Niagara Falls Boulevard	Buffalo	Listed	Contributing to University Park Historic District
128 Niagara Falls Boulevard	Buffalo	Listed	Contributing to University Park Historic District
131 Niagara Falls Boulevard	Buffalo	Listed	Contributing to University Park Historic District
132 Niagara Falls Boulevard	Buffalo	Listed	Contributing to University Park Historic District
117 Larchmont Road	Buffalo	Listed	Contributing to University Park Historic District

Source: SHPO's CRIS database, June 27, 2019

8.3.4 Properties Requiring Evaluation

Tax assessor data from Erie County, town of Amherst, and town of Tonawanda provided the architectural historians with a useful screening tool for identifying unevaluated properties constructed within the last 45 years. Using these data, 600 properties that have year-built dates of 1974 or earlier are within the Project Impact Area. These 600 properties include 60 parcels where the town and county tax assessor data provides no year-built information, meaning the data is not available or the parcel is vacant. Because of this statistical anomaly and that tax assessor data can vary in its reliability, architectural historians meeting the Secretary of the Interior's Professional Qualifications Standards field-checked all resources to confirm year-built information.

Figure 8-4. University at Buffalo North Campus



Note: The University at Buffalo North Campus is being evaluated for SRHP eligibility as part of the Proposed Action.

Based on research and development history and field observations, the architectural history team grouped some properties into districts for evaluation. Neighborhoods with cohesive designs or small groupings of commercial buildings with shared features or a consistent development period are evaluated as districts rather than individually. In addition to adhering to best professional practices, this approach streamlined efforts given the number of individual properties more than 45 years old within the Project Impact Area.

Ninety-three properties, including those evaluated as districts, were surveyed, and no new historic properties were identified within the Project Impact Area. Previously identified resources shown in Table 8-1 includes numerous contributing resources to the NRHP-listed University Park Historic District, properties that no longer exist as determined during survey, properties that were identified in CRIS as Undetermined and evaluated as part of survey efforts, or properties identified as Undetermined and were less than 45 years of age that did not warrant evaluation for potential exceptional importance.

Figure 8-5. Boulevard Mall



Note: Boulevard Mall in Amherst is one of the historic properties that will require evaluation for SRHP eligibility as part of the Proposed Action.

As a result, the only historic properties located within the Project Impact Area are the NRHP-eligible UB South Campus, the NRHP-listed University Park Historic District, and the Capen Boulevard Historic District, which was a recommended historic district following the results of an Amherst-wide survey in 2011 and will be treated as an eligible historic property for purposes of the Proposed Action.² District boundaries provided by CRIS were verified using existing documentation; both the University Park Historic District and Capen Boulevard Historic District required corrections.

8.3.5 Archaeological Resources

Effects to archaeological resources were considered for the portion of Project Impact Area where ground surfaces could be disturbed by the Proposed Action. This disturbance could consist of excavation, construction, or ground surface compaction such as could occur through the staging of construction materials or the movement of heavy machinery. Identifying archaeological resources is a multiphase process—with the need for the next phase depending on the results of the preceding phase—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 and/or monitoring.
- Phase II: Site Evaluation appraises the integrity, significance, and NRHP eligibility of identified resources.

² KTA Preservation Specialists, *Updated Reconnaissance Level Survey of Historic Resources, Town of Amherst, Erie County, New York*, August 2011 (2011 Survey).

- 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.

Given the size of the Project Impact Area and the extent of previous investigations within this area, assessing the Proposed Action's effects on archaeological resources meeting the eligibility requirements of the NRHP consisted of a review of three types of information:

- Previously completed archaeological resource investigations for areas within or adjacent to the Project Impact Area
- Online site-file data on previously identified archaeological sites located within an approximately 0.5-mile radius of the Project Impact Area
- Documentary evidence of previous development and earth moving activities in order to characterize disturbances to ground surfaces along the Project Impact Area

Characterizing previous ground-surface disturbances consisted of the following:

- Reviewing aerial photographs and historic maps for information regarding the historical development of the Project Impact Area
- Using CAD/GIS data regarding the location of underground utilities and other subsurface features
- Examining the Project Impact Area'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 previously identified as having archaeological sensitivity, additional areas of archaeological sensitivity, and areas of low to no sensitivity for archaeological resources. Additional research in the form of fieldwork would be required to determine the presence or absence of resources in these areas and to determine whether any identified resources meet the NRHP eligibility criteria.

