

Cultural Resources

(Combined Archaeological/Architectural/Historical Assessment)



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

December 16, 2002

Ms. Martha Carver
Environmental Planning
TDOT, 9th. Floor Polk Bldg
Nashville, Tennessee, 37219

RE: FHWA, ARCHITECTURAL/ARCHAEOLOGICAL SURVEY REPORT, I-24/US-72/US-64 INTERCHANGE IMP., KIMBALL, MARION COUNTY

Dear Ms. Carver:

In response to your request, received on Thursday, December 12, 2002, we have reviewed the documents you submitted regarding your proposed undertaking. Our review of and comment on your proposed undertaking are among the requirements of Section 106 of the National Historic Preservation Act. This Act requires federal agencies or applicant for federal assistance to consult with the appropriate State Historic Preservation Office before they carry out their proposed undertakings. The Advisory Council on Historic Preservation has codified procedures for carrying out Section 106 review in 36 CFR 800. You may wish to familiarize yourself with these procedures (Federal Register, December 12, 2000, pages 77698-77739) if you are unsure about the Section 106 process. You may also find additional information concerning the Section 106 process and the Tennessee SHPO's documentation requirements at www.state.tn.us/environment/hist/sect106.htm.

Considering the information provided, we find that the area of potential effect for this undertaking contains no cultural resources eligible for listing in the National Register of Historic Places. You should notify interested persons and make the documentation associated with this finding available to the public.

All borrow areas outside proposed rights-of-way will require separate certification as specified under Section 107.06-Federal Aid Provisions. If your agency proposes any modifications in current project plans or discovers any archaeological remains during the ground disturbance or construction phase, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act.

This office appreciates your cooperation.

Sincerely,

Herbert L. Harper
Executive Director and
Deputy State Historic
Preservation Officer

HLH/jyg

Cultural Report

(Combined Archaeological/Architectural/Historical Assessment)



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PLANNING AND PERMITS DIVISION**
SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334
(615) 741-3653
E-mail:Martha.Carver@state.tn.us
www.state.tn.us/transport

J. BRUCE SALTSMAN, SR
COMMISSIONER

DON SUNDQUIST
GOVERNOR

December 12, 2002

Mr. Herbert Harper
Deputy State Historic Preservation Officer
Tennessee Historical Commission
Clover Bottom Mansion
2941 Lebanon Road
Nashville, TN 37214

SUBJECT: Cultural Resource, Combined Architecture and Archaeological
Assessment for Proposed Improvements to I-24 at U.S. 72/U.S. 64
Interchange in Kimball, Marion County

Dear Mr. Harper:

Enclosed is a combined architectural and archaeological assessment for the
above referenced project. It is the opinion of TDOT that the proposed project
would have no effect on any National Register listed or eligible property. On
behalf of the Federal Highway Administration, we request your review of this
report pursuant to regulations contained within 36 CFR 800.

We look forward to your comments. Thank you for your help in this matter.

Sincerely,

A handwritten signature in black ink that reads "Martha Carver".

Martha Carver
Historic Preservation Supervisor

Enclosure

cc: Mr. Paul Lane



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PLANNING AND PERMITS DIVISION
SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334
(615) 741-3653

December 12, 2002

SUBJECT: Cultural Resources, Combined Architecture and Archaeological Assessment for Proposed Improvements to I-24 at U.S. 72/U.S. 64 Interchange in Kimball, Marion County

To Whom it May Concern:

The Tennessee Department of Transportation (TDOT) in cooperation with the Federal Highway Administration is proposing to improve Interstate 24 interchange at U.S. 72 in Kimball.

Pursuant to regulations set forth in "36 CFR 800: Protection of Historic Properties" historic preservation specialists from TDOT surveyed the general project area in an attempt to identify National Register-included or eligible properties which could be impacted by the proposed project. Historians from TDOT did not inventory any National Register eligible or listed properties that they believe the proposed project could impact.

The enclosed report discusses TDOT's survey findings. You are receiving this report because you have been identified by TDOT as a Marion County party or individual with historic preservation interests. The Advisory Council on Historic Preservation Regulations specify that members of the public with interests in an undertaking and its effects on historic properties should be given reasonable opportunity to have an active role in the Section 106 process. As such, TDOT would like to give you the opportunity to participate in that process. If you feel that commenting on such projects is outside the interests of your organization, please notify me and I will remove your name from our list.

If you have any comments on historic issues related to this project, please write me. Federal regulations provide that you have thirty days to respond from the receipt of this letter.

Sincerely,

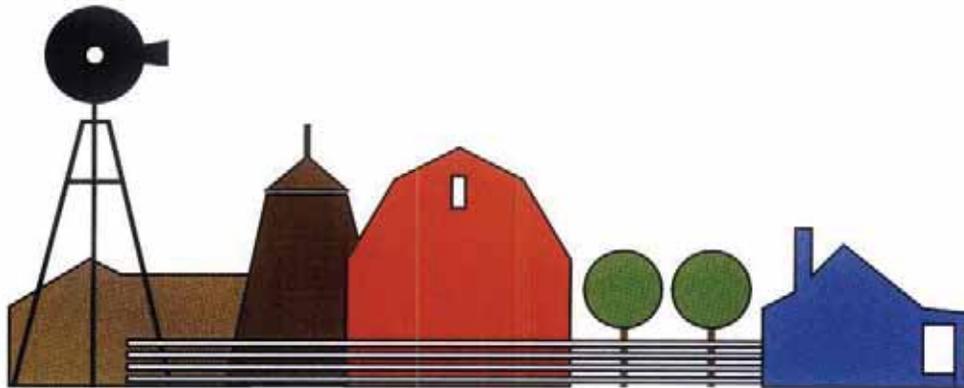
Tammy Allison, Historic Preservation Specialist

Enclosure

cc: Mr. Herbert Harper, TN-SHPO

TENNESSEE DEPARTMENT OF TRANSPORTATION HISTORICAL/ARCHITECTURAL ASSESSMENT

Cultural Resource, Combined Architecture and
Archaeological Assessment for Proposed Improvements
to I-24 at U.S. 72/U.S. 64 Interchange in Kimball
Marion County



December 2002

Tammy Allison and Gerald Kline
Environmental Planning and Permitting Division
Suite 900 James K. Polk Building
505 Deaderick Street
Nashville, TN 37219
615-741-3653
fax: 615-741-1098

