

SUMMARY REPORT

**PHASE IA ARCHAEOLOGICAL SURVEY
(SENSITIVITY ASSESSMENT)
ARGUS ELLISON DEVELOPMENT – LOTS 1–11, 15, and 16
Paterson, New Jersey**

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TABLE OF CONTENTS

| | |
|--|----|
| Project Description | 1 |
| Methodology | 1 |
| Background Research | 2 |
| Cultural Context | 2 |
| Pre-Contact to Contact Periods | 3 |
| Great Falls Historic District | 4 |
| Society for Useful Manufactures, 1791 to 1840s | 4 |
| Dublin Neighborhood and Industrial-Commercial Businesses, 1850 to 1979 | 6 |
| Highway Projects and Urban Renewal, 1970 to Present..... | 8 |
| Archaeological Sensitivity Assessment | 9 |
| Known Sites and Previous Archaeological Investigations | 9 |
| Documented Resources – Historical Maps and Photographs Review | 11 |
| Existing Conditions | 13 |
| Conclusions and Recommendations | 14 |
| References Cited..... | 16 |

This summary report presents the results of a Phase IA archaeological survey (sensitivity assessment) for the Argus Ellison New Construction Project (the Project) at 11 Ellison Street, Block 4602, Lots 1–11, 15, and 16 in Paterson, New Jersey (Figure 1). The assessment provides information about known and potential archaeological resources that may be affected by the Project. The Public Archaeology Laboratory, Inc. (PAL) conducted the Phase IA archaeological survey under contract with WinnDevelopment.

Project Description

WinnDevelopment has partnered with Argus Ellison Associates, LLC to redevelop the Argus Mill and surrounding paved parking lots within City Block 4602, Lots 1–11, 15, and 16 (Figure 2). These lots are currently part of an asphalt-paved surface parking lot established in the 1970s and under the operation of the Paterson Parking Authority (PPA). The Project lots are within the Great Falls Historic District and also within the proposed North Dublin Historic District. This proposed district extends north from Grant Street to Van Houten Street on the east side of Mill Street (Figure 3). The North Dublin Historic District and South Dublin Historic District have been recommended for a combined Dublin Neighborhood Historic District that would encompass more than 12 city blocks between Van Houten Street on the north and Interstate 80 east of Mill Street on the south, for a total approximately 84 acres (Harshbarger 2015).

Argus Ellison Associates, LLC consulted with the City of Paterson's Historic Preservation Commission (HPC), which reviewed the Project plans and recommended a Phase I archaeological survey of the redevelopment Project area in a memorandum to the City's Planning Board dated March 4, 2020. Condition #3 in the HPC's Certificate of Appropriateness dated June 29, 2021, for Lots 1–11, 15, and 16 (new construction) indicates that a Phase I archaeological survey will be completed before any ground disturbances.

The HPC's subsequent discussions with the Project proponent indicated that a Phase IA desktop archaeological assessment would be appropriate to determine the potential for significant archaeological resources within the ground disturbances areas for the new construction and whether a Phase I archaeological survey is warranted. Because of the extensive nineteenth- and twentieth-century residential and commercial land uses, including multiple building constructions and demolition episodes, the HPC does not anticipate that the Project lots are sensitive for pre-contact Native American archaeological resources. While the focus of the Phase IA archaeological assessment was on the previous ground disturbances in the Project lots and potential for intact cultural deposits primarily related to the documented nineteenth-century residential component of the industrial developments in the Great Falls Historic District, the potential for pre-contact Native American resources was also evaluated.

Methodology

The archaeological assessment involved background research to collect historical, archaeological, and existing conditions information for the Project Lots 1–11, 15, and 16 and surrounding neighborhood and Great Falls Historic District. This summary report follows the standards and guidelines established by the National Park Service in the *Recovery of Scientific, Prehistoric, Historic, and Archeological Data* (36 CFR Part 66 Appendix A) and the New Jersey State Historic Preservation Office (SHPO) *Guidelines for Phase I Archaeological Investigations: Identification of*

Archaeological Resources (2004) and *Guidelines for Preparing Cultural Resources Management Archaeological Reports* (2000).

Background Research

A PAL senior archaeologist reviewed all available Project information, including design plans, environmental site assessments, soil borings, and existing conditions. The Great Falls Historic District nomination/registration form(s), town/city histories, previous cultural resources management (CRM) reports, and historical maps and aerial imagery were also reviewed to provide cultural contexts for the Project lots and to gain an understanding of the types and potential significance of pre-contact resources that may have been present and post-contact resources that are documented in the city block containing the Argus Mill. PAL also reviewed available information on file at the PPA relating to the demolition of nineteenth- and early twentieth-century buildings on Lots 1–11, 15, and 16 and the construction of the paved municipal parking lot.

To determine the presence of any recorded archaeological sites and previous archaeological investigations conducted within and near the new development, PAL consulted with the City of Paterson HPC and with the New Jersey State Museum and the New Jersey State Historic Preservation Office in Trenton, New Jersey. The City of Paterson HPC provided several reports containing the results of relevant previous archaeological investigations and contextual information (i.e., Brady 1979; Cotz et al. 1980; and Harshbarger 2015). Other relevant reports and articles were available online (e.g., Cotz 2000; De Cunzo 1982; and HRI 2010). The State Archaeologist at the State Museum provided information about recorded pre-contact and post-contact sites within a 1-mile radius of the Project lots. However, because the New Jersey SHPO is currently closed due to COVID-19 restrictions, PAL was not able to review any other relevant archaeological reports on file at that office.

Information about existing conditions within the Project lots was obtained from recent photographs taken by WinnDevelopment and PAL's senior architectural historian, supplemented by Google map street views and the environmental site assessment reports, including soil boring results.

Cultural Context

The City of Paterson is in southeastern Passaic County and most of its surface area lies south of the great bend in the Passaic River. At this bend the Passaic cuts through the First Watchung Mountain, also known as Garrett Mountain, within the Piedmont Lowlands Geomorphic Province of New Jersey. The terrain of this province is characterized by gently undulating surfaces that slope from the Highlands Province in the northwest to the Coastal Plain Province in the southeast. The First Watchung Mountain is one of three crescent-shaped basaltic ridges that stretch approximately 48 miles southwest-to-northeast across northern New Jersey. The Passaic River cuts through the First and Second Watchung Mountains (at Paterson and Little Falls, respectively) and helped to drain the Glacial Lake Passaic and also established an important transportation route westward in its valley dating back to the pre-contact period and continuing through the post-contact period. In Paterson, the northeasterly flowing Passaic River passes through a ridge west of the First Watchung Mountain and then continues over the 77-foot-high Great Falls before turning southeast and flowing to its tidewater confluence and emptying into Newark Bay. The downtown sector of the city, including the Project lots in the Great Falls Historic District and the historic Dublin neighborhood, is on the lower eastern slope of the mountain between the ridge and the river.

Pre-Contact to Contact Periods

The earliest evidence for human occupation in northern New Jersey, similar to elsewhere in the glaciated Northeast, dates to the PaleoIndian Period (ca. 12,500-10,000 years before present [B.P.]). The archaeological evidence points to the presence of highly mobile foragers occupying limited-task, short-term camps or engaging in specific tasks that leaves little in the way of a visible archaeological footprint (e.g., isolated finds). Data collected from PaleoIndian sites suggest that high, well-drained areas near streams or wetlands were preferred locations for occupation, though rock shelters near lithic sources and lower river terraces were also subject to occupation and use (Funk 1976; Marshall 1982; Moeller 1980; Pagoulatos 2004). The Archaic Period (ca. 10,000-3000 B.P.) in the Northeast is characterized by more generalized hunter-gatherer strategies than the PaleoIndian Period. It is subdivided into Early, Middle, and Late periods on the basis of changes in environment, projectile point styles, and settlement patterning (Lavin and Mozzi 1996; McBride 1984; Snow 1980). Sites from all three Archaic periods have been recorded in the northern part of the state including in the Passaic River drainage.

The Woodland Period (ca. 3000-450 B.P.) in the Northeast is characterized by a major shift in subsistence and habitation strategies including the introduction of cultigens (maize, beans, and squash) and the use of ceramic vessels. However, evidence of horticulture has not been clearly documented in northern New Jersey, and it is likely that native peoples would have continued to rely heavily on coastal resources (shellfish and marine species), as well as terrestrial game and gathered foods. The Woodland Period is usually subdivided into Early, Middle, and Late periods on the basis of ceramic types and political and social developments (Lavin and Mozzi 1996; Ritchie 1980; Snow 1980). The majority of Woodland Period sites in northern New Jersey are recorded at coastal locations along interior river drainages including the Passaic River and Great Falls that would have been the locations of seasonal villages for fishing and other resource procurement activities.

By the time of European contact in the sixteenth and early seventeenth centuries, the Great Falls area was occupied by the native Lenni Lenape group of the larger Delaware Tribe. The Lenni Lenape maintained autonomous, loosely structured bands that resided in small dispersed village settlements containing bark lodges and wigwams (Kraft 1975). The Lenape were dominant in northern New Jersey until the early 1700s, when they were subordinated by the Iroquois (Goddard 1978a, 1978b; Salwen 1978). Most of the remaining Lenape began to move westward at that time. Reservations were provided for those that remained, but these proved to be so inadequate that most remaining Lenape moved out of the state during the early 1800s; only a small residual population remained (Wacker 1982).

At the time of European settlement in the Paterson area several important Native trails traversed the area, including the Wagaraw, Goffle, and Totowa (Skinner and Schrabisch 1913). The Wagaraw crossed the Passaic River and connected with the Goffle and Totowa trails at the bend in the river at its northernmost point. The Goffle then led northward to Sicomac and what is now Franklin Lakes; the Totowa led southwesterly to Totowa and Singac (Skinner and Schrabisch 1913). A major Native trail ran north along the Passaic River from Elizabeth and Newark, splitting into the Pompton Trail toward the northwest and an unnamed trail north to Suffern at approximately the Great Falls in what is now Paterson (Wacker 1975). By the late seventeenth century several large tracts or patents had been organized by Dutch and English settlers in the greater New York region that extended into northern New Jersey. Around 1680 several Dutch families moved into the Passaic River area and purchased 10,000 to 11,000 acres of land in what is now Passaic County including part of present

Paterson, Clifton, and Passaic (Nelson and Shriner 1920; Scott 1922). The settlers divided the lands into 100-acre lots that were then further subdivided into smaller private lots, most of which ran from the Passaic River westward to the base of the First Watchung Mountain (in Paterson, what is today the Garrett Mountain Reservation). The prime agricultural lands were settled first and other lands containing mostly pasture and meadows were held in common (Leo et al. 1979; Scott 1922; Nelson and Shriner 1920).

Great Falls Historic District

The Project lots are within the local historic district (LHD) boundary of the Great Falls Historic District in the west central portion of Paterson. The Great Falls Historic District (aka Great Falls of Paterson/Society for Useful Manufactures [S.U.M.]) was listed in the National Register of Historic Places in 1970, the New Jersey Register of Historic Places in 1971, and expanded in 1986 to include the late nineteenth-century Argus Mill (Fries 1976; Rothe 1985). The original boundaries of the district included the Passaic River corridor from West Broadway Ave–Ryle Ave south to Walker Street and east to Mill and Van Houten streets. The district boundaries established in 1971 and expanded in 1986 are focused on the historic industrial land uses associated with the harnessing of water power from the Great Falls on the Passaic River beginning in 1792 and continuing until 1915 when water power was replaced by a hydroelectric generating plant and steam plant for the industrial operations.

The Great Falls Historic District largely comprises a collection of predominantly nineteenth-century factory complexes and water power raceways along the Passaic River below the Great Falls. The largest of these complexes is now known as the Former Allied Textile Printing (ATP) site at the corner of Mill and Van Houten streets that contains approximately 7 acres, including portions of the historic raceways and ruins of numerous historic mill structures associated with the Waverly Mill (1857) and Mallory Mill (circa [ca.] 1860), the Todd Mill (ca. 1834), the Colt Gun Mill (1836), and the Passaic Mill No. 1 (ca. 1814). ATP consolidated these mills in the late nineteenth and early twentieth centuries to serve its large manufacturing enterprise (NPS 2006). There were also textile manufacturing resources in the district, including the Essex Mill (1871) on the west side of Mill Street, which included the Argus Mill (1876) built as a large storehouse for the expansion of the Essex Mill's mosquito net manufacturing operation. The Argus Mill faced the main mill buildings and sat on the east (opposite) side of Mill Street, which at that time was predominantly residential. The Argus Mill provided a delineation between the S.U.M. industrial facilities to the north and west and the residential neighborhoods to the east and south (Rothe 1985).

Society for Useful Manufactures, 1791 to 1840s

Under the guidance of Alexander Hamilton, the nation's first Secretary of the Treasury, the S.U.M. was incorporated by the 14th General Assembly of the State of New Jersey in November 1791. The S.U.M. prospectus described "a society of investors who would oversee the establishment of a manufacturing town focused upon one or more factories capable of producing paper, cotton cloth, and other manufactured products." In 1792, the then-town of Paterson (named after Governor William Paterson) received its own charter. The S.U.M., a private corporation, was granted powers to develop manufacturing in the new town, including dramatic improvements to the local landscape along the Passaic River. The town initially hired Pierre-Charles L'Enfant, a French engineer, to design the engineering plan for the industrial district, but his water power system was too

complicated, and a down-scaled system was designed and implemented by Peter Colt, a self-taught American engineer (Fries 1976).

By ca. 1793–1794, the S.U.M. had built a dam a short distance downstream of the Great Falls that created an upstream reservoir where water was diverted into a canal around Mount Morris. The canal connected to a short headrace for a cotton mill, which was the focal point of the S.U.M.'s initial industrial efforts. The cotton mill was made of local stone from the Mount Morris quarry and stood on the west side of Mill Street; the mill's tailrace ran north down the west side of Mill Street to Quarry Street (later Boudinot Street, and then Van Houten Street), through a saw mill, and then back into the river. The canal on the south side of the cotton mill extended east under Mill Street and then turned north to rejoin the river east of the Former ATP Site (HRI 2010:chapter 2). The Project lots at that time were unimproved uplands between Quarry and Mill streets northwest of the marsh through which the canal extended on its route back to the Passaic River around the cotton mill.

The S.U.M.'s mill businesses were not profitable, and the cotton factory closed in 1796. The S.U.M. turned instead to land leasing and infrastructure development. In 1800–1802, the S.U.M. constructed an increased length of raceway (later known as the Middle Raceway) from the cotton mill farther north along the west side of Mill Street to serve a new paper manufacturer (site of later Essex Mill). In 1807, the demand for new mill sites grew and the S.U.M. constructed a new canal to the east along the north side of Van Houten Street (later known as the Lower Raceway).

The extension of the Middle Raceway and construction of the Lower Raceway opened up the lands bordering Mill and Boudinot streets to large-scale industrial development. These newly created mill parcels are depicted on the 1820 map of the village of Paterson (Figure 4), which is the earliest known detailed cartographic representation of the town at that time (HRI 2010). The map shows that all the available mill sites between the Middle Raceway and Mill Street, and between Boudinot (Van Houten) Street and the Passaic River, had been leased or sold to mill proprietors by that time. The Project lots at the intersection of Boudinot and Mill streets was part of platted blocks laid out for long, narrow house lots as part of the planned industrial development at Great Falls. By 1815, these blocks contained 74 dwelling houses for the mills' workforce, composed of skilled and semi-skilled English and Irish immigrants and New Englanders familiar with textile manufacturing (The Passaic County Historical Society Genealogy Club [Passaic Club] 2000).

In 1827–1828, additional demand for mill spaces prompted the S.U.M. to construct a third raceway above the other two by raising the earthen embankment at the end of the reservoir and building a channel along the edge of the bedrock ridge. At the same time, the S.U.M. added locks from the river into the reservoir so that the new upper raceway could be used as a transportation canal from the river. In 1838–1840, the S.U.M. abandoned the original wooden dam and constructed a new masonry dam farther downstream toward the Great Falls; the dam was raised 2 feet (ft) in 1864 to increase the storage and head of the system. In its completed form by the mid-nineteenth century, the raceway system was capable of developing over 2,000 horsepower, which was more than sufficient to power the various downstream textile mills and other industries, including silk, firearms, and railroad locomotive manufacturing. By 1850, Paterson's industrial area had expanded significantly and included over a dozen mill and manufacturing buildings (Fries 1976; HRI 2010; NPS 2016).

The 1835 map of Paterson depicts scattered residential housing for the mill workforce that had infilled the "city" blocks south of Boudinot Street and east of Mill Street, including the Project lots, south and east of the mills along the river and raceways (Figure 5). An 1834 lithograph of this same area

depicts these houses as 1- and 2-story wood-frame structures with open spaces along the streets and in the interiors of the street blocks (Hill 1834, reproduced in HRI 2010). The mill worker residential blocks contained 48.6% of Paterson's population, including manufacturers and skilled and unskilled workers from England, Ireland, Scotland, and Germany, at a time when there was little social differentiation between manufacturer and workers, and all lived close to the mills along the canals (Passaic Club 2000). Also, historical records researched to date indicate that the manager and worker housing in this area was built on lots owned by the workers themselves and not provided by the mill companies (Harshbarger 2015).

Dublin Neighborhood and Industrial-Commercial Businesses, 1850 to 1979

Paterson was incorporated as a city in 1851 and the population nearly doubled from just over 6,000 residents in the 1830s to just over 11,000 in 1850. The mill worker "city" blocks east and south of the Passaic River, canals, and mills had acquired the name of the "Dublin" community or neighborhood¹ by that time (Passaic Club 2000). The 1850 map of Paterson depicts the eastern side of Mill Street and southern side of Boudinot Street as lined with residential structures facing the mills on the Middle Raceway and Lower Raceway (Figure 6). These houses were originally an enclave of upper middle class mill owners or lessees, including the houses along Boudinot Street, which were referred to as "Quality Row." It was the place where "all the leading people lived, and where all the money was made to erect the handsome houses in the eastern part of the City" (*Paterson Daily Press* 1873, cited in Presa 1980). The 1850 map also depicts McGee's Alley that divided the city block enclosed by Boudinot Street (north), Cross Street (east), John Street (south), and Mill Street (west) as early as 1835 (see Figure 5) to form the Project block containing Lots 1–11, 15, and 16 (see Figure 6). The 1850 map has owner and/or occupant names for the lots, four of which belonged to R. C. Ridgway.

The 1861 map of Paterson (Figure 7) shows a similar building arrangement to that on the 1850 map. A panoramic view of the town in 1858 indicates that house builders and owners did not necessarily construct dwellings of uniform size, plan, or setback within the city blocks. The typical mid-nineteenth-century workers' houses in the Dublin neighborhood were usually 2-story, 3-bay, gable-roof, side-hall wood-frame vernacular buildings with some limited expressions (Harshbarger 2015). Also, it appears that houses were built at the front and rear of the lots, and some were later moved in the late nineteenth and early twentieth centuries to the rear of the lots to make way for more modern "on-the-street" housing (Rutsch et al. 1980: 234).

By the third quarter of the nineteenth century, the Dublin neighborhood bordering the mill district along the Passaic River at Great Falls had gradually transformed into more of a working class, predominantly Italian, community. The neighborhood residential blocks contained small craft shops, stores, bakeries, and saloons interspersed among the dwellings, many of which had a small business on the first floor. The larger businesses and institutional buildings, including churches and schools, tended to be at or near street corners and commercial shops, all established to serve the growing largely Irish and Italian immigrant communities (Harshbarger 2015; Presa 1980; Passaic Club 2000).

¹ The workers' housing neighborhood east of the Passaic River and the mill complexes was known in local oral tradition as "Dublin," so-named for the Irish immigrants who settled there in the mid-to-late nineteenth century. Dublin was a historically residential community, with attendant commercial businesses and institutions that developed adjacent to the industrial sector south of Paterson's Great Falls (Cotz et al. 1980; Rutsch et al. 1980).

An 1877 (Hyde and Co.) map of Paterson depicts substantial residential infilling of city blocks and individual lots east of Mill Street between Market Street on the south, Van Houten Street on the north, and east from Mill Street to Prospect and beyond (Figure 8). By this time, nearly every 25-ft-wide lot (on average) in the Dublin neighborhood, including the Project lots at the north end, were occupied by a house and at least one or more outbuildings (Harshbarger 2015). The residential buildings in the Project lots fronted the street sides, and smaller outbuildings were built at the rear (interior) sides of the lots. Only one of the dwellings is indicated with the name of an owner/occupant—that of J. C. Todd in Project Lot 3. Todd was co-owner of the Todd-Rafferty Machine Works on the north side of Van Houten Street across from his dwelling where he lived for 40 years until his death in 1905 (Brady 1979). Project Lot 1 contained a 2-story wood-frame (saloon) building at the corner of Mill Street and Van Houten Street; the saloon was attached on the east to the “Colt House” built by the Colt family (mill owners) ca. 1830 on Lot 2 and enlarged ca. 1876 for use as a boardinghouse (Figure 9).

By 1880, the city’s population had surged to over 51,000, a number that more than doubled to just over 100,000 by 1900 (Passaic Club 2000). Many Italian immigrants had settled in the Dublin neighborhood, which by 1920 accounted for more than 90% of the community’s households. From the 1870s to the 1900s, the number of households in the Dublin neighborhood increased by about 25% and there was a shift from homeowners to renters, with the older single-family dwellings converted into multi-story and multi-family tenements (De Cunzio 1982; Harshbarger 2015).

The 1887 (Sanborn) insurance map depicts the newly constructed 3-story brick “R&H Adams Ware Ho.” (aka Argus Mill) fronting Mill Street surrounded to the north, west, and south by 2- and 2½-story wood-frame dwellings (Figure 10). The outbuildings to the rear of the Project lots were a mix of 1- and 2-story attached and detached wood-frame structures. The 1899 (Sanborn) insurance map depicts a nearly identical building configuration in the Project lots, except for the addition of two attached 2½-story wood-frame dwellings fronting Mill Street (Project Lot 16) north of the brick mill warehouse and a brick 4-story building with a saloon at the corner of Ellison Street and McGee’s Alley (Project Lot 7) (Figure 11).

In 1910, problems in the efficient sharing of water power by mills on the three different raceway levels (Lower, Middle, and Upper) led the S.U.M. to develop plans for the construction of a hydroelectric power plant to replace the water-powered wheel turbines at the various mills. The new hydroelectric plant and steam plant were completed by 1915 and had a maximum capacity of 6,500 horsepower using four boiler-case double-runner Francis turbines (Fries 1976). The increased power supply from the hydroelectric plant for milling operations led to increased competition and, in 1938, over a dozen of Paterson’s smaller silk and textile companies merged into one management structure known as the Allied Textile Printers, Inc. (ATP). The company consolidated the textile manufacturing and associated facilities along the river and eventually acquired most of the earlier mills. ATP was economically successful through the 1950s and 1960s, and most of its buildings remained largely intact through the 1970s when they were documented for the Historic American Engineering Record (HAER). In 1982, the company closed and a massive fire in 1983 destroyed many of the remaining buildings (NPS 2016).

The 1915 (Sanborn) insurance map depicts a building configuration in the mill parcels and residential blocks, including the Project lots across from the mills, which did not change in layout through 1950 and 1951 with the exception of a few rear additions to several of the buildings (Figure 12). The 1950 and 1951 (Sanborn) insurance maps show attached multi-story buildings containing a restaurant and a garage at the corner of Mill and Van Houten streets (Lot 1); a “bottling works” to the east (Lot 3);

a “pickling works” to the southeast at the corner of McGee’s Alley and Ellison Street (Lot 7); a “store” to the west in Lot 9; and the remainder of the Project lots as containing dwellings and ancillary sheds and garages (Figure 13). The 1966 (Sanborn) insurance map identifies “cabinet manufacturing” in the former “pickling works” buildings in Lot 7; no other changes are depicted in the other Project lots at that time (Figure 14).

In 1973, eight of the Project Lots still contained residential and commercial buildings: a restaurant-store and attached garage (Lot 1); front and rear attached dwellings (Lot 2); flats (streetside) and a bottling works (to the rear) (Lot 3); apartments (Lot 4); flats (Lot 6); a cabinet manufactory (Lot 7); apartments (Lot 11); and two attached dwellings (Lot 16) (Figures 15 and 16). In 1979, however, two Project lots still contained buildings: the three attached multi-story wood-frame and cinder block commercial structures on the corner of Mill and Van Houten streets (Lot 1) and the two attached multi-story brick and cinder block structures at the corner of Ellison Street and McGee’s Alley (Lot 7) (Figure 17). The other Project lots had all been cleared of buildings by that time, most of which had been converted into multi-family apartments and flats in the decade(s) before their demolition.

Highway Projects and Urban Renewal, 1970 to Present

Historic aerials of the mill district and Dublin neighborhood from 1931 to 1970 (NETR 1931–1970) depict very densely packed city blocks with buildings and small yard spaces similar to those on the 1915 map (see Figure 12). In the early 1970s, the New Jersey Department of Transportation began clearing residential and commercial buildings in the north end of the Dublin neighborhood between Mill Street and Prospect Street, including some in the Project lots, as noted above. The demolition of dozens of buildings was done to prepare for the construction of the Route 20 peripheral highway to intersect with Interstate 80 directly through Paterson’s old mill district around the Great Falls of the Passaic River. The building demolitions were halted by the creation in 1971 of the Great Falls Historic District and after protests by a coalition of concerned citizens known as Great Falls Development, Inc. (Blesso 1993; Cotz et al. 1980).

Subsequent negotiations among Great Falls Development, Inc. and the federal and New Jersey Department of Transportation resulted in a decision to allow the building demolitions in the city blocks within the Dublin Neighborhood to continue but to provide for archaeological salvage excavations, historical research, artifact analysis, and the preparation of technical reports about the research and excavation findings. The area to be impacted by the construction of Route 20 was outside the boundaries of the historic district but included portions of the nineteenth-century workers’ housing in the Dublin neighborhood that was recognized as having intrinsic historical value to the historic district. As a result, salvage archaeology was conducted in what was called the Van Houten Street parking lot (Project lots) and in 10 residential lots on the west side of Mill Street just north of Interstate 80 (see below) (Brady 1979; Cotz et al. 1980; Rutsch et al. 1980).

The highway construction and associated infrastructure improvements continued throughout the 1970s. By 1980, the (Sanborn) insurance map depicts the Project lots as devoid of structures (Figure 18). All but two of the former residential-worker houses to the south of the Project lots between Ellison Street and Passaic Street and east of Mill Street had also been demolished. The still extant early nineteenth-century Thompson and Ryle Houses are 2½-story dwellings physically connected since their construction on the southeast side of the original intersection of Ellison and Mill streets. Both houses were relocated in 1979 to new foundations at the northeast corner of the realigned Ellison Street and Mill Street (Block 4602, Lots 12 and 13) adjacent to the Argus Mill and

the Project Lots 1–11, 15, and 16 (Presa 1980) (Figure 19). By 1984, the Project lots had been converted into a paved public parking lot (Figure 20), and no substantive changes to the Project lots have occurred since then (Figure 21) (Google Maps 2021; NETR 1980–2016; Mellick-Tully 2018).

Archaeological Sensitivity Assessment

The archaeological assessment of the Project lots (Block 4602, Lots 1–11, 15 and 16) for the new development around the Argus Mill was determined by the presence of known sites, the results of previous archaeological investigations, documented resources from historical maps and photographs, and existing conditions, including previous belowground disturbances.

Known Sites and Previous Archaeological Investigations

There are no recorded pre- or post-contact archaeological sites within the Project lots, although archaeological investigations have been conducted in the Van Houten Street Parking Lot Block (Brady 1979; De Cunzo 1982; Rutsch et al. 1980, Volume I) and in the immediate vicinity within the industrial ATP parcel on the north side of Van Houten Street in the Great Falls Historic District (URS 2011a, 2011b); on the adjacent Lots 12 and 13 (Block 4602) for the relocation of the Thompson and Ryle Houses (Brady 1980; Presa 1980) in the northern part of the historic Dublin neighborhood; and at 10 residential sites on the west side of Mill Street just north of Interstate 80 in the southern part of the historic Dublin neighborhood (Cotz et al. 1980; Rutsch et al. 1980, Volume II).

These archaeological investigations recovered cultural deposits (i.e., structural remains, features, and artifact assemblages) associated with documented post-contact residential and industrial components of the Great Falls Historic District and Dublin neighborhood. However, no pre-contact Native American cultural deposits including artifacts were found during any of these archaeological investigations.

Van Houten Street Parking Lot Block

In the late 1970s, three phases of archaeological investigations took place in ten of the Project lots (Lots 2, 4, 5, 6, 8, 9, 10, 11, 15, and 16) in advance of reconstruction plans in what was known as the Van Houten Street Parking Lot Block (aka the present PPA parking lot) (Figure 22). The first phase of excavations consisted of eight 4-x-10-ft trenches where historical maps indicated “prior building activity” (i.e., nineteenth-century dwellings) and where the proposed parking lot grading, construction of underground drainage pipes and utility lines, and placement of landscape elements would be deep enough to disturb cultural strata. No structural remains of dwellings or outbuildings were identified in six of these trenches (in Project Lots 4, 5, 6, 10, 11, and 16). The other three trenches (in Lots 5 and 6) contained the bottom courses of house foundations 2–4 ft below the ground level at that time (Brady 1979).

The second phase of archaeological investigations involved the placement of an excavation grid of 5-ft squares that overlapped with the footprint of the earliest documented nineteenth-century dwelling (Colt House, Lot 2) in the Van Houten Street Parking Lot Block (see Figure 22). These excavations were conducted because of the likelihood of in-ground remains, the dwelling’s age, and its local historical associations with the John Colt family. The excavations were concentrated along the south and east house foundations and in the yard area directly behind (south of) the house. Intact substantial foundations original to the ca. 1830 house were uncovered along with an ornamentally laid brick

flooring of indeterminate function at the rear of the house and the foundations of the large addition at the rear of the house built ca. 1876 when the dwelling was converted into a boardinghouse. The foundation remains were less than 1–2 ft below the ground surface at that time (Brady 1979).

The third and final phase of archaeological investigations in the Project lots consisted of the excavation of surface anomalies that appeared as dark stains in the rear of the former residential lots that fronted Ellison Street and Mill Street (Project Lots 8, 9, 10, 11, 15, and 16) (see Figure 22). Most of the dark stains turned out to be the surfaces of five household privies constructed by the original lot owners in the early to mid-nineteenth century. The privies extended from 1 ft to 4.5 ft below the ground surface. The stone-lined privies had been used as household dumps by the residents and contained large quantities of nineteenth- and early twentieth-century artifacts representing the foods consumed, clothing and personal belongings, kitchen wares and other items used by the mill and factory workers. According to the investigators, a corresponding line of household privies likely was “a few feet to the north” at the rear of the residential lots facing Van Houten Street but no excavations were completed in this area (Brady 1979).

During a 1982 (De Cunzo) research study of households, economics, and ethnicity in Paterson’s Dublin neighborhood, investigators determined that the artifacts recovered from the five privies in the Van Houten Street Parking Lot Block were associated with specific household members (women, children, men, and male boarders) and are indicative of household composition but not the ethnicity of the residents. For example, the privy at 9 Ellison Street contained an artifact assemblage dating to the late 1850s and early 1860s and associated with the family of Samuel Beyea, a machinist, who moved there from New York and purchased the house and lot in 1848. He lived at the home with his wife Catherine and five daughters aged 12 to 20 until the 1870s (Cotz et al. 1980; De Cunzo 1982).

The 1979 (Brady) archaeological excavation report provides a base map showing the archaeological “hot spots” within the proposed parking lot (Project lots) where significant historical resources were identified and where the investigators recommended that any construction should be avoided that will “penetrate deeply beneath ground.” The report also notes that the northern end of the block was at a “somewhat higher level than the south” and that any grading for the parking lot construction should be “accomplished by bringing in fill to the south to bring it up to level” and that “no attempt should be made to lower the elevation of the north end since this would almost certainly cause an adverse impact on the “Colt house” site at #3 and 4 Van Houten Street.” The privies found in the historic residential lots in the center of the block along an east–west axis were also considered vulnerable to the parking lot construction, and the investigators recommended that “underground improvements should be planned so as to avoid this area entirely.”

Lots 12 and 13 – Thompson and Ryle Houses Relocation Site

In accordance with a 1978 Memorandum of Agreement mitigation requirements for the relocation of the Daniel Thompson and John Ryle Houses on Lots 12 and 13 (adjacent to the Project lots), Paterson Community Development staff performed archaeological investigations in 1978–1979 at the original site of the two houses (old Block 855, Lots 9, 10, and 11, now Ellison Street) and the relocation site (old Block 858, Lots 9, 10, and 11, now Block 4602 Lots 12 and 13). The investigations at the original house site provided information about the structural content and configuration of the foundations (basements) of both houses and their rear additions. The investigators also identified that each house had a privy at the southeast corner of the lot lines and that the Ryle House property had a brick outbuilding with cobblestone flooring at its rear (east) property line. Further analysis of the artifact

assemblages recovered from the privies provided information about the socioeconomic history of the inhabitants of the two connected houses (De Cunzo 1982). The investigations also determined that the grade (street) level at the time the houses were constructed in the early nineteenth century was approximately 2 ft 8 inches lower than in 1979 (Presa 1980).

The archaeological investigations at the site with the relocated houses (Lots 12 and 13) adjacent to the Project lots in Block 4602 were not as productive as those at the original house site. The excavations in the west portion of Lot 12 did not find any belowground evidence of structural remains of the documented mid-nineteenth-century buildings. The light to medium brown fill soils were homogeneous and “largely devoid of cultural material.” Trenching in the eastern portion of the lot identified a portion of the brownstone foundation wall of a documented mid-1870s brick house and associated predominantly modern material, including large quantities of mixed demolition rubble and household debris (e.g., car tires and mattress springs). No excavations were conducted in Lot 13 because of its “highly disturbed nature” resulting from a gas station with deep gas storage tanks in 1957 (Preso 1980:6).

