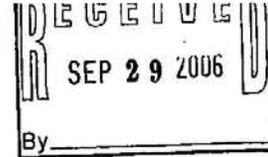


MDOT is committed to making a good faith effort to answer the questions posed by SHPO in the following concurrence of eligibility letter, dated December 11, 2007, and signed by Brian Conway, State Historic Preservation Officer. The questions will be satisfied in the upcoming FEIS and documented in an addendum to the Technical Reports for Aboveground Cultural Resources.

With regard to the request for additional information relative to the history of St. Paul A.M.E. Church (579 S. Rademacher), contact has been made with Pastor Baker, the pastor of the church. He has indicated he will allow us to review documents and memorabilia in his possession that should assist in making a final determination of eligibility. MDOT will continue to treat the property as NRHP eligible during this process. We also note that Pastor Baker has stated he would like to move his congregation in the near future.

SHPO concurs with the recommendations of eligibility for properties surveyed within Tiers 1 and 2, but corrected our assertion that the Mistersky Power Station Complex was eligible for listing on the NRHP under Criterion C; instead, the property is seen as eligible under Criterion A. SHPO requested additional information or clarification on the former State Liquor Control Commission building (adjacent to the Detroit Union Produce Terminal, 7210 W. Fort St.) and the grounds behind Southwestern High School. Additional information on these resources is provided in a letter to the SHPO dated February 11, 2008. Further, the SHPO stated that there was inadequate evidence to determine the NRHP eligibility of the St. Paul African Methodist Episcopal Church (579 S. Rademacher St.).



JENNIFER GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES  
LANSING

DR. WILLIAM ANDERSON  
DIRECTOR

September 25, 2006

LLOYD BALDWIN  
MICHIGAN DEPARTMENT OF TRANSPORTATION  
425 WEST OTTAWA  
PO BOX 30050  
LANSING MI 48909

RE: ER05-536 Cultural Resource Survey Area of Potential Effects Boundary Justifications  
Report, Detroit River International Crossing Project (DRIC), Detroit,  
Wayne County (FHWA)

Dear Mr. Baldwin:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed above-cited report and we approve the recommended area potential effects (APE) boundaries as specified in it.

The State Historic Preservation Office (SHPO) is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

Martha MacFarlane Facs  
Environmental Review Coordinator

for Brian D. Conway  
State Historic Preservation Officer

MMF:DLA:ROC:bgg

Copy: Abdelmoez Abdalla, FHWA  
Donald Weir, CCRG  
Mohammed Alghurabi, MDOT  
Joe Corradino, The Corradino Group

STATE HISTORIC PRESERVATION OFFICE, MICHIGAN HISTORICAL CENTER  
702 WEST KALAMAZOO STREET • P.O. BOX 30740 • LANSING, MICHIGAN 48909-8240  
(517) 373-1630  
www.michigan.gov/hal



JENNIFER GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES  
LANSING

DR. WILLIAM ANDERSON  
DIRECTOR

October 16<sup>th</sup>, 2006

DR DAVID RUGGLES  
MICHIGAN DEPARTMENT OF TRANSPORTATION  
425 WEST OTTAWA  
PO BOX 30050  
LANSING MICHIGAN 48909

RE: ER-05-536 Draft Report, Land Use History, Archaeological and Deep Testing, Detroit River  
International Crossing Project (DRIC), Detroit, Wayne County (FHWA)

Dear Dr. Ruggles:

We have reviewed the draft report entitled *Background and Land Use History, Archaeological and Deep Site Testing, Detroit River International Crossing (DRIC) Project, Detroit, Michigan*, prepared by Commonwealth Cultural Resources group (CCRG).

In the report, CCRG sets forth recommendations for archaeological testing of the proposed plaza area. In large part, vacant lots that have been subjected to a single generation of development were identified as test locations. Such parcels hold the greatest potential for significant archaeological deposits, whether prehistoric or historical period. Further, testing was also designed to investigate the possibility that some evidence of either site 20WN3 (the Copper Works mound), or 20WN6 (the Carstens mound) might still exist.

We believe that the testing sample proposed by CCRG is reasonable and sufficient to evaluate the archaeological potential of the plaza area. We do, however, have one comment about the testing program. The proposed testing strategy includes an archaeological testing component and a deep testing component. On page 1-2 the report states:

The deep testing field methods will focus on detailed observations from a series of backhoe trenches. For the most part, the archaeological testing and deep testing will be done concurrently. The depth of each trench will depend on local conditions as well as the physical limits of the backhoe arm (about 3 m to 5 m [12 ft to 16 ft]). Excavation will be continued until the physical backhoe limit is achieved, pre-Holocene sediments (i.e., late glacial sediment or bedrock) are penetrated, or ground water fills the trench.