Cultural Resource, Combined Architecture and
Archaeological Assessment for Proposed Improvements
to I-24 at U.S. 72/U.S. 64 Interchange in Kimball
Marion County

PROPOSED UNDERTAKING

LIT/RECORDS SEARCH:	24 May 2002, Tammy Allison
FIELD STUDY:	22 October 2002, Martha Carver
U.S.G.S. QUAD:	South Pittsburg, 100-SW
COUNTY:	Marion (Location Map, Figure One)

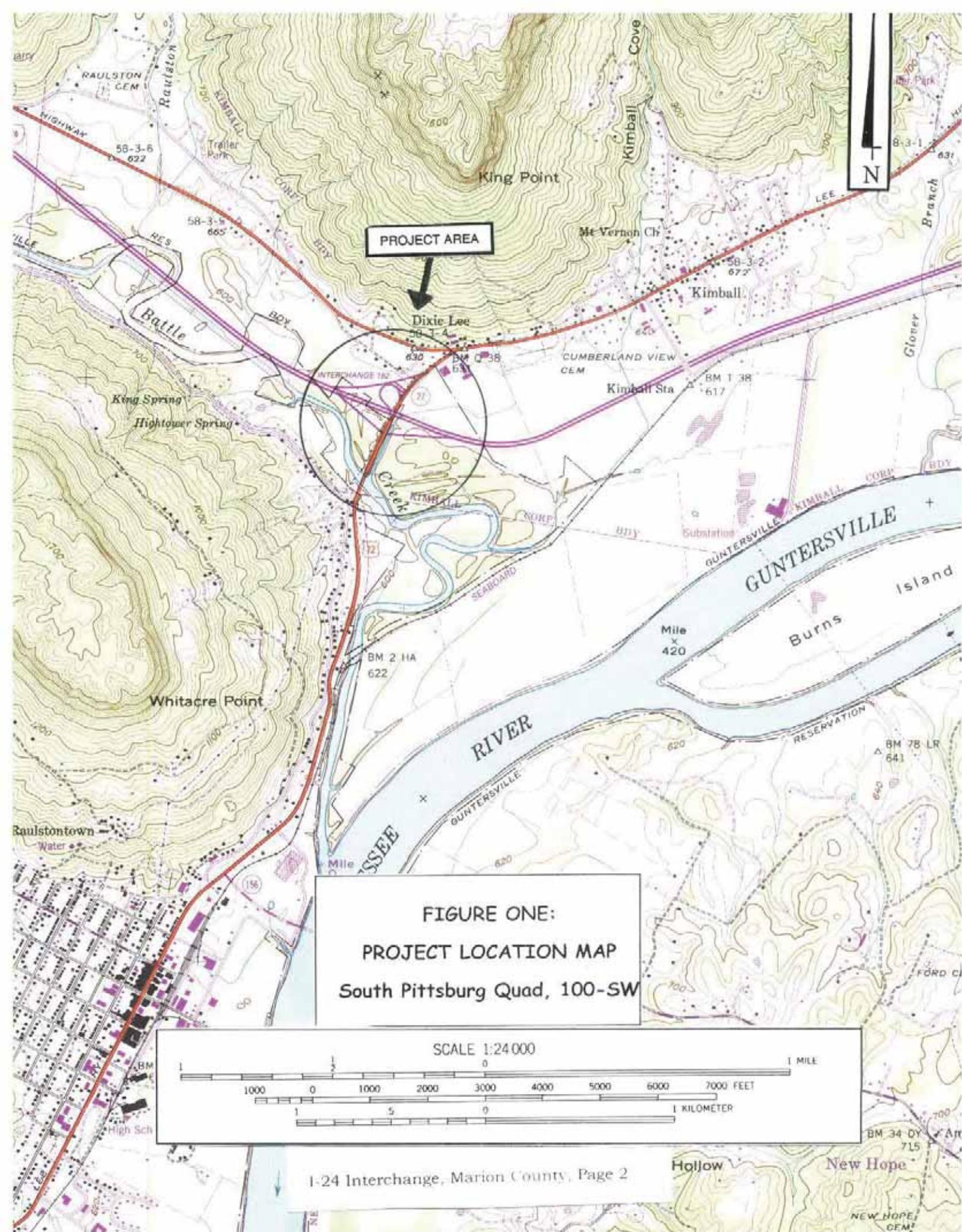
PROJECT DESCRIPTION

See Appendix A for project description.

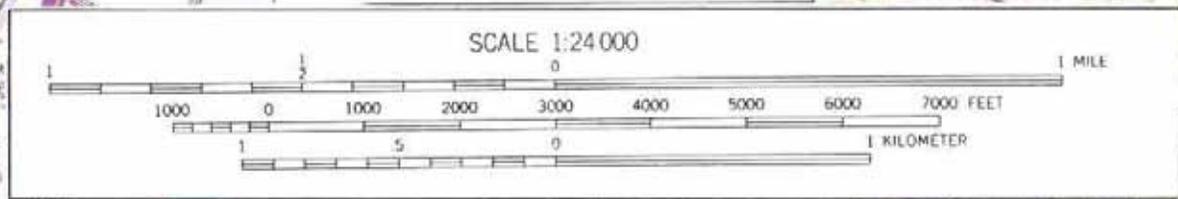
SURVEY RESULTS

In compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (for more information, see Attachment One or www.achp.gov), cultural resource staff surveyed the area of potential environmental impact for this project in compliance with 36 CFR 800 regulations. The purpose of this survey was to identify any resources either included in or potentially eligible for inclusion in the National Register of Historic Places (eligibility criteria are set forth in 36 CFR 60.4, see Attachment One). The area surveyed included land needed for additional right-of-way as well as areas that might possibly be affected by changes in air quality, noise levels, setting, and land use (see Attachment One for the criteria of adverse effect). The U.S. DOT Act of 1966 requires the assessment of the applicability of Section 4(f)

(see Attachment One).



**FIGURE ONE:
PROJECT LOCATION MAP
South Pittsburg Quad, 100-SW**



Hollow
New Hope
NEW HOPE CEM

TDOT checked the survey records of the Tennessee State Historic Preservation Office (TN-SHPO) to determine if any previous architectural surveys had identified any historic properties in the area (Figure 2 contains a copy of the TN-SHPO survey map).