Documented Resources – Historical Maps and Photographs Review

Table 1 summarizes information about the documented historic resources in Project Lots 1–11, 15, and 16 based on a review of maps and photographs and the results of previous archaeological excavations. The earliest documented residential structure in the Project lots was the Colt house built by the Colt family (mill owners) ca. 1830 in Lot 2 and expanded into a boardinghouse ca. 1876 (see *Dublin Neighborhood* above). Seven of the Project lots (Lots, 4–7, 9, 10, and 15) had dwellings built for mill managers and/or workers by 1835 and three lots (Lots 3, 8, and 11) had dwellings by 1850. The other two lots (Lots 1 and 16) had buildings erected by ca. 1877 (Lot 1 commercial) and by ca. 1887–1899 (Lot 16 dwellings). The majority of the Project lot buildings were demolished in the third quarter of the twentieth century and were completely gone by 1980.

Table 1. Documented Historical Resources, 11 Ellison Street, Block 4602, Argus Ellison New Construction Project Lots 1–11, 15, and 16.

| Project Lot | Size | Vertical Depth of Fill and Other Materials | Historic Buildings (pre-20 th century) | Recorded Archaeological Resources (1979 excavations) |
|-------------|--|--|--|--|
| 1 | 79 ft wide (at corner of Mill and Van Houten Sts) by 49.25 ft long | No available data | Commercial building(s) ca. 1876; buildings demolished 1979–1980 | No subsurface investigations |
| 2 | 51.75 ft wide (on Van Houten St) by 108.6 ft long | No available data | Original Colt house ca. 1830; expanded ca. 1876 when it was converted into a boardinghouse; buildings demolished 1973–1979 | Ca. 1830 and ca. 1876 Colt house foundations and features (less than 2 ft below 1979 ground surface) |
| 3 | 50 ft wide (on Van Houten St) by 112.5 ft long | 7, 8, and 11 ft (intermixed with asphalt, concrete, ash, brick, and glass fragments); possible cobbles or obstructions at 6 ft | Dwelling by 1850; buildings demolished 1973–1979 | No subsurface investigations |

Continued on next page

| Project Lot | Size | Vertical Depth of Fill and Other Materials | Historic Buildings (pre-20 th century) | Recorded Archaeological Resources (1979 excavations) |
|-------------|--|--|---|--|
| 4 | 34.77 ft wide (on Van Houten St) by 112.5 ft long | 8 ft (intermixed with brick fragments); obstructions from 5 to 8 ft and wood fragments at 8 ft | Dwelling by 1835; buildings demolished 1973–1979 | No intact structural remains |
| 5 | 26.36 ft wide (on Van Houten St) by 112.5 ft long) | No available data | Dwelling by 1835; buildings demolished 1973–1979 | Bottom courses of 19thc. (house) foundations |
| 6 | 30 ft wide (on Van Houten St) by 113 ft long | 7 ft (intermixed with asphalt and brick fragments); broken concrete from 2 to 3 ft | Dwelling by 1835; buildings demolished 1973–1979 | Bottom course of 19th c. (house) foundations |
| 7 | 30.56 ft wide (on Ellison St) by 113 ft long | 6, 7, and 15 ft (intermixed with brick and glass fragments); broken concrete at 5–6 ft and cobbles or obstructions at 6 ft | Multiple structures (dwellings) by 1835; buildings demolished between 1979–1980 | No subsurface investigations |
| 8 | 25.38 ft wide (on Ellison St) by 112.5 ft long | 5.5 ft with asphalt, brick, and concrete fragments | Dwelling by 1850; buildings demolished 1966–1973 | 19th-c. household privy deposit |
| 9 | 25.7 ft wide (on Ellison St) by 112.5 ft long | 5.5 ft with asphalt, plastic, wood, and brick fragments | Dwelling by 1835; buildings demolished 1966–1973 | 19th-c. household privy deposit |
| 10 | 24.52 ft wide (on Ellison St) by 112.5 ft long | 5 ft with bricks and asphalt; broken concrete at 4 ft | Dwelling by 1835; buildings demolished 1966–1973 | Part of 19th-c. household privy deposit from Lot 9 |
| 11 | 33 ft wide (on Ellison St) by 112.5 ft long | 3 and 7 ft with brick, wood, and concrete fragments | Dwelling by 1850; buildings demolished 1973–1979 | 19th-c. privy deposit: late 1850s–early 1860s (Beyea family) |
| 15 | 24 ft wide (on Mill St) by 100 ft long | No available data | Dwelling by 1835; buildings demolished 1951–1966 | 19th-c. household privy deposit |
| 16 | 51.6 ft wide (on Mill St) by 85.09 ft long | 4.5 ft with no cultural materials or obstructions | 2 attached dwellings by 1887–1899; buildings demolished 1973–1979 | 19th-c. household privy deposit |

Note: Information gathered from review of historical maps and photographs and results of previous archaeological excavations.

Archaeological investigations in 11 of the Project lots in the late 1970s identified and recovered important belowground cultural deposits and artifacts associated with the documented nineteenth-century manager and worker housing in the Project block. The lead investigators produced a series of technical archaeological reports presenting their findings (see above) and leading to a 1982 analysis and study of the artifact assemblages collected from the five privies identified in Project Lots 8–11, 15, and 16. The household privy identified in Lot 11 was subjected to further analysis and was

determined to date to the 1850s and 1860s when it was used by the Beyea family. Samuel Beyea and three of his daughters worked in the local mills until they moved out of the house at 9 Ellison Street in the 1870s (De Cunzio 1982). Lot 2 contained foundation remains of the ca. 1830 Colt house and ca. 1876 addition, and Lots 5 and 6 contained the bottom courses of the documented nineteenth-century house foundations (Brady 1979).

Existing Conditions

Project Lots 1–11, 15, and 16 encompass 1.01 acres of asphalt-paved parking lot (aka McGee's Alley Property public parking lot) operated by the PPA. There are no structures within the parking lot but there are lamp posts connected by underground electrical conduits to street service by PSE&G. The parking lot slopes approximately 2 ft toward the south and southeast and is at approximately 66–68 ft above mean sea level. The nearest water body is the Passaic River, which is approximately 400 ft to the north-northwest of Mill Street. The parking lot contains stormwater drains, grates, and associated underground piping (Melick-Tully 2018).

The U.S. Department of Agriculture–Natural Resources Conservation Service (USDA–NRCS) has mapped the Project lots within Block 4602 as containing Urban Land–Riverhead complex soils. The natural Riverhead glacial outwash soils consist of sand with varying amounts of silt and gravel that has been disturbed and obscured by pavement, concrete, buildings, and other structures (USDA–NRCS 2021).

Environmental Data – Soil Borings Review

A 2020 preliminary soils and foundation investigation of the new Argus Ellison development in Project Lots 1–11, 15, and 16 included 11 (2-inch-diameter) soil borings (B-1 to B-11): B-9 and B-10 in Lot 3, B-11 in Lot 4, and B-8 in Lot 6 (lots that historically fronted Van Houten Street); B-6 and B-7 in Lot 7, B-5, and B-1 in Lot 8, B-4 in Lot 9, B-3 in Lot 10, and B-2 in Lot 7 (lots that historically fronted Ellison Street). In general, the borings indicated the presence of approximately 5–10 ft of fill materials below the current asphalt surface of the PPA parking lot. The fill deposits are approximately 2–3+ ft deeper in the northern half of the parking lot along Van Houten Street than in the southern half along Ellison Street.

The soil borings contained approximately 4–8 inches of a granular subbase for the asphalt pavement underlain by relatively homogeneous fill materials comprising sandy soils with varying amounts of silt, gravel, cobbles, and miscellaneous debris (e.g., brick, concrete, asphalt, cinders, glass, plastic, and wood). One boring (B-8, near the corner of Van Houten Street and McGee's Alley; see below) had refusal at approximately 7 ft in the fill atop cobbles, debris, and/or structural remains of former buildings. Across the parking lot, the fill materials were underlain by natural (glacial) sand and gravel containing varying amounts of silt, cobbles, and boulders to the limit of the borings at 21 ft below grade (Melick-Tully 2020).

B-9 and B-10 in the middle and rear portions of Lot 3 contained 7 ft and 8 ft of fill, respectively, that consisted of dark brown and brown fine to coarse sand and gravel intermixed with asphalt, concrete, brick, and wood fragments. B-11 in the middle of Lot 4 contained 8 ft of brown fine to coarse sand and gravel fill intermixed with brick fragments to about 2 ft below grade and then with obstructions from 5 to 8 ft and wood fragments at 8 ft below grade. B-8 in Lot 6 contained dark brown fine to coarse sand and gravel fill intermixed with brick fragments to 5 ft, underlain by another 2 ft of

possible brown fine to coarse sand fill with sandstone fragments and a trace of silt to refusal and the bottom of the boring (Melick-Tully 2020).

B-6 and B-7 in the front and middle portions of Lot 7 closest to McGee's Alley contained 6 ft and 7 ft of fill, respectively, that consisted of brown and brown/red-brown/gray fine to coarse sand and gravel intermixed with brick and glass fragments. B-6 (closest to the corner with Ellison Street) also had cobbles or obstructions in the fill at 6 ft below surface. B-1 in the rear of Lot 8 near the rear (north) line with Lot 5 contained 5 ft of dark brown fine to coarse sand and gravel fill intermixed with ash, cinders, and brick underlain by another 5 ft of brown fine to coarse sand and gravel with a line of cobbles and brick at approximately 9 ft below surface. B-5 in Lot 8 near Ellison Street contained 5.5 ft of dark brown fine to coarse sand and gravel fill intermixed with asphalt, brick, and concrete fragments. B-4 in the middle of Lot 9 contained 5.5 ft of dark brown fine to coarse sand and gravel with a trace of asphalt, plastic, wood, and brick fragments. B-3 at the front of Lot 10 closest to Ellison Street contained 5 ft of brown fine to coarse sand and gravel with bricks and asphalt. B-2 in the middle of Lot 11, near the rear (east) end of the Argus Mill building, contained 7 ft of dark brown fine to coarse sand and gravel intermixed with brick, wood, and concrete fragments (Melick-Tully 2020).

In 2021, a Phase I environmental site assessment for the Argus Ellison Development included another 7 soil borings (SB-2 to SB-8) on the Project Lots 3, 6, 7, 10, 11, and 16. SB-7 at the northwest corner of Lot 3 near Van Houten Street contained red brown, yellow brown, and dark brown sands fill deposits with layers of asphalt millings, brick fragments, broken concrete, and white cinder ash to 11 ft below grade. SB-6 in the middle of Lot 6 near McGee's Alley contained dark brown silty sand fill deposits intermixed with asphalt millings and broken concrete to 7 ft below grade. SB-3 at the southeast corner of Lot 7 near McGee's Alley contained gray and dark brown sandy silt with brick fragments to 4 ft, underlain by additional dark brown coarse sand fill deposits that contained brick fragments, and white cinder ash to 15 ft below grade. SB-4 at the rear (northeast) corner of Lot 7 near McGee's Alley contained dark brown silty sand fill deposits with broken concrete to 7 ft below grade. SB-2 at the front side of Lot 10 near Ellison Street contained dark brown clay and gravel fills to 5 ft below grade and a layer of broken concrete at 4 ft below grade. SB-5 at the rear (north) side of Lot 11 contained dark brown silty sand fill to 3 ft below grade. SB-8 at the northwest corner of Lot 16 near Mill Street contained red brown silty sand fill deposits to 4.5 ft below grade (First Environment 2021).

Conclusions and Recommendations

The 1979 archaeological investigations conducted in advance of the parking lot construction identified intact nineteenth-century structural remains and privy features associated with the northern Dublin neighborhood (mill and factory worker housing) in 9 of the 13 Project lots. The archaeological deposits, including household artifact assemblages, were found within the upper 1–4.5 ft of soil strata below the pre-parking lot surface. The investigators recommended that the archaeological “hot spots” contain significant cultural deposits that can contribute to an understanding of the social, technological, and economic development of the city and that they be avoided during construction projects that involved deep excavations. The 1979 report also notes that the proposed parking lot construction plans had not been finalized, so the amount of impact on significant cultural deposits identified during the archaeological investigations could not be determined.

The 2020 and 2021 environmental soil borings demonstrate that the Project lots in the parking lot contain 5–15 ft of fill soils intermixed with nineteenth- and twentieth-century building demolition and household debris (e.g., brick, glass, wood, plastic, concrete, and asphalt). Soil borings in Lots 3, 4, and 7 contained dense cobbles or obstructions at 5–8 ft below the surface; however, there is no evidence in these or any other soils borings of an intact ground surface containing archaeological deposits recorded in the late 1970s. The other Project lots where soil borings were placed contained mostly fill intermixed with building demolition and other rubble, including asphalt, concrete, and plastic. No available soil boring data or belowground information from previous archaeological investigations is available for one of the lots—Lot 1. This lot on the corner of Mill and Van Houten streets has been rounded and widened at the street intersection from its historic configuration, reducing the likelihood of recovering intact, significant cultural deposits associated with the ca. 1876 commercial building once there.

The soil borings also indicated that the majority of the fill deposits in the northern portion of the parking lot are deeper by 2–3+ ft than those in the southern portion of the parking lot, which may account in part for the current 2-ft slope difference in elevation from north to south. The report of the 1979 archaeological investigations notes a “somewhat higher level” of the ground surface in the northern portion of the Project lots than in the southern portion. However, it is unclear if the differences in elevation observed in 1979 correspond to the 2-ft slope difference in the parking lot today. The deeper fill deposits in the northern portion of the parking lot could reflect grading and filling that occurred during construction of the parking lot to reduce the slope and create a more level ground surface from north to south that matched the surrounding modern streetscape. The fill soils recorded in soil borings across the entire parking lot are generally homogenous and strongly suggest that the entire parking lot was graded and leveled as part of its 1980 construction, including excavations for underground storm drains and associated piping and underground utility lines. Excavations for curbing, sidewalks, and tree plantings also would have further damaged the historic ground surfaces that contained intact cultural deposits in 1979.

These previous and current physical conditions of the Project lots support the presence of severe belowground disturbances and land surface modifications that occurred since the early nineteenth century and would have impacted pre-contact and post-contact land surfaces and cultural deposits before and after the 1979 archaeological investigations within the Van Houten Street Parking Lot Block. These previous disturbances encompass the period of early nineteenth-century EuroAmerican settlement of the Mill Street area for industrial purposes; the nineteenth through early-mid-twentieth century residential and commercial building constructions; and finally, the demolition of nineteenth-century residential and commercial-light industrial buildings in the third quarter of the twentieth century and the 1980 parking lot construction project. For these reasons, Project Lots 1–11, 15, and 16 are assigned low archaeological sensitivity for containing intact, significant pre- and post-contact cultural deposits and previously reported and additional post-contact structural remains and features in meaningful belowground contexts having historical research value.

The archaeological excavations in the late 1970s identified and recovered important belowground resources (e.g., privies, foundation remains, and associated artifact assemblages) that date to the nineteenth- and early twentieth-century manager and worker housing in nine residential lots in two city blocks, including the Project block in the northern portion of the Dublin neighborhood. Technical archaeological reports (e.g., Brady 1979; Cotz et al. 1980; Rutsch et al. 1980) and a research article (e.g., De Cunzio 1982) document these important residential archaeological findings that are an important component of the Great Falls Historic District. These reports provide an important body of

historical documentary and archaeological data for future research use and comparative studies of manager and worker housing in the City of Paterson's North Dublin Historic District.

Given the low potential for intact belowground pre- and post-contact cultural deposits in meaningful archaeological contexts, no further Phase I archaeological investigations of Project Lots 1-11, 15, and 16 are recommended for the Argus Ellison New Construction Project.

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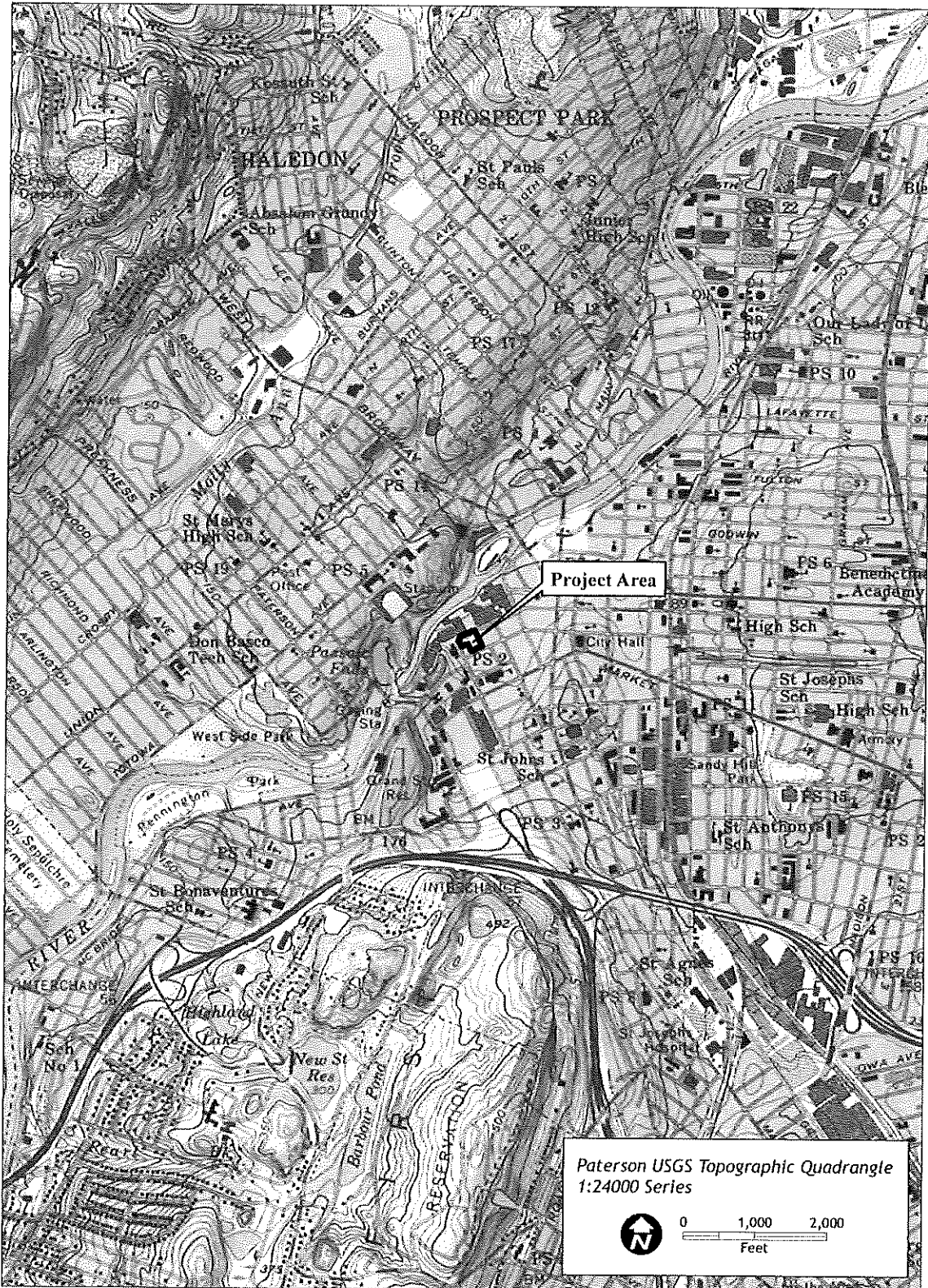


Figure 1. Location of the Argus Ellison New Construction Project, Lots 1–11, 15, and 16, on the USGS Paterson, NJ, quadrangle, 7.5-minute series.

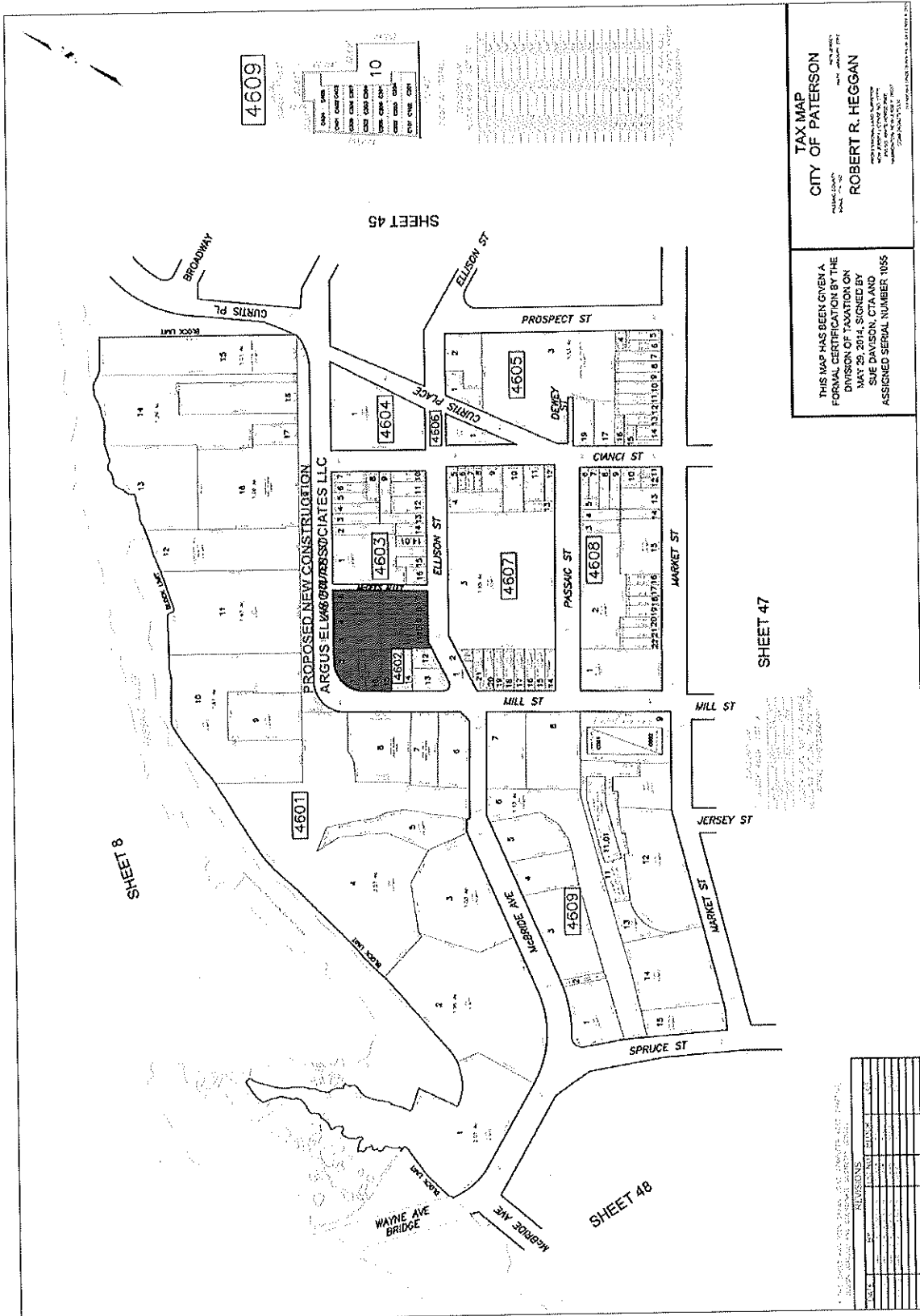


Figure 2. City of Paterson tax map with the location of Block 4602 and Project Lots 1–11, 15, and 16.

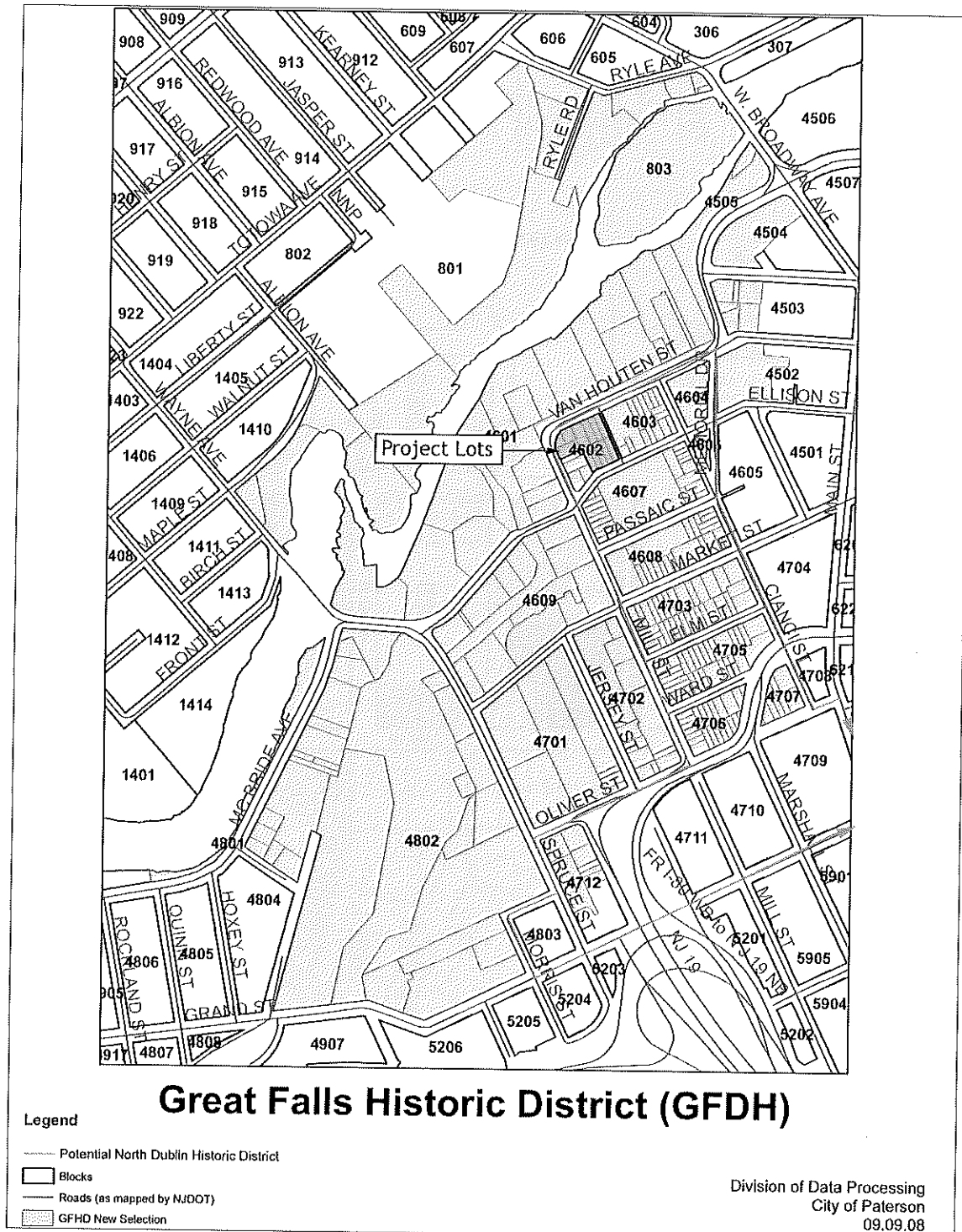


Figure 3. Great Falls Historic District map with the overlapping boundaries of the potential North Dublin Historic District and Project Lots 1–11, 15, and 16.

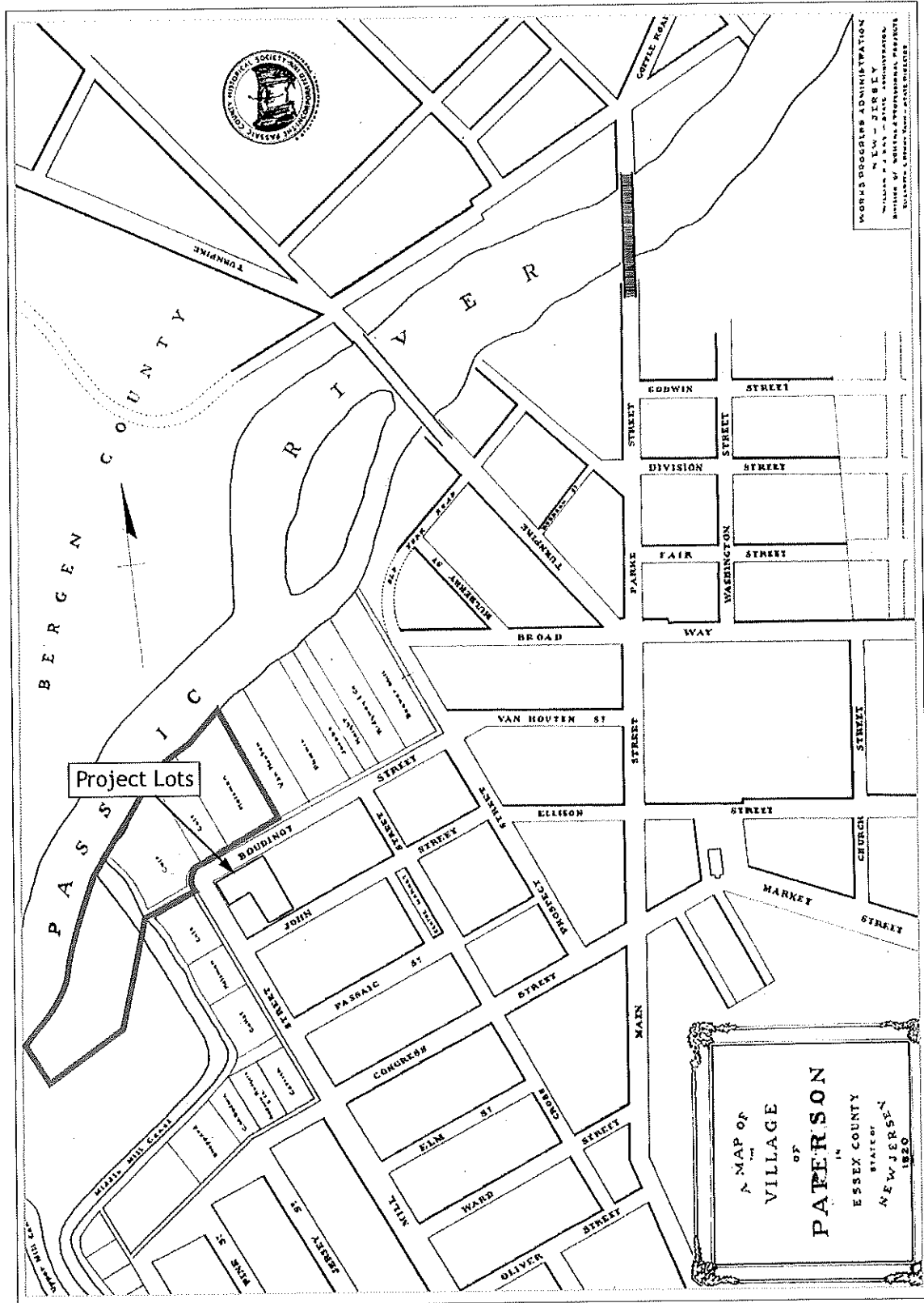


Figure 4. 1820 map of the Village of Paterson with the location of Project Lots 1–11, 15, and 16 (source: a tracing by the Works Progress Administration, reproduced in HRI 2010).

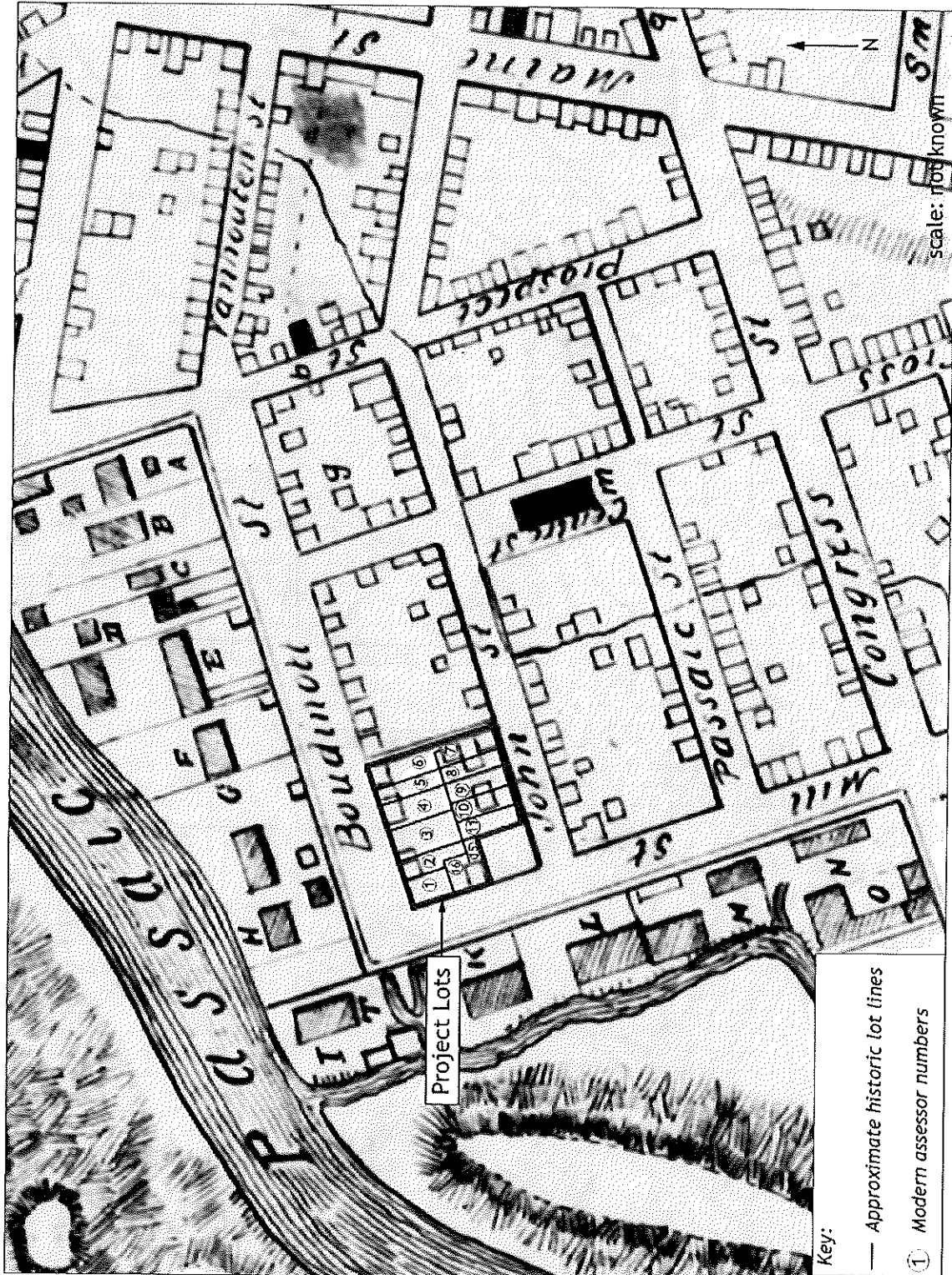


Figure 5. 1835 map of the Town of Paterson with the location of Project Lots 1–11, 15, and 16 (source: Freeman 1835, from a tracing by the Works Progress Administration).