Although this discussion makes a distinction between archaeological testing and deep testing, it is not clear how much deep testing is planned. In fact, it leaves open the prospect that all test trenches will be deep test trenches. While we understand that deep testing requires some flexibility for decision-making in the field, we believe that, as with the archaeological testing, the proposed extent of deep testing needs to be quantified in the report.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. Please reference our project number in all communication with this office regarding this undertaking. Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

Brian D. Conway  
State Historic Preservation Officer

BDC:DLA:bgg

STATE HISTORIC PRESERVATION OFFICE, MICHIGAN HISTORICAL CENTER  
702 WEST KALAMAZOO STREET • P.O. BOX 30740 • LANSING, MICHIGAN 48909-8240  
(517) 373-1630  
www.michigan.gov/hal



STATE OF MICHIGAN  
DEPARTMENT OF TRANSPORTATION  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

KIRK T. STEUEDLE  
DIRECTOR

December 3, 2007

Mr. Brian Conway  
State Historic Preservation Officer  
State Historic Preservation Office  
Michigan Historical Center  
702 W. Kalamazoo Street  
Lansing, Michigan, 48909-8240

Dear Mr. Conway:

RE: ER 05-536 Cultural Resource Survey – Determination of Eligibility and Effects,  
Detroit River International Crossing Project (DRIC), Detroit, Wayne County (FHWA)

This letter provides our determinations of eligibility and effect for all cultural resources identified within the Area of Potential Effects for the subject undertaking. Please note that these recommendations are based upon information previously provided in our reports and in accordance with previous consultations with staff of your office.

**Above-ground Historic Resources**

The above-ground historic cultural resource survey process identified 20 properties/complexes and three historic districts within the study area (approved September 25, 2006). The survey used a unique approach, dividing the study area into three distinct tiers. Tier 1 follows a traditional Area of Potential Effect approach and identifies a "worst case" footprint for the proposed crossing, plaza, and freeway connections. Tier 2 is a narrower band that surrounds Tier 1 and identifies resources that may experience secondary and cumulative impacts.

Thirteen resources are located within Tier 1, four within Tier 2 and three within Tier 3. For the purpose of this communication we will address only those resources in Tier 1 and Tier 2; Tier 3 is technically outside of the A.P.E. but was developed to identify an area that might benefit by attracting investment based on proximity to a major border crossing project. MDOT requests your concurrence on the NRHP eligibility and determination of effects on the following properties located within Tier 1 and Tier 2. The page numbers identified reference the Detroit River International Crossing Study Above-Ground resources Survey Technical Report (CCRG), transmitted to your office on October 31, 2007.

MURRAY D. VAN WAGONER BUILDING • P.O. BOX 30050 • LANSING, MICHIGAN 48909  
www.michigan.gov • (517) 373-2090

LH-LAN-0 (01/03)

Mr. Brian Conway  
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**Tier 1:**

**Berwalt Manor Apartment Building (760 S. Campbell St.):** Discussed in pages 3-39 through 3-41, the Mediterranean style apartment building is NRHP eligible under Criterion C. All build alternatives will require the demolition of the property, resulting in an *adverse effect*.

**Kovacs Bar (6892 W. Jefferson Ave.):** Discussed in pages 3-52 through 3-55. A neighborhood bar since about 1941, Kovacs is NRHP eligible under Criterion A. All build alternatives require a full take of the property, resulting in an *adverse effect*.

**St Paul African Methodist Episcopal Church (585 S. Rademacher St.):** Discussed in pages 3-48 through 3-51. Construction began in 1928 and was completed in 1944. The church has always been associated with St. Paul AME. All build alternatives require a full take of the property, resulting in an *adverse effect*.

**Frank Beard School (840 Waterman St):** Located north of I-75, the historic school is NRHP listed. Alternatives 3, 11, and 14 avoid the property. Minor right-of-way acquisitions on the south edge of the property are needed under alternatives 1, 2, 7, and 9 (0.2 acres); Alternative 5 would use 0.1 acres. These alternatives would take small amounts of the south lawn and some parking. MDOT believes the impacts would pose *no adverse effect* to the historic resource.

**Findlater Masonic Temple/Salon El Bosque (6705 Lafayette Blvd) (Tier 1):** Discussed in pages 3-25 through 3-28, the building is eligible under Criteria A and C. The 1926 Masonic Temple served as the Armenian Community Center from about 1941 through the early 1970s. No property from the site would be used under any of the build alternatives. Therefore, no adverse effect is anticipated.

**Military Avenue Evangelical Presbyterian Church (6051 W. Lafayette Blvd):** Discussed in pages 345-348, the church is eligible under Criterion A. The historic church, on the north side of the street would not encounter any constructive use under any of the proposed build alternatives. Alternative 5 would require the removal of non-historic buildings on the south side of the street, creating a visual impact that would be remedied through landscaping and/or other aesthetics. *No adverse effect*.

**West Lafayette Boulevard Rowhouse Historic District (6006, 6016, and 6022 W. Lafayette Blvd):** Discussed in pages 3-87 through 3-94, the three building historic district on the north side of Lafayette is eligible under criterion A. There would be no constructive use of the proposed historic district under any of the proposed build alternatives. *No adverse effect*.