No properties in the project area of potential effect are currently included in the National Register nor have any been determined to be eligible for inclusion. The field survey mentioned above did not identify any previously unrecorded properties which TDOT staff feel meet the eligibility criteria for inclusion to the National Register.

It is the opinion of TDOT that the project, as presently designed, will have no effect on any cultural resources included in or eligible for inclusion in the National Register of Historic Places and that there will be no Section 4(f) use of a historic property.

If fill material for this project must be obtained from outside the proposed right-of-way, it will be acquired in accordance with Special Provision 100, Federal Aid Provisions.

PUBLIC INVOLVEMENT

On 23 May 2002, TDOT wrote to the two local government officials, Marion County Executive, Howell Moss, and Mayor of Kimball, Jere Davis and asked them for information about the project and asked if they wished to be a consulting party in the Section 106 review process. To date, TDOT has not received a response. Attachment Two contains copies of relevant correspondence.

On 23 May 2002, TDOT wrote to nine Native American tribes or representatives asking each for information regarding the project and if he would like to participate in the Section 106 review process as a consulting party. In a letter dated 06 June 2002, Olin Williams of the Choctaw Nation of Oklahoma responded that they wished to be contacted if archaeological or building materials are exposed. Attachment Two contains copies of relevant correspondence.

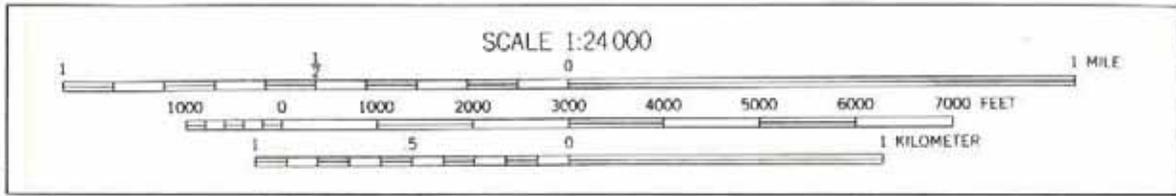
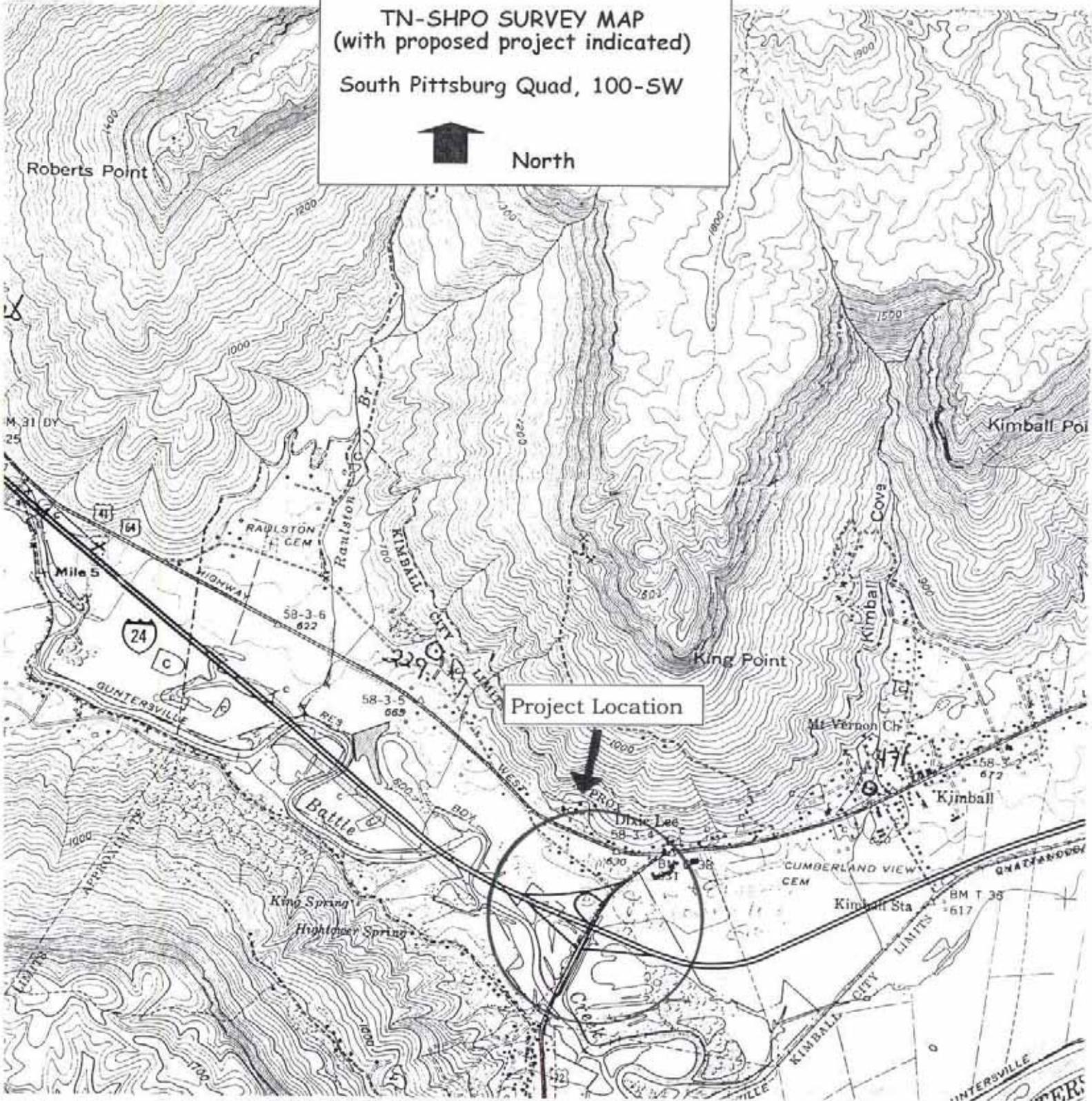


FIGURE TWO
TN-SHPO SURVEY MAP
(with proposed project indicated)
South Pittsburg Quad, 100-SW