Figure 6. 1850 map of Paterson with the location of Project Lots 1–11, 15, and 16 (source: Sidney 1850, from a tracing by the Works Progress Administration, reproduced in HRI 2010).



Figure 7. 1861 (Hopkins) map of Paterson with the location of Project Lots 1–11, 15, and 16.

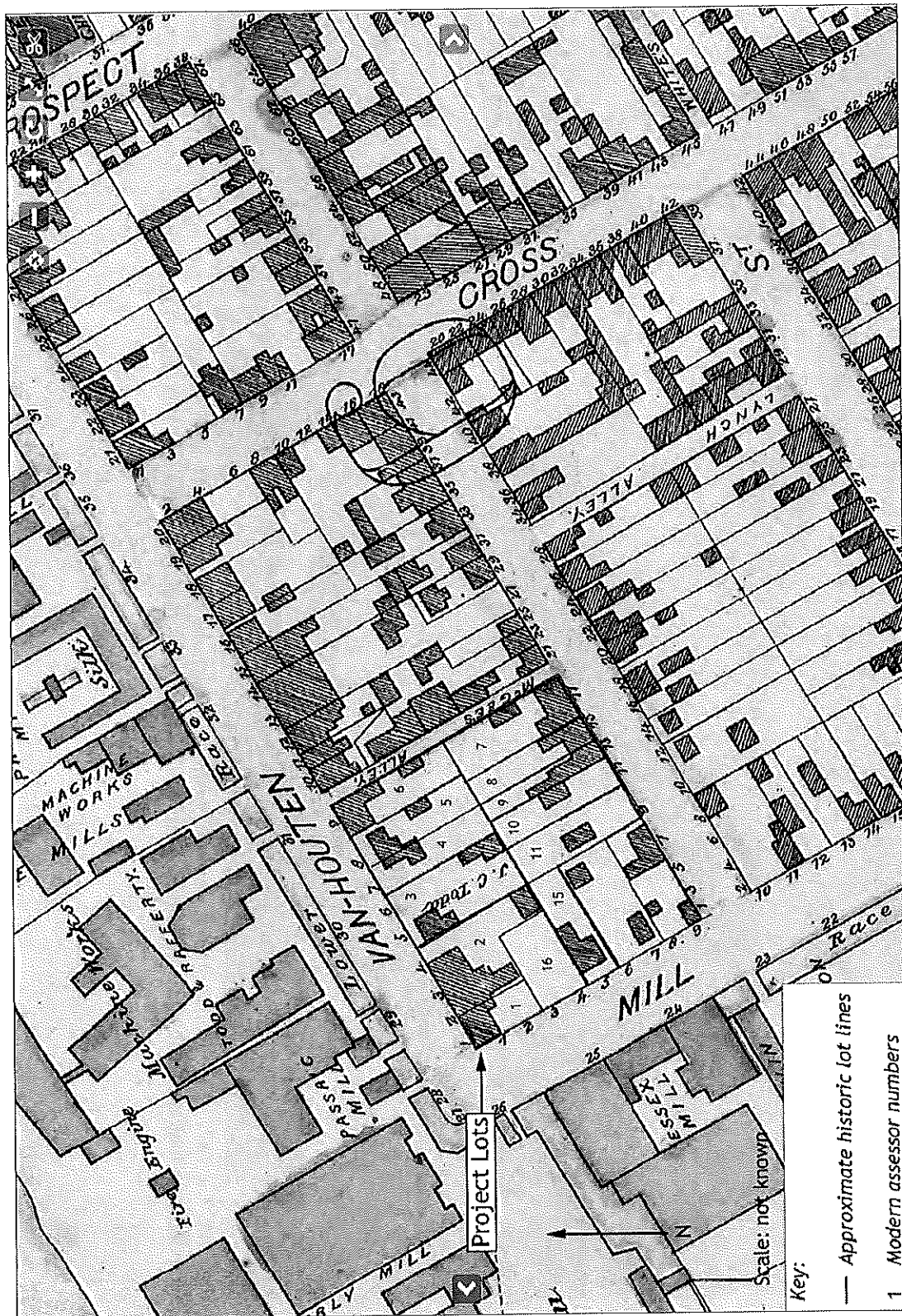


Figure 8. 1877 (Hyde and Co.) atlas map of Paterson with the location of Project Lots 1–11, 15, and 16.



Figure 9. Ca. 1877 photograph of the mills and dwellings along both sides of Van Houten Street, taken from the northside of the Passaic River looking south (Passaic County Historical Society collection, reproduced in De Cunzio 1982).

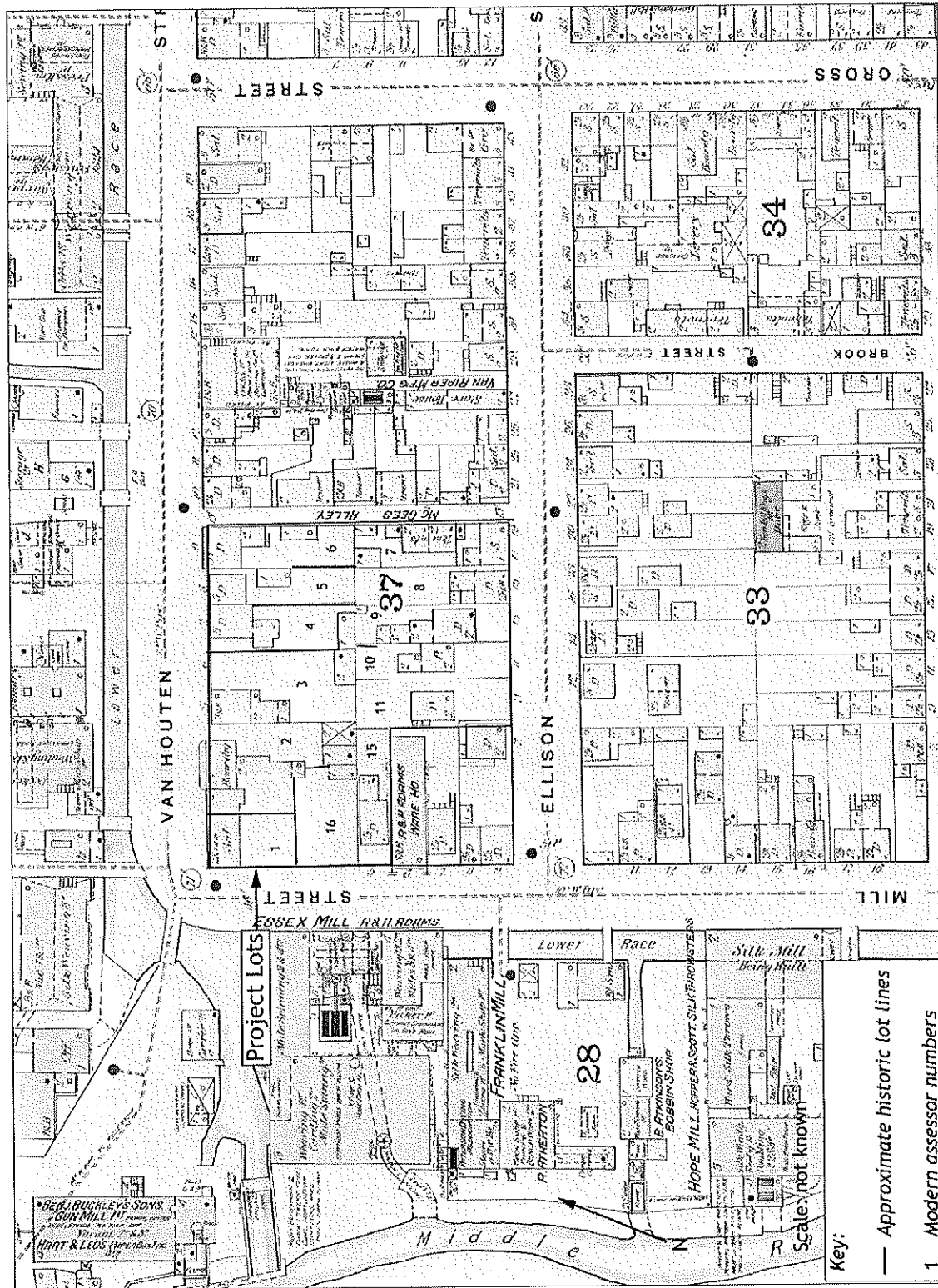


Figure 10. 1887 (Sanborn) insurance map of Paterson with the location of Project Lots 1–11, 15, and 16.

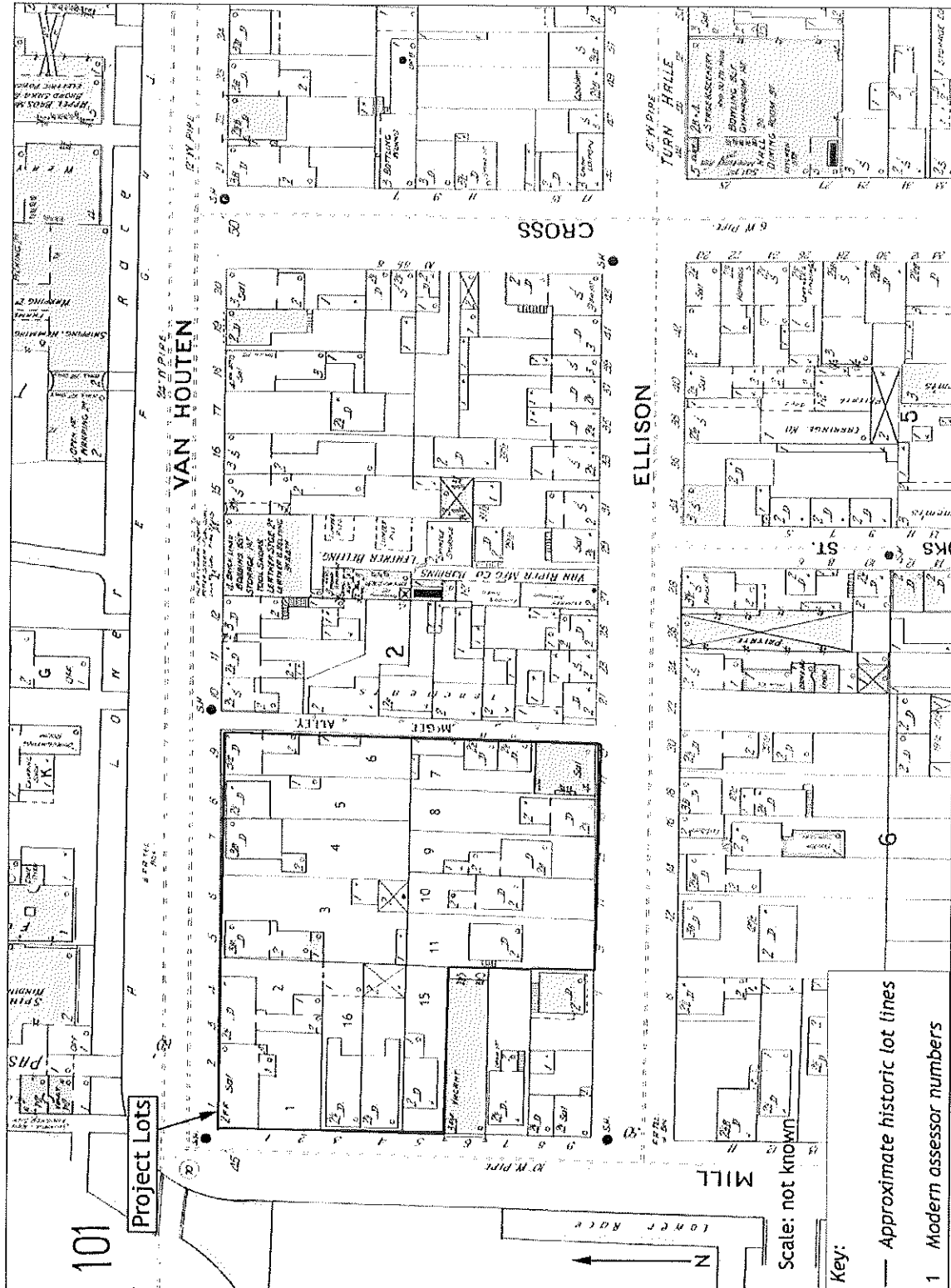


Figure 11. 1899 (Sanborn-Perris) insurance map of Paterson with the location of Project Lots 1–11, 15, and 16.

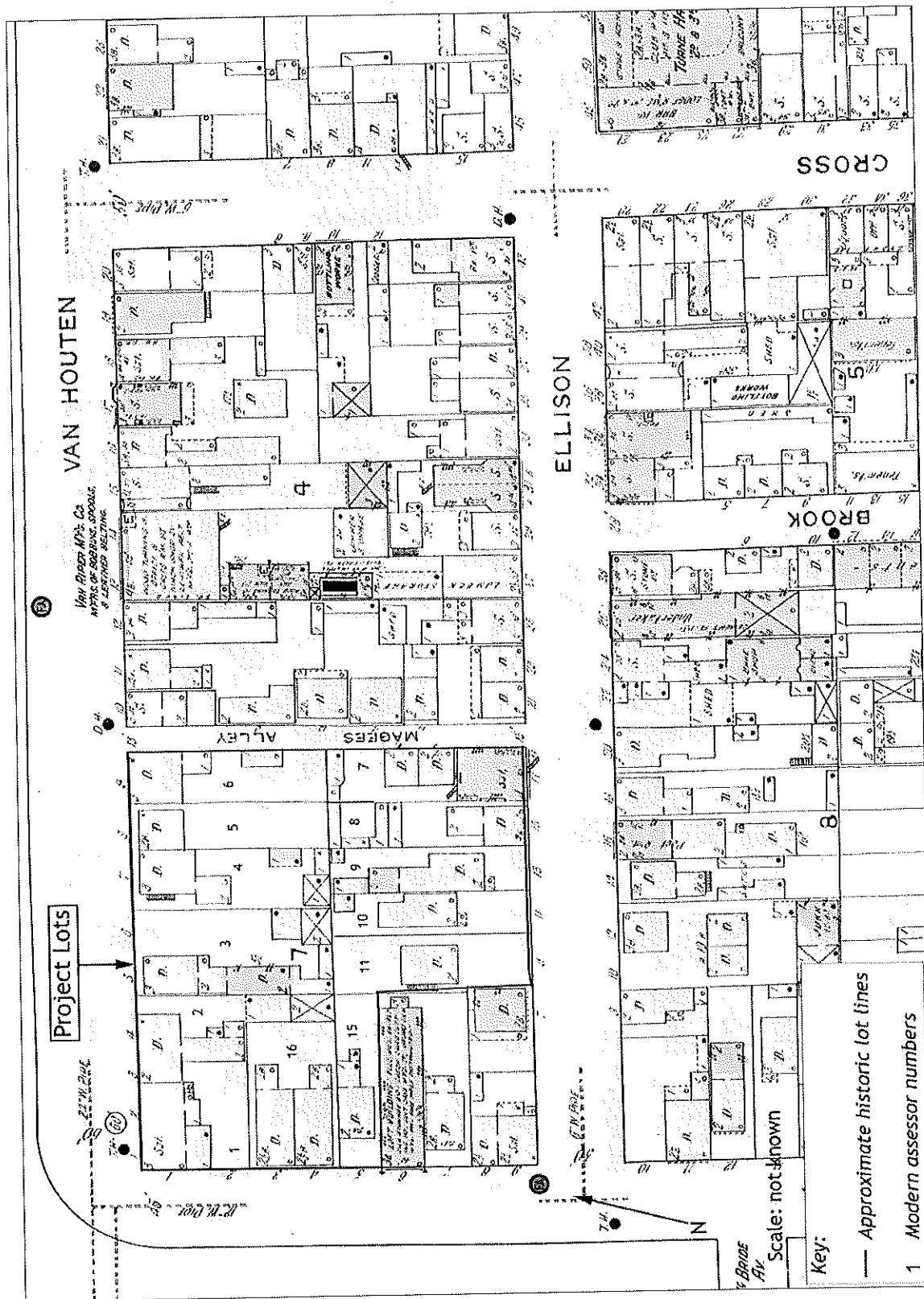


Figure 12. 1915 (Sanborn) insurance map of Paterson with the location of Project Lots 1–11, 15, and 16.

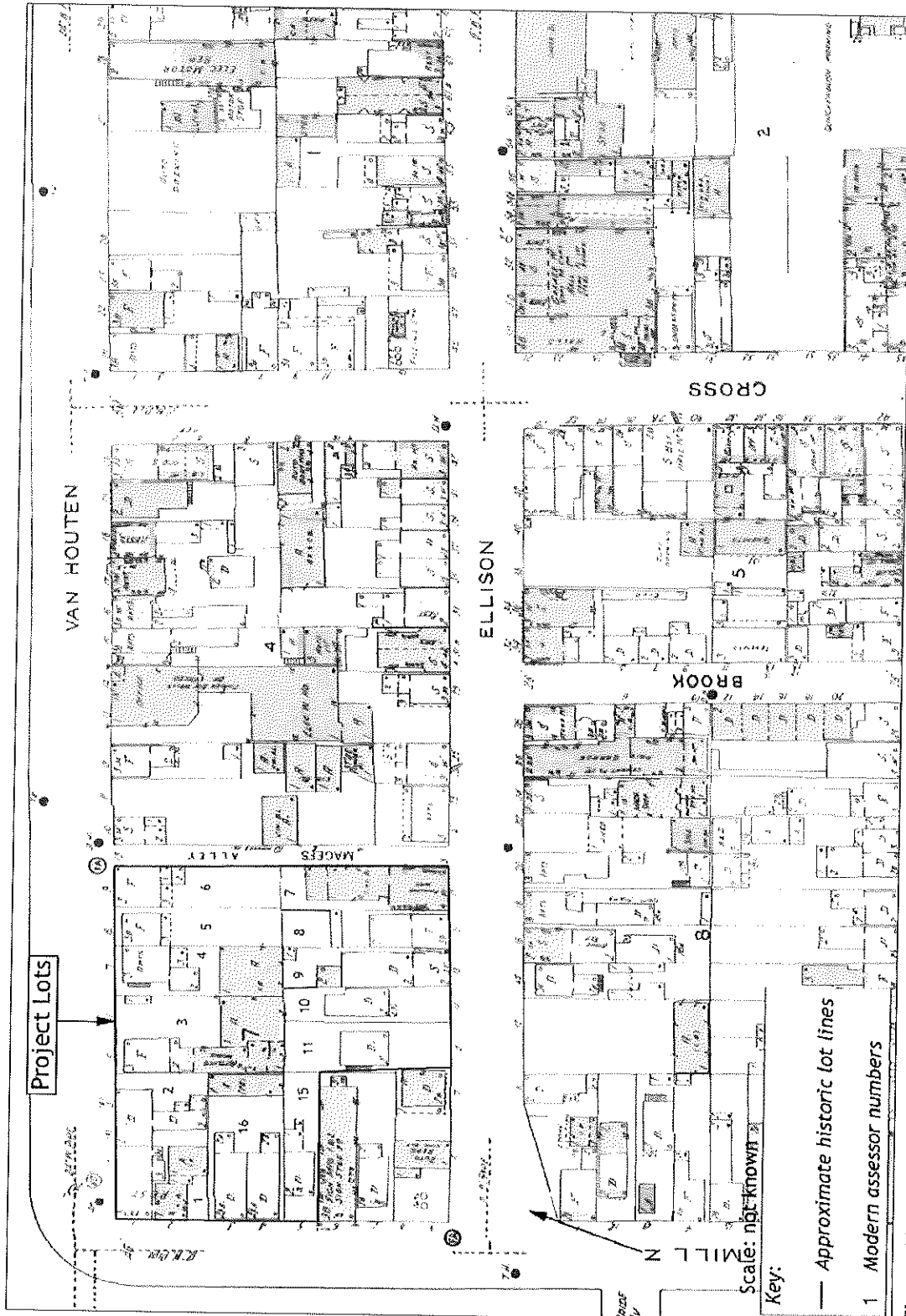
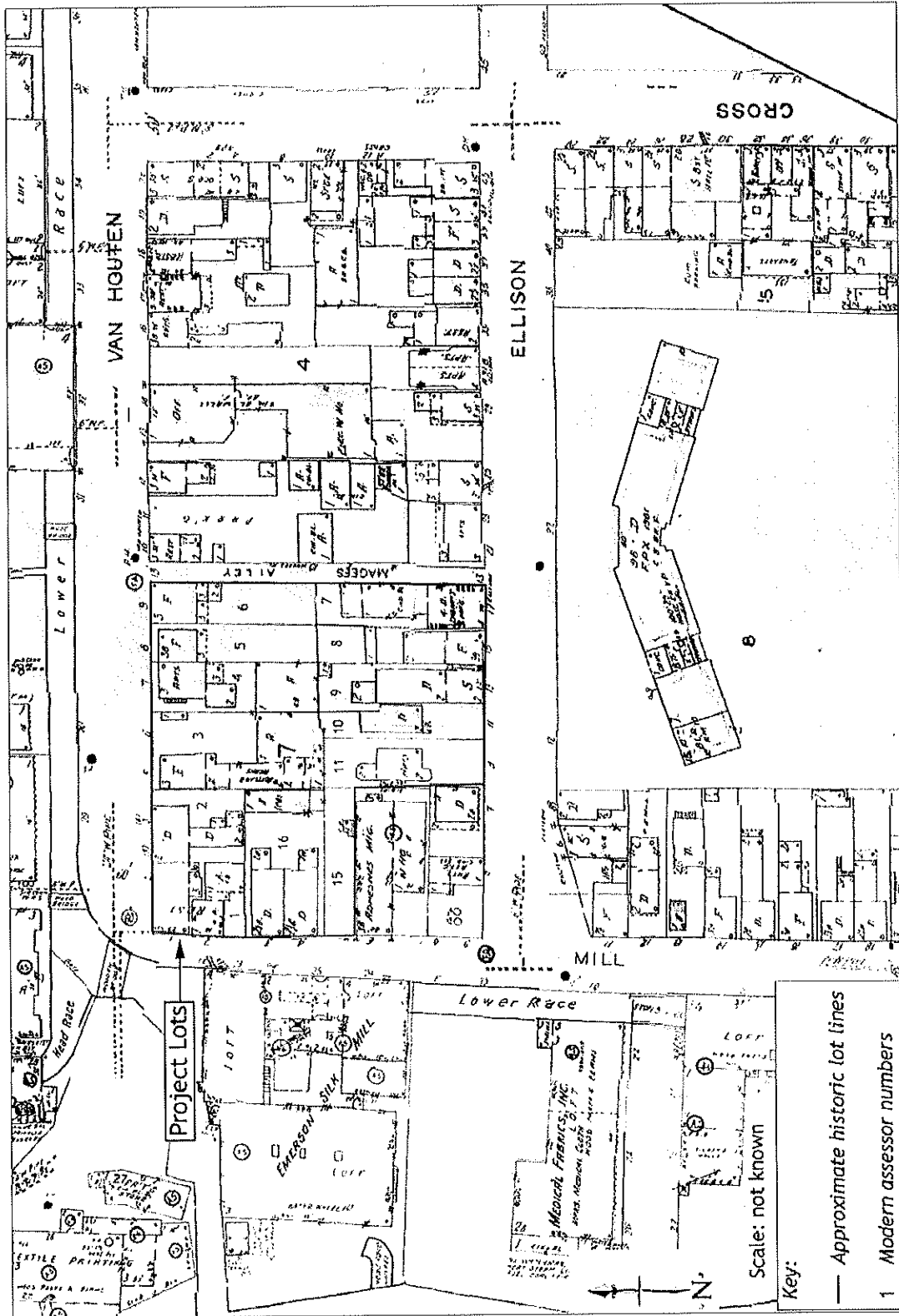


Figure 13. 1951 (Sanborn) insurance map of Paterson with the location of Project Lots 1–11, 15, and 16.



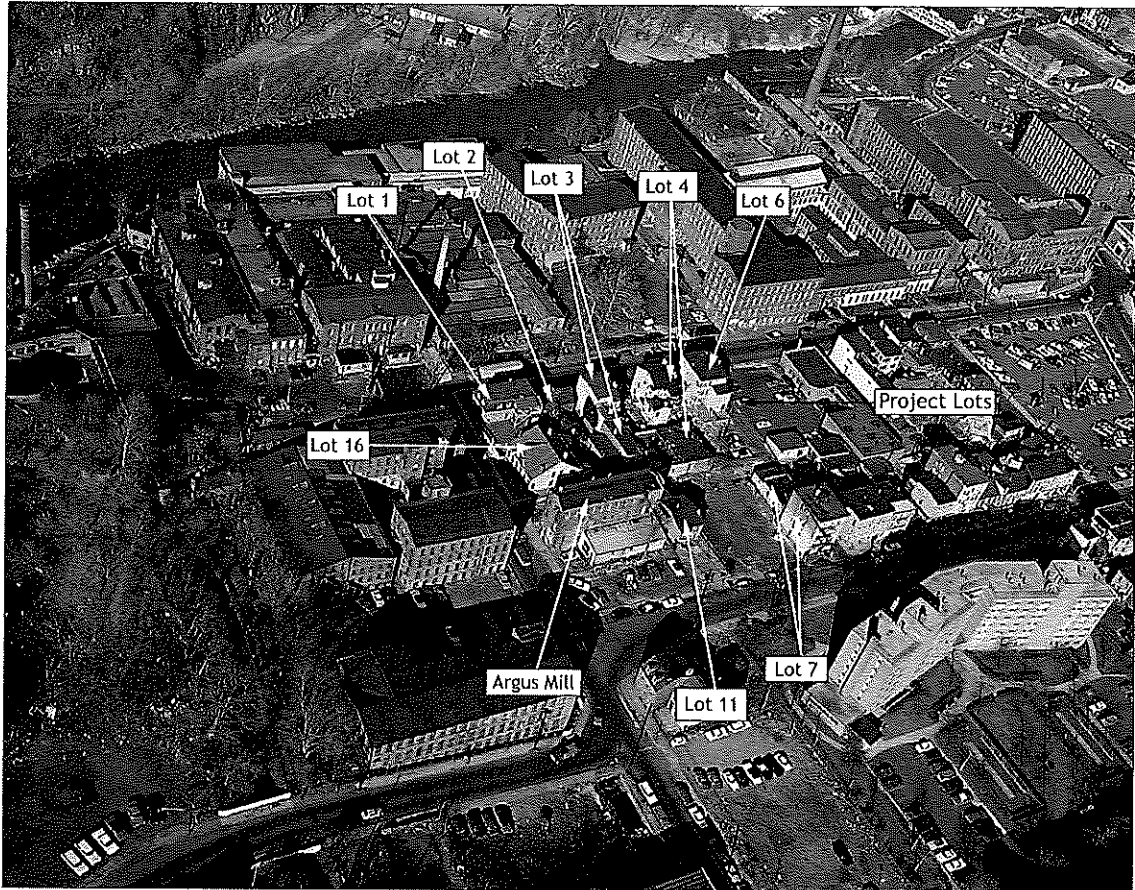


Figure 15. 1973 aerial photograph of Paterson showing buildings still present in Project Lots 1–4, 6, 7, 11, and 16, view looking northwest (source: HAER 1973a).

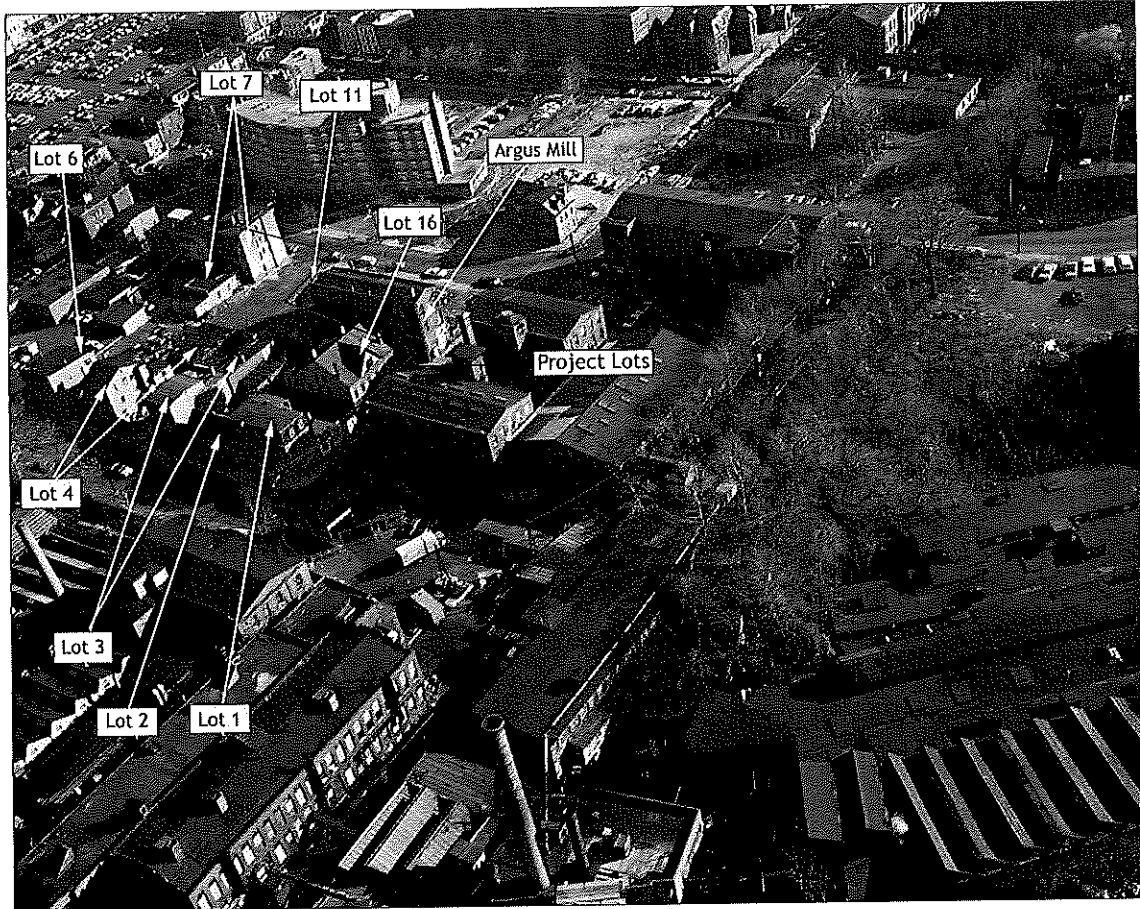


Figure 16 1973 aerial photograph of Paterson showing buildings still present in Project Lots 1–4, 6, 7, 11, and 16, view looking east (source: HAER 1973b).