Mr. Brian Conway  
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**Detroit Savings Bank/George International building (5705 W. Fort St.):** Discussed in pages 3-35 through 3-38. The bank building is NRHP eligible under Criteria A and C. Build alternative 5 would require demolition of the resource (an *adverse effect*); no other build alternatives would require property, resulting in *no adverse effect*.

**Detroit Union Produce Terminal (7210 W. Fort St.):** Discussed in pages 3-14 through 3-17, the 1929 terminal is eligible under Criteria A and C. There would be no change to the property footprint, buildings, or functionality. *No adverse effect*.

**Michigan Bell Telephone Vinewood Dial Office (7420 W. Fort St.):** Discussed in pages 3-18 through 3-21 the building, now used by AT&T, is eligible under Criteria A and C. There would be no change to the property footprint, building, or functionality. *No adverse effect*.

**Motz's Hamburgers (7208 W. Fort St.):** Discussed in pages 3-55 through 3-58. The 1956 hamburger stand (eligible under Criterion A) remains a popular lunch spot, even drawing customers from Downriver. Construction of the crossing would likely boost business. There would be no change to the property footprint, building, or functionality. *No adverse effect*.

**Fort/Green Detroit Police Station/Fourth Precinct (7140 W. Fort St.):** Discussed in pages 3-21 through 3-25. The building, eligible under Criteria A and C, was recently reopened as offices. There would be no change to the property footprint, building, or functionality. *No adverse effect*.

**Southwestern H.S. (6921 W. Fort St.):** Discussed in pages 3-28 through 3-32 and eligible under Criteria A and C. The proposed plaza north boundary will potentially clip a non-historic athletic field, which would be replaced. The historic school building would not be impacted, resulting in *no adverse effect*.

**Olivet Presbyterian / Old Landmark C.O.G.I.C. (6908 W. Fort St.):** Discussed in pages 3-32 through 3-35 and eligible under Criteria A and C. There would be no constructive use of this property, resulting in *no adverse effect*.

**Roberts Brass Manufacturing Company (5436 W. Fort St.):** Discussed in pages 3-42 through 3-45 and eligible under Criteria A and C. There would be no constructive use of this property, resulting in *no adverse effect*.

Mr. Brian Conway  
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**Tier 2:**

**Mistersky Power Station Complex (5425 W. Jefferson Ave.):** Discussed in pages 3-62 through 3-66, and eligible under Criteria A and C. There would be no constructive use of this property, resulting in *no adverse effect*.

**Detroit Fire Department Engine Company No. 29 (7600 W. Jefferson Ave.):** Discussed in pages 3-66 through 3-69 and eligible under Criterion A. There would be no constructive use of this property, resulting in *no adverse effect*.

**Detroit Harbor Terminal Building (4468 W. Jefferson Ave.):** Discussed in pages 3-69 through 3-73 and eligible under Criteria A and C. There would be no constructive use of this property, resulting in *no adverse effect*.

**Detroit Copper & Brass Complex (174 Clark St.):** Discussed in pages 3-58 through 3-62 is eligible under Criteria A and C. There would be no constructive use of this property, resulting in *no adverse effect*.

**Historic Fort Wayne:**

The landmark fort is recognized on the NRHP and is considered a valued resource by our Canadian partners but has suffered from insufficient investment to assure viability. Over the last several months there has been considerable discussion about how a new crossing might impact the fort; much of the discussion focused on how the project might leverage the investment in a comprehensive restoration of the fort and a reinvigoration of its mission as a significant heritage tourism destination. Any efforts that increase visibility and improve access to the resource are beneficial – maintaining the status quo would risk the continued decline of the fort.

In all build alternatives the southerly edge of the proposed plaza right-of-way will front West Jefferson Avenue with aesthetic security walls and buffer zones, posing *no adverse effect*. As part of the project there will be local access from the plaza and improved access to the fort, which will benefit the fort as a destination.

There are two proposed crossing locations, alternatives X-10 and X-11. Two bridge types are under consideration, suspension and cable-stay. The crossing alternatives and the bridge are international efforts and require the agreement of the United States and Canadian partners. The design of the new bridge at either crossing will meld state-of-the-art engineering with input from the international host communities.

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**Crossing X-10A and Crossing X-10B** would lie downstream (southerly) of the fort, between Lafarge Cement and Zug Island. The distance is adequate enough to overcome proximity impacts but would be an attractive landmark visible to travelers crossing the bridge. A new bridge (especially if a cable-stay type) at this location would screen views of Zug Island from the fort's battlements, a beneficial impact. For proposed crossings X-10A X-10B there would be *no adverse effect*.