8.3.5.1 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 Project Impact Area. However, a review of these eight reports, which were completed over the past 20 years, indicate that additional surveys have also been completed for portions of the Project Impact Area 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 twentieth century. Though these earlier surveys were not directly reviewed for this assessment, the eight available reports provided summaries of the relevant earlier data. Table 8-2 lists the primary projects for which relevant cultural resource studies were completed within the Project Impact Area. (Those not available through CRIS are noted.) Figure 8-6 indicates the approximate location of these earlier surveys.

In addition to the projects listed in Table 8-2, a few smaller surveys for individual development projects have been undertaken adjacent to the Project Impact Area, none of which identified any archaeological resources. Table 8-3 lists these smaller surveys and Figure 8-6 shows their approximate location.

Several reports related to the projects include comprehensive background research and detailed environmental, prehistoric, and historic contexts for the region. Generally, these surveys determined that level, well-drained areas near fresh water sources are sensitive for prehistoric campsites, lithic scatters, and isolated prehistoric 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 Project Impact Area 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 prehistoric 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 prehistoric sites and one historic site) are either immediately adjacent to or very close to the Proposed Action 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 Proposed Action 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 pre-contact quarry). None of these sites are located on the Proposed Action alignment.

Table 8-2. Previous Archaeological Surveys (Major)

Map Ref. ¹	Project and Location	Types of Surveys	Results
1	State University of New York, University at Buffalo, North and South Campus	Multiple surveys in the 1990s ² and a comprehensive Phase IA in 2012 (Montague, 2012)	Identification of multiple archaeological sites and delineation of areas of archaeological sensitivity
2	Improvements to Sweet Home Road between its intersection with Route 990 and Maple Road	Multiple surveys (Hartner, 1999)	Identification of multiple archaeological sites
3 ³	Ellicott Creek Watershed/Audubon Project	Multiple surveys during the 1970s ²	Identification of dozens of archaeological sites
4	Construction of Lockport Expressway (Route 990)	Multiple surveys during the 1970s and 1980s ²	Identification of multiple archaeological sites, all destroyed by road construction
5	Muir Woods Development, Muir Woods north of Route 990	Phase IA/IB/2 (Pierce, 2001a) (Pierce, 2001b)	Extensive subsurface testing of 326-acre project area identified only a single prehistoric site determined not NRHP eligible

Source: SHPO's CRIS database, August 2019

¹ See Figure 8-2 for approximate location of associated project area.

² Not available in CRIS.

³ The project areas for these surveys have not been determined but are likely in the vicinity of the Project Impact Area.

Table 8-3. Previous Archaeological Surveys (Minor)