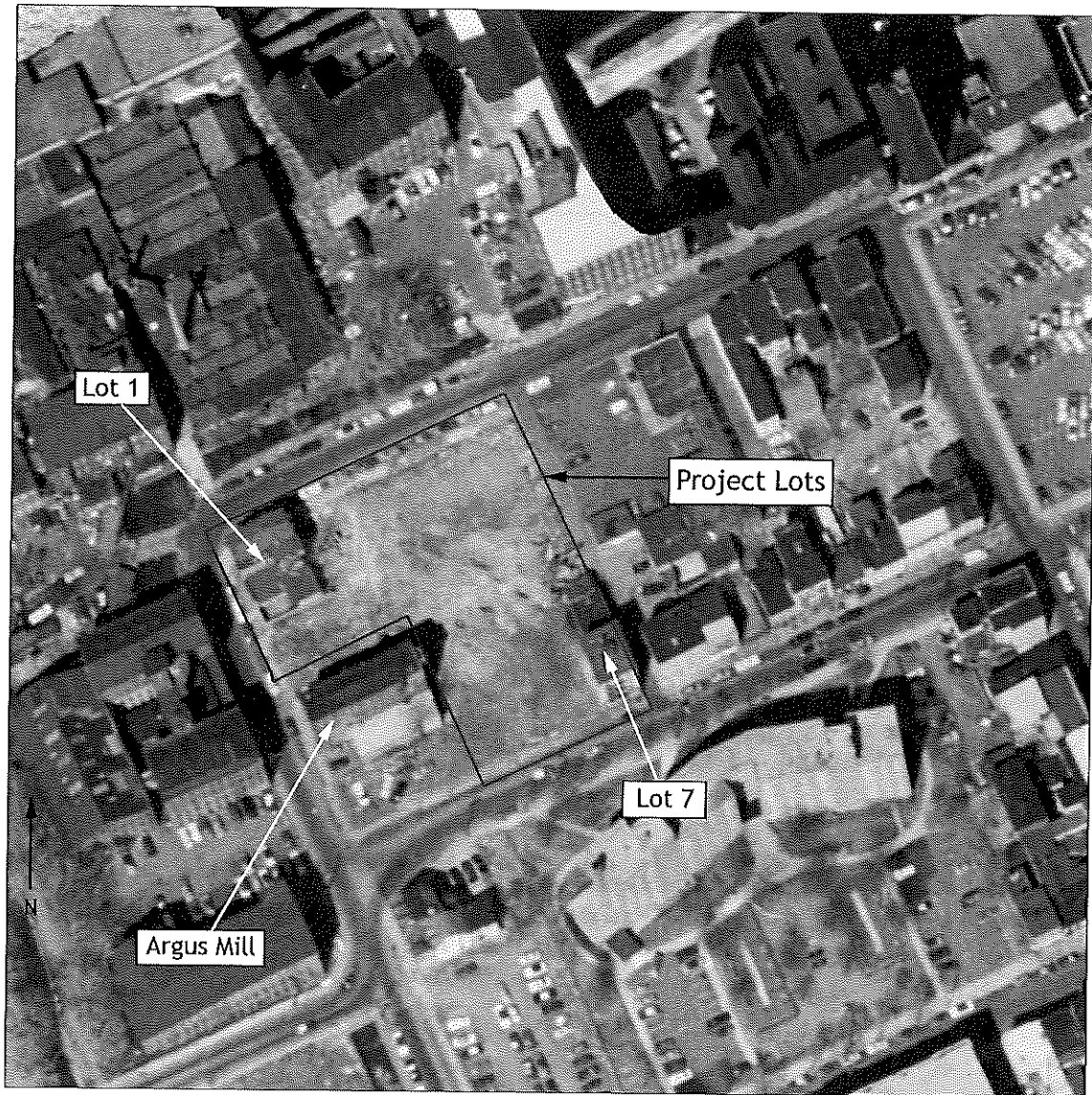


Figure 17. 1979 (NETR) aerial imagery of Paterson with the location of Project Lots 1–11, 15, and 16 and buildings still present in Lots 1 and 7.

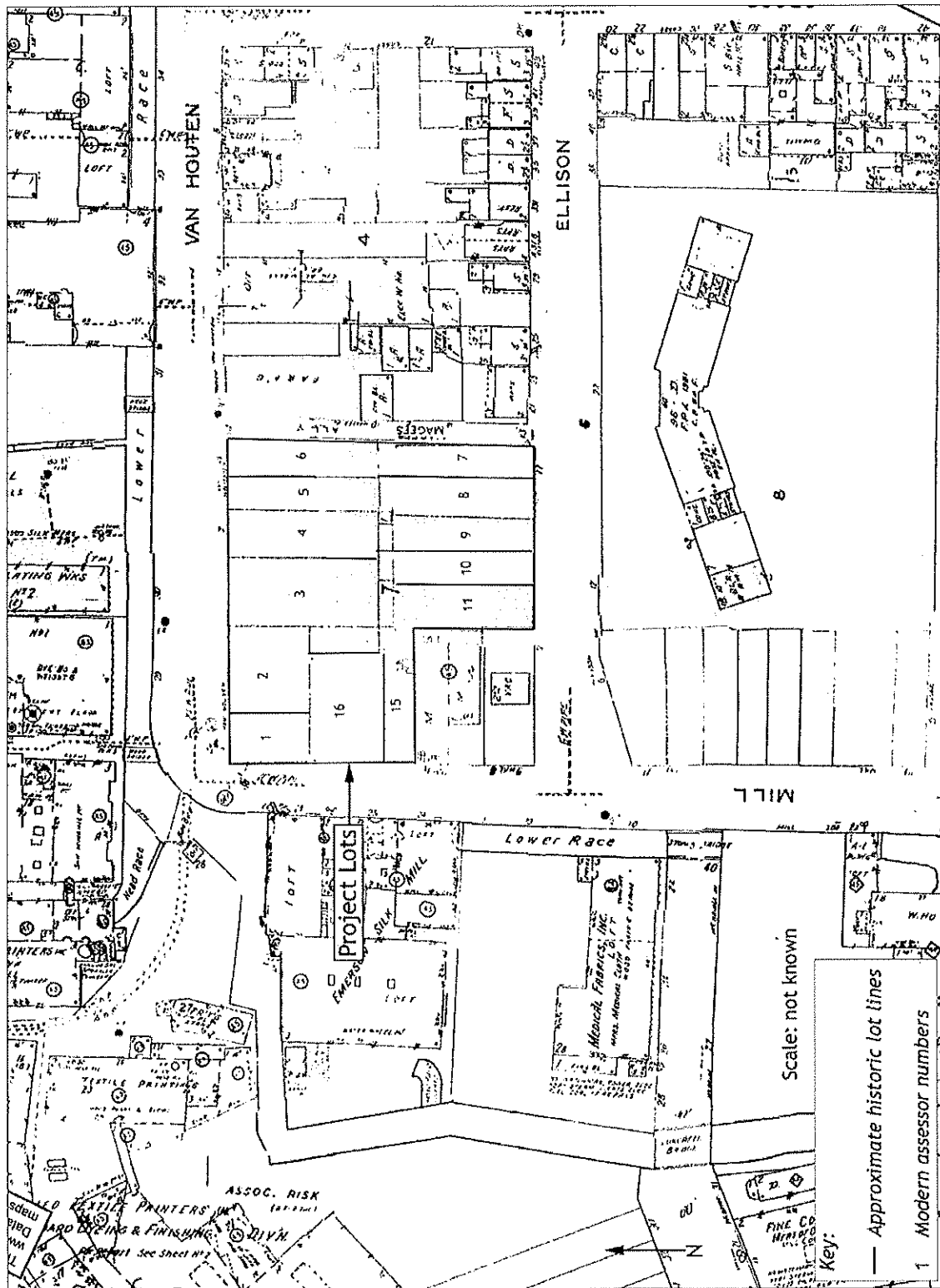


Figure 18. 1980 (Sanborn) insurance map of Paterson with the location of Project Lots 1–11, 15, and 16.

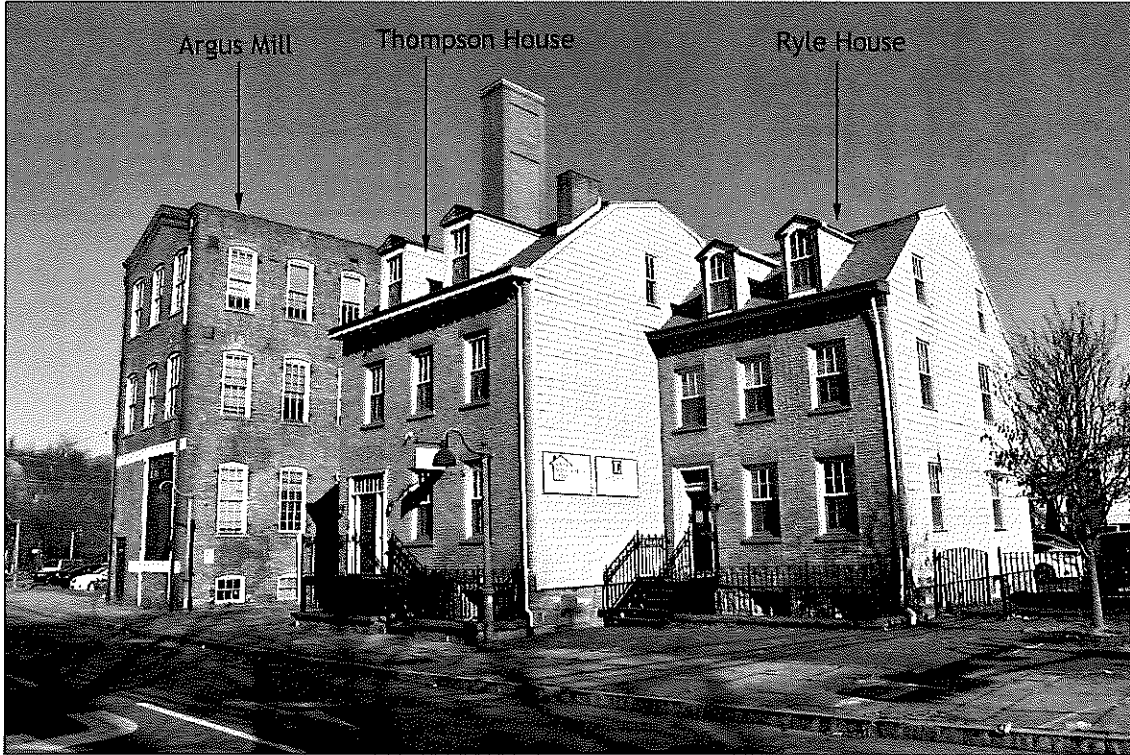


Figure 19. Relocated Thompson and Ryle Houses adjacent to Argus Mill and Project Lots 1-11, 15, and 16, looking northwest from Ellison Street, December 2020.

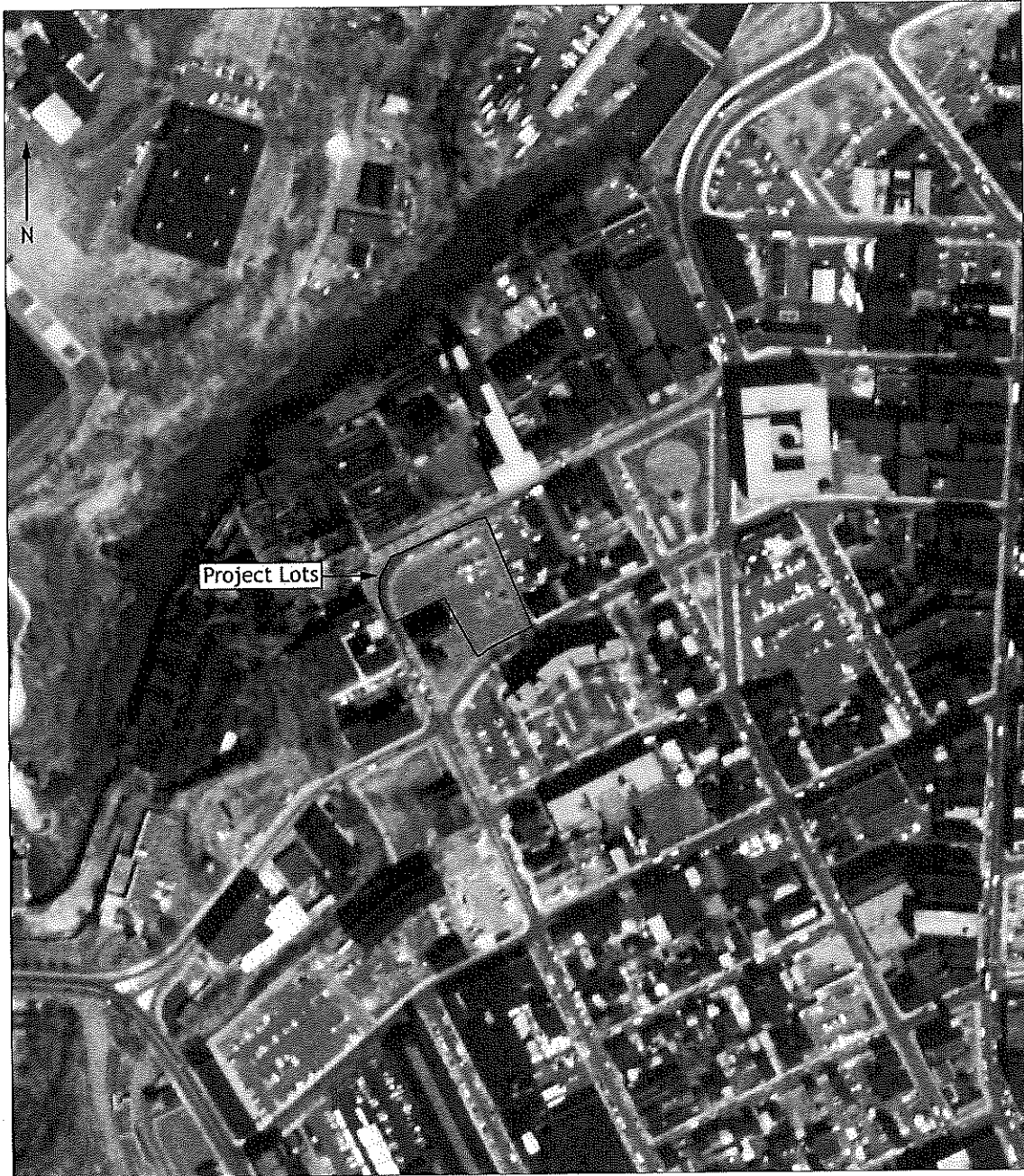


Figure 20. 1984 aerial imagery of Paterson showing paved parking lot within Project Lots 1–11, 15, and 16 (source: EDR 1984, reproduced in First Environment 2021).

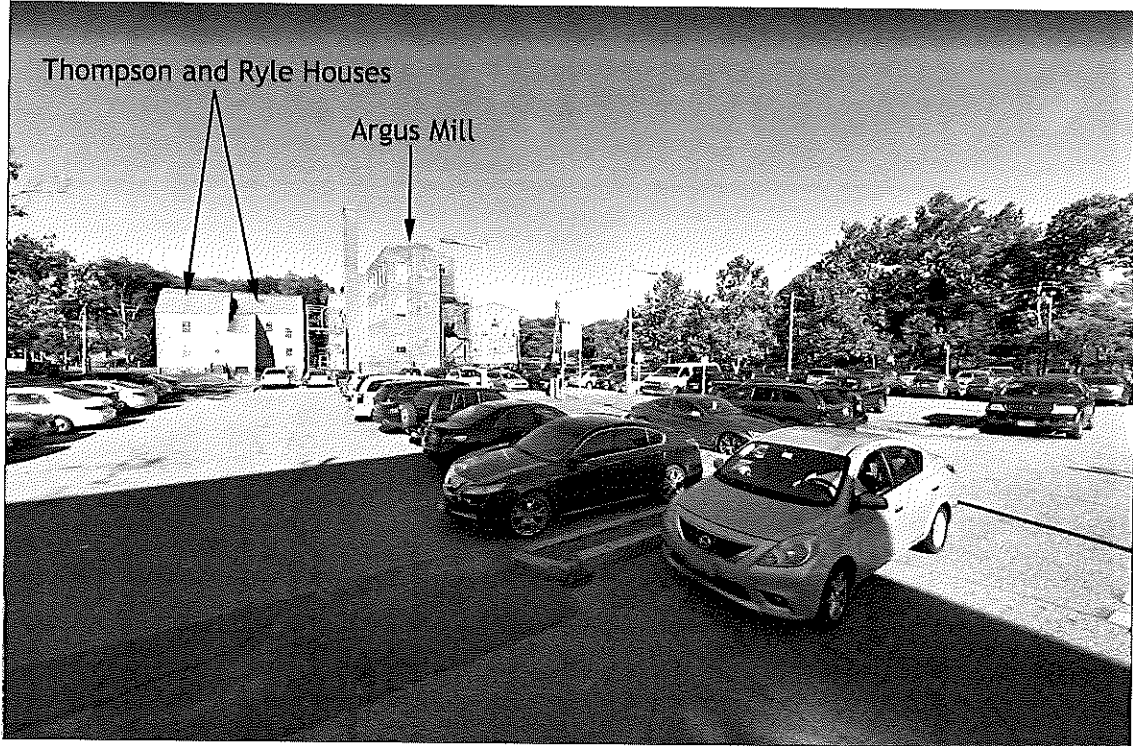


Figure 21. 2019 (July) Google street view of Paterson Public Parking Lot in the Project lots, looking northwest from the corner of Ellison Street and McGee's Alley.

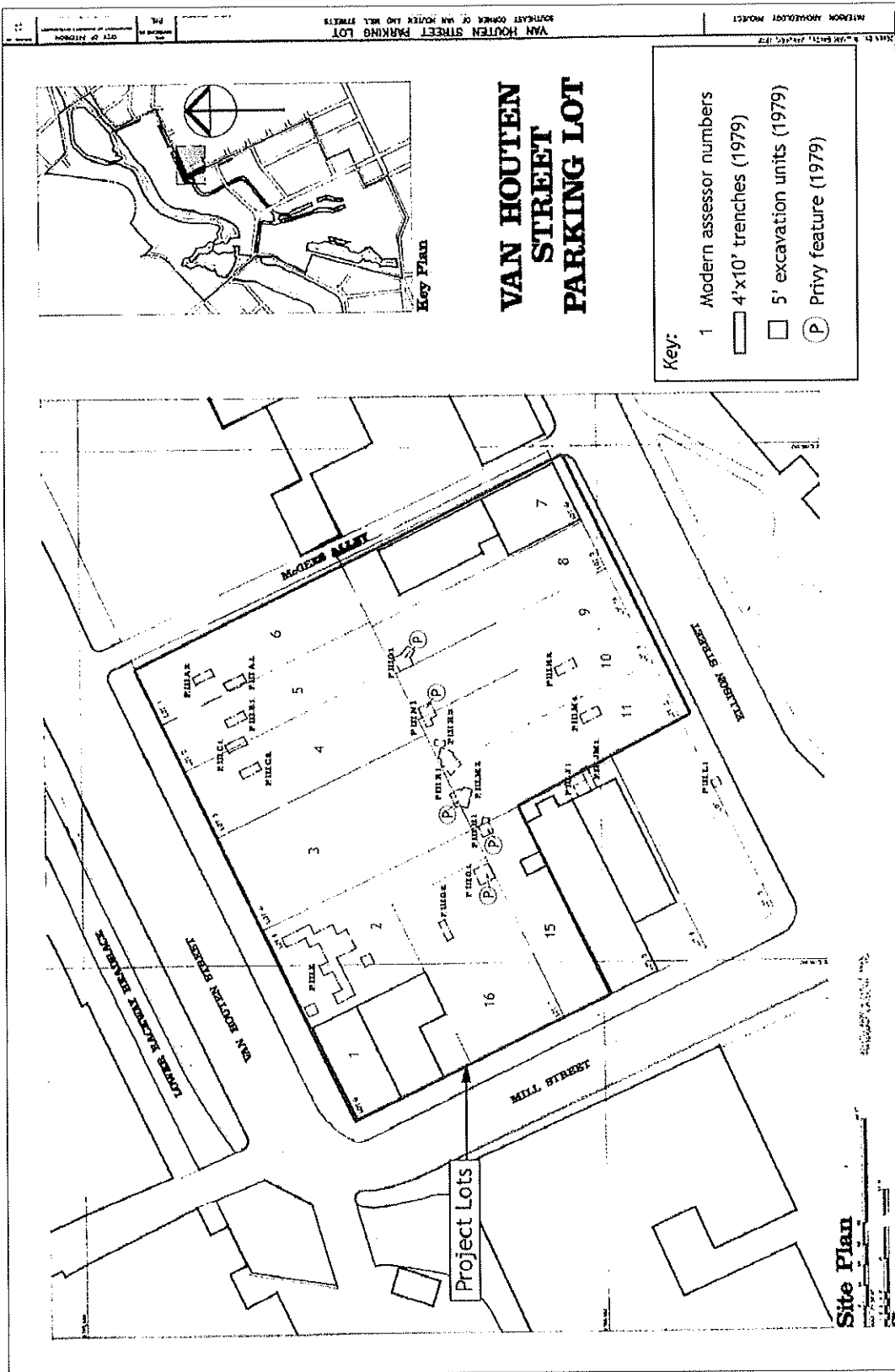


Figure 22. 1979 site plan of the Van Houten Street Parking Lot showing the locations of archaeological subsurface testing and identified privy features (source: Barry 1979).

SHPO Reply

Diana Vazquez

From: Diana Vazquez
Sent: Wednesday, August 25, 2021 5:03 AM
To: 'NJHPO@dep.nj.gov'
Cc: 'Leynes, Jennifer [DEP]'; 'Manville, Laura M'; 'Ginsberg, David'
Subject: RE: HPO Project #12-1957-14, Argus Mill Development - Phase 1 Survey

Aka HPO project number **19-2721**

From: Diana Vazquez
Sent: Wednesday, August 25, 2021 5:01 AM
To: 'NJHPO@dep.nj.gov' <NJHPO@dep.nj.gov>
Cc: 'Leynes, Jennifer [DEP]' <Jennifer.Leynes@dep.nj.gov>; Manville, Laura M <lmanville@winnco.com>; Ginsberg, David <dginsberg@winnco.com>
Subject: HPO Project #12-1957-14, Argus Mill Development - Phase 1 Survey

Good morning,

Please refer to follow up submittal form as requested.

Please advise if any additional information is needed.

I have also cc'd the developer of the project in this email.

Thank you,

Diana Vazquez
Program Monitor/Inspector
Community Development
City of Paterson
125 Ellison St. 2nd Floor
Paterson, N.J. 07505
Office #: 973-321-1212 ext. 2237

Diana Vazquez

From: Leynes, Jennifer [DEP] <Jennifer.Leynes@dep.nj.gov>
Sent: Tuesday, August 24, 2021 12:41 PM
To: Diana Vazquez; Marcopul, Kate [DEP]
Cc: Gianfranco Archimede; dennis_montagna@nps.gov; Casper, Amanda; Boch, Darren; Baratta, Meghan [DEP]; West-Rosenthal, Jesse [DEP]
Subject: RE: HPO Project #12-1957-14, Argus Mill Development

Ms. Vazquez,

I will get this logged in for review. However, for future reference, please note that all project correspondence and supporting documentation should be submitted in accordance with our e-submission guidelines, which can be found on our website: <https://www.nj.gov/dep/hpo/4sustain/info.htm>.

You may copy the appropriate HPO staff reviewer (in this case, myself or Jesse West-Rosenthal) on any submissions, so that we are aware of your response.

Best regards,
Jennifer

Jennifer B. Leynes, M.H.P.
Historic Preservation Specialist 2
New Jersey Historic Preservation Office
(P) 609.984.6016

From: Diana Vazquez <dvazquez@patersonnj.gov>
Sent: Tuesday, August 24, 2021 4:28 PM
To: Marcopul, Kate [DEP] <Kate.Marcopul@dep.nj.gov>
Cc: Gianfranco Archimede <garchimede@patersonnj.gov>; dennis_montagna@nps.gov; Casper, Amanda <Amanda_Casper@nps.gov>; Boch, Darren <Darren_Boch@nps.gov>; Baratta, Meghan [DEP] <Meghan.Baratta@dep.nj.gov>; Leynes, Jennifer [DEP] <Jennifer.Leynes@dep.nj.gov>; West-Rosenthal, Jesse [DEP] <Jesse.West-Rosenthal@dep.nj.gov>
Subject: [EXTERNAL] RE: HPO Project #12-1957-14, Argus Mill Development

Good afternoon Ms. Marcopul,

Thank you for your feedback.

Please find attached the Phase IA Archaeological Survey for the Argus Housing Development project site.

Thank you,

Diana Vazquez
Program Monitor/Inspector
Community Development
City of Paterson
125 Ellison St. 2nd Floor
Paterson, N.J. 07505

Office #: 973-321-1212 ext. 2237

From: Marcopul, Kate [DEP] [<mailto:Kate.Marcopul@dep.nj.gov>]

Sent: Tuesday, August 24, 2021 12:16 PM

To: Diana Vazquez <dvazquez@patersonnj.gov>

Cc: Gianfranco Archimede <garchimede@patersonnj.gov>; dennis_montagna@nps.gov; Casper, Amanda <Amanda_Casper@nps.gov>; Boch, Darren <Darren_Boch@nps.gov>; Baratta, Meghan [DEP] <Meghan.Baratta@dep.nj.gov>; Leynes, Jennifer [DEP] <Jennifer.Leynes@dep.nj.gov>; West-Rosenthal, Jesse [DEP] <Jesse.West-Rosenthal@dep.nj.gov>

Subject: HPO Project #12-1957-14, Argus Mill Development

****This e-mail serves as the official correspondence of the New Jersey Historic Preservation Office as we switch to a temporary remote work environment in response to the ongoing novel coronavirus (COVID-19) outbreak.****

HPO Project #12-1957-14

HPO-H2021-115

Diana Vazquez

Inspector

City of Paterson

Department of Community Development

via email, Dvazquez@patersonnj.gov

Dear Ms. Vazquez:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the Federal Register on December 12, 2000 (65 FR 77725-77739) and amended on July 6, 2004 (69 FR 40553-40555), I am providing continuing consultation comments on the following proposed undertaking:

**Passaic County, City of Paterson
Argus Ellison Development
3-7 Mill Street, 9-7 Ellison Street, and 1-9 Van Houten Street
U.S. Department of Housing and Urban Development (HUD)**

The comments below are in reply to your letter and supporting documentation, received at the Historic Preservation Office (HPO) on July 22, 2021.

800.3 Initiation of Consultation

According to your correspondence, the proposed undertaking is a new construction and rehabilitation project for affordable housing at the above-referenced location. Known as the Argus Ellison Development, the project will use HOME Program funding to create six, two-bedroom housing units in the Argus Mill and 68 units in a new four-story building, built one podium of parking over an existing surface parking lot.

Thank you for including comments from the Paterson Historic Preservation Commission (HPC) with your submission. In previous correspondence to the HPO, both the National Historic Landmark program and the Paterson Great Falls National Historical Park have requested to be consulting parties regarding the proposed development at Argus Mills. Please include both on future correspondence regarding this project.

800.4 Identification of Historic Properties

The area of potential effects (APE) for historic architecture includes the subject site and areas from which the proposed development will be visible. The project site includes two properties listed on the New Jersey and National Registers of

Historic Places: the Argus Mill, which contributes to the Great Falls / S.U.M. Historic District Extension (NR 8/13/1986; SR 6/23/1986); and the Daniel Thompson and John Ryle House (NR 7/29/1981; SR 6/16/1981). The APE for historic architecture also includes the Great Falls of the Passaic/Society for Establishing Useful Manufactures (SUM) Historic District, which is listed on the New Jersey and National Registers and is a National Historic Landmark (NR 4/16/1970; SR 5/26/1971; NHL 5/10/1976).

The APE for archaeology includes an area formerly developed with nineteenth-century housing. According to the HPC's report, these buildings were demolished in the 1970s for a proposed extension of Route 20 through downtown Paterson, leaving the surface parking lot that exists today. As a result, the area of potential effects for the proposed undertaking exhibits a high potential for the presence of historic-period archaeological resources. In addition, based on the project's topographic setting and the presence of previously identified archaeological sites along the same drainage, the project site is located within an area of high sensitivity for Native American archaeological resources based on current archaeological sensitivity models for New Jersey. As identified in other urban setting such as Gloucester City, Trenton, and Newark, these resources may be deeply buried. In consequence, based on the site sensitivity for Native American and historic-period archaeological deposits, and in order to comply with 36 CFR § 800.4 -Identification of Historic Properties, a Phase I archaeological survey must be conducted to identify the presence of archaeological historic properties within the APE for archaeology.

All phases of the archaeological survey and reporting will need to be in keeping with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, 1983. Survey efforts shall comply with the New Jersey Historic Preservation Office Requirements for Phase I Archaeological Survey at N.J.A.C. 7:4-8.4. Reports of archaeological survey results shall conform to the Requirements for Archaeological Survey Reports – Standards for Report Sufficiency at N.J.A.C. 7:4-8.5. Evaluations to determine the National Register eligibility of archaeological sites must be in keeping with the National Park Service's 2000 National Register Bulletin, Guidelines for Evaluating and Registering Archeological Properties. The individual(s) conducting the work will need to meet the Secretary of the Interior's Professional Qualifications Standards for Archaeology (48 FR 44738-9).

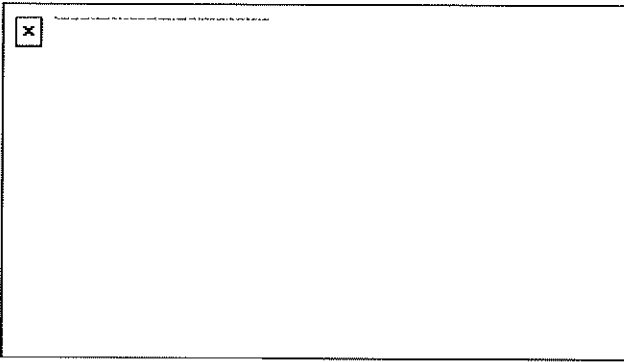
If potential human burials or human skeletal remains are encountered, all ground disturbing activities in the vicinity shall cease immediately and the Historic Preservation Office shall be contacted, as well as any appropriate legal officials. The potential burials shall be left in place unless imminently threatened by human or natural displacement.

Additional Comments

Thank you for providing the opportunity to review and comment on the potential for the above-referenced undertaking to affect historic properties. Please reference the HPO project number **19-2721** in any future calls, emails, submission or written correspondence to help expedite your review and response. If you have any questions, please feel free to contact Jennifer Leynes at jennifer.leynes@dep.nj.gov of my staff.