**Crossing X-11**, located upstream of the fort, would cross between the fort and NRHP eligible Mistersky Power Plant. This crossing alternative would have visual and proximity impacts but these impacts would be beneficial to the fort by increasing visibility of the resource to travelers; as part of the project there will be access improvements to the fort. Both bridge types are under consideration, but at this juncture the suspension type is preferred. MDOT believes that proximity is a beneficial impact to the fort through increased visibility of the fort. Visual impacts will vary based on the bridge type selected, but MDOT believes issues of scale will be overcome based on a commitment to design that reflects current engineering and public input, especially with a suspension bridge. Considering the case of Fort Michilimackinac, the Straits Bridge increased visibility of the fort and helped assure its viability as one of Michigan's key tourist resources. The scale of the bridge altered the setting of the fort and the changed the view shed; with different impacts from different points of view. Viewing from the bridge allows remarkable "birds-eye" views to travelers. The bridge, as seen from the fort, is dramatic in architecture and scale; fifty-years after completion it is difficult to imagine the view shed without this dominating internationally recognized landmark.

Based on the assessment that proximity of the new bridge will increase visibility and using the interplay of the Mackinac Bridge and Fort Michilimackinac as a reference, MDOT believes the proximity and visual impacts of a new bridge at Crossing X-11 will pose *no adverse effect*.

Several properties assessed as potentially eligible were determined ineligible for listing on the NRHP by R.O. Christensen during field survey on September 17, 2007.

**Lockemans Hardware & Boats (7630 W. Jefferson Ave) (Tier 2):** Although in business at this location since 1917 the property retains inadequate historic integrity and is not architecturally significant enough to be considered eligible for listing on the NRHP.

**Detroit Edison Delray Powerhouse No. 3 (6603 W. Jefferson Ave) (Tier 2):** the property is not significant for architecture or engineering and although the alterations were aesthetically treated, they impacted the historic integrity of the resource.

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**Detroit Edison McKinistry Sub Station (738 S. McKinistry St) (Tier 2):** Not significant enough in terms of architecture or engineering.

**Lafayette Lodge No. 177 (840 N. Dragoon St) (Tier 1):** The property retains reasonable historic integrity but is not architecturally significant; it is not associated with any key persons, organizations or events.

**Bland House & Garage (1011-1017 N. Morrell St) (Tier 1):** The resource lacked adequate architectural significance and historic integrity to be considered eligible.

**Scotten House (831 N. Waterman St) (Tier 1):** Inadequate historic integrity.

Two locally recognized resources are identified within Tier 2. The Hubbard Farms Historic District is located north of I-75 and will not encounter any constructive use, resulting in no adverse effect. The James McMillan School (615 S West End Ave), abandoned and heavily damaged, has been included with the Tier 3 Delray Community Historic District as a contributing property, until such time it is demolished. There will be no constructive use by the DRIC; therefore there will be *no adverse effect*. The Ralph Bunche Birthplace commemorative marker, once located in Tier 1, has been missing for several years (*no effect*).

#### Traditional Cultural and Religious Properties – Tribal Consultations

The project undertaking does not occur on tribal lands. MDOT, on behalf of FHWA, made a reasonable and good faith effort to identify any Indian tribes that might attach religious and cultural significance to historic properties in the area of potential effects and invited them to be consulting parties per 36 CFR § 800.2(c). In that there were *no* Tribal religious and/or cultural properties located during the archaeological and cultural resources investigations, MDOT, on behalf of FHWA, has successfully concluded Section 106 consultations with the Consulting Tribes with *no historic properties affected* for such resources.

#### Archeological Resources:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have provided the final report entitled *Archaeological Phase I and II Investigations of the Detroit River International Crossing (DRIC) Project, Detroit, Wayne County, Michigan* prepared by Commonwealth Cultural Resources Group (CCRG). Your office commented on a draft version of this report in your letter of August 17<sup>th</sup>.

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Three historical period features were identified during the fieldwork, and are described in the report. Those features were given site numbers 20WN1132 (F. #1), 20WN1133 (F. #2), both within the Area of Potential Effects (or APE), and 20WN1134 (F. #3), which is outside the APE. In your comments on the draft report, you agreed with the recommendation that the sites have the potential to yield important information, and therefore are eligible for the National Register of Historic Places (NRHP).

Based on the information provided and SHPO review and comments, it is our opinion that the proposed undertaking will have an **adverse effect** on historic properties within the area of potential effects (sites 20WN1132 and 20WN1133) for the above-cited undertaking. The Area of Potential Effect (APE) for the project was defined to incorporate possible plaza locations as well as property that might yet be acquired as the requirements for bridge construction (X-10A, X-10B & X-11). There will be *no adverse effects* for Site 20WN1134 which is outside the APE of this undertaking. The two archaeological sites that are within the final APE (20WN1132 and 20WN1133) will be *adversely affected* by the project because *the undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association [36 CFR § 800.5(a)(1)]*. Specifically, the undertaking will result in:

- Physical destruction of or damage to all or part of the properties.

It is our opinion, and that of the State Historic Preservation Officer (SHPO), that the *adverse effect* to each of the sites that are located within the APE must be mitigated through data recovery. These sites are important for the information they contain, and do not warrant preservation in place. Therefore, Section 4(f) does not apply to these sites. It is agreed between the Consulting parties that, for the affected sites, mitigation of any *adverse effects* to archaeological resources shall be remedied through professional archaeological data recovery in a manner to be stipulated in a Memorandum of Agreement (MOA) once the Area of Potential Effect and the direct impacts are agreed upon.