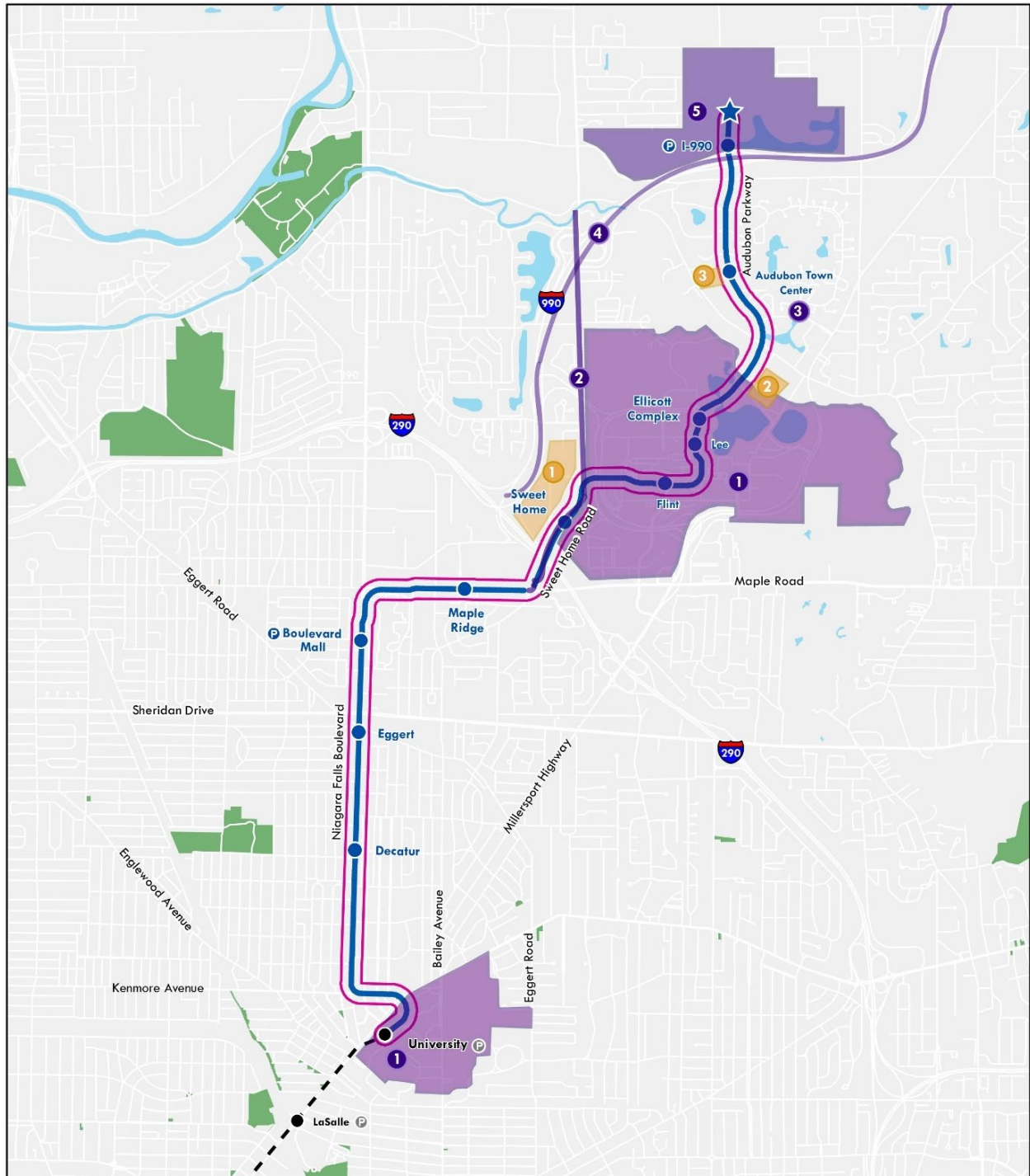
Map Ref. ¹	Project and Location	Type of Survey	Results
1	Student housing on Rensch Road west of John James Audubon Parkway	Two separate combined Phase IA/IB surveys (Hanley, 2007)	Subsurface testing failed to identify any archaeological resources
2	Construction project on the east side of John James Audubon Parkway at North Forest Road ²	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 S	Phase IA and IB (Hanley, 2015)	Subsurface testing failed to identify any archaeological resources

Source: SHPO's CRIS database, August 2019

¹ See Figure 8-6 for approximate location of associated project area.

² Not available in CRIS.

Figure 8-6. Previous Archaeological Surveys



Metro Rail Expansion

- Project Impact Area
- Proposed Alignment
- Proposed Station
- ★ Proposed Storage/Light Maintenance Facility
- Ⓟ Proposed Park & Ride

- Existing Station
- Existing Metro Rail Line
- Major Previous Archaeological Survey*
- Minor Previous Archaeological Survey*

* Sourced from the State Historic Preservation Office of Cultural Resources Information System Database



According to the report, the UB North Campus has a “high archaeological potential” for the presence of prehistoric “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 South Campus as having low potential for prehistoric sites. Both campuses were determined to have a 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 Proposed Action through the UB South Campus has low to high archaeological potential (at the ground surface, which is above the depth of the proposed tunnel in this area). The Proposed Action 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 Proposed Action 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 (Hartner, 1999). Prehistoric 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 Interstate 990 was performed (Pierce, 2001a). The survey’s project area included the proposed location of the northern terminus of the Proposed Action, including the proposed I-990 Station, park & ride facility, and storage and light maintenance facility. Despite the excavation of hundreds of shovel test pits, only one small area of prehistoric sensitivity was identified over 1,000 feet west of the Proposed Action corridor. This site was subsequently determined ineligible for the NRHP through completion of a Phase 2 evaluation. (Pierce, 2001b). No resources were identified within the Proposed Action corridor.