↑
North



Mr. James Bird
Tribal Historic
Preservation
Eastern Band of
Cherokee Indians
Qualla Boundary
P.O. Box 455
Cherokee, NC 28719

Mr. Richard Allen
Research & Policy
Analyst
Cherokee Nation of
Oklahoma
P.O. Box 948
Tahlequah, OK 74464

Ms. Rena Duncan
Cultural Resources
Director
Chickasaw Nation
P.O. Box 1548
Ada, OK 74821

Mr. Gregory E. Pyle, Chief
Choctaw Nation of
Oklahoma
P.O. Drawer 1210
Durant, OK 74702

Mr. Tim Thompson
Cultural Research
Specialist
Muscogee (Creek) Nation
P.O. Box 580
Okmulgee, OK 74447

Mr. Emman Spain
Historic Preservation
Specialist
Seminole Nation of
Oklahoma
P.O. Box 1498
Wewoka, OK 74884

Mr. Archie Mouse, Chief
United Keetoowah Band of
Cherokee
P.O. Box 746
Tahlequah, OK 74465

Mr. Charles D. Enyart,
Chief
Eastern Shawnee Tribe of
Oklahoma
P.O. Box 350
Seneca, MO 64865

Ms. Carrie Wilson
Quapaw Tribe of
Oklahoma
P.O. Box 765
Quapaw, OK 74363

TDOT has prepared a list by counties of historic groups, county historians, and other such individuals or organizations that might be interested in proposed projects. TDOT regularly updates and refines the list. TDOT will mail a copy of this report to the following groups and individuals. Attachment Two contains copies of relevant correspondence.

Pat Beene
Marion County Historian
618 Holly Avenue
South Pittsburg, TN 37380

Jere N. Davis, Mayor
City of Kimball
675 Main Street
Kimball, TN 37347

Ms. Annie McDonald
Historic Preservation Planner
Southeast TN Development District
P.O. Box 4757
Chattanooga, TN 37405-0507

Mr. Howell Moss
Marion County Executive
P.O. Box 789
Jasper, TN 37347-0789

Appendix A

Project Description

Proposed improvements to I-24 include raising the grade to increase the vertical clearance above U.S. 72 by 1.60 feet to 16.50 feet. Using previous plans for this interchange, it appears possible to make this grade change by decreasing the length of a vertical curve on I-24. According to these same plans, lowering the grade on U.S. 72 to increase the vertical clearance is not possible because U.S. 72's grade is only 2 feet above a flood plain. The existing plans referenced are I-24-2 (14) 151 and I-24-2 (33) 148.

The two existing I-24 bridges over U.S. 72 should be replaced with a single bridge. This bridge will have a 60-foot median with barrier. This single bridge will allow for future lane additions in the I-24 median. Any decrease in bridge beam depth in relation to the existing bridge will decrease the grade revision necessary on I-24. Therefore, the costs of a shallower, presumably more expensive, beam design should be considered versus the cost savings associated with a reduced grade revision.

On I-24, three of the four existing ramp terminals' acceleration/deceleration lengths also need to be increased. The lone exception is the exit ramp from I-24 Eastbound to U.S. 72. It meets current AASHTO standards. All of these improved ramp terminals with I-24 should be constructed with a parallel type design for uniformity. Although these increased lengths will in some instances slightly improve the levels of service predicted for the ramp terminals, the primary goal of increasing their length is to meet current AASHTO standards, which will make them safer and more comfortable for drivers.

A major improvement proposed is the addition of a new directional ramp from I-24 Westbound to U.S. 72 Northbound in the northeast quadrant of this interchange. The existing loop ramp that currently carries traffic from I-24 Westbound to U.S. 72 Northbound and Southbound will then only carry vehicles to U.S. 72 Southbound. This will reduce the volumes carried on this existing loop ramp, which will improve its performance. The new ramp will convert the heavy left turn from I-24 to U.S. 72 northbound into a right turn. Signing for this proposed ramp on I-24 will not be difficult due to the adjacent interchange being three miles to the east. This proposed ramp can have an optimal horizontal and vertical geometric design because of flat topography in the northeast quadrant of this interchange. The geometric design can also be optimized because more than adequate right-of-way is available. Adding this proposed ramp will also eliminate the occurrence of an "on-ramp" terminal being located adjacent to an "off-ramp" terminal at U.S. 72. This will reduce the risk of a head-on collision by a driver inadvertently entering the "off-ramp" from I-24 westbound. The proposed ramp should be a minimum of 16 feet wide and meet all AASHTO and TDOT design standards. The terminal of this proposed ramp at U.S. 72 should be at least 300 feet from the proposed right-of-way fence to the north.

Several improvements are proposed on U.S. 72. In the southbound direction, U.S. 72 currently maintains only one continuous lane through this interchange. This will create route continuity and should increase functionality. It is proposed to lengthen the left turn lane from U.S. 72 Southbound to I-24 Eastbound to meet TDOT's design guideline deceleration length standards. The same is proposed for the U.S. 72 Northbound to I-24 Westbound turn lane. This will cause these lanes to be extended under the proposed I-24 Bridge. It is also recommended to add a right turn lane for U.S.

72 Northbound to the ramp for I-24 Eastbound. This right turn lane will enable vehicles to decelerate from U.S. 72 to this ramp, which will decrease the risk of rear-end collisions and increase the functionality of the interchange of U.S. 72 with the I-24 Eastbound Ramps. Creating a suitable deceleration lane is especially beneficial at this location because drivers will be arriving from a high speed, access controlled section of U.S. 72 to this intersection.

Some improvements are also recommended for a few of the existing ramp terminals at U.S. 72. It is recommended to add a left turn lane to the I-24 Eastbound to U.S. 72 ramp. The proposed left turn lane should have at least 150 feet of storage. The existing loop ramp from I-24 Westbound to U.S. 72 Southbound is shown modified at the U.S. 72 terminal. At the office review held for this study, it was requested to add an auxiliary lane on U.S. 72 under the I-24 Bridge for this loop ramp. This acceleration lane length and design does not meet AASHTO design standards, however, and needs to be signed as a "Yield" condition. It may be desired to design the I-24 Bridge to accommodate this auxiliary lane, but not build the lane. This loop ramp could then be modified at its terminal with U.S. 72 to have a standard yield condition large radius right turn with no auxiliary lane. This is because vehicles may accelerate into the downstream intersection with an auxiliary lane, creating a safety hazard. The engineer in charge of designing this interchange should address these concerns.