#### Adverse Effect Determinations

The finding of *adverse effect* for properties identified above has prompted the Federal Highway Administration (FHWA), hereinafter referred to as "FHWA", to consult further to resolve the adverse effect pursuant to 36 CFR § 800.6 by proceeding with the following steps:

Mr. Brian Conway  
Page 8  
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(1) Per 36 CFR § 800.6(a), MODT, on behalf of the FHWA, shall continue consultation with the SHPO and other consulting parties, as appropriate, to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate adverse effects on historic properties. The Agency has submitted a case study outlining these efforts for review by the SHPO.

(2) In accordance with 36 CFR § 800.6(a)(4), the FHWA shall make information regarding this finding available to the public, providing the public with an opportunity to express their views on resolving adverse effects of the undertaking. Pursuant to 36 CFR § 800.11(e), copies or summaries of any views provided by consulting parties and the public shall be made available to the SHPO as part of the case study outlined in (1).

(3) The FHWA shall immediately notify the Advisory Council on Historic Preservation (Advisory Council), Old Post Office Building, 1100 Pennsylvania Avenue, NW, Suite 809, Washington, D.C. 20004, of the *adverse effect* finding per 36 CFR § 800.6 (a)(1). The notification to the Advisory Council shall include the following documentation as outlined in 36 CFR § 800.11(e).

- A description of the undertaking, specifying the federal involvement and its area of potential effects including: photographs, maps and drawings as necessary.
- A description of the steps taken to identify historic properties.
- A description of the affected historic properties, including information on the characteristics that qualify them for inclusion in the National Register of Historic Places.
- A description of the undertaking's effects on historic properties.
- An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize or mitigate adverse effects.
- Copies or summaries of any views provided by consulting parties and the public.

(4) The FHWA shall invite the Advisory Council to participate in consultation if the undertaking will affect a National Historic Landmark, if a Programmatic Agreement will be developed as a result of the finding of *adverse effect*, or if the Agency wants the Advisory Council to participate in consultation. The Advisory Council will advise of its decision to participate in consultation

Mr. Brian Conway  
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within fifteen (15) days of receipt of this notification or other request. If the Advisory Council chooses not to participate in consultation, the FHWA shall resolve the *adverse effect* without Advisory Council participation and pursuant to 36 CFR § 800.6(b) (1).

(5) The FHWA, the SHPO and, if applicable, the Advisory Council agree the adverse effects will be resolved and shall execute a Memorandum of Agreement (MOA) pursuant to 36 CFR § 800.6(c).

(6) If the FHWA and the SHPO fail to agree on the terms of the MOA, the Agency shall request the Advisory Council to join the consultation. If the Advisory Council decides to join the consultation, the Agency shall proceed in accordance with 36 CFR § 800.6(b) (2). If the Advisory Council decides not to join the consultation, the Advisory Council will notify the Agency and proceed to comment in accordance with 36 CFR § 800.7.

The views of the public are essential to informed decision making in the Section 106 process. FHWA and MDOT have involved the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d).

#### **Memorandum of Agreement**

Please note that the Section 106 process will be concluded according to 36 CFR § 800.6 "Resolution of Adverse Effects". Upon completion of consultations, a Memorandum of Agreement (MOA) will be developed, executed and implemented, and, if applicable, the formal comments of the Advisory Council will be included. The MOA will be included as an attachment to the Final Environmental Impact Statement (FEIS) for this undertaking.

#### **Conclusion and Concurrence**

Finally, we are seeking to secure SHPO concurrence with our determinations of eligibility and effect in this undertaking to be included in the Draft Environmental Impact Statement (DEIS) for the Detroit River International Crossing (DRIC). If the SHPO agrees with our findings, we request such concurrence be evidenced by executing the signature block provided below and then returned for our records and appropriate distribution. Also, since the cultural resource reports detailing the aforementioned resources forms the basis of our recommendations which have been reviewed by your office (submitted October 31, 2007), we request expedited handling of this letter which is intended to reflect our mutual understanding and agreement regarding the continuing Section 106 process and cultural resources determinations considered within this undertaking.

Mr. Brian Conway  
Page 10  
December 3, 2007

The State Historic Preservation Office is not the office of record for this undertaking. We, therefore, will maintain a copy of this letter with our environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, we will notify your office immediately.

If you have any questions, please contact David L. Ruggles, Ph.D. at (517) 335-2637 or by email at [rugglesd@michigan.gov](mailto:rugglesd@michigan.gov) or Lloyd Baldwin at (517) 241-2702 or by email [baldwinLl@Michigan.gov](mailto:baldwinLl@Michigan.gov). Thank you for your continued support and consultations on this important project.

