**FINAL MEETING SUMMARY**

**Section 106 Consultation**

**Lafayette Public Library**

**5:30 PM, January 30, 2017**

**Agenda:** See Attached

**Attendees:** See Attached Sign-in (asterisks indicate community member consulting parties)

Mr. Nickel welcomed the attendees and introduced Mr. Coxe who explained his role as the DOTD Architectural Historian and co-facilitator of the consultation. He then introduced Mr. Chisholm.

Mr. Chisholm asked that everyone identify themselves and indicate their neighborhood or other interest in the cultural resources potentially affected by the Connector.

Following the introductions, Mr. Chisholm began by briefly describing the goals of this meeting and both the purpose and goals of Section 106 of the National Historic Preservation Act (NHPA). Before proceeding with the agenda, he asked if there were questions, but none were forthcoming.

Mr. Chisholm stated that prior to beginning the Section 106 process, the responsible agency, in this case the Federal Highway Administration (FHWA), must identify the consulting parties, which has now taken place. He then explained each of the principal steps within the Section 106 process, which begins with the identification of an Area of Potential Effect (APE) for standing structures and an inventory of the historic properties potentially affected within the APE. He said that a draft of an inventory was completed in 2015 that updates previous inventories and includes districts and properties already listed, or determined to be eligible for listing, on the National Register of Historic Places (NRHP). Mr. Coxe clarified eligibility is determined by FHWA in consultation with DOTD and the State Historic Preservation Officer (SHPO). It was also stated that the 2015 draft inventory will be made available for review on the project website and that the consulting parties are welcome to propose additional properties for consideration as the draft inventory considered properties on architectural criteria, but that association with events or individuals of local, state or national significance also can and should be considered. Local residents are better informed on identifying such properties and their information is needed.

Mr. Chisholm then explained that the second step is to identify the effects of the project on the identified properties and he described the criteria of effect and the third step is to determine measures to avoid, minimize or mitigate any adverse effects that are identified.

An attendee asked about audible and visual effects because she believes that she will be able to see the elevated structure from her second floor. Mr. Coxe explained that the visual effects concerned the viewshed and that that would be considered.

Mr. Bull asked if the Inventory was available for public review. In response, it was announced that the 2015 draft Inventory update will be available on the project website. He then asked if a property without a building could be historic. It was explained that in some cases this is possible, but at this time, our investigations have only been in regard to architecture. We are not currently aware of sites with other potentially eligible attributes.

Mr. Bull then asked why buildings are being demolished within the right-of-way while the investigation is going on. Are there buildings that the survey identifies as potentially eligible or that are on the local list that are being demolished?

Mr. Guercio suggested that in terms of demolitions it would be important to err on the side of caution and consider local historical importance (i.e. Coburn’s building’s contribution to the historical development of Lafayette) as well as architectural importance. He also suggested a short term mitigation plan to take care of buildings that are in the ROW once DOTD purchases them and expressed a preference for keeping them in service until it is time for highway construction so they don’t become in the meantime unproductive eyesores or attractive nuisances or burn down.

Mr. Chisholm replied that the project team would look into these concerns.

Mr. Rees, a ULL archaeologist, asked if archaeological sites were being investigated such as Ile Copale at the Rosen School, Trappey’s, or the Mastodon site. It was explained that the 2002 Memorandum of Agreement (MOA), executed in association with the 2002 EIS for the Connector, calls for archaeological investigations to be implemented prior to activities that could disturb sites within the right-of-way of the Selected Alternative. Further, it was explained that the 2002 MOA calls for the investigations to be initiated once 25% of the additional ROW had been acquired and in 25% increments thereafter. As a Supplemental EIS is being prepared, the 2002 Selected Alternative right-of-way cannot be used as the basis for archaeological investigation because the new Selected Alternative resulting from the Supplemental EIS could have a different right-of-way.