The intersection between U.S. 72 and the I-24 Westbound lanes is currently signalized. This intersection should remain signalized with the proposed geometric improvements described previously. Signalization, in conjunction with these proposed improvements at this intersection, will increase the levels of service predicted.

It is proposed to signalize the intersection between U.S. 72 and the I-24 Eastbound Ramps. This intersection is currently stop-controlled and performing poorly. The vehicular volumes are predicted to increase at this location, which will cause a decrease in the levels of Service (LOS) in the future without signalization. As discussed previously, it is proposed to add a right turn lane on U.S. 72 Northbound for the ramp to I-24 Eastbound, and a left turn lane on the ramp from I-24 Eastbound. These geometric improvements, along with signalization, will create excellent LOS through the year 2027. Adequate sight distance for the signal heads must be ensured for drivers heading southbound on U.S. 72 under the I-24 Bridge. This should not be an issue, assuming 16.5 feet of clearance is created under the proposed I-24 bridge, and the signal heads are hung at a standard height. This sight distance should still be ensured in design, however. Signal Warrants were not calculated at this location. Considering the intersection at U.S. 72 and I-24 Westbound Ramps is currently signalized, and the comparable volumes between that intersection and this one, proving the warrants are met should not be an issue.

The recommended proposed improvements at this interchange will greatly increase the levels of service (LOS) along U.S. 72 in this location. Through the year 2027 no less than a "B" is anticipated. The LOS along the I-24 mainline sections are not addressed in this report. According to the traffic data, a third lane needs to be added to I-24 in each direction to improve these LOS. This widening would logically traverse from Chattanooga to this interchange. Such a recommendation is out of the scope of this report.

However, it is recommended replacing the two existing I-24 Bridges with a single bridge which will accommodate such lane additions in the future. Moderate increases are anticipated in the LOS at some of the existing ramp terminals with I-24 due to their acceleration/deceleration lengths being extended. The loop ramp from I-24 Westbound to U.S. 72 Southbound will perform better functionally with the reduced vehicular volumes anticipated. The volume on this ramp will be reduced because of the addition of the proposed directional ramp from I-24 Westbound to U.S. 72 Northbound. The terminal of this proposed ramp at I-24 will perform as well as the mainline sections directly before and after it. Therefore, this ramp terminal will not adversely affect the LOS along I-24. With future widening of I-24 this ramp terminal's LOS will improve in conjunction with the mainline.

ATTACHMENT ONE

FACT SHEETS

Section 106 Review, National Historic Preservation Act of 1966

Eligibility Criteria of the National Register of Historic Places

National Register of Historic Places, TDOT Summary Sheet

Criteria of Adverse Effects, Codified at 36 CFR 800.5

Section 4 (f), TDOT Act Of 1966, TDOT Summary Sheet

Section 106 Review, National Historic Preservation Act of 1966

Section 106 of the *National Historic Preservation Act* requires that Federal agencies consider what effects their actions and/or actions they may assist, permit, or license, may have on historic properties, and that they give **the Advisory Council on Historic Preservation (Council)** a "reasonable opportunity to comment" on such actions. The Council is an independent Federal agency. Its role in the review of actions under Section 106 is to encourage agencies to consider, and where feasible, adopt measures that will preserve historic properties that would otherwise be damaged or destroyed. The Council's regulations, entitled "Protection of Historic Properties" (36 CFR Part 800) govern the Section 106 process. The Council does not have the authority to require agencies to halt or abandon projects that will affect historic properties.

Section 106 applies to properties that have been listed in the *National Register of Historic Places (NRHP)*, properties that have been determined to be eligible for inclusion in the NRHP, and properties that may be eligible but have not yet been evaluated. If a property has not yet been nominated to the NRHP or determined eligible for inclusion, it is the responsibility of the Federal agency involved to ascertain its eligibility.

The Council's regulations are set forth in a process consisting of four basic steps which are as follows:

1. **Initiate Section 106 Process:** The Federal agency responsible for the action establishes the undertaking, determines whether the undertaking has the potential to affect historic properties (i.e., properties listed in or eligible for listing in the National Register of Historic Places), and identifies the appropriate State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO). At this time, the agency plans to involve the public and identify other consulting parties.
2. **Identify Historic Properties:** If the agency's undertaking has the potential to affect historic properties, the agency determines the scope of appropriate identification efforts and proceeds to identify historic properties within the area of potential effects. Identification involves assessing the adequacy of existing survey data, inventories, and other information on the area's historic properties. This process may also include conducting further studies as necessary and consulting with the SHPO/THPO, consulting parties, local governments, and other interested parties. If properties are discovered that may be eligible for the National Register, but have not been listed or determined eligible for listing, the agency consults with the SHPO/THPO and, if needed, the Keeper of the National Register to determine the eligibility status of the property.
3. **Assess Adverse Effects:** The agency, in consultation with the SHPO/THPO, assesses the potential effects to historic properties affected by the undertaking. The agency at this time will determine that the action will have "no adverse effect" or an "adverse effect" on historic properties. Consulting parties and interested members of the public are informed of these findings.

The regulations provide specific criteria for determining whether an action will have an effect, and whether that effect will be adverse. Generally, if the action may alter the characteristics that make a property eligible for the National Register, it is recognized that the undertaking will have an effect. If those alterations may be detrimental to the property's characteristics, including relevant qualities of the property's environment or use, the effects are recognized as "adverse."

4. **Resolve Adverse Effects:** The agency consults with the SHPO/THPO and others, including consulting parties and members of the public. The Council may choose to participate in consultation, particularly under circumstances where there are substantial impacts to historic properties, when a case presents important questions about interpretation, or if there is the potential for procedural problems. Consultation usually results in a Memorandum of Agreement (MOA).

If agreement cannot be reached, the agency, SHPO/THPO, or Council may terminate consultation. If the SHPO/THPO terminates consultation, the agency and the Council may conclude the MOA without SHPO/THPO involvement. If the SHPO/THPO terminates consultation and the undertaking is on or affecting historic properties on tribal lands, the Council must provide formal comments. The agency must request Council comments if no agreement can be reached.