Sincerely,



David L. Ruggles, Ph.D.  
Acting Supervisor, Environmental Clearance  
Coordination & Cultural Resources Unit

Concurrence: \_\_\_\_\_  
Brian D. Conway  
State Historic Preservation Officer

cc: D. Williams, FHWA  
M. Barondess; M. Alghurabi; G. Ayers, MDOT



JENNIFER GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES  
LANSING

DR. WILLIAM ANDERSON  
DIRECTOR

December 11, 2007

LLOYD BALDWIN  
DEPT OF TRANSPORTATION  
425 W OTTAWA STREET  
PO BOX 30050  
LANSING MI 48909

RE: ER05-536 Above-Ground Resources Survey, Detroit River International Crossing (DRIC)  
Project, Wayne County (FHWA)

Dear Mr. Baldwin:

We have received the Above-Ground Resources Survey for the Detroit River International Crossing (DRIC) Project. We concur with MDOT's determinations that the following properties do not appear to meet the national register criteria:

Lockemans Hardware & Boats, 7630 W. Jefferson  
Detroit Edison Delray Powerhouse No. 3, 6603 W. Jefferson  
Detroit Edison McKinistry Substation, 738 S. McKinistry  
Lafayette Lodge No. 177, 840 N. Dragoon  
Bland House & Garage, 1011-17 N. Morrell  
Scotten House, 831 N. Waterman

We concur with the report's recommendations that the following properties within the study area appear to meet the criteria for listing in the National Register of Historic Places. While concurring with the recommendations for these properties, in some cases we have additional comments.

Detroit Union Produce Terminal, 7210 W. Fort St. - The report does not answer the question posed during the site visit about the relationship between the terminal and the adjacent State Liquor Commission, which shares a similar façade design and one of the terminal's sidings. We continue to question whether this building was constructed at the same time as the produce terminal and whether its location directly adjacent to it indicates some direct association between the two. If there was/is a direct association, the building should be considered part of the eligible produce terminal complex.

Michigan Bell Telephone Vinewood Dial Office Building, 7420 W. Fort  
Fort Street/Green Street Detroit Police Station, 7140 W. Fort  
Findlater Masonic Temple Building, 6705 W. Lafayette Blvd.

Southwestern High School, 6921 W. Fort. - The entire property associated with the school should be included unless the rest of the grounds were added to the property much later, they no longer function as they did historically, or they are now dominated by modern non-contributing features.

Olivet Presbyterian Church, 6908 W. Fort  
Detroit Savings Bank Delray Branch Building, 5705 W. Fort  
Berwalt Manor, 760 Campbell St.  
Roberts Brass Manufacturing Company Building, 5436 W. Fort  
Military Avenue Evangelical Presbyterian Church, 6051 W. Lafayette  
Kovacs Bar, 6982 W. Jefferson Ave.

Motz's Burgers, 7208 W. Fort

West Lafayette Boulevard Rowhouse District, W. Lafayette/Military - The argument seems to be that the complex is eligible under criterion C, not A.

Detroit Copper and Brass Rolling Mills Complex, 174 S. Clark St.

Mistersky Power Station Complex, 5425 W. Jefferson - The report makes a clear-cut case for eligibility

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(517) 373-1830  
[www.michigan.gov/hal](http://www.michigan.gov/hal)

under criterion A. The rationale for it being eligible under criterion C for its “intact vernacular architectural design” seems inappropriate in that the exterior design doesn’t really appear to be “vernacular” at all. This large industrial building seems to us potentially more significant for its engineering than its architecture. The architectural description and evaluation don’t discuss the main structure’s structural engineering or the engineering related to the function itself; thus it is impossible to formulate an opinion in relation to criterion C.

Detroit Fire Department Engine House No. 29, 7600 W. Jefferson

Detroit Harbor Terminal Building, 4468 W. Jefferson. The significance evaluation should note that this building is likely the largest of the many large public storage buildings in Detroit and Michigan, many of which were built during the period of the 1910s and 20s. The discussion should indicate who owned the building when it was built, who designed it, and whether the framing is of reinforced concrete or standard steel beam design or what.

Holy Cross Hungarian Roman Catholic Church Complex, 8423 South St.

Szent Janos Gor Gath. Magyar Templom, 441 S. Harbaugh St.

St. John Cantius Catholic Church Complex, 844 S. Harbaugh

Delray Community Historic District, South, Dill, Vanderbilt, Thaddeus, Yale, and Westend

Delray Commercial Historic District, W. Jefferson near Cary and Westend

The report evaluates the St. Paul African Methodist Episcopal Church, 579 S. Rademacher, as national register eligible but provides almost no history and little explanation of how it meets the national register criteria. We question whether it stands out historically in some way from other AME churches in Detroit – for example, whether it is one of few AME church buildings of that age in the city or whether any specific important people or events related to Civil Rights or other important aspects of Detroit’s African American history are associated with it. With the information currently available, we don’t find sufficient grounds for evaluating the building eligible for the national register.

MDOT has not yet provided this office with information on the proposed build alternatives for this project. Based on the information about effects of above-ground historic resources provided in David Ruggles’ letter dated December 3, 2007, we concur with MDOT’s determinations of effect under various alternatives on above-ground historic resources in Tiers 1 and 2 as listed in the December 3 Ruggles’ letter, except for St. Paul AME Church, 585 S. Rademacher St. As noted above, we find no compelling information to suggest that this property meets the national register criteria.