There then were several questions concerning the local registry. Mr. Bull and Dr. Chatelain de Pronville both noted one building that was on the local historic listing but was not identified as eligible for the NRHP in previous evaluation (Corrie Law Firm building). He mentioned that it had burned down

Ms. Hobson-Morris explained that the 106 process only addresses properties that are listed or eligible for listing in the National Register of Historic Places. It is possible that some sites could be on a local register that do not meet these criteria set out by the National Register program.

Mr. Guercio expressed the opinion that decisions had already been made that should be considered in the 106 process. He said that the ongoing demolitions were hurting Downtown and the neighborhoods. He also opined that buildings to be removed from the ROW via corridor preservation should be allowed to remain occupied/in business, or placed into service, until it is time for construction so they might contribute to the local economy and area vibe.

Dr. Chatelain de Pronville asked about properties affected by ETRT. Mr. Chisholm replied that this process only concerns potential effects of the Connector.

Mr. Bull then asked about effects that could result from changes outside the right-of-way. For example, an increase in traffic on Johnston Street in Freetown-Port Rico could adversely affect that neighborhood. Would those effects be considered in the 106 process?

The reply was that current analysis does not project substantial increases of traffic on Johnston Street as a result of the Connector. If the impacts that he foresees were found, they would be considered.

Dr. Chatelain de Pronville asked if the local plan to construct 3 and 4 story buildings along the right-of-way in Sterling Grove is implemented, would the effect of these buildings be considered.

Mr. Chisholm replied that 106 addresses potentially eligible properties that are affected the Federal action, which is the Connector. The plan for these buildings and their construction would be LCG and private actions, not Federal actions. Therefore, the effect of such buildings on adjacent NRHP eligible buildings and districts would not be addressed.

Dr. Chatelain de Pronville opined that mitigation of noise effects was a DOTD responsibility and that if one of the purposes of constructing the buildings was to block I-49 noise, then it should be part of the consideration. Mr. Chisholm replied that we do not yet have noise impacts to mitigate. Ms. Hargrove stated that we have a chance to design mitigation, e.g. trees versus buildings.

Mr. Guercio asked about mitigation that should happen now. He again raised the issue of properties being removed from the market by the advance acquisition program that mostly are being demolished. He wants to know why they cannot be moved, especially if they are potentially eligible. He stated that there are properties currently being acquired that will be demolished.

Ms. Hobson-Morris said that these concerns could be addressed if the buildings are determined eligible for listing in the National Register.

Mr. Mahoney said that the project team would contact DOTD Real Estate and LCG to determine a method to have properties compared to the 2015 Inventory prior to any acquisitions or demolitions and explore the possible amendment of the advance acquisition process to include an option to have the buildings moved.

It was asked if the sites on the local register and those already owned by DOTD, such as the Coburn Building, could be included.

Ms. Hargrove mentioned that the corridor preservation plan included a provision that homes to be removed from ROW could be moved into the historic neighborhood, and Dr. Chatelain de Pronville expressed a desire to maintain the identity of this area of Lafayette.

In response to Ms. Hargrove’s statement regarding moving buildings that are within the ROW to adjacent neighborhoods, as described in the corridor preservation plan, Mr. Mahoney pointed out that this could be done currently for any building, NRHP eligible or not, within the ROW from a private seller to private buyer without any Section 106 consideration, provided that the private buyer follows the local codes and regulations.  Of course, should DOTD purchase a NRHP eligible property and house with the intent to move it, this would fall into a Section 106 consideration and should be part of the present consultation’s mitigation.  Buildings not considered eligible for the NRHP also would not require any Section 106 involvement.

Mr. Chisholm then concluded the agenda by asking if there were suggestions for agenda items at future consultations. After discussion, consensus was reached that the next meeting would have 2 principal items:

* A report on the status of the changes in the advance acquisition program suggested by Mr. Mahoney, and
* Input from the consulting parties regarding any properties that they believe would meet NRHP eligibility criteria for reasons other than architecture.

Consensus also was reached that future meetings would address specific neighborhoods or potential impacts. Although all consulting parties will be invited to participate in all meetings, it was agreed that more progress would be made if the subject of each meeting focused on a single potential effect.

As the meeting extended beyond its scheduled finish time, meeting was adjourned.



