Sincerely,

Katherine J. Marcopul, Ph.D., CPM
Administrator and
Deputy State Historic Preservation Officer
Historic Preservation Office
NJ Department of Environmental Protection
501 East State Street, Trenton, NJ 08625
kate.marcopul@dep.nj.gov
T (609) 984-0176 | F (609) 984-0578



KJM/MMB/JWR/JBL

~~~~~

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submitted/mailed  
8/25/21

**Diana Vazquez**

---

**From:** Marcopul, Kate [DEP] <Kate.Marcopul@dep.nj.gov>  
**Sent:** Tuesday, August 24, 2021 12:16 PM  
**To:** Diana Vazquez  
**Cc:** Gianfranco Archimede; dennis\_montagna@nps.gov; Casper, Amanda; Boch, Darren; Baratta, Meghan [DEP]; Leynes, Jennifer [DEP]; West-Rosenthal, Jesse [DEP]  
**Subject:** HPO Project #12-1957-14, Argus Mill Development

**\*\*This e-mail serves as the official correspondence of the New Jersey Historic Preservation Office as we switch to a temporary remote work environment in response to the ongoing novel coronavirus (COVID-19) outbreak.\*\***

HPO Project #12-1957-14  
HPO-H2021-115

Diana Vazquez  
Inspector  
City of Paterson  
Department of Community Development  
*via email, Dvazquez@patersonnj.gov*

Dear Ms. Vazquez:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the Federal Register on December 12, 2000 (65 FR 77725-77739) and amended on July 6, 2004 (69 FR 40553-40555), I am providing continuing consultation comments on the following proposed undertaking:

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Argus Ellison Development  
3-7 Mill Street, 9-7 Ellison Street, and 1-9 Van Houten Street  
U.S. Department of Housing and Urban Development (HUD)**

The comments below are in reply to your letter and supporting documentation, received at the Historic Preservation Office (HPO) on July 22, 2021.

### **800.3 Initiation of Consultation**

According to your correspondence, the proposed undertaking is a new construction and rehabilitation project for affordable housing at the above-referenced location. Known as the Argus Ellison Development, the project will use HOME Program funding to create six, two-bedroom housing units in the Argus Mill and 68 units in a new four-story building, built one podium of parking over an existing surface parking lot.

Thank you for including comments from the Paterson Historic Preservation Commission (HPC) with your submission. In previous correspondence to the HPO, both the National Historic Landmark program and the Paterson Great Falls National Historical Park have requested to be consulting parties regarding the proposed development at Argus Mills. Please include both on future correspondence regarding this project.

### **800.4 Identification of Historic Properties**

The area of potential effects (APE) for historic architecture includes the subject site and areas from which the proposed development will be visible. The project site includes two properties listed on the New Jersey and National Registers of Historic Places: the Argus Mill, which contributes to the Great Falls / S.U.M. Historic District Extension (NR 8/13/1986; SR 6/23/1986); and the Daniel Thompson and John Ryle House (NR 7/29/1981; SR 6/16/1981). The APE for historic

architecture also includes the Great Falls of the Passaic/Society for Establishing Useful Manufactures (SUM) Historic District, which is listed on the New Jersey and National Registers and is a National Historic Landmark (NR 4/16/1970; SR 5/26/1971; NHL 5/10/1976).

The APE for archaeology includes an area formerly developed with nineteenth-century housing. According to the HPC's report, these buildings were demolished in the 1970s for a proposed extension of Route 20 through downtown Paterson, leaving the surface parking lot that exists today. As a result, the area of potential effects for the proposed undertaking exhibits a high potential for the presence of historic-period archaeological resources. In addition, based on the project's topographic setting and the presence of previously identified archaeological sites along the same drainage, the project site is located within an area of high sensitivity for Native American archaeological resources based on current archaeological sensitivity models for New Jersey. As identified in other urban setting such as Gloucester City, Trenton, and Newark, these resources may be deeply buried. In consequence, based on the site sensitivity for Native American and historic-period archaeological deposits, and in order to comply with 36 CFR § 800.4 -Identification of Historic Properties, a Phase I archaeological survey must be conducted to identify the presence of archaeological historic properties within the APE for archaeology.

All phases of the archaeological survey and reporting will need to be in keeping with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, 1983. Survey efforts shall comply with the New Jersey Historic Preservation Office Requirements for Phase I Archaeological Survey at N.J.A.C. 7:4-8.4. Reports of archaeological survey results shall conform to the Requirements for Archaeological Survey Reports – Standards for Report Sufficiency at N.J.A.C. 7:4-8.5. Evaluations to determine the National Register eligibility of archaeological sites must be in keeping with the National Park Service's 2000 National Register Bulletin, Guidelines for Evaluating and Registering Archeological Properties. The individual(s) conducting the work will need to meet the Secretary of the Interior's Professional Qualifications Standards for Archaeology (48 FR 44738-9).

If potential human burials or human skeletal remains are encountered, all ground disturbing activities in the vicinity shall cease immediately and the Historic Preservation Office shall be contacted, as well as any appropriate legal officials. The potential burials shall be left in place unless imminently threatened by human or natural displacement.

#### **Additional Comments**

Thank you for providing the opportunity to review and comment on the potential for the above-referenced undertaking to affect historic properties. Please reference the HPO project number **19-2721** in any future calls, emails, submission or written correspondence to help expedite your review and response. If you have any questions, please feel free to contact Jennifer Leynes at [jennifer.leynes@dep.nj.gov](mailto:jennifer.leynes@dep.nj.gov) of my staff.

Sincerely,

**Katherine J. Marcopul, Ph.D., CPM**  
**Administrator and**  
**Deputy State Historic Preservation Officer**  
Historic Preservation Office  
NJ Department of Environmental Protection  
501 East State Street, Trenton, NJ 08625  
[kate.marcopul@dep.nj.gov](mailto:kate.marcopul@dep.nj.gov)  
T (609) 984-0176 | F (609) 984-0578



**NEW JERSEY  
DEPARTMENT OF  
ENVIRONMENTAL  
PROTECTION**



KJM/MMB/JWR/JBL

## Diana Vazquez

---

**From:** Diana Vazquez  
**Sent:** Thursday, July 22, 2021 12:16 PM  
**To:** 'NJHPO@dep.nj.gov'  
**Cc:** 'Lindsay.Thivierge@dep.nj.gov'; 'Jennifer.Leynes@dep.nj.gov'; 'Manville, Laura M'  
**Subject:** Section 106 Consultation Submittal for Argus Ellison Development, Paterson, NJ  
**Attachments:** SHPO EMAIL SUBMITTAL FORM - Argus Ellison Development Project.pdf; SHPO Section 106 Consultation Letter - ARGUS.doc; City of Paterson HPC Resolution\_APR\_2020.pdf; Photos from site.docx; Argus Ellison Development - Project Narrative 06-11-21.pdf

Good morning,

Attached are documents in PDF for the Section 106 Consultation Submittal for Argus Ellison Development, Paterson, NJ.

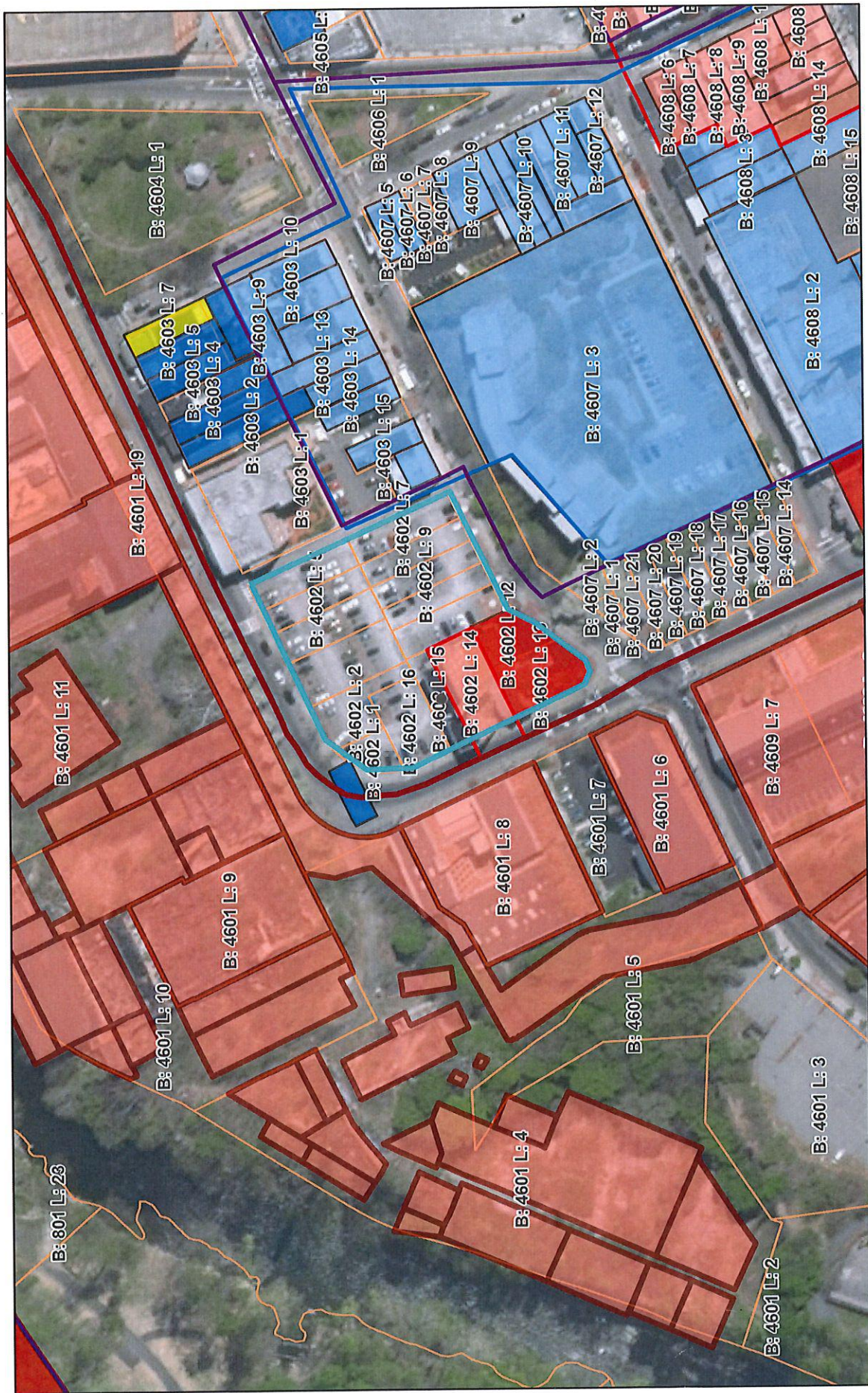
- SHPO Email Submittal Form
- SHPO Consultation Request Letter
- Paterson Historic Preservation Commission Resolution in April 2020
- Site visit photos
- Project Narrative
- Architectural Plans (dropbox link: <https://www.dropbox.com/t/npHagfZCfXi791hl>) click the top file.

If there is any information or document needed, please let me know.

Thank you,

*Diana Vazquez*  
Program Monitor/Inspector  
Community Development  
City of Paterson  
125 Ellison St. 2nd Floor  
Paterson, N.J. 07505  
Office #: 973-321-1212 ext. 2237

# NJ-GeoWeb



7/2/2021, 10:43:52 AM

-  Override 1  
 County Boundaries  
 Historic Districts  
 Locally Designated  
 Identified  
 National Historic Landmark  
 Listed  
 National Historic Landmark INDV  
 National Historic Landmark HD  
 Historic Properties
- Esri Community Maps Contributors, NYC OpenData, New Jersey Office of

New Jersey Department of Environmental Protection  
Esri Community Maps Contributors, NYC OpenData, New Jersey Office of GIS, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METINASA, USGS, EPA, NPS, US Census Bureau, USDA | NJDEP | NJDEP, Bureau of Energy and

**CITY OF PATERSON  
HISTORIC PRESERVATION  
COMMISSION**

**125 ELLISON STREET, SUITE 408**

**PATERSON, NEW JERSEY 07505-1305**

Gianfranco Archimede, Executive Director

phone (973) 321-1220  
fax (973) 321-1356

[garchimede@patersonnj.gov](mailto:garchimede@patersonnj.gov)



André Sayegh  
Mayor

**COMMISSIONERS**

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Kelly C. Ruffel, Vice Chair  
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William C. Tate  
Richard Walter  
Joanne V. Wiley

**ALTERNATES**

Maribel Garcia-Leon  
Joyce A. Corbo

**STAFF**

HPS & Secretary: Timothy Henderson  
Counsel: Romina M. Pascual, Esq.

VIA ELECTRONIC MAIL

April 14, 2020

Owen Tonkins  
Argus Ellison Associates, LLC  
366 East 26<sup>th</sup> Street  
Paterson, NJ 07514

**RE: PLANNING REVIEW APPLICATION  
ARGUS ELLISON ASSOCIATES  
3-7 MILL STREET, 1-9 VAN HOUTEN STREET, 7-9 ELLISON STREET**

Dear Mr. Tonkins:

The Historic Preservation Commission ("Commission") thanks you for submitting a complete Planning Review Application for the abovementioned property. The application was reviewed at the Commission's regular meeting of December 16, 2019 when your professional team attended and presented testimony.

Enclosed, please find a copy of Resolution No. 19-22 representing the Commission's review and a Memorandum representing the Historic Preservation Commission's recommendations to the Division of Planning and Zoning and the Planning Board.

Please contact our office directly with any questions or concerns regarding this decision.

Timothy Henderson  
Secretary  
City of Paterson  
Historic Preservation Commission

Cc: Steven M. Coppa (Coppa Montalbano Architects)

Enclosed: Copy of City of Paterson Historic Preservation Commission Resolution No. 19-22  
Historic Preservation Commission Memorandum (dated March 4, 2020)

**RESOLUTION N° 19-22**  
**OF THE CITY OF PATERSON**  
**HISTORIC PRESERVATION COMMISSION**  
**PLANNING REVIEW FOR THE PROPERTY LOCATED AT**  
**3-7 MILL STREET, 1-9 VANHOUTEN STREET, 9-7 ELLISON STREET**  
**BLOCK 4602, LOTS 1-16**

**WHEREAS**, a planning review application was submitted by Owen Tonkins on behalf of Argus Ellison Associates, LLC ("Applicant") to the City of Paterson Historic Preservation Commission ("Commission") for a Planning Review for the property located at 3-7 Mill Street, 1-9 Van Houten Street, 9-7 Ellison Street, Block 4602, Lots 1-16 ("Property"); and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-110 the Planning Board and Board of Adjustment shall refer to the Historic Preservation Commission every application for development submitted to either board for development in historic zoning districts or on historic sites designated on the zoning or official map or identified in any component element of the master plan; and

**WHEREAS**, the Great Falls Historic District ("District") was designated as a historic district pursuant to N.J.S.A. 40:55D-107, *et seq.* and N.J.S.A. 40:55D-28(b)(10); and

**WHEREAS**, the Property is within the jurisdiction of the District, triggering a planning review by the Commission; and

**WHEREAS**, the Applicant outlined the proposed use of the site and the scope of work within the Application; and

**WHEREAS**, the Applicant certified that all the submitted documents are correct and true to the best of his knowledge; and

**WHEREAS**, at a planning review hearing of the Commission December 16, 2019, testimony was heard from the Applicant, and his consultants, architects, and/or engineers, regarding the project on the Property.

**NOW, THEREFORE, BE IT RESOLVED** by the Historic Preservation Commission of the City of Paterson as follows:

1. The Executive Director of the Historic Preservation Commission is instructed to execute a memorandum to the Planning Board and/or Board of Adjustment outlining the rationale for recommendations memorialized at the Commission's regular meeting of December 16, 2019.
2. The Secretary of the Historic Preservation Commission is instructed to deliver Resolution 19-22 and the memorandum of recommendations for the property located at 3-7 Mill Street, 1-9 Van Houten Street, 9-7 Ellison Street, Block 4602, Lots 1-16, within forty-five (45) days of this hearing to the Planning Board and/or Board of Adjustment and the Applicant.

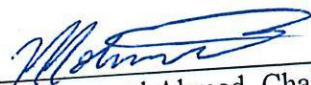
### **STATEMENT OF PURPOSE**

Resolution No. 19-22 directs the Executive Director of the Historic Preservation Commission to prepare a memorandum containing the Commission's recommendations to the Planning Board and/ or the Board of Adjustment regarding the property located at 3-7 Mill Street, 1-9 Van Houten Street, 9-7 Ellison Street, Block 4602, Lots 1-16, situated within the Great Falls Historic District Historic District.

# RECORD OF COMMISSION OF FINAL PASSAGE

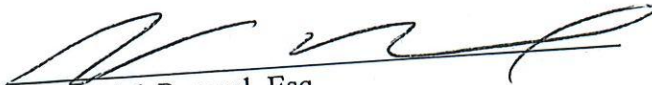
Adopted by the Historic Preservation Commission at a meeting on December 16, 2019

|                     | YES                                 | NO | ABSTAIN | ABSENT |
|---------------------|-------------------------------------|----|---------|--------|
| Joyce Corbo         | <input checked="" type="checkbox"/> |    |         |        |
| Maribel Garcia-Leon |                                     |    |         |        |
| William Tate        | <input checked="" type="checkbox"/> |    |         |        |
| Joanne V. Wiley     | <input checked="" type="checkbox"/> |    |         |        |
| Nakima Redmon       |                                     |    |         |        |
| Richard Walter      | <input checked="" type="checkbox"/> |    |         |        |
| Kenneth A. Simpson  | <input checked="" type="checkbox"/> |    |         |        |
| Vice Chair Ruffel   |                                     |    |         |        |
| Chair Ahmed         | <input checked="" type="checkbox"/> |    |         |        |

  
Mohammed Ahmed, Chair

  
Gianfranco Archimede, Executive Director

Approved as to form:

  
Romina M. Pascual, Esq.  
Counsel to the Historic Preservation Commission

CITY OF PATERSON  
**HISTORIC PRESERVATION  
COMMISSION**

125 ELLISON STREET, SUITE 408  
PATERSON, NEW JERSEY 07505-1305

Gianfranco Archimede, Executive Director

phone (973) 321-1220  
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garchimede@patersonnj.gov



André Sayegh  
Mayor

**COMMISSIONERS**

Mohammed Ahmed, Chair  
Kelly C. Ruffel, Vice Chair  
Nakima Redmon  
Kenneth A. Simpson  
William C. Tate  
Richard Walter  
Joanne V. Wiley

**ALTERNATES**

Maribel Garcia-Leon  
Joyce A. Corbo

**STAFF**

HPS & Secretary: Timothy Henderson  
Counsel: Romina M. Pascual, Esq.

**MEMORANDUM**

DATE: March 4, 2020

TO: Janice Northrop, Chair of Planning Board  
Michael Deutsch, Director, Division of Planning & Zoning  
Margarita Vega, Board Secretary, Planning Board  
Mohammed Ahmed, Chair of Historic Preservation Commission

FROM: Gianfranco Archimede, Executive Director

RE: 3-7 MILL STREET, 1-9 VAN HOUTEN STREET, 7-9 ELLISON STREET  
PATERSON, NJ 07501 BLOCK 4602 LOTS 1-16  
PLANNING REVIEW FOR ADAPTIVE RE-USE & NEW CONSTRUCTION  
ARGUS ELLISON ASSOCIATES, LLC/OWEN TONKINS (APPLICANT)

Please be advised that a planning review application submitted by Owen Tonkins with plans by Coppa Montalbano Architects for the above referenced address was reviewed at the December 16, 2019 regular meeting of the Historic Preservation Commission (Commission). I am writing on behalf of the Commission to provide comments and recommendations from their review of the application in accordance with provisions of §300-13 of the Land Development and Zoning Ordinance, as amended 2016.

**PROPERTY STATUS, JURISDICTION & BACKGROUND**

The applicant is seeking to redevelop a 16 (sixteen) lot parcel in the Great Falls Historic District (GFHD). The parcel is bounded by Van Houten Street to the north, McGee's Alley (defunct) to the east, Ellison Street to the south, and Mill Street to the west. The current improvements on the parcel are the Argus Mill (1876) and the two-story eaves-front Ryle Thompson Houses (c. 1830) which were re-located from the opposite side of Ellison Street in 1979.

**PROPERTY HISTORY AND SIGNIFICANCE**

The Argus Mill is a twelve-bay by three-bay, three-story structure clad with brick laid in common-bond. The rectangular building is styled similarly to other utilitarian buildings in the GFHD. The Argus Mill has a shallow-pitched gable roof and the ordered fenestration characteristic of mill buildings. The windows are supported by arched lintels and limestone sills. Limestone coping caps the parapet in the east gable-end. There is a loading door in the Mill Street gable end. The primary entrance is currently in the southerly elevation between the mill and the Ryle-Thompson House.

The "Argus Mill" was built by brothers Robert and Henry Adams (R & H Adams) as a storehouse to support the expansion of their mosquito net manufacturing business. The R & H Adams manufacturing site was the Essex Mill on the opposite side of Mill Street. Henry Adams sold the "R & H Adams Warehouse" to Tisha Gordon in 1899. For the next forty years, the building was identified as the "Gordon Mill." Henry Gordon was a dealer of silk yarn, tram, and organzine. In 1941, Henry Gordon sold the building to the Argus Yarn Company. At this point, the building became the "Argus Mill."

Historically there was a substantial inventory of 19<sup>th</sup> century housing on the entire block adjacent to the Argus Mill. However, in the 1970s all of these buildings were demolished for a proposed extension of Route 20 through downtown Paterson, leaving behind the surface parking lot that exists today. Fortunately, Paterson officials eventually opposed the New Jersey State Department of Transportation project. The DOT cancelled its plans and the GFHD was spared further demolitions.

The John Ryle and Daniel Thompson Houses are two wood-frame houses that were joined together when they were constructed. The Thompson House is the older of the two. The Ryle House is joined to the south elevation of the Thompson House. The houses were moved to their current site in 1979. This move was to mitigate the adverse impacts of the realignment of Ellison Street to meet the McBride Avenue Extension. The Ryle and Thompson Houses were added to the National Register of Historic Places in 1981.

## COMMENTS AND RECOMMENDATIONS

The Historic Falls Square project promises the improvement of a large area in the Great Falls Historic District. The balance of the parcel is owned by the Paterson Parking Authority (Site #15) and used for surface parking. Argus Ellison Associates, LLC intends to lease Site #15 and purchase the Argus Mill. The Argus Mill will then be joined to a new four-story ell-shaped apartment building on the east side of the parcel. PPA will retain its current number of parking spaces in a ventilated parking area below grade. A parking deck will be constructed above which will be reserved for residents of the apartment building. The apartment building will then be constructed on podiums above the parking deck. As proposed, the apartment building draws design cues from the GFHD and is compliant with the Great Falls Historic District Design Guidelines.

The apartment building and the Argus Mill will be connected via a tower containing an elevator and stairwell. Per the submitted application, the Argus Mill will be rehabilitated in compliance with the Secretary of the Interior's Standards and used as office space for the building management team and other resident services. The mill will also have gathering space for residents. The glass and steel elevator tower on the south elevation of the Argus Mill will be removed as will the fire escape on the east elevation. The primary pedestrian entrance for the complex will be via the sidewalk between the Argus Mill and the Ryle and Thompson Houses.

The Ryle and Thompson Houses are not included in the Historic Falls Square project. However, the parking area in the area in the rear of these houses will be removed and replaced with green space and a playground. The ownership of the Ryle and Thompson houses will be designated parking spaces in the lot reserved for residents.

Following discussion and consideration of the application with respect historic site context and the existing historic structures, the Commission notes the following Comments to the Planning Board:

- Comment 1:** The proposed redevelopment furthers the preservation and permanent rehabilitation of the Argus Mill. After decades of volatility between occupancy and vacancy, the building has been empty for too long and is need of an appropriate permanent rehabilitation and occupancy that this plan supports.
- Comment 2:** The proposed redevelopment adds community value to the historic district by reclamation of a surface parking lot with a housing component that does not compromise the existing public parking opportunities. The continued use of the ground level of the parking lot for public parking compliments investments being made across the street at the ATP site over the next several years for its reuse as a cultural and recreational destination as part of the Great Falls National Park.
- Comment 3:** The design and massing of the new residential structure is complimentary to the existing historic mills surrounding it. The Commission will work with the applicant in greater detail during design review to regarding the final selections of materials to continue to fine tune this important relationship between the old and the new buildings in the historic district.

Following discussion and consideration of the application with respect historic site context and the existing historic structures, the Commission notes the following Recommendations to the Planning Board:

- Recommendation 1:** The Commission recommends that the Planning Board conditionally approve the rehabilitation and adaptive re-use of the Argus Mill and the proposed four-story residential building fronting on Van Houten Street, McGee's Alley, and Ellison Street.
- Recommendation 2:** The Commission recommends that the Planning Board conditions approval upon a PHASE I ARCHAEOLOGICAL SURVEY to ascertain the presence or absence of archaeological resources before commencement of site work, pursuant to the City of Paterson Land Development and Zoning Ordinance §300-13.16. The report will make recommendations if further archaeological work may be warranted during construction phase, such as monitoring of site work or other controls designed to mitigate impacts to historic resources of archaeological value.

NOTE: Moving forward, the applicant must submit a detailed proposal on a **DESIGN REVIEW APPLICATION** provided by the HPC prior to purchasing materials or commencing any work. All exterior changes are subject to review for permits by the HPC in accordance with the Great Falls Historic District Guidelines (1996) and the City of Paterson Zoning Ordinance (amended 2016).

**Diana Vazquez**

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**From:** Gianfranco Archimede  
**Sent:** Friday, August 27, 2021 7:19 AM  
**To:** Barbara A. Blake-McLennon; Diana Vazquez; Andre Sayegh  
**Subject:** FW: Argus Mill Phase IA Survey Report

Here you go Barbara.

----- Original message -----

From: "Marcopul, Kate [DEP]" <Kate.Marcopul@dep.nj.gov>  
Date: 8/27/21 10:59 AM (GMT-05:00)  
To: Gianfranco Archimede <garchimede@patersonnj.gov>  
Cc: "Bukowski, Ray [DEP]" <Ray.Bukowski@dep.nj.gov>  
Subject: Argus Mill Phase IA Survey Report

Good morning, Gianfranco,

This email is to confirm that the Historic Preservation Office has received the following Phase IA archaeological survey report for review and comment:

Cherau, Suzanne

July 2021      *Summary Report: Phase IA Archaeological Survey (Sensitivity Assessment), Argus Ellison Development - Lots 1-11, 15, and 16, Paterson, New Jersey.* Prepared for WinnDevelopment, Boston, MA. Prepared by PAL, Pawtucket, RI.

The report has been logged in. HPO staff is reviewing the report and will be providing comments as soon as our review is finished.

Please do not hesitate to contact me if you have any questions.

Sincerely,  
Kate

**Katherine J. Marcopul, Ph.D., CPM**  
**Administrator and**  
**Deputy State Historic Preservation Officer**  
Historic Preservation Office  
NJ Department of Environmental Protection  
501 East State Street, Trenton, NJ 08625  
[kate.marcopul@dep.nj.gov](mailto:kate.marcopul@dep.nj.gov)  
T (609) 984-0176 | F (609) 984-0578

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U.S. Department of Housing and Urban Development  
Community Planning and Development

Special Attention of:

All Regional Directors  
All Field Office Directors  
All CPD Division Directors  
All Regional Environmental Officers  
All Responsible Entities  
All Housing Directors  
All PIH Division Directors  
All Program Environmental Clearance Officers

**Notice:** CPD 12-006

Issued: June 15, 2012

Expires: This Notice is effective until amended, superseded, or rescinded.

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Cross References:

**SUBJECT: Process for Tribal Consultation in Projects That Are Reviewed  
Under 24 CFR Part 58**

**I. Purpose**

The "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities," 24 CFR Part 58, outlines the review process for many projects assisted with HUD programs, including those funded through CDBG, HOME, HOPE VI, HOPWA, Emergency Shelter Grants, certain Indian Housing programs, Public Housing Capital Fund, and Economic Development Initiative grants, and certain loans guaranteed by HUD. Part 58 covers many environmental areas, including historic resources. It references the "Section 106" review process for historic resources, which requires federal agencies to consult with federally-recognized Indian tribes on projects that may affect historic properties of religious and cultural significance to tribes. Under Part 58, local, state, or tribal governments become Responsible Entities (REs) and assume the federal agency's environmental review authority and responsibility for projects within their jurisdiction, including those for which they are grantees. The RE must consult with tribes to determine whether a proposed project may adversely affect historic properties of religious and cultural significance, and if so, how the adverse effect could be avoided, minimized or mitigated. This applies to projects on and off tribal lands. This Notice clarifies the steps that REs should follow in the tribal consultation process. Following this protocol ensures compliance with the requirement for certification of tribal consultation on the Request for Release of Funds and Certification (form HUD 7015.15).

**II. Background**

Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and its implementing regulations (36 CFR Part 800) direct federal agencies to undertake an open, consultative process to consider the impact of their projects on historic and archeological resources. The review must

be completed before an agency approves and/or commits funds to a project. In projects that are reviewed under 24 CFR Part 58, the Responsible Entity (RE), acting as HUD, consults with the State Historic Preservation Officer (SHPO), local government, individuals and organizations with demonstrated interest, the public, and representatives of federally-recognized Indian tribes and Native Hawaiian Organizations, including Tribal Historic Preservation Officers (THPOs). This Notice focuses on tribal consultation and project impacts to historic properties of religious and cultural significance to tribes. If a project includes activities that may affect such properties, the RE must consult with tribes to identify the property(ies) and consider ways to avoid, minimize or mitigate possible adverse effects to them. For guidance on consulting with Native Hawaiian Organizations, see "[Consultation with Native Hawaiian Organizations in the Section 106 Review Process: A Handbook](#)" published by the Advisory Council on Historic Preservation in June 2011.

Effective tribal consultation begins at the earliest possible stages of a project and is carried out to meet project timeframes. It fosters meaningful dialogue that strives to protect historic properties of religious and cultural significance to tribes. As noted in 36 CFR 800.2(c)(2)(ii)(B): "Consultation with Indian tribes should be conducted in a sensitive manner respectful of tribal sovereignty. Nothing in this part alters, amends, repeals, interprets, or modifies tribal sovereignty, any treaty rights, or other rights of an Indian tribe, or preempts, modifies, or limits the exercise of any such rights." [Additional guidance](#) on working with tribal representatives is available. REs may engage cultural resource specialists to assist in the process as needed, but REs remain ultimately responsible for initiating consultation with tribes.

Further details on the Statutory and Regulatory Requirements for tribal consultation are included in Section VI. Definitions are included in Section VII.

### **III. Required Actions by Responsible Entities**

#### **A. Determine if Section 106 Review is Required**

Not all projects require Section 106 review. Some are exempted through regulation or Programmatic Agreements between the RE and the SHPO. If Section 106 review is not required, tribal consultation is not required.

##### **1. Exempt Activities**

If project activities are limited to those listed in [24 CFR 58.34 \(a\) \(1-11\)](#) as Exempt Activities and those listed in [24 CFR 58.35 \(b\)](#), as Categorical Exclusions not subject to §58.5, no further review and no consultation are required. The listed Activities and Exclusions have "No Potential to Cause Effects." Examples include: maintenance activities, tenant-based rental assistance, operating costs, affordable housing pre-development costs, studies and plans.

##### **2. Programmatic Agreement**

If the funded activity is covered by an existing Programmatic Agreement (PA), the PA may contain more Exempt activities in addition to the ones above. [[Link to PA database](#)] Follow the review process in the PA, including appropriate tribal consultation. If the PA does not

contain a section on tribal consultation, and the activity is not Exempt, follow the process in III. C., below.

### **3. Projects Involving Multiple Federal Agencies**

If the project involves multiple federal agencies, the RE may defer to another federal agency as the lead agency to undertake the Section 106 review. Generally, the agency with the largest stake in the project acts as the lead agency. Document the lead agency agreement in writing and retain it in the Environmental Review Record (ERR). The agreement must contain provisions for appropriate tribal consultation. If adverse effects are involved, the RE must sign the Memorandum of Agreement that resolves the adverse effect(s). Contact the HUD Federal Preservation Officer to discuss questions about a specific case.

## **B. Determine if Tribal Consultation is Required**

Not all projects that require Section 106 review require consultation with Indian tribes. Consultation with federally-recognized tribes is required when a project includes activities that have the potential to affect historic properties of religious and cultural significance to tribes. These types of activities include: ground disturbance (digging), new construction in undeveloped natural areas, introduction of incongruent visual, audible, or atmospheric changes, work on a building or structure with significant tribal association, or transfer, lease or sale of historic properties of religious and cultural significance.

### **1. Checklist on When to Consult With Tribes**

Use the When to Consult With Tribes Under Section 106 checklist (Appendix A) to determine if the project includes types of activities that have the potential to affect historic properties of religious and cultural significance. [Link to checklist] If not, tribal consultation is not required. Keep a copy of the checklist in the Environmental Review Record (ERR). If needed, you may seek technical assistance from the HUD Field Environmental Officer (FEO). If consultation is required, follow the steps below.

Through written agreement with a tribe, an RE may modify the process outlined below. [See 36 CFR 800.2(c)(2)(ii)(E)] An RE may also choose to incorporate into their consultation effort any relevant provisions in existing agreements between SHPOs and tribes and in other SHPO and THPO written guidance regarding tribal consultation.