With respect to the archaeological component of the project, we have reviewed the final report entitled *Archaeological Phase I and II Investigations, the Detroit River International Crossing Study*. Our comments on the draft report have been addressed in the final, and we find the report acceptable. As noted in our comment letter dated August 17, 2007, we agree with the recommendations put forward in the report. In particular, we agree that the three features identified (20WN1132, 20WN1133, and 20WN1134) are eligible, and in the event of property acquisition, they should be subjected to Phase III data recovery.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,



Brian D. Conway  
State Historic Preservation Officer

BDC:DLA:ROC:bgg



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
**DEPARTMENT OF TRANSPORTATION**  
LANSING

KIRK T. STEUDLE  
DIRECTOR

February 13, 2008

Mr. Brian Conway, State Historic Preservation Officer  
State Historic Preservation Office  
Constitution Hall  
702 W. Kalamazoo Street  
Lansing, Michigan 48909-8240

Dear Mr. Conway:

ER 05-536 Cultural Resource Survey  
Clarifications to Determination of Eligibility and Effects Letter  
Detroit River International Crossing Project (DRIC), Detroit, Wayne County (FHWA)

The purpose of this letter is to clarify several points made in the Michigan Department of Transportation's (MDOT's) correspondence of December 3, 2007, to which your office responded in a letter dated December 11, 2007.

The December 3 letter indicates the proposed project would clip an existing athletic field located behind Southwestern High School. This statement is incorrect. The proposed plaza footprint will not require the use of any land associated with the high school. It is also noted that the school grounds have been redefined more than once since the school was constructed, including accommodating a building expansion and parking lot(s), and modernization of outdoor athletic facilities. The proposed project will not use any property associated with the resource and will not alter any historically significant features nor negatively impact access or function of the school and will therefore pose *no adverse effect*.

MDOT's letter also discussed potential impacts to the Beard School. We reasoned that minor right-of-way acquisitions under Alternatives 1, 2, 7, 9 and 16 (.2 acres) and Alternative 5 (.1 acre) would pose no adverse effect under Section 4(f). On closer reflection, these acquisitions would pose, albeit minor, *adverse effects* under Section 4(f).

The bi-national team is continuing analysis of Crossing X-11, Crossing X-10A, and Crossing X-10B. Both the cable-stayed and suspension bridges are under consideration by the bi-national team at Crossing X-10B and X-11. There is no preferred bridge type at these locations. At Crossing X-10A, only a suspension bridge is feasible due to the length of the crossing (4,260 feet). Cable-stayed bridges only have a practical upper span limit of about 3,280 feet. MDOT continues to maintain that all of the crossing alternatives would pose *no adverse effect* under

Mr. Brian Conway  
February 13, 2008  
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Section 4(f). Proximity to Historic Fort Wayne would be closer under Crossing X-11. Both the upstream (X-11) and downstream (X-10A and X-10B) will increase visibility of Historic Fort Wayne, which was noted as a beneficial impact in our December 3, 2007, letter.

Our cultural resource consultant, CCRG, is following up on the additional questions and comments included in your December 11 letter and will be addressing these comments.

With regard to the question about the warehouse adjacent to the Detroit Union Produce Terminal, CCRG indicates that despite architectural similarity, the former Michigan Liquor Control Commission warehouse has never been directly associated with the produce facility. Regardless, neither property will encounter project related impacts.

The James McMillan School, located within Tier 3, has suffered multiple fires in early 2008. The roof and second story floor collapsed shortly after the start of the new year and in recent weeks the upper floor walls have begun to collapse. MDOT considers the resource to be a total loss and recommends removal from the inventory of NRHP eligible properties. I will report back to you on the additional information that was requested.

I have enclosed some materials to assist your review of the crossing alternative locations and bridge types under consideration. Please contact me at (517) 241-2702 or by e-mail at [baldwinll@michigan.gov](mailto:baldwinll@michigan.gov) if you have any questions.

Sincerely,



Lloyd E. Baldwin, Historian  
Project Planning Division  
Environmental Section

Enclosures

cc: M. Alghurabi, MDOT  
M. Barondess, MDOT  
G. Ayers, MDOT  
D. Williams, FHWA  
J. Corradino, Corradino Group  
D. Weir, CCRG

**DRAFT**  
**MEMORANDUM OF AGREEMENT**  
**BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION**  
**AND THE MICHIGAN STATE HISTORIC PRESERVATION OFFICER**  
**SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**  
**PURSUANT TO 36 CFR PART 800.6(b)(1)**  
**REGARDING THE DETROIT RIVER INTERNATIONAL CROSSING**  
**IN DETROIT, WAYNE COUNTY, MICHIGAN**

**WHEREAS**, the Federal Highway Administration (FHWA) of the U.S. Department of Transportation has determined that construction of the Detroit River International Crossing (DRIC) in Wayne County, Michigan will have an adverse effect upon the following historic resource(s), which has/have been listed, declared eligible or which appear to meet the criteria for listing in the National Register of Historic Places (NRHP):

- Specific sites/resources to be determined based on the preferred alternative.