ELIGIBILITY CRITERIA OF THE NATIONAL REGISTER OF HISTORIC PLACES AS SET FORTH AT 36 CFR 60.4

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- **CRITERION A.** that are associated with events that have made a significant contribution to the broad patterns of our history (history); or
- **CRITERION B.** that are associated with the lives of persons significant in our past (person); or
- **CRITERION C.** that embody the distinctive characteristic of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that components may lack individual distinction (architecture); or
- **CRITERION D.** that have yielded, or may be likely to yield, information important in prehistory or history (archaeology).

Ordinarily, cemeteries; birthplaces or graves of historical figures; properties owned by religious institutions or used for religious purposes; structures that have been moved from their original locations; reconstructed historic buildings; properties primarily commemorative in nature; and properties that have achieved significance within the past 50 years are not considered eligible for the National Register of Historic Places; however, such properties will qualify if they are integral parts of historic districts that do meet the criteria or if they fall within the following categories:

- **EXCEPTION A.** a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- **EXCEPTION B.** a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- **EXCEPTION C.** a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or
- **EXCEPTION D.** a cemetery which derives its primary significance from graves or persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- **EXCEPTION E.** a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- **EXCEPTION F.** a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- **EXCEPTION G.** a property achieving significance within the past 50 years if it is of exceptional importance.

NATIONAL REGISTER OF HISTORIC PLACES

SUMMARY SHEET PREPARED BY TDOT

What is the National Register of Historic Places? The National Register, maintained by the Keeper of the Register within the National Park Service, Department of the Interior, is the nation's official list of districts, buildings, sites, structures, and objects significant in American history, architecture, archeology, engineering, and culture.

What are the benefits and restrictions of listing? In addition to honorific recognition, listing in the National Register results in the following benefits for historic properties:

- Section 106 provides for consideration of National Register listed or eligible properties in planning for Federal, federally licensed, and federally assisted projects;
- Eligibility for certain tax provisions for the certified rehabilitation of income-producing National Register structures such as commercial, industrial, or rental residential buildings;
- Consideration of historic values in the decision to issue a surface mining permit where coal is located in accordance with the Surface Mining Control Act of 1977; and
- Qualification of Federal grants for historic preservation, when funds are available.

Does National Register designation place any additional burdens or obligations on the property owner? Owners of private property listed in the National Register are free to maintain, manage, or dispose of their property as they choose, provided that no Federal moneys are involved.

How is a property nominated to the National Register? The first step is for the owner to contact the Tennessee State Historic Preservation Office (TN-SHPO), Clover Bottom Mansion, 2941 Lebanon Road, Nashville, TN 37243-0442; 615-532-1558. Ordinarily, private individuals (or paid consultants) prepare nomination forms. The TN-SHPO submits these nominations to a State Review Board, which meets three times a year. This body reviews the nominations and votes to recommend or deny National Register listing. If approved, the TN-SHPO submits the nomination to the Keeper of the Register in Washington, D.C. for consideration for listing. The Keeper's Office has 45 days to review the nomination, and its decision regarding National Register listing is final.

How long does the nomination process take? The process varies but typically takes between eight and twelve months.

CRITERIA OF ADVERSE EFFECT

Regulations codified at 36 CFR 800 require Federal agencies to assess their impacts to historic resources. The regulations provide specific criteria for determining whether an action will have an effect, and whether that effect will be adverse. These criteria are given below.

36 CFR 800.5 Assessment of Adverse Effects

(a) *Apply Criteria of Adverse Effect.* In consultation with the SHPO/THPO and any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to identified historic properties, the Agency Official shall apply the criteria of adverse effect to historic properties within the area of potential effects. The Agency Official shall consider any views concerning such effects which have been provided by consulting parties and the public.

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

(2) *Examples of adverse effects.* Adverse effects on historic properties include, but are not limited to:

- (i) Physical destruction of or damage to all or part of the property;
- (ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access that is not consistent with the Secretary's Standards for the Treatment of Historic Properties and applicable guidelines;
- (iii) Removal of the property from its historic location;
- (iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;
- (v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;
- (vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and
- (vii) Transfer, lease or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

SECTION 4(f), TDOT SUMMARY SHEET

WHAT IS SECTION 4 (f)? Codified at 49 CFR 303, "Section 4 (f)" refers to a section of the U.S. Department of Transportation Act which gives special consideration to the use of park and recreation lands, wildlife and waterfowl refuges, and historic sites by Federally assisted transportation projects. Section 4 (f) applies only to those projects using funds from the U.S. Department of Transportation. The law states:

(c) The Secretary may approve a transportation program or project (other than any project for a park road or parkway under section 204 of title 23) requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if -

- (1) *there is no prudent or feasible alternative to using that land; and*
- (2) *the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.*

WHAT IS THE SECTION 4 (f) PROCESS FOR HISTORIC PROPERTIES? To be considered "historic," a property must either be listed in the National Register of Historic Places or be determined eligible for such listing by the Keeper of the Register or the State Historic Preservation Officer (SHPO).

On any project, the primary objective is to develop a design that does not have Section 4(f) involvement. If such a design is not possible, then the Section 4 (f) documentation is prepared and circulated. Such documentation is circulated to all appropriate agencies or groups (consistent with the Section 106 process and the National Environmental Policy Act), and as applicable, to the U.S. Department of the Interior, Housing and Urban Development, and Agriculture. It is also circulated to the agency having authority over the Section 4 (f) property. For historic properties, such agencies are the SHPO and the Advisory Council on Historic Preservation (ACHP). After review of any comments received, the final Section 4(f) documentation is sent to the Federal Highway Administration (FHWA) which determines if the requirements of the Section 4(f) statute are met. If the requirements are satisfied, then the FHWA will approve the use of the Section 4 (f) property.

HOW ARE SECTION 4 (f) AND SECTION 106 RELATED? Section 106 is a provision of the National Historic Preservation Act of 1966, which requires all federal agencies to consider the effects of their projects on historic properties and to provide the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on those effects. The ACHP has promulgated regulations at 36 CFR 800 that describe the procedures that agencies must follow in order to comply with Section 106. Many of the Section 106 documentation requirements overlap the Section 4 (f) documentation requirements for historic properties. For this reason, for projects having a 4(f) use of a historic site, the documentation for Section 106 and Section 4 (f) is usually combined into one document and circulated to the appropriate groups described above. The consent of neither the SHPO nor the ACHP is necessary for FHWA to approve a Section 4 (f) use, but FHWA gives great consideration to comments from these agencies.