## **C. Consult With Tribes**

If a project includes the types of activities that may affect historic properties of religious and cultural significance, the RE must consult with the relevant tribe(s) to identify any such properties in the project's Area of Potential Effect (APE). If they are present, consultation continues with evaluation of the eligibility of the properties for the National Register of Historic Places and assessment of the possible effects of the project on Register-eligible properties. The goal is to avoid adverse effects if possible.

Steps 1-4 below correspond to the steps commonly used to describe the Section 106 process in other guidance: Initiate Consultation (Step 1); Identify and Evaluate Historic Properties (Step 2); Assess Effects (Step 3); and Resolve Adverse Effects (Step 4). For the sake of efficiency, Steps

2, 3 and 4 may be treated together in consultation discussions and comments. [[See 36 CFR 800.3\(g\) Expediting consultation](#)]

**Step1. Identify federally-recognized tribes with an interest in the project area and initiate consultation**

The RE can use the [Tribal Directory Assessment Tool \(TDAT\)](#) to identify tribes with a current or ancestral interest in the county where the project is located. TDAT is a web-based directory of federally-recognized tribes and their geographic areas of interest. Tribes may have an interest in counties far from their current location, counties where the tribe lived centuries or millennia ago.

**a. Tribal Directory Assessment Tool (TDAT)**

Type the project address into the locator box in TDAT and it will return a list of tribes with interest in the area, with contact names, addresses, e-mail addresses, fax numbers and phone numbers. You can export the list as an Excel spreadsheet for mail merge in g. below. If TDAT shows no federally-recognized tribes with an interest in the area, document the result in the ERR; consultation is complete unless a previously unidentified, federally-recognized tribe expresses a desire to consult.

**b. Tribe as Grant Recipient**

If a tribe is a grant recipient in a HUD project and assumes the role of RE and conducts the Section 106 review, that tribe is responsible for inviting other tribes to consult if other tribes also have a religious or cultural interest in the project area. [Additional guidance](#) is available.

**c. Non-federally Recognized Tribes**

Although REs are only required to consult with federally-recognized tribes, the RE may invite non-federally recognized tribes with a demonstrated interest in the project to consult as additional consulting parties. They may also participate as members of the public. [See pages 9-11 of [Consultation with Indian Tribes in the Section 106 Review Process: A Handbook](#)]

**d. Contact federally-recognized tribe(s) and invite consultation**

Once the RE has identified tribes with a potential interest in the project area, the RE mails a letter to each tribe to invite consultation. The letter(s), on RE letterhead, may be transmitted by email. Keep a copy of the letter(s) in the Environmental Review Record (ERR) for monitoring purposes.

**e. Historic Properties of Religious and Cultural Significance**

The letter that invites consultation should contain a request for assistance in identifying historic properties of religious and cultural significance in the project area - archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places, traditional cultural landscapes, plant and animal communities, and buildings and structures with significant tribal association - and any initial concerns with impacts of the project on those resources.

**f. Tribal Historic Preservation Officer (THPO)**

Some tribes have both a tribal leader and a Tribal Historic Preservation Officer (THPO) listed in TDAT. Send letters to both and ask that the tribe's response indicate a single point of contact if possible. On tribal lands, a THPO may have assumed authority for Section 106 review in lieu of the State Historic Preservation Officer (SHPO). On non-tribal lands, the THPO may have been delegated by the tribe to represent them in Section 106 reviews, but their participation does not take the place of consultation with the SHPO. [See page 6 of [\*Consultation with Indian Tribes in the Section 106 Review Process: A Handbook\*](#)]

**g. Template Letter**

Send a letter to the tribe(s) using TDAT contact info mail merged with the template letter. The RE may customize the template letter if desired. [Link to template letter]

You must add a description of the project into the letter by editing the template. The description should include, as applicable: the location and size of the property; type of project; type and scale of new building(s) or structures; construction materials; number of housing units; depth and area of ground disturbance; introduction of visual, audible or atmospheric changes; or transfer, lease or sale of property. [Link to sample project descriptions]

The RE -- not a contractor, lender, sponsor, sub-recipient or other grantee -- must sign the letter to the tribe(s). The RE is required to conduct government-to-government consultation.

**h. Map**

Enclose a map showing the location of the project and the Area of Potential Effect (APE), which may be larger than the project property. For urban sites, a map generated from a site like Google Earth is preferred. [Link to Google Earth] For rural sites, a USGS topographic map is preferred. [Link to topo map site]

**i. Timeframes**

HUD's policy is to request a response to the invitation to consult within 30 days from the date the tribe receives the letter. For gauging the beginning and end of the 30 day period, an RE may assume that an emailed letter is received on the date it is sent. For a hard copy letter, an RE may send the letter certified mail, or, if mail delivery is predictable and reliable, the RE may assume a 5-day delivery period, and assume that the period ends 35 days after the letter is mailed.

If a tribe wishes to be a consulting party, the tribe must provide within 30 days an indication of their desire to consult. The tribe does not need to actually provide information about historic properties of religious and cultural significance within 30 days; that may take longer. If a tribe responds that they do not want to consult, document the response in the ERR. If a tribe does not respond to the invitation to consult within 30 days, the RE should document the invitation and lack of response in the ERR; further consultation is not required.

**j. Tiered Review**

If a project is utilizing a Tiered review, consultation should usually begin in the Tier 1 broad level review. If a tribe expresses interest in further consultation on specific sites, the Tier 1 review should include a written strategy for continuing consultation on site specific reviews in Tier 2. [See [24 CFR 58.15](#)]

**Step 2. Consult with the tribe(s) to identify and evaluate historic properties of religious and cultural significance**

Theoretically, the consultation process first identifies potential historic properties, then evaluates which ones are eligible for the National Register of Historic Places, and then assesses the impact(s) of the project on those resources. In practice, those efforts often occur simultaneously. It is important to remember though, that only historic properties of religious and cultural significance that are eligible for or listed on the National Register are protected under Section 106. If no such properties are present, refer to the “No Historic Properties Affected” finding in Step 3 below.

**a. Consultation Meeting(s)**

After receiving a response that a tribe wants to consult, contact the tribe(s) to arrange further consultation which may take place by phone, web meeting, or face-to-face meeting. Try to accommodate a tribe’s preferences as to meeting location and method of communication. If needed, a site visit is an eligible project expense. If more than one tribe wants to consult, consult jointly if possible. Integrate tribal consultation with consultation with other non-tribal parties, including the SHPO, as possible and appropriate. Recognize that some tribes may not want to consult jointly, particularly where there are concerns for confidentiality of information.

**b. Evaluation of Historic Properties for the National Register of Historic Places**

Gather information on known historic properties from the tribe, SHPO, consultants, and other repositories. Discuss with the tribe whether known properties appear eligible for the National Register of Historic Places. HUD acknowledges that tribes possess special expertise in evaluating the eligibility of religious and cultural properties for the National Register. Generally, if the RE disagrees with a tribe’s opinion, the RE or the tribe may ask the Advisory Council on Historic Preservation to enter the consultation. The tribe may also ask the Council to request the RE to obtain a formal determination of eligibility from the Keeper of the National Register.

**c. Surveys to Identify Additional Historic Properties**

If a convincing case is made by the tribe(s) and/or SHPO that National Register eligible historic properties potentially exist on the site, and that they may be affected by the project, the grantee may approve funding for an archeological survey as part of the project. Consult HUD’s HP Fact Sheet #6, Guidance on Archeological Investigations in HUD Projects. [Link to HP Fact Sheet #6]

Sometimes, consultation results in modification of project plans to avoid potential effects on historic properties of religious and cultural significance. If effects are avoided, e.g. by designating a sensitive area as undisturbed green space, it is generally not necessary to fully identify and document resources with an archeological survey.

An RE is not required to pay for consultation. However, an RE may choose to negotiate payment to a tribe for detailed survey documentation on historic properties of religious and cultural significance to the tribe, similar to payment to a consultant. If agreed upon ahead of time, this payment may be an eligible project expense.

#### **d. Confidentiality of Information**

Tribes may be hesitant to share information on the location, character, and use of historic properties of special religious and cultural significance. Discuss with the tribe(s) ways to protect confidentiality of such information. The RE should strive to ensure confidentiality when requested. [36 CFR 800.11\(c\)](#) outlines a formal process for obtaining federal authority to withhold sensitive information, in the event that practical means or state authority are not available.

### **Step 3. Consult with the tribe(s) to evaluate the effects of the project on identified and potential historic resources**

After discussing the possible effects of the project on historic properties of religious and cultural significance to tribes, the RE determines the appropriate finding: “No Historic Properties Affected”; “No Adverse Effect”; or “Adverse Effect”. The RE will also be consulting with other parties, like the SHPO, to determine effects of the project on these and other types of resources, like historic buildings with no tribal association. It is desirable to consolidate findings of effect for all types of historic properties in one letter. Ultimately, a project has one overall finding of effect. Tribes have 30 days to object to a finding of effect.

#### **a. Criteria of Adverse Effect**

Consult with the tribe(s) and other consulting parties to apply the [Criteria of Adverse Effect](#), and determine if the project may have an adverse effect.

#### **b. “No Historic Properties Affected” Finding**

If there are no known or potential historic properties in the project area that are listed on or eligible for the National Register of Historic Places, or if such properties exist but there will be no effect on them, notify the tribe(s) and other consulting parties of your determination of “No Historic Properties Affected.” Describe which of the above circumstances applies. It is not necessary to fully identify and document resources if they will not be affected by the project.

#### **c. “No Adverse Effect” Finding**

If the project will have an effect, but it will not be adverse, notify the tribe(s) and other consulting parties of your determination of “No Adverse Effect.” They have 30 days to object. If a tribe objects, the RE should consult to resolve the objection. The tribe or the RE may also ask the Advisory Council on Historic

Preservation to review the determination. The request must be made within the 30-day period and must include the documentation listed in [36 CFR 800.11 \(e\)](#).

**d. “Adverse Effect” Finding**

If the project will affect National Register listed or eligible historic properties in any of the ways outlined in the Criteria of Adverse Effect, notify the tribe(s) and other consulting parties of your determination of “Adverse Effect” and consult to resolve the adverse effects. Typical activities that could adversely affect historic properties of religious and cultural significance include: ground disturbance (digging), new construction in undeveloped natural areas, introduction of incongruent visual, audible, or atmospheric changes, work on a building or structure with significant tribal association, or transfer, lease or sale of historic properties of religious and cultural significance.

**Step 4. Consult to resolve adverse effects**

If there are possible “Adverse Effects”, consult with the tribe(s) and other consulting parties to consider alternatives that would avoid or minimize adverse effects, including possible mitigation measures.

**a. Notification of Advisory Council**

The RE must notify the Advisory Council on Historic Preservation (ACHP) about the adverse effect and give them an opportunity to enter the consultation. The Council will decide whether to enter the consultation based on established [criteria](#) that include whether a project “Presents issues of concern to Indian tribes or Native Hawaiian organizations.” The Advisory Council must respond within 15 days of receipt of the request. [See link to on-line ACHP notification system – pending]

**b. Consideration of Alternatives**

Consult with the tribe(s) and other consulting parties about possible ways to modify a project to avoid adverse effects. If initial discussion does not resolve the issue(s), a site visit with consulting parties and project developers is often helpful. An agreed upon alternative may be stipulated with “conditions” in a revised “No Adverse Effect” finding for the project.

**c. Consideration of Mitigation Measures**

If adverse effects cannot be fully resolved, and there is a compelling need for the project to proceed despite the adverse effect(s), consider ways to mitigate or compensate for the harm to the historic property(ies). Mitigation measures may include data recovery, documentation, research, publication, education, interpretation, curation, off-site preservation, and/or monitoring and may relate to the specific resource that is being affected, or other historic properties in a similar location or of a similar type.

**d. If needed, prepare and execute a Memorandum of Agreement (MOA)**

An MOA stipulates the agreed upon measures to minimize and/or mitigate adverse effects. It is a legally binding document that obligates all named parties

to the agreement. The RE is responsible for ensuring that the measures required by the MOA are satisfactorily carried out. Model language is available. At the discretion of the RE, where deemed necessary, an MOA may also be used to codify agreed upon measures to avoid an adverse effect, in conjunction with a conditional "No Adverse Effect" finding.

**e. Execution of the MOA**

The MOA must be executed prior to the decision point for the project -- as applicable, prior to the dissemination or publication of public notices required by 24 CFR Part 58 (e.g., notice of finding of no significant impact (§58.43), and notice of intent to request the release of funds (§58.70)). The RE should send a digital copy of the MOA to the HUD Field Environmental Officer (FEO) who will file it in the MOA file in the central HUD shared drive. A copy must also be provided to the Advisory Council on Historic Preservation and the consulting tribe(s).

**f. Signatories to the MOA**

The Responsible Entity may invite the tribe(s) to sign the MOA as a consulting party. The tribal leader and the THPO may sign the MOA. For projects on tribal lands, if the tribe has a THPO who has assumed Section 106 responsibilities for the tribe, the THPO must be a signatory.

HUD does not sign Section 106 agreement documents covered by 24 CFR Part 58. HUD does sign agreements covered by 24 CFR Part 50. If a project is subject to both, HUD may sign as long as the agreement states the appropriate program reference. [See CPD [Memo on HUD Environmental Regulations and Section 106 Agreement Documents](#)]

**g. Completion of MOA requirements**

The RE must ensure that the stipulations and mitigation measures in the MOA are carried out and inform the tribe(s) of completion. Document completion in the Environmental Review Record (ERR).

**h. Termination of Consultation**

If consulting about properties on tribal lands, a THPO may determine that further consultation will not be productive and terminate consultation. Likewise, an RE, SHPO, or, if participating, the Advisory Council on Historic Preservation, may terminate consultation. Termination of consultation is detailed at [36 CFR 800.7](#). A tribe that is consulting about properties off tribal lands may decline an invitation to sign an MOA, but does not have a right to terminate consultation under 36 CFR 800.7.

#### **IV. Record of Compliance**

Include evidence of compliance with this protocol in the Environmental Review Record (ERR), including notes, letters, e-mails, reports, etc.

Failure to consult with tribes per this protocol may lead to HUD issuing a finding of non-compliance with 36 CFR Part 800, the regulations that implement Section 106. If HUD makes a finding, HUD may initiate sanctions, corrective actions, or other remedies specified in program regulations or agreements or contracts with the RE which may include terminating grants where appropriate and repayment of funds expended with non-federal funds. (See [24 CFR 58.77](#))

#### **A. Request for Release of Funds (RROF) (Form 7015.15)**

REs and grantees must certify on the Request for Release of Funds and Certification (form HUD 7015.15) that they have consulted with federally-recognized tribes per this protocol. [See Part 2, #3 of [form](#)]

### **V. Discoveries During Construction**

Whenever previously unknown below ground historic properties of religious and cultural significance are discovered during construction, excavation in the area of the resources must immediately stop until tribal consultation can occur. The RE must notify tribes (including the THPOs), the Advisory Council on Historic Preservation, and the SHPO within 48 hours of the discovery. [See [36 CFR 800.13\(b\)](#)] Contact the tribes identified in Step 1 and reenter consultation which should take place under an accelerated timeframe. A site visit with the RE, tribe(s), and SHPO (as appropriate) is recommended to resolve any potential adverse effect(s) to the historic property(ies) of religious and cultural significance.

#### **A. Human Remains**

If the discovery includes human remains, they should be respectfully covered over and secured, and the RE should contact law enforcement authorities as well as tribes and other consulting parties. If the human remains are determined to be Indian burials, the RE should follow the guidance in the “[Advisory Council on Historic Preservation Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects.](#)”

#### **B. Native American Graves Protection and Repatriation Act (NAGPRA)**

In undertakings on federal or tribal lands, the Native American Graves Protection and Repatriation Act (NAGPRA) (*25 U.S.C. 3001 et seq*) requires that cultural items excavated or inadvertently discovered be returned to their respective peoples. Cultural items include human remains, funerary objects, sacred objects, and objects of cultural patrimony. [More information](#) is available.

### **VI. Statutory and Regulatory Requirements**

Federal law directs federal agencies to consult with tribes when there is a potential for a federally-funded project to affect a historic property of religious and cultural significance to tribes.

Section 106 of the National Historic Preservation Act ([16 U.S.C. 470f](#)) requires that prior to approving the expenditure of funds for a project, a federal agency must take into account the effect of the undertaking on historic resources.

Section 101 (d)(6)(A) and (B) of the National Historic Preservation Act identifies the types of properties to be considered and the obligation to consult. The Act provides that properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization may be determined to be eligible for inclusion in the National Register of Historic Places. In carrying out its responsibilities under Section 106 of the Act, a Federal agency is required to consult with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to such properties. In projects that are reviewed under 24 CFR Part 58, the Responsible Entity (RE) assumes the role of the Federal agency, including tribal consultation. [\[See 24 CFR 58.4\]](#)

The regulations that implement Section 106 of the Act, [36 CFR Part 800](#) – “Protection of Historic Properties,” define “Indian tribe” as federally-recognized tribes, and limit the need to consult to projects that have the potential to affect historic properties of religious and cultural significance to tribes.

### **36 CFR 800.2 (c )(2)(ii)**

*Consultation on historic properties of significance to Indian tribes and Native Hawaiian organizations.*

Section 101(d)(6)(B) of the act requires the agency official to consult with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to historic properties that may be affected by an undertaking...

### **36 CFR 800.3**

(a) *Establish undertaking.* The agency official shall determine whether the proposed Federal action is an undertaking as defined in § 800.16(y) and, if so, whether it is a type of activity that has the potential to cause effects on historic properties.

(1) *No potential to cause effects.* If the undertaking is a type of activity that does not have the potential to cause effects on historic properties, assuming such historic properties were present, the agency official has no further obligations under section 106 or this part.

Therefore, the consultation process outlined in this Notice starts by first establishing whether the project includes a type of activity that has the potential to affect historic properties of religious and cultural significance to tribes. If it does, it outlines the steps to consult with tribes to identify and evaluate resources, and to assess the effects of the project on the resources.

## **VII. Definitions**

Definitions of some of the terms used in this Notice may be found in 24 CFR Part 58 and 36 CFR Part 800, “Protection of Historic Properties”, and are repeated here for convenience.

The definition of **Responsible Entity** is found in 24 CFR 58.2(a)(7).

**Responsible Entity.** Responsible Entity means:

- (i) With respect to environmental responsibilities under programs listed in §58.1(b)(1), (2), (3)(i), (4), and (5), a recipient under the program.
- (ii) With respect to environmental responsibilities under the programs listed in §58.1(b)(3)(ii) and (6) through (12), a state, unit of general local government, Indian tribe or Alaska Native Village, or the Department of Hawaiian Home Lands, when it is the recipient under the program. Under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 *et seq.*) listed in §58.1(b)(10)(i), the Indian tribe is the responsible entity whether or not a Tribally Designated Housing Entity is authorized to receive grant amounts on behalf of the tribe. The Indian tribe is also the responsible entity under the Section 184 Indian Housing Loan Guarantee program listed in §58.1(b)(11). Regional Corporations in Alaska are considered Indian tribes in this part. Non-recipient responsible entities are designated as follows:
  - (A) For qualified housing finance agencies, the State or a unit of general local government, Indian tribe or Alaska native village whose jurisdiction contains the project site;
  - (B) For public housing agencies, the unit of general local government within which the project is located that exercises land use responsibility, or if HUD determines this infeasible, the county, or if HUD determines this infeasible, the State;
  - (C) For non-profit organizations and other entities, the unit of general local government, Indian tribe or Alaska native village within which the project is located that exercises land use responsibility, or if HUD determines this infeasible, the county, or if HUD determines this infeasible, the State;

Definitions of some other parties in the Section 106 process are found in 36 CFR 800.16.

**Council** means the Advisory Council on Historic Preservation or a Council member or employee designated to act for the Council.

**Indian tribe** means an Indian tribe, band, nation, or other organized group or community, including a native village, regional corporation, or village corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

**Native Hawaiian organization** means any organization which serves and represents the interests of Native Hawaiians; has as a primary and stated purpose the provision of services to Native Hawaiians; and has demonstrated expertise in aspects of historic preservation that are significant to Native Hawaiians.

***Native Hawaiian*** means any individual who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawaii.

***State Historic Preservation Officer (SHPO)*** means the official appointed or designated pursuant to section 101(b)(1) of the act to administer the State historic preservation program or a representative designated to act for the State historic preservation officer.

***Tribal Historic Preservation Officer (THPO)*** means the tribal official appointed by the tribe's chief governing authority or designated by a tribal ordinance or preservation program who has assumed the responsibilities of the SHPO for purposes of section 106 compliance on tribal lands in accordance with section 101(d)(2) of the act.

Other relevant definitions found in 36 CFR 800.16 include:

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

***Consultation*** means the process of seeking, discussing, and considering the views of other participants, and, where feasible, seeking agreement with them regarding matters arising in the section 106 process. The Secretary's "Standards and Guidelines for Federal Agency Preservation Programs pursuant to the National Historic Preservation Act" provide further guidance on consultation.

***Effect*** means alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register.

***Eligible for inclusion in the National Register*** includes both properties formally determined as such in accordance with regulations of the Secretary of the Interior and all other properties that meet the National Register criteria.

***Historic property*** means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria.

***Memorandum of agreement*** means the document that records the terms and conditions agreed upon to resolve the adverse effects of an undertaking upon historic properties.

***National Register*** means the National Register of Historic Places maintained by the Secretary of the Interior.

***Programmatic agreement*** means a document that records the terms and conditions agreed upon to resolve the potential adverse effects of a Federal agency program, complex undertaking or other situations in accordance with §800.14(b).

***Tribal lands*** means all lands within the exterior boundaries of any Indian reservation and all dependent Indian communities.

***Undertaking*** means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval.

### **Acronyms Used in This Notice**

|               |                                                        |
|---------------|--------------------------------------------------------|
| <b>ACHP</b>   | Advisory Council on Historic Preservation (federal)    |
| <b>APE</b>    | Area of Potential Effect                               |
| <b>CPD</b>    | Community Planning and Development Office              |
| <b>ERR</b>    | Environmental Review Record                            |
| <b>FEO</b>    | Field Environmental Officer                            |
| <b>HUD</b>    | U.S. Department of Housing and Urban Development       |
| <b>MOA</b>    | Memorandum of Agreement                                |
| <b>NAGPRA</b> | Native American Graves Protection and Repatriation Act |
| <b>PA</b>     | Programmatic Agreement                                 |
| <b>RE</b>     | Responsible Entity                                     |
| <b>REO</b>    | Regional Environmental Officer                         |
| <b>RROF</b>   | Request for Release of Funds and Certification         |
| <b>SHPO</b>   | State Historic Preservation Officer                    |
| <b>TDAT</b>   | Tribal Directory Assessment Tool                       |
| <b>THPO</b>   | Tribal Historic Preservation Officer                   |

### **Appendix A**

#### When To Consult With Tribes Under Section 106 Checklist

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Yolanda Chávez  
Deputy Assistant Secretary for Grant  
Programs

## Appendix A

### When To Consult With Tribes Under Section 106

Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a historic property of religious and cultural significance to the tribe. Historic properties of religious and cultural significance include: archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places, traditional cultural landscapes, plant and animal communities, and buildings and structures with significant tribal association. The types of activities that may affect historic properties of religious and cultural significance include: ground disturbance (digging), new construction in undeveloped natural areas, introduction of incongruent visual, audible, or atmospheric changes, work on a building with significant tribal association, and transfer, lease or sale of properties of the types listed above.

**If a project includes any of the types of activities below, invite tribes to consult:**

**significant ground disturbance (digging)**

Examples: new sewer lines, utility lines (above and below ground), foundations, footings, grading, access roads

**new construction in undeveloped natural areas**

Examples: industrial-scale energy facilities, transmission lines, pipelines, or new recreational facilities, in undeveloped natural areas like mountaintops, canyons, islands, forests, native grasslands, etc., and housing, commercial, and industrial facilities in such areas

**incongruent visual changes**

Examples: construction of a focal point that is out of character with the surrounding natural area, impairment of the vista or viewshed from an observation point in the natural landscape, or impairment of the recognized historic scenic qualities of an area

**incongruent audible changes**

Examples: increase in noise levels above an acceptable standard in areas known for their quiet, contemplative experience

**incongruent atmospheric changes**

Examples: introduction of lights that create skyglow in an area with a dark night sky

**work on a building with significant tribal association**

Examples: rehabilitation, demolition or removal of a surviving ancient tribal structure or village, or a building or structure that there is reason to believe was the location of a significant tribal event, home of an important person, or that served as a tribal school or community hall

**transfer, lease or sale of a historic property of religious and cultural significance**

Example: transfer, lease or sale of properties that contain archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, plant and animal communities, or buildings and structures with significant tribal association

**None of the above apply**

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**Project**

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**Reviewed By**

---

**Date**



# Tribal Directory Assessment Information


[Download Excel](#)

## Contact Information for Tribes with Interests in Passaic County, New Jersey

| Tribal Name                 |                                              |                                                 |                   |                   | County Name |                              |                               |
|-----------------------------|----------------------------------------------|-------------------------------------------------|-------------------|-------------------|-------------|------------------------------|-------------------------------|
| - Delaware Nation, Oklahoma |                                              |                                                 |                   |                   | Passaic     |                              |                               |