**WHEREAS**, the FHWA has consulted with the Michigan State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) (the Act); and

**WHEREAS**, the Michigan Department of Transportation (MDOT) participated in the consultation and has been invited to concur in this Memorandum of Agreement (MOA),

**WHEREAS**, the consulting parties agree that Indian Tribes that may attach religious or cultural importance to the affected properties have been consulted and have raised no objection to the work proposed; and

**WHEREAS**, to the best of our knowledge and belief, no human remains, associated or un-associated funerary objects or sacred objects, or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001), are expected to be encountered in the archaeological work;

**NOW, THEREFORE**, the FHWA and the SHPO agree that the construction of the DRIC in Wayne County shall be implemented in accordance with the following stipulations in order to take into account the effect of the project on historic properties.

**STIPULATIONS**

The FHWA will ensure that the following measures are carried out:

## I. DOCUMENTATION

Prior to the start of construction activities, MDOT will record the (the agreed upon affected properties) to create a permanent record of their history and current conditions at the time the project commences. MDOT will provide documentation to appropriate local repositories designated by the SHPO.

## II. ABOVEGROUND HISTORIC RESOURCES

Additional information and consultation will be required to determine appropriate steps to avoid, minimize, and/or mitigate adverse impacts, where applicable, to those historic aboveground resources determined to be listed, eligible for listing, and/or potentially eligible for listing on the NRHP within the Area of Potential Effect (APE).

## III. ARCHAEOLOGICAL RESOURCES

- A. The FHWA and SHPO agree that sites 20WN1132 and 20WN1133 are important for the information that they may yield, and not for preservation in place.
- B. MDOT shall develop an appropriate data recovery mitigation strategy for sites 20WN1132 and 20WN1133 which are impacted by the new Detroit River International Crossing and customs plaza.
  1. The data recovery plan, which shall be approved by the Michigan SHPO before it is implemented, shall be consistent with the *Secretary of the Interior's Standards and Guidelines for Archaeological Documentation* (48 FR 44734-37) and take into account the Council's policy statement, *Treatment of Burial Sites, Human Remains and Funerary Objects* (adopted February 23, 2007), as well as any applicable guidelines prepared by the Michigan SHPO.
  2. At a minimum, the plan shall specify the research questions to be addressed through data recovery and the methods to be used, with an explanation of their relevance and importance; methods of data analysis, management and dissemination; the disposition of recovered archaeological data; a procedure for the treatment of human remains, if encountered; and procedures for consultation with consulting parties, including Indian tribes (as applicable).

3. The FHWA shall ensure that all archaeological testing and data recovery carried out pursuant to this MOA is completed by or under the direct supervision of a person or persons meeting at a minimum the “Secretary of the Interior’s Professional Qualification Standards” (48 FR 44738-39).
4. The FHWA shall ensure that all materials and records resulting from the archaeological testing conducted pursuant to this MOA will be curated in accordance with 36 CFR Part 79.

#### **IV. LANDSCAPING AND SITE CONSIDERATIONS**

MDOT shall ensure that the frontages of [locations to be identified] are landscaped in accordance with a landscape plan designed in consultation with and approved by the SHPO and the affected property owners. MDOT will retain an historian meeting the Secretary of the Interior’s Professional Qualifications Standards (48 FR 44738-9) and trained in historic landscape analysis and design to assist in plan development.

#### **V. FORT WAYNE**

Discussion is ongoing among the U.S. Department of Interior, the City of Detroit, FHWA, MDOT and the State Historic Preservation Office to address funding for Fort Wayne.

#### **VI. AMENDMENT**

Any party to this MOA may propose to the other parties that it be amended, whereupon the parties will consult in accordance with 36 CFR 800.6(c)(7) to consider such an amendment.

## VII. DISPUTE RESOLUTION

Should the SHPO or MDOT object within 30 (thirty) days to any actions proposed pursuant to this MOA, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (Council). Within 45 (forty-five) days after receipt of all pertinent documentation, the Council will either:

- Provide the FHWA with recommendations, which the FHWA will take into account in reaching a final decision regarding the dispute; or
- Notify the FHWA that it will comment pursuant to 36 CFR 800.7(c) and proceed to comment. Any Council comment provided in response to such a request will be taken into account by FHWA in accordance with 36 CFR 800.7(c)(4) with reference to the subject of the dispute.

Execution of this MOA and submission to the Council evidences that FHWA has afforded the Council an opportunity to comment on the improvements to the DRIC and its effects on historic properties.

### FEDERAL HIGHWAY ADMINISTRATION

By: \_\_\_\_\_ Date: \_\_\_\_\_  
James Steele  
FHWA Division Administrator

### MICHIGAN STATE HISTORIC PRESERVATION OFFICER

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Brian Conway

Concur:

### MICHIGAN DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Kirk T. Steudle, PE  
Director