ATTACHMENT TWO
PUBLIC PARTICIPATION



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
OFFICE OF ENVIRONMENTAL PLANNING AND PERMITS
SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334
(615) 741-3653

May 23, 2002

Mr. Howell Moss
Marion County Executive
P.O. Box 789
Jasper, TN 37347-0789

RE: Proposed Improvements to I-24 at U.S. 72/U.S. 64 Interchange in Kimball, Marion County, Tennessee

Dear Mr. Moss:

The Tennessee Department of Transportation (TDOT) in cooperation with the Federal Highway Administration is proposing to replace the above referenced project. Its location is shown on the enclosed map.

The 2001 Advisory Council on Historic Preservation regulations stipulate that TDOT invite local government representatives to participate in the historic review process as a consulting party. TDOT would like to invite you, as the local government official, to participate as a consulting party for the proposed project.

If you choose to participate as a consulting party, you will receive copies of TDOT's environmental reports and will be invited to attend project-related meetings between TDOT and the Tennessee State Historic Preservation Office (TN-SHPO), if any are held. As a consulting party, you should be prepared to attend any such meetings between TDOT and the TN-SHPO and provide a response to TDOT's reports in written form within 30 days upon receipt of the report. TDOT also wishes to seek your comments on the identification and evaluation of historic properties that the proposed project might impact.

If you would like to participate as a consulting party, please write to me at the above address. To facilitate our planning process, please respond within 30 days of receipt of this letter. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Martha Carver".

Martha Carver
Historic Preservation Supervisor

Enclosure
cc: Mr. Herbert Harper, TN-SHPO

The previous letter from Martha Carver, Historic Preservation Supervisor, dated May 23, 2002 also sent to the following:

Mr. Jere Davis
Mayor of Kimball
675 Main Street
Jasper, TN 37347



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PLANNING AND PERMITTING DIVISION

SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334
(615) 741-3653

May 23, 2002

Mr. James Bird-THPO
Eastern Band of Cherokee Indians
Qualla Boundary
P.O. Box 455
Cherokee, NC 28719

SUBJECT: Proposed Improvements to I-24 at U.S. 72/U.S. 64 Interchange in Kimball, Marion County, Tennessee

Dear Mr. Bird

The Tennessee Department of Transportation (TDOT) in cooperation with the Federal Highway Administration is in the planning stages of evaluating the above referenced project for possible implementation. The location of the proposed project is shown on the enclosed map.

The 2001 Advisory Council on Historic Preservation regulations stipulate that Indian tribes that attach religious and cultural significance to historic properties that may be affected by an undertaking be invited to participate in the project review process as consulting parties, pursuant to 36 CFR 800. TDOT would like to invite you to participate as a consulting party for the proposed project. This letter is also TDOT's request for comments on the identification of historic properties in the project's area of potential effect that may be of religious and cultural significance to your tribe.

If you choose to participate as a consulting party on the above-referenced project, you will receive copies of cultural resource assessments that identify Native American related resources. You will also be invited to attend project-related meetings with FHWA, TDOT and the Tennessee State Historic Preservation Office (TN-SHPO), if any are held. We respectfully request written responses to project reports and other materials within thirty (30) days of receipt.

If you would like to participate as a consulting party, please respond to me at the above address via letter, telephone or E-mail. To facilitate our planning process, please respond within 30 days of receipt of this letter. If you do not respond, TDOT will not send any reports related to this project unless you specifically request such copies at a later date. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads 'Gerald Kline'.

Gerald Kline
Archaeologist Supervisor
Enclosure

cc: Mr. Herbert Harper, TN-SHPO

The previous letter from Gerald Kline, Archaeologist Supervisor, dated May 23, 2002 also sent to the following:

Mr. James Bird-THPO
Eastern Band of Cherokee Indians
Qualla Boundary
PO Box 455
Cherokee, NC 28719

Dr. Richard Allen
Research and Policy Analyst
Cherokee Nation of Oklahoma
PO Box 948
Tahlequah, OK 74464

Ms. Rena Duncan
Cultural Resources Director
Chickasaw Nation
PO Box 1548
Ada, OK 74821

Mr. Gregory E. Pyle
Chief
Choctaw Nation of Oklahoma
PO Drawer 1210
Durant, OK 74702

Mr. Tim Thompson
Cultural Research Specialist
Muscogee (Creek) Nation
PO Box 580
Okmulgee, OK 74447

Mr. Emman Spain
Historic Preservation Specialist
Seminole Nation of Oklahoma
PO Box 1498
Wewoka, OK 74884

Mr. Archie Mouse, Chief
United Keetoowah Band of Cherokee
PO Box 746
Tahlequah, OK 74465

Mr. Charles D. Enyart, Chief
Eastern Shawnee Tribe of Oklahoma
PO Box 350
Seneca, MO 64865

Ms. Carrie Wilson
Quapaw Tribe of Oklahoma
PO Box 765
Quapaw, OK 74363



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PLANNING AND PERMITS DIVISION
SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334
(615) 741-3653**

December 6, 2002

SUBJECT: Cultural Resource, Combined Architecture and Archaeological Assessment for Proposed Improvements to I-24 at U.S. 72/U.S. 64 Interchange in Kimball, Marion County

To Whom it May Concern:

The Tennessee Department of Transportation (TDOT) in cooperation with the Federal Highway Administration is proposing to improve Interstate 24 interchange at U.S. 72 in Kimball.

Pursuant to regulations set forth in "36 CFR 800: Protection of Historic Properties" historic preservation specialists from TDOT surveyed the general project area in an attempt to identify National Register-included or eligible properties which could be impacted by the proposed project. Historians from TDOT did not inventory any National Register eligible or listed properties that they believe the proposed project could impact.

The enclosed report discusses TDOT's survey findings. You are receiving this report because you have been identified by TDOT as a Marion County party or individual with historic preservation interests. The Advisory Council on Historic Preservation Regulations specify that members of the public with interests in an undertaking and its effects on historic properties should be given reasonable opportunity to have an active role in the Section 106 process. As such, TDOT would like to give you the opportunity to participate in that process. If you feel that commenting on such projects is outside the interests of your organization, please notify me and I will remove your name from our list.