| Contact Name                | Title                                        | Mailing Address                                 | Work Phone        | Fax Number        | Cell Phone  | Email Address                | URL                           |
| Nekole Alligood             | Director of Cultural Resources & Section 106 | PO Box 825<br>Anadarko, OK 73005                | (405)<br>247-8903 | (405)<br>247-9393 |             | Nalligood@delawarenation.com | www.delawarenation.com        |
| Deborah Dotson              | President                                    | PO Box 825<br>Anadarko, OK 73005                | (405)<br>247-2448 | (405)<br>247-9393 |             | ddotson@delawarenation.com   | www.delawarenation.com        |
| - Delaware Tribe of Indians |                                              |                                                 |                   |                   | Passaic     |                              |                               |
| Contact Name                | Title                                        | Mailing Address                                 | Work Phone        | Fax Number        | Cell Phone  | Email Address                | URL                           |
| Dr. Brice Obermeyer         | Historic Preservation                        | 1 Kellog Circle<br>Emporia, KS 66801            | (620)<br>341-6699 |                   |             | bobermeyer@delawaretribe.org | www.delawaretribe.org         |
| Susan Bachor                | Preservation Representative (East Coast)     | P.O. Box 64<br>Pocono Lake, PA 18347            | (610)<br>761-7452 |                   |             | sbachor@delawaretribe.org    | www.delawaretribe.org         |
| Chester "Chet" Brooks       | Chief                                        | 5100 Tuxedo Boulevard<br>Bartlesville, OK 74006 | (918)<br>337-6590 | (918)<br>337-6591 |             | cbrooks@delawaretribe.org    | www.delawaretribe.org         |
| - Shawnee Tribe             |                                              |                                                 |                   |                   | Passaic     |                              |                               |
| Contact Name                | Title                                        | Mailing Address                                 | Work Phone        | Fax Number        | Cell Phone  | Email Address                | URL                           |
| Benjamin Barnes             | Chief                                        | 29 South Highway 69A<br>Miami, OK 74355         | (918)<br>542-2441 | (918)<br>542-2922 |             | rondede@gmail.com            | http://www.shawnee-tribe.com/ |

1 - 3 of 3 results

« &lt; 1 &gt; » 10

[Download Excel](#)

emailed 7/23/21



Delaware Tribe Historic Preservation Office  
126 University Circle  
Stroud Hall, Rm. 437  
East Stroudsburg PA 18301  
1.570.422.2023  
[sbachor@delawaretribe.org](mailto:sbachor@delawaretribe.org)

August, 11, 2021

WinnCompanies  
ATTN: David Ginsberg  
One Washington St. # 500  
Boston, MA  
02108

Re: Section 106 Review: Argus Mills Affordable Housing, Paterson

Thank you for notifying the Delaware Tribe of the plans for the above-referenced project. The Delaware Tribe is committed to protecting sites important to our tribal heritage, culture and religion. Our review indicates that there are no religious or culturally significant sites within the selected project area and we have no objection to the proposed project.

We ask that if any archaeological remains (artifacts, subsurface features, etc.) are discovered during the construction process that construction be halted until an archaeologist can view and assess the finds. Furthermore, we ask that if any human remains are accidentally unearthed during the course of the project that you cease development immediately and inform the Delaware Tribe of Indians of the inadvertent discovery. If you have any questions, feel free to contact this office by phone at (609) 220-1047 or by email at [sbachor@delawaretribe.org](mailto:sbachor@delawaretribe.org).

Sincerely,

Susan Bachor, M.A.  
Acting Director of Historic Preservation



*The Delaware Nation*  
**Historic Preservation Department**  
31064 State Highway 281  
Anadarko, OK 73005  
Phone (405)247-2448

August 2, 2021

To Whom It May Concern:

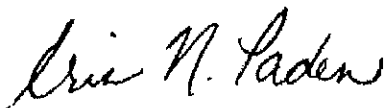
The Delaware Nation Historic Preservation Department received correspondence regarding the following referenced project(s).

**Project(s): Argus Ellison Project  
Paterson Affordable Development, Paterson, NJ**

Our office is committed to protecting tribal heritage, culture and religion with particular concern for archaeological sites potentially containing burials and associated funerary objects.

The Lenape people occupied the area indicated in your letter prior to European contact until their eventual removal to our present locations. According to our files, the location of the proposed project does not endanger cultural, or religious sites of interest to the Delaware Nation. **Please continue with the project as planned** keeping in mind during construction should an archaeological site or artifacts inadvertently be uncovered, all construction and ground disturbing activities should immediately be halted until the appropriate state agencies, as well as this office, are notified (within 24 hours), and a proper archaeological assessment can be made.

Please note the Delaware Nation, the Delaware Tribe of Indians, and the Stockbridge Munsee Band of Mohican Indians are the only Federally Recognized Delaware/Lenape entities in the United States and consultation must be made only with designated staff of these three tribes. We appreciate your cooperation in contacting the Delaware Nation Historic Preservation Office to conduct proper Section 106 consultation. Should you have any questions, feel free to contact our offices at 405-247-2448 ext. 1403.



Erin Paden  
Director of Historic Preservation  
Delaware Nation  
31064 State Highway 281  
Anadarko, OK 73005  
Ph. 405-247-2448 ext. 1403  
epaden@delawarenation-nsn.gov

## Diana Vazquez

---

**From:** Diana Vazquez  
**Sent:** Friday, July 23, 2021 9:06 AM  
**To:** 'ddotson@delawarenation.com'; 'nalligood@delawarenation.com'  
**Subject:** Tribal Consultation Request - Argus Ellison Development. Paterson, NJ 07501  
**Attachments:** att. President Dotson - Tribal Consultation Request.pdf; att. Director Alligood - Tribal Consultation Request.pdf

Good afternoon President Dotson and Director Alligood,

In accordance with Section 106 of the National Historic Preservation Act of 1966, I am initiating consultation regarding the attached property. Please review the attached documents for Tribal Historic Preservation consultation. Please note that I would appreciate a reply within 30 days of your interest and/or concerns with the project, or if you wish not to consult on this project.

Thank you,

*Diana Vazquez*  
Program Monitor/Inspector  
Community Development  
City of Paterson  
125 Ellison St. 2nd Floor  
Paterson, N.J. 07505  
Office #: 973-321-1212 ext. 2237

CITY OF PATERSON

DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT

Barbara A. Blake McLennon,  
Acting Director



125 Ellison St.  
2<sup>nd</sup> Floor  
Paterson, NJ 07505  
Phone: (973) 321-1212

July 22, 2021

Deborah Dotson, President  
Delaware Nation, Oklahoma  
PO Box 825 Anadarko, OK 73005

Re: Argus Ellison Development Housing Project  
5-7 Mill St., 8-9 Mill St., and 15 Ellison St., Paterson, NJ 07501 – Passaic County  
HUD HOME Project Funding

Dear President Dotson,

The City of Paterson is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Paterson has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

City of Paterson will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

Enclosed is a map that shows the project area and, if applicable, an additional area of potential indirect effects. The project will consist of new construction and historic rehabilitation to have approximately 74 residential units. The Argus Mill building will have 6, 2 bedroom units on the upper 3 levels, with a building lobby, office, and program space on the first level. The remaining 68 units will be in a new construction four story building, built one podium of parking over an existing surface parking lot.

More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/>.

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andre Sayegh', is written over a faint, circular, dotted-line stamp.

Honorable Andre Sayegh, Mayor  
Responsible Entity Official  
City of Paterson  
City Hall  
155 Market St  
Paterson, NJ 07505  
(973) 321-1212

cc: Diana Vazquez, Program Monitor/Inspector, Community Development, City of Paterson



CITY OF PATERSON

DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT

Barbara A. Blake McLennon,  
Acting Director



125 Ellison St.  
2<sup>nd</sup> Floor  
Paterson, NJ 07505  
Phone: (973) 321-1212

July 22, 2021

Nekole Alligood, Director of Cultural Resources & Section 106  
Delaware Nation, Oklahoma  
PO Box 825 Anadarko, OK 73005

Re: Argus Ellison Development Housing Project  
5-7 Mill St., 8-9 Mill St., and 15 Ellison St., Paterson, NJ 07501 – Passaic County  
HUD HOME Project Funding

Dear Director Alligood,

The City of Paterson is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Paterson has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

City of Paterson will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

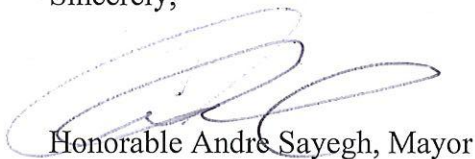
Enclosed is a map that shows the project area and, if applicable, an additional area of potential indirect effects. The project will consist of new construction and historic rehabilitation to have approximately 74 residential units. The Argus Mill building will have 6, 2 bedroom units on the upper 3 levels, with a building lobby, office, and program space on the first level. The remaining 68 units will be in a new construction four story building, built one podium of parking over an existing surface parking lot.

More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/>.

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,



Honorable Andre Sayegh, Mayor  
Responsible Entity Official  
City of Paterson  
City Hall  
155 Market St  
Paterson, NJ 07505  
(973) 321-1212

cc: Diana Vazquez, Program Monitor/Inspector, Community Development, City of Paterson



## Diana Vazquez

---

**From:** Diana Vazquez  
**Sent:** Friday, July 23, 2021 9:16 AM  
**To:** 'sbachor@delawaretribe.org'; 'bobermeyer@delawaretribe.org';  
'cbrooks@delawaretribe.org'  
**Subject:** Tribal Consultation Request - Argus Ellison Development. Paterson, NJ 07501  
**Attachments:** att. Preservation Rep. Bachor - Tribal Consultation Request.pdf; att. Chief Brooks - Tribal Consultation Request.pdf; att. Dr. Obermeyer - Tribal Consultation Request.pdf

Good afternoon everyone,

In accordance with Section 106 of the National Historic Preservation Act of 1966, I am initiating consultation regarding the attached property. Please review the attached documents for Tribal Historic Preservation consultation. Please note that I would appreciate a reply within 30 days of your interest and/or concerns with the project, or if you wish not to consult on this project.

Note: The plans are too big to email but here is a dropbox link:  
<https://www.dropbox.com/t/npHagfZCfXi791hl>

Thank you,

*Diana Vazquez*  
Program Monitor/Inspector  
Community Development  
City of Paterson  
125 Ellison St. 2nd Floor  
Paterson, N.J. 07505  
Office #: 973-321-1212 ext. 2237

## Diana Vazquez

---

**From:** Diana Vazquez  
**Sent:** Friday, July 23, 2021 9:17 AM  
**To:** 'cbrooks@delawaretribe.org'  
**Subject:** Tribal Consultation Request - Argus Ellison Development. Paterson, NJ 07501  
**Attachments:** att. Preservation Rep. Bachor - Tribal Consultation Request.pdf; att. Chief Brooks - Tribal Consultation Request.pdf; att. Dr. Obermeyer - Tribal Consultation Request.pdf

---

**From:** Diana Vazquez  
**Sent:** Friday, July 23, 2021 9:16 AM  
**To:** 'sbachor@delawaretribe.org' <sbachor@delawaretribe.org>; 'bobermeyer@delawaretribe.org' <bobermeyer@delawaretribe.org>; 'cbrooks@delawaretribe.org' <cbrooks@delawaretribe.org>  
**Subject:** Tribal Consultation Request - Argus Ellison Development. Paterson, NJ 07501

Good afternoon everyone,

In accordance with Section 106 of the National Historic Preservation Act of 1966, I am initiating consultation regarding the attached property. Please review the attached documents for Tribal Historic Preservation consultation. Please note that I would appreciate a reply within 30 days of your interest and/or concerns with the project, or if you wish not to consult on this project.

Note: The plans are too big to email but here is a dropbox link:  
<https://www.dropbox.com/t/npHagfZCfXi791hl>

Thank you,

*Diana Vazquez*  
Program Monitor/Inspector  
Community Development  
City of Paterson  
125 Ellison St. 2nd Floor  
Paterson, N.J. 07505  
Office #: 973-321-1212 ext. 2237

CITY OF PATERSON

DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT

Barbara A. Blake McLennon,  
Acting Director



125 Ellison St.  
2<sup>nd</sup> Floor  
Paterson, NJ 07505  
Phone: (973) 321-1212

July 22, 2021

Susan Bachor, Preservation Representative (East Coast)  
Delaware Tribe of Indians  
PO Box 64 Pocono Lake, PA 18347

Re: Argus Ellison Development Housing Project  
5-7 Mill St., 8-9 Mill St., and 15 Ellison St., Paterson, NJ 07501 – Passaic County  
HUD HOME Project Funding

Dear Preservation Representative Bachor,

The City of Paterson is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Paterson has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

City of Paterson will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

Enclosed is a map that shows the project area and, if applicable, an additional area of potential indirect effects. The project will consist of new construction and historic rehabilitation to have approximately 74 residential units. The Argus Mill building will have 6, 2 bedroom units on the upper 3 levels, with a building lobby, office, and program space on the first level. The remaining 68 units will be in a new construction four story building, built one podium of parking over an existing surface parking lot.

More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/>.

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,



Honorable Andre Sayegh, Mayor  
Responsible Entity Official  
City of Paterson  
City Hall  
155 Market St  
Paterson, NJ 07505  
(973) 321-1212

cc: Diana Vazquez, Program Monitor/Inspector, Community Development, City of Paterson



CITY OF PATERSON

DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT

Barbara A. Blake McLennon,  
Acting Director



125 Ellison St.  
2<sup>nd</sup> Floor  
Paterson, NJ 07505  
Phone: (973) 321-1212

July 22, 2021

Chester "Chet" Brooks, Chief  
Delaware Tribe of Indians  
5100 Tuxedo Boulevard, Bartlesville, OK 74006

Re: Argus Ellison Development Housing Project  
5-7 Mill St., 8-9 Mill St., and 15 Ellison St., Paterson, NJ 07501 – Passaic County  
HUD HOME Project Funding

Dear Chief Brooks,

The City of Paterson is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Paterson has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Honorable Andre Sayegh, Mayor  
Responsible Entity Official  
City of Paterson  
City Hall  
155 Market St  
Paterson, NJ 07505  
(973) 321-1212

cc: Diana Vazquez, Program Monitor/Inspector, Community Development, City of Paterson



CITY OF PATERSON

DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT

Barbara A. Blake McLennon,  
Acting Director



125 Ellison St.  
2<sup>nd</sup> Floor  
Paterson, NJ 07505  
Phone: (973) 321-1212

July 22, 2021

Dr. Brice Obermeyer, Historic Perservation  
Delaware Tribe of Indians  
1 Kellog Circle, Emporia, KS 66801

Re: Argus Ellison Development Housing Project  
5-7 Mill St., 8-9 Mill St., and 15 Ellison St., Paterson, NJ 07501 – Passaic County  
HUD HOME Project Funding

Dear Dr. Obermeyer,

The City of Paterson is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Paterson has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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City of Paterson  
City Hall  
155 Market St  
Paterson, NJ 07505  
(973) 321-1212

cc: Diana Vazquez, Program Monitor/Inspector, Community Development, City of Paterson



## Diana Vazquez

---

**From:** Diana Vazquez  
**Sent:** Friday, July 23, 2021 9:18 AM  
**To:** 'rondede@gmail.com'  
**Subject:** Tribal Consultation Request - Argus Ellison Development. Paterson, NJ 07501  
**Attachments:** att. Chief Barnes - Tribal Consultation Request.pdf

Good afternoon Chief Barnes,

In accordance with Section 106 of the National Historic Preservation Act of 1966, I am initiating consultation regarding the attached property. Please review the attached documents for Tribal Historic Preservation consultation. Please note that I would appreciate a reply within 30 days of your interest and/or concerns with the project, or if you wish not to consult on this project.

Note: The plans are too big to email but here is a dropbox link:

<https://www.dropbox.com/t/npHagfZCfXi791hl>

Thank you,

*Diana Vazquez*  
Program Monitor/Inspector  
Community Development  
City of Paterson  
125 Ellison St. 2nd Floor  
Paterson, N.J. 07505  
Office #: 973-321-1212 ext. 2237

CITY OF PATERSON

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DEVELOPMENT

Barbara A. Blake McLennon,  
Acting Director



125 Ellison St.  
2<sup>nd</sup> Floor  
Paterson, NJ 07505  
Phone: (973) 321-1212

July 22, 2021

Benjamin Barnes, Chief  
Shawnee Tribe  
29 South Highway 69A, Miami, OK 74355

Re: Argus Ellison Development Housing Project  
5-7 Mill St., 8-9 Mill St., and 15 Ellison St., Paterson, NJ 07501 – Passaic County  
HUD HOME Project Funding

Dear Chief Barnes,

The City of Paterson is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Paterson has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Responsible Entity Official  
City of Paterson  
City Hall  
155 Market St  
Paterson, NJ 07505  
(973) 321-1212

cc: Diana Vazquez, Program Monitor/Inspector, Community Development, City of Paterson



## Noise Abatement and Control

| General requirements                                                                                                            | Legislation                                                                                                                                       | Regulation                   |
|---------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate. | Noise Control Act of 1972<br><br>General Services Administration<br>Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields" | Title 24 CFR 51<br>Subpart B |

**1. What activities does your project involve? Check all that apply:**

- ☒ New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster  
None of the above

**4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).**

**Indicate the findings of the Preliminary Screening below:**

There are no noise generators found within the threshold distances above.

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

- ✓ Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here: 65

Based on the response, the review is in compliance with this section. Document and upload noise analysis, including noise level and data used to complete the analysis below.

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Indicate noise level here: 65

Document and upload noise analysis, including noise level and data used to complete the analysis below.

**Screen Summary**

**Compliance Determination**

A Noise Assessment was conducted. The noise level was acceptable: 65.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. (Refer to NEPAassist noise generator maps AND Essex County Airport Noise Contour Map)

**Supporting documentation**

[Noise contour map - Essex County Airport.pdf](#)  
[NOISE GENERATORS SCREENING - 15 ELLISON ST.docx](#)

Are formal compliance steps or mitigation required?

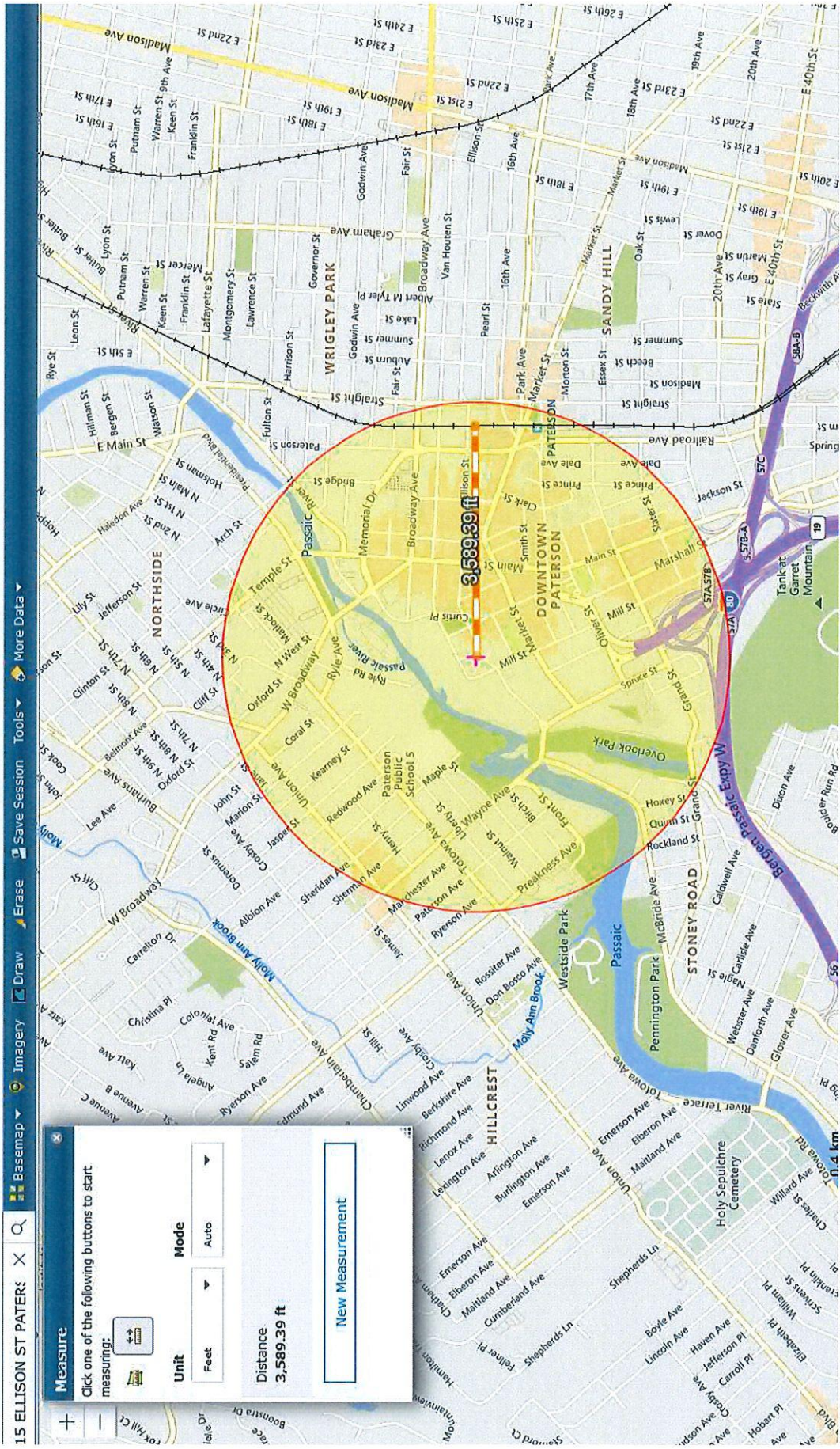
Yes

✓ No

# NOISE GENERATORS SCREENING 3,000 FT FROM A RAILROAD TO

15 ELLISON ST. PATERSON, NJ 07501

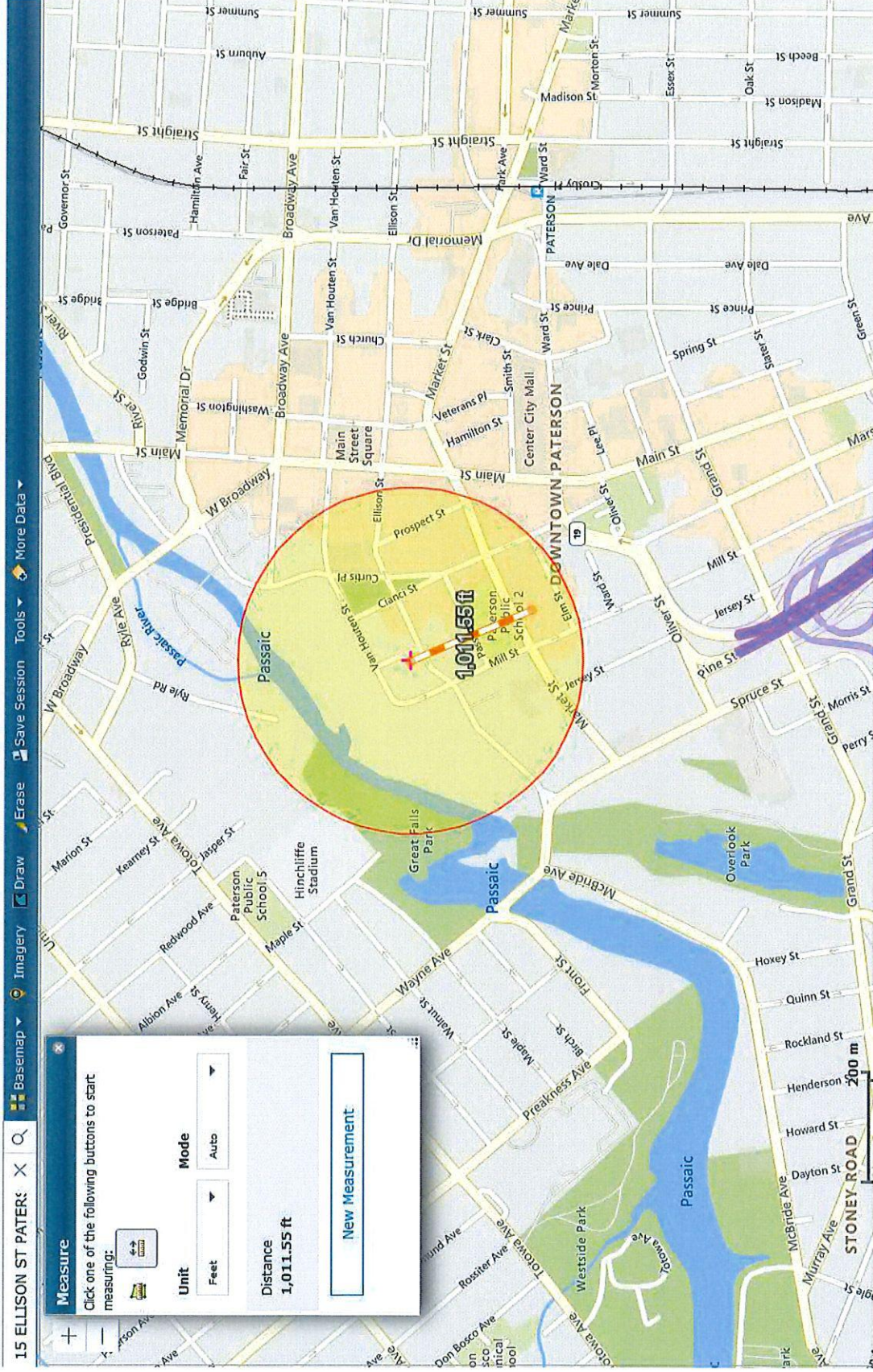
NEPAssist



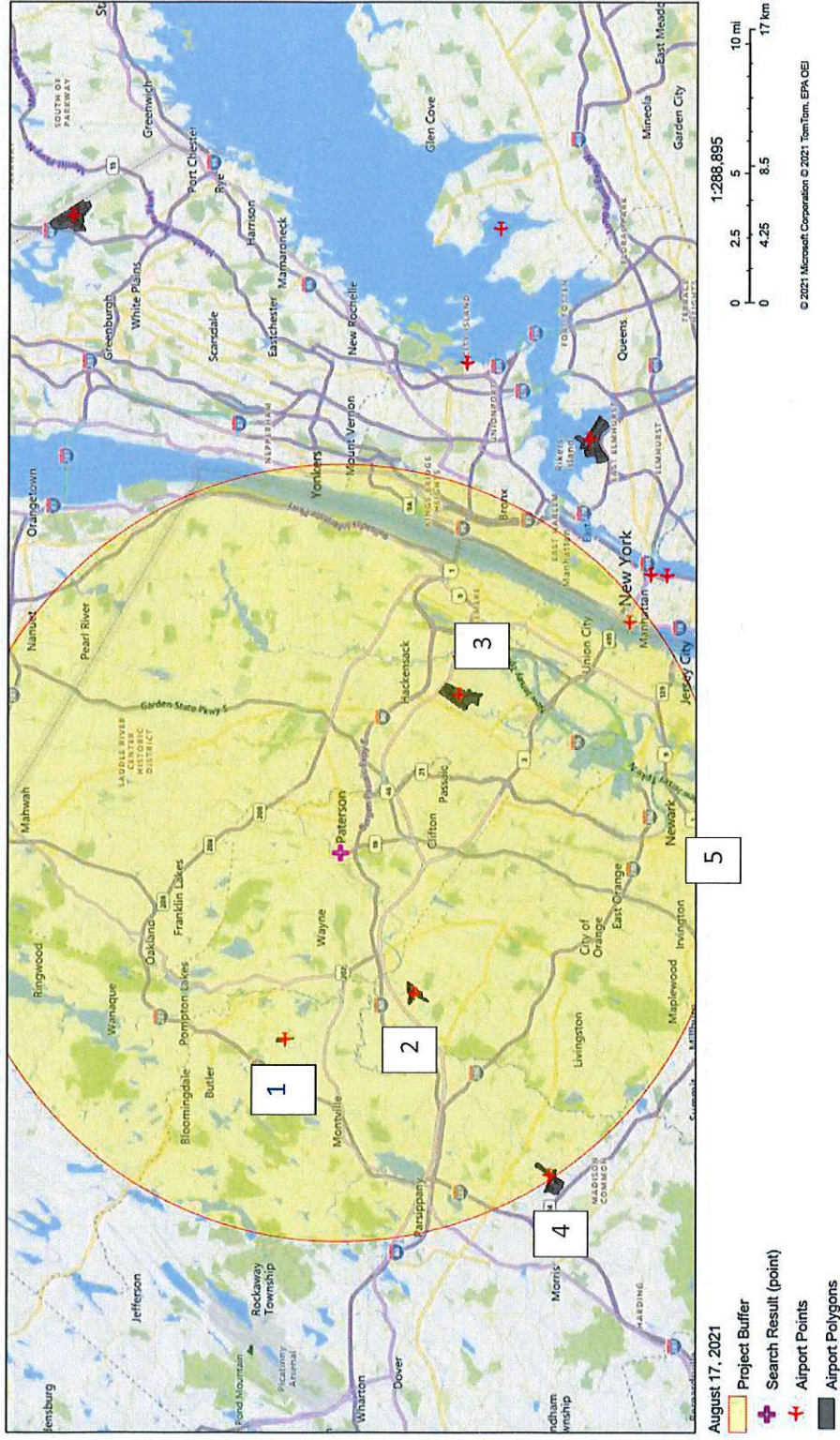
# NOISE GENERATORS SCREENING 1,000 FT FROM A MAJOR ROAD TO

15 ELLISON ST. PATERSON, NJ 07501

NEPassist



# NOISE GENERATORS SCREENING: 15 MILE FROM AN AIRPORT TO 15 ELLISON ST. PATERSON, NJ 07501



**\*\*I ran the map on NEPAassist, using the airport polygons, and came across 5 runways within the 15 mile radius from the site.\*\***

I also used the measuring tool, and found that Morristown and Newark are beyond the 15-mile radius which would leave the Essex County Airport as the nearest runway.

1. Lincoln Park Airport (9.87 miles from site)
2. **Essex County Airport (7.99 miles from site)** – shortest distance between runway and project site
3. Teterboro Airport (9.76 miles from site)
4. Morristown Municipal Airport (19.30 miles from site)
5. Newark International Airport (19.83 miles from site)

AIRPORT LAYOUT PLAN UPDATE  
 LAND USE AND  
 GROUND ACCESS PLAN

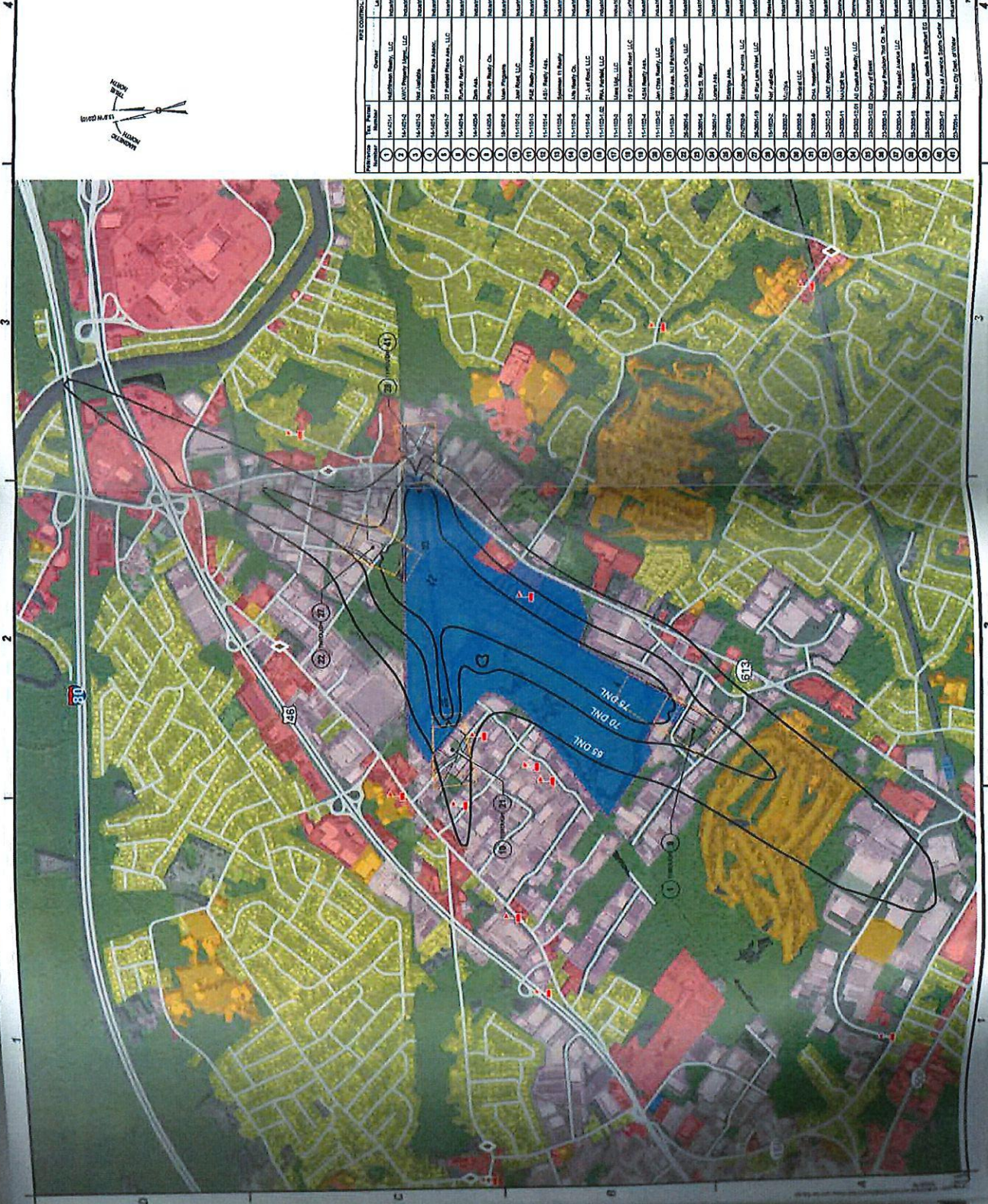
ESSEX COUNTY AIRPORT  
ESSEX COUNTY  
IMPROVEMENT AUTHORITY  
FAIRFIELD, NEW JERSEY

|                 |                   |                |
|-----------------|-------------------|----------------|
| DATE: JUNE 2011 | SCOUTE BY: E-GHOM | COACH FILE NO: |
| DECOMPOSED BY:  | DECOMPOSED BY:    | CHECKED BY:    |

[illegible]

### Legend

- Other Properties  
Departure RPZ  
Approach RPZ  
Church  
School  
Roads  
DNL Contour  
Airport Properties  
Transportation  
Recreation  
Commercial  
Forested Land  
Industrial  
Residential  
Other



### Sole Source Aquifers

| General requirements                                                                                                                                                                                                  | Legislation                                                                      | Regulation      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|-----------------|
| The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health. | Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349) | 40 CFR Part 149 |

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

#### Screen Summary

##### Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. (Refer to ArcGIS Web Map.)

##### Supporting documentation

[SOLE SOURCE MAP - 15 ELLISON ST.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

SOLE SOURCE AQUIFER MAP - 15 ELLISON ST PATERSON, NJ



8/17/2021, 10:28:37 AM

■ Sole\_Source\_Aquifers

1:72,224

0 0.5 1 2 4  
0 1 2 4  
mi km

© 2021 Microsoft Corporation © 2021 Maxar © CNES (2021)  
Distribution Airbus DS

U.S. Environmental Protection Agency

## Wetlands Protection

| General requirements                                                                                                                                                                                                                                                                                                                                                                                                                        | Legislation           | Regulation                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------------------------------------------------------------|
| Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed. | Executive Order 11990 | 24 CFR 55.20 can be used for general guidance regarding the 8 Step Process. |

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

✓ Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

✓ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

## Screen Summary

**Compliance Determination**

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. (Refer to the Wetlands Map)

**Supporting documentation**

[WETLANDS MAP - 15 ELLISON ST.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No



U.S. Fish and Wildlife Service

## National Wetlands Inventory

15 ELLISON ST. PATERSON, NJ



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

August 17, 2021

### Wetlands

- |  |                                |  |                                   |  |          |
|--|--------------------------------|--|-----------------------------------|--|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland       |  | Lake     |
|  | Estuarine and Marine Wetland   |  | Freshwater Forested/Shrub Wetland |  | Other    |
|  |                                |  | Freshwater Pond                   |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

### Wild and Scenic Rivers Act

| General requirements                                                                                                                                                                                                                                                              | Legislation                                                                                                         | Regulation      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|-----------------|
| The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development. | The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c)) | 36 CFR Part 297 |

**1. Is your project within proximity of a NWSRS river?**

✓ No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

#### Screen Summary

##### **Compliance Determination**

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. (Refer to Wild Scenic Rivers NJ Map, Nationwide Rivers Inventory Map, and to the Wild and Scenic River Studies list)

##### **Supporting documentation**

[NATIONWIDE RIVERS INVENTORY NRI MAP - 15 ELLISON ST.pdf](#)  
[WILD SCENIC RIVER STUDIES.pdf](#)  
[WILD SCENIC RIVERS NJ MAP.pdf](#)

##### **Are formal compliance steps or mitigation required?**

Yes

✓ No

### Environmental Justice

| General requirements                                                                                                                                                                                                   | Legislation           | Regulation |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------|
| Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project. | Executive Order 12898 |            |

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

Yes

✓ No

Based on the response, the review is in compliance with this section.

### Screen Summary

#### Compliance Determination

#### Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No



[NATIONAL SYSTEM](#) | [MANAGEMENT](#) | [RESOURCES](#) | [PUBLICATIONS](#) | [CONTACT US](#) | [50 YEARS](#) | [SITE INDEX](#)



## NEW JERSEY

New Jersey has approximately 6,450 miles of river, of which 262.9 miles are designated as wild & scenic—more than 4% of the state's river miles.



[+ View larger map](#)

*Still, white winters, subtle shades of spring green, lazy summer days, autumns lit with color, rivers in the Northeast showcase the seasons.*

Delaware River (Lower)  
Delaware River (Middle)  
Great Egg Harbor River  
Maurice River  
Musconetcong River



**Designated Rivers**

- About WSR Act
- State Listings
- Profile Pages

**National System**

- WSR Table
- Study Rivers
- Stewardship
- WSR Legislation

**River Management**

- Council
- Agencies
- Management Plans
- River Mgt. Society
- GIS Mapping

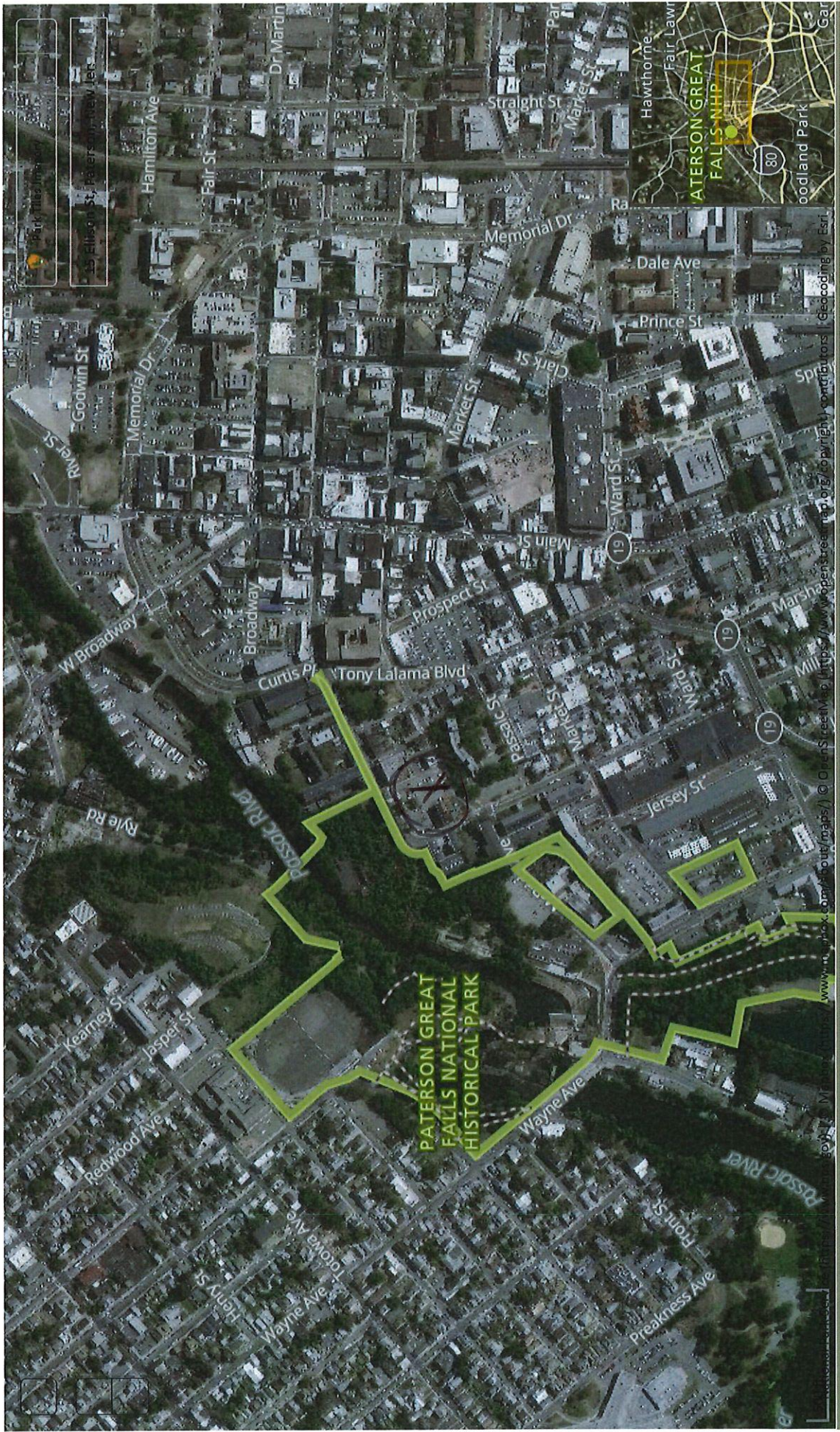
**Resources**

- Q & A Search
- Bibliography
- Publications
- GIS Mapping
- Logo & Sign Standards

# Nationwide Rivers Inventory

This is a listing of more than 3,200 free-flowing river segments in the U.S. that are believed to possess one or more "outstandingly...

National Park Service  
U.S. Department of the Interior







NATIONAL SYSTEM | MANAGEMENT | RESOURCES | PUBLICATIONS | CONTACT US | 50 YEARS | SITE INDEX



WILD & SCENIC RIVER STUDIES

Wild & Scenic River Studies

There are two study provisions in the Act — Section 5(a), through which Congress directs the study of select rivers, and Section 5(d)(1), which directs federal agencies to identify potential additions to the National Wild and Scenic Rivers System (National System) through federal agency plans. A brief explanation is provided in the following respective sections.



|                |    |
|----------------|----|
| Choose A State | Go |
| Choose A River | Go |

*While progress should never come to a halt,  
there are many places it should never come to  
at all. — Paul Newman*

Current Active Studies

Currently, there are three rivers or river systems under "authorized" study—two under Section 5(a) of the Wild & Scenic Rivers Act and one under Section 2(a)(ii). This does not include those that might be under assessment as part of normal agency land-planning processes.

Rivers Currently Under Study

- **Cave, Lake, No Name and Panther Creeks, Oregon** (Public Law 113-291, December 19, 2014) – Under study by the National Park Service.
- **Housatonic River, Connecticut** (Governor Malloy Request for Section 2(a)(ii) Designation, November 16, 2016) – Under study by the National Park Service.

Section 2(a)(ii) Studies

Under Section 2(a)(ii) of the Act, a governor (or governors for a river in multiple states) of a state can request that a river be designated, provided certain conditions are met (refer to the **Council White Paper on Section 2(a)(ii)** for specifics). The NPS then conducts a study to determine if certain conditions are met. Here are some of the studies conducted under Section 2(a)(ii). Again, if you don't see a study listed, we do not have a copy.

Section 2(a)(ii) Studies Available for Download

- Allagash River Study Report, Maine
- American River Eligibility Report, California
- American River Environmental Impact Statement, California
- Big & Little Darby Creeks Study Report & Environmental Assessment, Ohio
- Eel River Eligibility Report, California
- Eel River Environmental Impact Statement, California
- Klamath River Eligibility Report, California
- Klamath River Environmental Impact Statement, California
- Klamath River Study Report, Oregon
- Lumber River Study Report, North Carolina
- Smith River Eligibility Report, California
- Smith River Environmental Impact Statement, California
- Trinity River Eligibility Report, California
- Trinity River Environmental Impact Statement, California
- Wallowa River Study Report, Oregon
- Westfield River Study Report & Environmental Assessment (Initial Study 1993), Massachusetts
- Westfield River Draft Study Report (Expansion 2002), Massachusetts

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#### Section 5(d)(1), Agency-Identified Studies

In recent years, hundreds of rivers have been identified for study through Section 5(d)(1) of the Act. This provision directs federal agencies to identify potential addition to the National System through their respective resource and management plans. Its application has resulted in numerous individual river designations, statewide legislation (e.g., Omnibus Oregon Wild and Scenic Rivers Act, P.L. 100-557; Michigan Scenic Rivers Act, P.L. 102-249) and multi-state legislation (e.g., Omnibus Public Land Management Act of 2009, P.L. 111-11). Here are examples of agency-identified studies and transmittal documents (if available).

#### Section 5(d)(1) Studies Available for Download

- Arizona Bureau of Land Management Statewide Study LEIS (8.6 MB PDF)
- Arizona Bureau of Land Management Statewide Study River Assessments (10.5 MB PDF)
- Blue River & KP Creek (Arizona) (11.9 MB PDF)
- Flathead River Draft Proposed Addition & Environmental Impact Statement, Montana

#### Utah Statewide Suitability Study:

- Record of Decision (19.9 MB PDF)
- EIS Cover (697 KB PDF)
- Summary & Table of Contents (138 KB PDF)
- Chapter 1 - Purpose & Need (734 KB PDF)
- Chapter 2 - Alternatives (2.8 MB PDF)
- Chapter 3 - Environmental Consequences (1.4 MB PDF)
- Chapter 4 - Consultation & Coordination (109 KB PDF)
- Chapter 5 - References (183 KB PDF)

- Chapter 6 - Comments & Responses (22.4 MB PDF)
- Appendix A - Table of Contents (799 KB PDF)
- Appendix A - Ashley NF Suitability Evaluation Report (36.7 MB PDF)
- Appendix A - Dixie & Fishlake NFs Suitability Evaluation Report (13.7 MB PDF)
- Appendix A - Manti La Sal NF Suitability Evaluation Report (10.8 MB PDF)
- Appendix A - Uinta & Wasatch NF Suitability Evaluation Report (52.5 MB PDF)
- Appendix B - BLM & NPS Rivers (686 KB PDF)
- Appendix C - Statutory Requirements (146 KB PDF)
- Appendix D - Effects of Managing Rivers (155 KB PDF)
- Appendix E - Water Rights Maps (16.7 MB PDF)

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### Congressionally Authorized Study Reports

We have collected a few of the study reports prepared at the direction of Congress (see next section, "Section 5(a), Congressionally Authorized Studies," for the complete list of congressionally authorized studies). If you do not see a report here, we do not have it, and you will have to contact the study agency at the local level for a copy.