8.3.5.2 Previously Identified Archaeological Sites

A review of the CRIS database revealed 32 previously identified SHPO Archaeological Sites located within a 0.5-mile radius of the Proposed Action alignment (Table 8-4). 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 not formalized. Moreover, many of the museum sites are likely also represented by the set of 32 SHPO sites. Therefore, they are not included in Table 8-4. None of these previously identified archaeological sites are located on the Proposed Action alignment.

Table 8-4. 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)	Prehistoric	Lithics in a plow zone
A02902-0589 (Chestnut Ridge 3/UB 3045)	Prehistoric	Lithics
A02902-0794 (Chestnut Ridge 4/UB 3633)	Prehistoric	NRHP Eligible
A02902-0824 (Brunner Farm)	Historic, mid-19th century	Sheet midden
A02902-0880 (Poison Ivy Site/UB 4075)	Prehistoric	
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)	Prehistoric, probably Archaic	
A02902-0017 (Audubon 1/UB 1223)	Prehistoric, Meadowood, Early Woodland	Multicomponent site
A02902-0016 (Big Hoop 2/UB 953)	Prehistoric, probably Archaic	
A02902-0015 (UB 895)	No information	
A02902-0013 (Big Hoop 1/UB 891)	Prehistoric, probably Archaic	
A02902-0011 (North Forest Road/UB 283)	Prehistoric, Late Woodland	
A02902-0009 (UB 260)	No information	
A02902-0008 (UB 253)	Prehistoric, Archaic to Early Woodland	
A02902-0026 (Audubon 4/UB 1295)	Prehistoric	
A02902-0027 (UDC 1/UB 1513)	Prehistoric, Archaic; Historic, 19th century	
A02902-0028 (UDC 2/UB 1514)	Prehistoric	
A02902-0029 (UDC 3/UB 1515)	Prehistoric, Archaic	
A02902-0249 (Snyder-Smith Site/UB 2731)	Historic, 19th century	
A02902-0106 (UB Campus Site/UB 233)	Prehistoric	
A02902-0600 (Area C Site)	Prehistoric	Toolmaking, lithics recovered from plow zone
A02902-24949 (Erie County Poorhouse Cemetery/UB 2756)	Historic, 1850-1900	
A02902-0079 (St. Rita's Lane Site/UB 2472)	Historic	

Source: SHPO's CRIS database, August 2019

The associated site-file forms for the 32 sites indicate that 15 of them date to the prehistoric period, eight of them date to the historic period, one includes both a prehistoric and a historic component, and eight provide no information regarding the type of archaeological site. Most of the forms indicate that 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 Proposed Action corridor. When described, the prehistoric 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 depicted on the east side of UB South Campus and a flour and grist mill depicted northeast of the UB North Campus about 0.25 mile southeast of John James Audubon Parkway.

8.3.5.3 Disturbance Characterization

This section characterizes the extent of previous ground-surface disturbance along the Proposed Action alignment. The Proposed Action alignment's 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, John James Audubon Parkway, and the sidewalks and curbs that line some of the roadways. The unpaved areas include the shoulders adjacent to the roads and the median between the north- and southbound lanes of John James Audubon Parkway and short portions of Niagara Falls Boulevard. The Proposed Action alignment also crosses through a large grassy field south of the UB's Jacobs Management Center on the UB North Campus.

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 Proposed Action 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 sensitive areas along this portion of the Proposed Action 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 its route. Utility mapping for the 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 Proposed Action 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. Though 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.