#### Congressionally Authorized Study Reports Available for Download

- Allegheny River Study Report & Draft Environmental Impact Statement, Pennsylvania
- Assabet, Concord & Sudbury Rivers Draft Study Report, Massachusetts
- AuSable River Study Report & Environmental Impact Statement, Michigan
- Black Creek Draft Study Report & Draft Environmental Impact Statement, Mississippi
- Bluestone River Study Report, West Virginia
- Bruneau River Study Report, Idaho
- Buffalo River Study Report, Tennessee
- Cache la Poudre River Study Report & Environmental Impact Statement, Colorado
- Chattooga River Study Report, Georgia, North Carolina & South Carolina
- Clarion River Study Report, Pennsylvania
- Concord, Assabet & Sudbury Rivers Draft Study Report, Massachusetts
- Delaware (Lower) River Study Report, New Jersey, New York & Pennsylvania
- Delaware (Upper) River Study Report, New Jersey, New York & Pennsylvania
- Farmington River Study Report, Connecticut
- Farmington (Lower) River Study Report & Environmental Assessment, Connecticut
- Flathead River Study Report, Montana
- Great Egg Harbor River Study Report, New Jersey

- Housatonic River Study Report, Connecticut
- Illinois River Study Report, Oregon
- John Day River Study Report, Oregon
- Kern (North Fork) River Study Report, California
- Kern (North Fork) River Study Environmental Impact Statement, California
- Kern (South Fork) River Study & Environmental Impact Statement, California
- Kern (North & South Forks) River Record of Decision, California
- Klamath River Draft Study Report (Section 5(d)(2) of the Act), Oregon
- Lamprey River Study Report, New Hampshire
- Lamprey River Resource Assessment, New Hampshire
- Little Beaver Creek Study Report, Ohio
- Little Miami River Study Report, Ohio
- Loxahatchee River Study Report & Environmental Impact Statement, Florida
- Malhuer (North Fork) River Study Report, Oregon
- Manistee River Study Report & Environmental Impact Statement, Michigan
- Maurice River Eligibility & Classification Report, New Jersey
- Maurice River Study Report, New Jersey
- Merrimack (Upper) River Draft Study Report, New Hampshire
- Missisquoi River Study Report & Environmental Assessment, Vermont
- Missouri River Study Report, Montana
- Missouri River Environmental Statement, Montana
- Musconetcong River Study Report, New Jersey
- New River Study Report, Virginia & West Virginia
- New River Study Transmittal Memorandums, Virginia & West Virginia
- New River (South Fork) Study Report & Environmental Impact Statement, North Carolina
- Niobrara River Study Report, Nebraska
- Obed River Study Report, Tennessee
- Oregon Caves (Lower & Upper Cave Creek, Lake Creek, No Name Creek, Panther Creek, & Waterfelt Creek) Study Report, Oregon
- Owyhee River Study Report, Idaho
- Pemigewasset River Draft Study Report, New Hampshire
- Pemigewasset River Draft Study Report Appendices, New Hampshire
- Pere Marquette River Study Report, Michigan
- Red River Draft Study Report & Environmental Impact Statement, Kentucky
- Rio Grande River Study Report, Texas
- Rio Grande River Study Environmental Impact Statement, Texas
- St. Croix River Study Report, Minnesota & Wisconsin
- St. Marys River Study Report, Florida
- Sheenjek River Study Report & Legislative Environmental Impact Statement, Alaska
- Skagit River Study Report, Washington
- Snake River Study Report & Environmental Impact Statement, Idaho, Oregon & Washington

- Sudbury, Assabet & Concord Rivers Study Report, Massachusetts
- Suwannee River Study Report, Florida & Georgia
- Sweetwater River Study Report, Wyoming
- Taunton River Draft Study Report & Environmental Assessment, Massachusetts
- Trout-Missisquoi River Study Report & Environmental Assessment, Vermont
- Tuolumne River Study Report, California
- Verde River Study Report & Environmental Assessment, Arizona
- Wekiva River Study Report, Florida
- White Clay Creek Draft Study Report, Delaware & Pennsylvania
- Wildcat Brook Draft Study Report, New Hampshire
- Wolf River Bureau of Outdoor Recreation Study Report, Wisconsin
- Wolf River Lake Central Regional Task Group Draft Study Report, Wisconsin
- Yellowstone (Clarks Fork) River Study Report & Environmental Statement, Wyoming
- York River, Maine. York River Study Report, Maine.

#### Section 5(a), Congressionally Authorized Studies

Through Section 5(a), Congress authorizes the study of select rivers and directs one of the four federal river-administering agencies to conduct the study, as outlined in Sections 4(a) and 5(c) of the Wild & Scenic Rivers Act. The enabling legislation of 1968, P.L. 90-542, authorized 27 rivers for study as potential components of the National System. Amendments to the law have increased the number of studies authorized by Congress to 144.

These studies have lead to 48 designations by either Congress or the Secretary of the Interior. One study led to the establishment of a National Recreation Area.

The number of rivers included in the National System differs from the number of rivers authorized for study by Congress for the following reasons:

- Not all rivers studied are found eligible or suitable for designation—many study rivers will not be included in the National System.
- Some rivers are designated by Congress or the Secretary of the Interior without a pre-authorization or 5(a) study (e.g., Niobrara River).
- Some rivers are designated as a result of recommendation in federal agency plans (e.g., 49 rivers designated in Oregon in 1988).

The 144 rivers below have been authorized for study. The agency leading the study is indicated as National Park Service (NPS), Bureau of Outdoor Recreation (BOR), Heritage Conservation and Recreation Service (HCRS), Bureau of Land Management (BLM), or U.S. Forest Service (USFS). Within the Department of the Interior, the study function was transferred from the HCRS (formerly the BOR) to the NPS by Secretarial Order Number 3017, January 25, 1978. All studies indicated as BOR or HCRS were completed by these agencies before the program was transferred to the NPS. The BLM was delegated responsibility for conducting studies on Public Lands on October 11, 1988. The USFS (Department of Agriculture) has always conducted studies on National Forest System Lands and as directed by Congress.

For each study river, the number in parentheses is the approximate number of miles to be studied. If river segments were designated, the total designated mileage appears in the text.

#### Section 5(a), Congressionally Authorized Studies

For each study river, the number in parentheses is the approximate number of miles to be studied. If river segments were designated, the total designated mileage appears in the text.

Several of these studies are available in the section above (Section 5(a),

Congressionally Authorized Studies).

***I. Public Law 90-542 (October 2, 1968) — 27 rivers, studies due October 2, 1978***

- (1) **Allegheny, Pennsylvania.** (BOR) Letter report to Congress on January 23, 1974. River not qualified. (69.5 miles)
- (2) **Bruneau, Idaho.** (BOR) Report recommending congressional designation transmitted to Congress on May 23, 1977. (121 miles)
- (3) **Buffalo, Tennessee.** (NPS) Report transmitted to Congress on October 2, 1979. Preservation of river by state recommended. (117 miles)
- (4) **Chattooga, North Carolina, South Carolina, and Georgia.** (USFS) Fifty-six point nine miles added to the National System, Public Law 93-279, May 10, 1974. (56.9 miles)
- (5) **Clarion, Pennsylvania.** (BOR) Letter report to Congress on February 22, 1974. River not qualified. (90 miles)
- (6) **Delaware, Pennsylvania and New York.** (BOR) Seventy-five point four miles added to the National System, Public Law 95-625, November 10, 1978. (75.4 miles)
- (7) **Flathead, Montana.** (USFS) Two hundred nineteen miles added to the National System, Public Law 94-486, October 12, 1976. (219 miles)
- (8) **Gasconade, Missouri.** (BOR) Report transmitted to Congress on May 23, 1977. Preservation of river by state recommended. (265 miles)
- (9) **Illinois, Oregon.** (USFS) Fifty point four miles added to the National System, Public Law 98-494, October 19, 1984. (88 miles)
- (10) **Little Beaver, Ohio.** (BOR) Thirty-three miles added to the National System by the Secretary of the Interior on October 23, 1975. Report transmitted to Congress on February 10, 1976. (33 miles)
- (11) **Little Miami, Ohio.** (BOR) Sixty-six miles added to the National System by the Secretary of the Interior on August 20, 1973. Report transmitted to Congress on November 5, 1973. An additional 28-mile segment was added by the Secretary of the Interior on January 28, 1980. (94 miles)
- (12) **Maumee, Ohio and Indiana.** (BOR) Report transmitted to Congress on September 13, 1974. River not qualified. (236 miles)
- (13) **Missouri, Montana.** (BOR) One hundred forty-nine miles added to the National System, Public Law 94-486, October 12, 1976. (180 miles)
- (14) **Moyie, Idaho.** (USFS) Report transmitted to Congress on September 13, 1982. Designation not recommended. (26.1 miles)
- (15) **Obed, Tennessee.** (BOR/NPS) Forty-five miles added to the National System, Public Law 94-486, October 12, 1976. Report transmitted to Congress on April 26, 1985. Submission of final report was in abeyance pending completion of a mineral evaluation. Further designation was not recommended. (100 miles)
- (16) **Penobscot, Maine.** (BOR) Report transmitted to Congress on May 23, 1977. Preservation of river by state recommended. (327 miles)
- (17) **Pere Marquette, Michigan.** (USFS) Sixty-six point four miles added to the National System, Public Law 95-625, November 10,

1978. (153 miles)

(18) **Pine Creek, Pennsylvania.** (NPS) Report transmitted to Congress on October 2, 1979. Preservation of river by state recommended. (51.7 miles)

(19) **Priest, Idaho.** (USFS) Report recommending congressional designation transmitted to Congress on October 2, 1979. (67 miles)

(20) **Rio Grande, Texas.** (BOR) One hundred ninety-one point two miles added to the National System, Public Law 95-625, November 10, 1978. (556 miles)

(21) **Saint Croix, Minnesota and Wisconsin.** (BOR) Twenty-seven mile federally administered segment added to the National System by Public Law 92-560, October 25, 1972. Twenty-five mile state-administered segment added by the Secretary of the Interior on June 17, 1976. (52 miles)

(22) **St. Joe, Idaho.** (USFS) Sixty-six point three miles added to the National System, Public Law 95-625, November 10, 1978. (132.1 miles)

(23) **Salmon, Idaho.** (USFS) One hundred twenty-five miles added to the National System, Public Law 96-312, July 23, 1980. Additional 53 miles subject to provisions of Section 7(a) of Public Law 90-542. (237 miles)

(24) **Skagit, Washington.** (USFS) One hundred fifty-seven point five miles added to the National System, Public Law 95-625, November 10, 1978. (166.3 miles)

(25) **Suwannee, Florida and Georgia.** (BOR) Report transmitted to Congress on March 15, 1974. Preservation of river by state recommended. (272 miles)

(26) **Upper Iowa, Iowa.** (BOR) Report transmitted to Congress on May 11, 1972. Preservation of river by state recommended. (80 miles)

(27) **Youghigheny, Maryland and Pennsylvania.** (NPS) Report transmitted to Congress on October 2, 1979. Preservation of river by state recommended. (49 miles)

***II. Public Law 93-621 (January 3, 1975) — 29 rivers, studies due October 2, 1979, except the Dolores River due October 2, 1976, and the Green and Yampa Rivers due January 1, 1987***

(28) **American, California.** (USFS) Thirty-eight point three miles added to the National System, Public Law 95-625, November 10, 1978. (41.1 miles)

(29) **AuSable, Michigan.** (USFS) Twenty-three miles added to the National System, Public Law 98-444, October 4, 1984. (165 miles)

(30) **Big Thompson, Colorado.** (NPS) Report transmitted to Congress on October 2, 1979. Designation not recommended. (13.6 miles)

(31) **Cache la Poudre, Colorado.** (USFS) Seventy-six miles added to the National System, Public Law 99-590, October 30, 1986. (76 miles)

(32) **Cahaba, Alabama.** (USFS) Report transmitted to Congress on December 14, 1979. River not qualified. (116 miles)

(33) **Clarks Fork, Wyoming.** (USFS) Twenty point five miles added to the National System, Public Law 101-628, November 28, 1990. (23 miles)

(34) **Colorado, Colorado and Utah.** (NPS) Report transmitted to

Congress on April 26, 1985. Designation not recommended. (75.7 miles)

(35) **Conejos, Colorado.** (USFS) Report recommending congressional designation transmitted to Congress on September 13, 1982. (48.8 miles)

(36) **Elk, Colorado.** (USFS) Report recommending congressional designation transmitted to Congress on September 13, 1982. (35 miles)

(37) **Encampment, Colorado.** (USFS) Report recommending congressional designation transmitted to Congress on October 2, 1979. (19.5 miles)

(38) **Green, Colorado and Utah.** (NPS) Report transmitted to Congress in combination with the Yampa River on November 14, 1983. The river was determined eligible, but the Secretary did not include a recommendation for designation. (91 miles)

(39) **Gunnison, Colorado.** (NPS) Report recommending congressional designation transmitted to Congress on October 2, 1979. (29 miles)

(40) **Illinois, Oklahoma.** (HCRS) Report transmitted to Congress on October 2, 1979. Preservation of river by state recommended. (115 miles)

(41) **John Day, Oregon.** (NPS) One hundred forty-seven point five miles added to the National System, Public Law 100-557, October 28, 1988. (149 miles)

(42) **Kettle, Minnesota.** (NPS) Report transmitted to Congress on October 2, 1979. Preservation of river by state recommended. (79 miles)

(43) **Los Pinos, Colorado.** (USFS) Report recommending congressional designation transmitted to Congress on September 13, 1982. (54 miles)

(44) **Manistee, Michigan.** (USFS) Twenty-six miles added to the National System, Public Law 102-249, March 3, 1992. (232 miles)

(45) **Nolichucky, Tennessee and North Carolina.** (NPS) Report transmitted to Congress on April 26, 1985. River not qualified. (110 miles)

(46) **Owyhee, Oregon.** (NPS) One hundred twenty miles added to the National System, Public Law 98-494, October 19, 1984. (192 miles)

(47) **Piedra, Colorado.** (USFS) Report recommending congressional designation transmitted to Congress on September 13, 1982. (53 miles)

(48) **Shepaug, Connecticut.** (NPS) Report transmitted to Congress on October 2, 1979. Preservation of river by state and local action recommended. (28 miles)

(49) **Sipsey Fork, Alabama.** (USFS) Sixty-one miles added to the National System, Public Law 100-547, October 28, 1988. (71 miles)

(50) **Snake, Wyoming.** (USFS) Report recommending congressional designation transmitted to Congress on September 13, 1982. (50 miles)

(51) **Sweetwater, Wyoming.** (NPS) Report transmitted to Congress on November 14, 1979. Designation not recommended. (9.5 miles)

(52) **Tuolumne, California.** (NPS/USFS) Eighty-three miles added to

the National System, Public Law 98-425, September 28, 1984. (92 miles)

(53) **Upper Mississippi, Minnesota.** (BOR) Report recommending congressional designation transmitted to Congress on August 25, 1977. (466 miles)

(54) **Wisconsin, Wisconsin.** (NPS/USFS) Report transmitted to Congress on October 2, 1979. Preservation of river by state recommended. (82.4 miles)

(55) **Yampa, Colorado.** (NPS) Report transmitted to Congress in combination with Green River on November 14, 1983. The river was determined eligible, but the Secretary did not include a recommendation for designation. (47 miles)

(56) **Dolores, Colorado.** (BOR/USFS) Report recommending Congressional designation transmitted to Congress on May 23, 1977. (105 miles)

**III. Public Law 94-199 (December 31, 1975) — 1 river, study due October 1, 1979**

(57) **Snake, Washington, Oregon and Idaho.** (NPS) Report transmitted to Congress on April 26, 1985. Designation not recommended. (33 miles)

**IV. Public Law 94-486 (October 12, 1976) — 1 river, study due October 1, 1980**

(58) **Housatonic, Connecticut.** (NPS) Report transmitted to Congress on October 2, 1979. Preservation of river by state and local action recommended. (51 miles)

**V. Public Law 95-625 (November 10, 1978) — 17 rivers, studies due October 1, 1984**

(59) **Kern (North Fork), California.** (USFS) One hundred fifty-one miles of the North and South Forks added to the National System, Public Law 100-174, November 24, 1987. (74 miles)

(60) **Loxahatchee, Florida.** (NPS) Seven point five miles added to the National System by the Secretary of the Interior on May 17, 1985. (25 miles)

(61) **Ogeechee, Georgia.** (NPS) Report transmitted to Congress on April 26, 1985. Preservation of river by state recommended. (246 miles)

(62) **Salt, Arizona.** (USFS) Report transmitted to Congress on September 13, 1982. Designation not recommended. (22 miles)

(63) **Verde, Arizona.** (USFS) Forty point five miles added to the National System, Public Law 98-406, August 28, 1984. (78 miles)

(64) **San Francisco, Arizona.** (USFS) Report transmitted to Congress on September 13, 1982. Designation not recommended. (29 miles)

(65) **Fish Creek, East Branch, New York.** (NPS) Report transmitted to Congress on April 26, 1985. Preservation of river by state and local action recommended. (49 miles)

(66) **Black Creek, Mississippi.** (USFS) Twenty-one miles added to the National System, Public Law 99-590, October 30, 1986. (122.8 miles)

(67) **Allegheny, Pennsylvania.** (USFS) Eighty-five miles added to the National System, Public Law 102-271, April 20, 1992. (128 miles)

(68) **Cacapon, West Virginia.** (NPS) Report transmitted to Congress on April 26, 1985. Preservation of river by state and local action recommended. (114 miles)

(69) **Escatawpa, Alabama and Mississippi.** (NPS) Report transmitted to Congress on April 26, 1985. Preservation of river by state and local action recommended. (72 miles)

(70) **Myakka, Florida.** (NPS) Report transmitted to Congress on April 26, 1985. Preservation of river by state recommended. (37 miles)

(71) **Soldier Creek, Alabama.** (NPS) Report transmitted to Congress on April 26, 1985. River not qualified. (.2 miles)

(72) **Red, Kentucky.** (USFS) Nineteen point four miles added to the National System, Public Law 103-170, December 2, 1993. (19.4 miles)

(73) **Bluestone, West Virginia.** (NPS) Ten miles added to the National System, Public Law 100-534, October 26, 1988. (40 miles)

(74) **Gauley, West Virginia.** (NPS) A 25-mile segment established as a National Recreation Area on October 26, 1988. (164 miles)

(75) **Greenbrier, West Virginia.** (USFS) Report transmitted to Congress on January 7, 1993. Preservation of river by state and local action recommended. (175 miles)

**VI. Public Law 96-199 (March 5, 1980) — 1 river, study due October 1, 1984**

(76) **Birch, West Virginia.** (NPS) Report transmitted to Congress on April 26, 1985. Preservation of river by state and local action recommended. (20 miles)

**VII. Public Law 96-487 (December 2, 1980) — 12 rivers, studies due October 1, 1984, except the Sheenjek and Squirrel Rivers due January 1, 1987. The following rivers were added for study by the Alaska National Interest Lands Conservation Act (ANILCA.)**

(77) **Colville, Alaska.** (NPS) Study submitted to Congress on April 12, 1979, as part of 105(c) study mandated by Public Law 94-258. This was prior to passage of ANILCA. (428 miles)

(78) **Etivluk-Nigu, Alaska.** (NPS) Study submitted to Congress on April 12, 1979, as part of 105(c) study mandated by Public Law 94-258. This was prior to passage of ANILCA. (160 miles)

(79) **Utukok, Alaska.** (NPS) Study submitted to Congress on April 12, 1979, as part of 105(c) study mandated by Public Law 94-258. This was prior to passage of ANILCA. (250 miles)

(80) **Kanektok, Alaska.** (NPS) Report transmitted to Congress on April 26, 1985. Designation not recommended. (75 miles)

(81) **Kisaralik, Alaska.** (NPS) Report transmitted to Congress on April 26, 1985. Designation not recommended. (75 miles)

(82) **Melozitna, Alaska.** (NPS) Report transmitted to Congress on April 26, 1985. River not qualified. (270 miles)

(83) **Sheenjek (lower segment), Alaska.** (NPS) Report recommending congressional designation transmitted to Congress on January 19, 2001. (109 miles)

(84) **Situk, Alaska.** (USFS) Report transmitted to Congress on April 26, 1985. Designation not recommended. (21 miles)

(85) **Porcupine, Alaska.** (NPS) Report transmitted to Congress on

April 26, 1985. Designation not recommended. (75 miles)

(86) Yukon (Ramparts section), Alaska. (NPS) Report transmitted to Congress on April 26, 1985. Designation not recommended. (128 miles)

(87) Squirrel, Alaska. (Initiated by NPS/Completed by BLM) Final report/EIS issued January 26, 1999. Designation not recommended. (72 miles)

(88) Koyuk, Alaska. (NPS) Report transmitted to Congress on April 26, 1985. River not qualified. (159 miles)

***VIII. Public Law 98-323 (June 6, 1984) — 1 river, study due October 1, 1990***

(89) Wildcat Creek, New Hampshire. (NPS) Fourteen point five miles added to the National System, Public Law 100-554, October 28, 1988. (21 miles)

***IX. Public Law 98-484 (October 17, 1984) — 1 river, study due October 17, 1987***

(90) Horsepasture, North Carolina. (USFS) Four point two miles added to the National System, Public Law 99-530, October 27, 1986. (4.2 miles)

***X. Public Law 98-494 (October 19, 1984) — 1 river, study due October 1, 1988***

(91) North Umpqua, Oregon. (USFS) Thirty-three point eight miles added to the National System, Public Law 100-557, October 28, 1988. (33.8 miles)

***XI. Public Law 99-590 (October 30, 1986) — 2 rivers, studies due October 30, 1989, for the Great Egg Harbor and October 1, 1990, for the Farmington***

(92) Farmington, West Branch, Connecticut and Massachusetts. (NPS) Fourteen miles added to the National System, Public Law 103-313, August 26, 1994. Report transmitted to Congress on December 13, 1995. (25 miles)

(93) Great Egg Harbor, New Jersey. (NPS) One hundred twenty-nine miles added to the National System, Public Law 102-536, October 26, 1992. (127 miles)

***XII. Public Law 99-663 (November 17, 1986) — 2 rivers, studies due October 1, 1990***

(94) Klickitat, Washington. (USFS) Draft report issued June 1990. Final report completed, but not transmitted to Congress. (30 miles)

(95) White Salmon, Washington. (USFS) Twenty miles added to the National System, Public Law 109-44, August 2, 2005. The portion designated was added to the study by the USFS and is the headwaters above the segment authorized for study. (13.5 miles)

***XIII. Public Law 100-33 (May 7, 1987) — 3 rivers, studies due October 1, 1990***

(96) Maurice, New Jersey. (NPS) Ten point five miles added to the National System, Public Law 103-162, December 1, 1993. (14 miles)

(97) Manumuskin, New Jersey. (NPS) Fourteen point three miles added to the National System, Public Law 103-162, December 1, 1993. (3.5 miles)

(98) Menantico Creek, New Jersey. (NPS) Seven point nine miles

added to the National System, Public Law 103-162, December 1, 1993. (7 miles)

***XIV. Public Law 100-149 (November 2, 1987) — 1 river, study due October 1, 1991***

(99) Merced, California. (BLM) Eight miles added to the National System, Public Law 102-432, October 23, 1992. (8 miles)

***XV. Public Law 100-557 (October 28, 1988) — 6 rivers, studies due October 1, 1992***

(100) Blue, Oregon. (USFS) Study initiated in 1989. River determined ineligible, but report not transmitted to Congress. (9 miles)

(101) Chewaucan, Oregon. (USFS) Study initiated in 1989. River determined ineligible, but report not transmitted to Congress. (23 miles)

(102) North Fork Malheur, Oregon. (BLM) River determined eligible, but report not transmitted to Congress. (15 miles)

(103) South Fork McKenzie, Oregon. (USFS) Study initiated in 1989. River determined eligible, with plans to complete the study at revision of the Willamette National Forest Land and Resource Management Plan. (26 miles)

(104) Steamboat Creek, Oregon. (USFS) Final report completed in 1993. River determined eligible, but report not transmitted to Congress. (24 miles)

(105) Wallowa, Oregon. (USFS) Ten miles added to the National System by the Secretary of the Interior on July 25, 1996. (10 miles)

***XVI. Public Law 101-356 (August 10, 1990) — 1 river, study due August 10, 1993***

(106) Merrimack, New Hampshire. (NPS) Draft report issued October 7, 1999. River was determined eligible, but final report not transmitted to Congress. (22 miles)

***XVII. Public Law 101-357 (August 10, 1990) — 1 river, study due August 10, 1993***

(107) Pemigewasset, New Hampshire. (NPS) Report transmitted to Congress on May 5, 1998. Designation not recommended. (36 miles)

***XVIII. Public Law 101-364 (August 15, 1990) — 1 river, study due August 15, 1993***

(108) St. Marys, Florida. (NPS) Draft report issued on March 16, 1994. River was determined eligible, but final report not transmitted to Congress. (120 miles)

***XIX. Public Law 101-538 (November 8, 1990) — 1 river, study due September 30, 1994***

(109) Mills, North Carolina. (USFS) Final report completed in 1996 but not transmitted to Congress. (33 miles)

***XX. Public Law 101-628 (November 28, 1990) — 1 river, study due September 30, 1994***

(110) Concord, Assabet and Sudbury, Massachusetts. (NPS) Twenty-nine miles added to the National System, Public Law 106-20, April 9, 1999. (29 miles)

***XXI. Public Law 102-50 (May 24, 1991) — 1 river, study due September 30, 1994***

(111) Niobrara, Nebraska. (NPS) Six miles added to the National System, Public Law 102-50, May 24, 1996. (6 miles)

**XXII. Public Law 102-214 (December 11, 1991) — 1 river, study due December 11, 1994**

(112) Lamprey, New Hampshire. (NPS) Eleven point five miles added to the National System, Public Law 104-333, November 12, 1996. Twelve miles added to the National System, Public Law 106-192, May 5, 2000. (10 miles)

**XXIII. Public Law 102-215 (December 11, 1991) — 1 river, study due December 11, 1994**

(113) White Clay Creek, Pennsylvania and Delaware. (NPS) One hundred ninety miles added to the National System, Public Law 106-357, October 24, 2000. (23+ miles)

**XXIV. Public Law 102-249 (March 3, 1992) — 11 rivers, studies due September 30, 1995**

(114) Brule, Michigan and Wisconsin. (USFS) River determined eligible; suitability study not completed. (33 miles)

(115) Carp, Michigan. (USFS) River determined eligible; suitability study not completed. (7.6 miles)

(116) Little Manistee, Michigan. (USFS) River determined eligible; suitability study not completed. (42 miles)

(117) White, Michigan. (USFS) River determined eligible; suitability study not completed. (75.4 miles)

(118) Ontonagon, Michigan. (USFS) River determined eligible; suitability study not completed. (32 miles)

(119) Paint, Michigan. (USFS) River determined eligible; suitability study not completed. (70 miles)

(120) Presque Isle, Michigan. (USFS) River determined eligible; suitability study not completed. (13 miles)

(121) Sturgeon (Ottawa National Forest), Michigan. (USFS) River determined eligible; suitability study not completed. (36 miles)

(122) Sturgeon (Hiawatha National Forest), Michigan. (USFS) River determined eligible; suitability study not completed. (18.1 miles)

(123) Tahquamenon, Michigan. (USFS) River determined eligible; suitability study not completed. (103.5 miles)

(124) Whitefish, Michigan. (USFS) River determined eligible; suitability study not completed. (26 miles)

**XXV. Public Law 102-271 (April 20, 1992) — 2 rivers, studies due September 30, 1995**

(125) Clarion, Pennsylvania. (USFS) Fifty-one point seven miles added to the National System, Public Law 104-333, October 19, 1996. (104 miles)

(126) Mill Creek, Pennsylvania. (USFS) River determined eligible; suitability study not completed. (18 miles)

**XXVI. Public Law 102-301 (June 19, 1992) — 5 rivers, studies due September 30, 1995**

(127) Piru Creek, California. (USFS) Seven point three miles of area

below Pyramid Lake added to the National System, Public Law 111-11, March 30, 2009. Two areas of river authorized for study—source to Pyramid Lake and 300 feet below Pyramid Lake to Lake Piru. Study of area above Pyramid Lake completed in revision of Los Padres National Forest Land and Resource Management Plan. (49 miles)

(128) **Little Sur, California.** (USFS) Study completed in revision of Los Padres National Forest Land and Resource Management Plan. River determined eligible, but report not transmitted to Congress. (23 miles)

(129) **Matilija Creek, California.** (USFS) Study completed in revision of Los Padres National Forest Land and Resource Management Plan. River determined ineligible, but report not transmitted to Congress. (16 miles)

(130) **Lopez Creek, California.** (USFS) Study completed in revision of Los Padres National Forest Land and Resource Management Plan. River determined ineligible, but report not transmitted to Congress. (11 miles)

(131) **Sespe Creek, California.** (USFS) Study completed in revision of Los Padres National Forest Land and Resource Management Plan. River determined eligible, but report not transmitted to Congress. (10.5 miles)

**XXVII. Public Law 102-432 (October 23, 1992) — 1 river, study due September 30, 1995**

(132) **North Fork Merced, California.** (BLM) Study has been completed through the Folsom Resource Management Plan. River determined ineligible, but report not transmitted to Congress. (15 miles)

**XXVIII. Public Law 102-460 (October 23, 1992) — 1 river, study due October 23, 1993**

(133) **Delaware, Pennsylvania and New Jersey.** (NPS) Sixty-seven point three miles added to the National System, Public Law 106-418, November 1, 2000. (70 miles)

**XXIX. Public Law 102-525 (October 26, 1992) — 1 river, study due October 26, 1993**

(134) **New, Virginia and West Virginia.** (NPS) Report transmitted to Congress on April 8, 2011. Designation not recommended. (20 miles)  
Transmittal Memos

**XXX. Public Law 103-242 (May 4, 1994) — 1 river, study due May 4, 1997**

(135) **Rio Grande, New Mexico.** (BLM) Final report issued on January 4, 2000, but not transmitted to Congress. Seven point six miles determined eligible. (8 miles)

**XXXI. Public Law 104-311 (October 19, 1996) — 1 river, study due October 19, 1998**

(136) **Wekiva, Florida.** (NPS) Forty-one point six miles added to the National System, Public Law 106-299, October 13, 2000. (27 miles)

**XXXII. Public Law 106-318 (October 19, 2000) — 1 river, study due October 19, 2003**

(137) **Taunton, Massachusetts.** (NPS) Forty point zero miles added to the National System, Public Law 111-11, March 30, 2009. (22 miles)

**XXXIII. Public Law 107-65 (November 6, 2001) — 1 river, study due November 6, 2004**

(138) **Eight Mile, Connecticut.** (NPS) Twenty-five point three miles added to the National System, Public Law 110-229, May 8, 2008. (15 miles)

**XXXIV. Public Law 109-370 (November 27, 2006) — 1 river, study due November 27, 2009**

(139) **Lower Farmington and Salmon Brook, Connecticut.** (NPS) Sixty-one point seven miles added to the National System, Public Law 116-9, March 12, 2019. (70 miles) (70 miles)

**XXXV. Public Law 111-11 (March 3, 2009) — 1 river, study due March 30, 2012**

(140) **Missisquoi and Trout, Vermont.** (NPS) Forty-six point one miles added to the National System, Public Law 113-291, December 19, 2014. (70 miles)

**XXXVI. Public Law 113-291 (December 19, 2014) — 4 rivers, studies due 3 years after the date on which funds are made available to conduct the studies**

(141) **Lake Creek, Lower Cave Creek, Lake Creek, No Name Creek, Panther Creek, and Upper Cave Creek, Oregon.** (NPS) Lake Creek and Upper Cave Creek found eligible and suitable for designation; No Name Creek, Panther Creek, and Upper Cave Creek found ineligible. Report transmitted to Congress April 7, 2020. (8.3 miles) Transmittal Letters

(142) **Beaver, Chipuxet, Queen, Wood and Pawcatuck Rivers, Rhode Island and Connecticut.** (NPS) One hundred ten miles added to the National System, Public Law 116-9, March 12, 2019. (86 miles)

(143) **Nashua River, Massachusetts.** (NPS) Fifty-two point eight miles added to the National System, Public Law 116-9, March 12, 2019. (32.5 miles)

(144) **York River, Maine.** (NPS) (11.3 miles)

Study completed; transmitted to Congress July 13, 2021.

For each study river, the number in parentheses is the approximate number of miles to be studied. If river segments were designated, the total designated mileage appears in the text.



| Designated Rivers              | National System              | River Management         | Resources                        |
|--------------------------------|------------------------------|--------------------------|----------------------------------|
| <a href="#">About WSR Act</a>  | <a href="#">WSR Table</a>    | <a href="#">Council</a>  | <a href="#">Q &amp; A Search</a> |
| <a href="#">State Listings</a> | <a href="#">Study Rivers</a> | <a href="#">Agencies</a> | <a href="#">Bibliography</a>     |

Profile Pages

Stewardship  
WSR Legislation

Management Plans  
River Mgt. Society  
GIS Mapping

Publications  
GIS Mapping  
Logo & Sign Standards