8.3.5.4 Archaeological Sensitivity Assessment

Based on the results of previous archaeological surveys and the archaeological site-file review, the Proposed Action alignment would be considered sensitive for the presence of prehistoric 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 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 three portions of the Proposed Action alignment appear to retain archaeological sensitivity, as follows:

- Unpaved or minimally disturbed areas within the UB South Campus such as the grassy areas and parking lots along the campus' northwestern edge
- Unpaved or minimally disturbed areas within the UB North Campus such as grassy areas and parking lots
- Original ground surfaces and stream terraces in the vicinity of Ellicott Creek buried beneath John James Audubon Parkway

8.4 FUTURE WITHOUT THE PROPOSED ACTION

The No Action condition would maintain the roadway network and Metro Rail system in its existing configuration. The No Action condition assumes no improvements within the Project Impact Area besides those planned by others or implemented as part of routine maintenance. Any historic properties located within the Project Impact Area would remain in place and would not be impacted by the No Action condition. Therefore, the No Action condition would have no effects on historic or archaeological resources.

8.5 HISTORIC PRESERVATION CONSULTATION

Consultation can occur throughout the SEQRA process to obtain the views of the public on a proposed project or undertaking. The project team advertised the opportunity for consulting parties to participate in public meeting held in September 2019, which afforded the public an opportunity to review and comment on the Proposed Action and to provide information on known built historic properties or archaeological sites. No comments related to historic resources were received.

Specific consulting parties will be identified and invited to comment on the forthcoming survey report, which identifies previously unidentified properties more than 45 years of age and makes assessments regarding their eligibility for the SRHR. Consulting parties who choose to participate can offer comments on the eligibility and will also have an opportunity to comment on the proposed action's effects on historic properties. NFTA may hold meetings or calls in addition to providing documents and reports to the consulting parties for their review and written comments. If the

Proposed Action will have adverse impacts or adverse effects, the consulting parties would also be given opportunities to discuss measures to mitigate those effects.

8.6 POTENTIAL IMPACTS OF THE PROPOSED ACTION

8.6.1 Assessment of Impact

After historic properties are identified, qualified cultural resources staff will complete an assessment of impact. The SHPA requires agencies to avoid or mitigate adverse impacts to historic properties. State agencies must explore and consider all feasible and prudent alternatives that avoid or mitigate adverse impacts to built resources and archaeological sites. The qualified professionals made the impact determinations on behalf of NFTA.

Examples of adverse impacts are listed in 9 NYCRR 428.7 and include the types of changes previously noted:

- Destruction or alteration of all or part of a property
- Isolation or alteration of a property's environment
- Introduction of visual, audible, or atmospheric elements which are out of character with the property or alter its setting
- Neglect of the property resulting in its deterioration or destruction

In the event of an inability to avoid adverse impacts, a Letter of Resolution is executed among the project applicant, state agency, and the SHPO that outlines mitigation measures.

8.6.2 Historic Resources

A determination of effects will be prepared, pending SHPO's concurrence on eligibility.

8.6.3 Archaeological Resources

As stated previously, three general areas of archaeological sensitivity exist along the Proposed Action alignment: portions of the UB South and North Campuses and beneath portions of John James Audubon Parkway.

The Proposed Action calls for a tunnel beneath the archaeologically sensitive portions of the UB South Campus. Because this tunnel is expected to extend below the depth of archaeological sensitivity, it is not expected to impact archaeological resources.

The Proposed Action would directly impact a number of grassy areas and minimally disturbed areas such as sidewalks within the UB North Campus through construction of the rail line, stations, and substations. These grassy areas have been determined to be sensitive for the presence of archaeological resources, depending on the extent of previous ground surface disturbance. An archaeological survey involving subsurface testing is necessary to determine the presence or absence of archaeological resources in these areas. If archaeological resources are present and if they meet

the eligibility requirements of the NRHP, then the Proposed Action would likely constitute an adverse effect.

The third area of archaeological sensitivity comprises original ground surfaces and stream terraces near Ellicott Creek buried beneath John James Audubon Parkway. However, because these areas of sensitivity are well-below the expected depth of project disturbance, it is unlikely that they would be impacted by the Proposed Action. If impacts of the Proposed Action 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. If archaeological resources are present and if they meet the eligibility requirements of the NRHP, then the Proposed Action would likely constitute an adverse effect.

8.7 MITIGATION

If NRHP-eligible archaeological resources are identified in the Project Impact Area, NFTA—in consultation with SHPO and the consulting parties—will identify measures to mitigate the unavoidable adverse effects of the Proposed Action on such resources. These measures could include completion of a Phase III data recovery and/or alternative mitigation measures to help interpret the resource for the benefit of the general public.

8.8 REFERENCES

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