If you have any comments on historic issues related to this project, please write me. Federal regulations provide that you have thirty days to respond from the receipt of this letter.

Sincerely,

Martha Carver, Historic Preservation Specialist

Enclosure

cc: Mr. Herbert Harper, TN-SHPO



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PLANNING AND PERMITTING DIVISION
SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334
(615) 741-3653

J. BRUCE SALTSMAN, SR.
COMMISSIONER

DON SUNDQUIST
GOVERNOR

March 14, 2003

Howell Moss, County Executive
P.O. Box 789, Courthouse
Jasper, TN 37347

SUBJECT: Section 106 Initial Coordination for Proposed Interchange Improvements to State Route 27 (U.S. 72) at Interstate 24 in Kimball, Marion County, Tennessee

Dear Mr. Moss:

The Tennessee Department of Transportation (TDOT) in cooperation with the Federal Highway Administration is in the planning stages of evaluating the above referenced project for possible implementation. The location of the proposed project is shown on the enclosed map.

The 2001 Advisory Council on Historic Preservation regulations stipulate that TDOT invite local government representatives to participate in the historic review process as a consulting party. TDOT would like to invite you, as the local government official, to participate as a consulting party for the proposed project.

If you choose to participate as a consulting party, you will receive copies of TDOT's cultural resource reports and will be invited to attend project-related meetings between TDOT and the Tennessee State Historic Preservation Office (TN-SHPO), if any are held. As a consulting party, you should be prepared to attend any such meetings between TDOT and the TN-SHPO and provide a response to TDOT's reports in written form within 30 days upon receipt of the report. TDOT also wishes to seek, at this time, your comments on the identification and evaluation of historic properties that the proposed project might impact.

If you would like to participate as a consulting party, please write to me at the above address. To facilitate our planning process, please respond within 30 days of receipt of this letter. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Martha Carver".

Martha Carver
Historic Preservation Program Manager

Enclosure

The previous letter from Martha Carver, Historic Program Manager, dated March 14, 2003 also sent to the following:

Jere N. Davis, Mayor
City of Kimball
675 Main Street
Kimball, TN 37347



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PLANNING AND PERMITS DIVISION**

SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334
(615) 741-3653

March 14, 2003

Mr. Tim Thompson
Cultural Research Specialist
Muscogee (Creek) Nation
P.O. Box 580
Okmulgee, OK 74447

SUBJECT: Section 106 Initial Coordination for Proposed Interchange Improvements to State Route 27 (U.S. 72) at Interstate 24 in Kimball, Marion County, Tennessee

Dear Mr. Thompson:

The Tennessee Department of Transportation (TDOT) in cooperation with the Federal Highway Administration is in the planning stages of evaluating the above-referenced project for possible implementation. The location of the proposed project is shown on the enclosed map.

The 2001 Advisory Council on Historic Preservation regulations, 36 CFR 800, stipulate that Indian tribes that attach religious and cultural significance to properties that may be affected by an undertaking be invited to participate in the project review process as consulting parties. TDOT would like to invite you to participate as a consulting party for the proposed project. This letter is also TDOT's request for comments on the identification of properties in the project's area of potential effect that may be of religious and cultural significance to your tribe.

If you choose to participate as a consulting party on the above-referenced project, you will receive copies of cultural assessment reports that identify Native American related properties. You will also be invited to attend project-related meetings with FHWA, TDOT and the Tennessee State Historic Preservation Office (TN-SHPO), if any are held. We respectfully request written responses to project reports and other materials within thirty (30) days of receipt.

If you would like to participate as a consulting party, please respond to me via letter, telephone (615-741-5257), fax (615-741-1098) or E-mail (gkline@mail.state.tn.us). To facilitate our planning process, please respond within 30 days of receipt of this letter. If you do not respond, you will not receive reports related to this project unless you specifically request them at a later date. Thank you for your assistance.

Sincerely,

Gerald Kline
Archaeology Program Manager

The previous letter from Gerald Kline, Archaeologist Program Manager, dated March 14, 2003 also sent to the following:

Mr. Tim Thompson
Cultural Research Specialist
Muscogee (Creek) Nation
PO Box 580
Okmulgee, OK 74447

Dr. Richard Allen
Research and Policy Analyst
Cherokee Nation of Oklahoma
PO Box 948
Tahlequah, OK 74464

Ms. Rena Duncan
Cultural Resources Director
Chickasaw Nation
PO Box 1548
Ada, OK 74821

Mr. James Bird-THPO
Eastern Band of Cherokee Indians
Qualla Boundary
PO Box 455
Cherokee, NC 28719

Mr. Gregory E. Pyle
Chief
Choctaw Nation of Oklahoma
PO Drawer 1210
Durant, OK 74702

Mr. Emman Spain
Historic Preservation Specialist
Seminole Nation of Oklahoma
PO Box 1498
Wewoka, OK 74884

Mr. Charles D. Enyart, Chief
Eastern Shawnee Tribe of Oklahoma
PO Box 350
Seneca, MO 64865

Ms. Carrie Wilson
Quapaw Tribe of Oklahoma
PO Box 765
Quapaw, OK 74363

Mr. Archie Mouse, Chief
United Keetoowah Band of Cherokee
PO Box 746
Tahlequah, OK 74465

Correspondence



CHOCTAW NATION OF OKLAHOMA

Cultural Resources

P.O. Drawer 1210 • Durant, OK 74702-1210
1-580-924-8280 • 1-800-522-6170 • Fax: 580-920-3102

June 6, 2002

State of Tennessee
Department of Transportation
Environmental Planning and Permitting Division
Suite 900 James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334

Dear Sir or Madam:

We have reviewed the following proposed project as to its effect on any Native American concerns regarding properties, ceremonial or burial grounds.

**ENTITY REQUESTING SERVICE: State of Tennessee Dept. of Transportation
Environmental Planning and Permitting Division**

PROJECT NAME: Improvements to I-24 at U.S. 64 Interchange in Kimball

COUNTY-STATE: Marion County, Tennessee

COMMENTS: After further review of the above mentioned project to the best of our knowledge it will have no adverse effect on any Native American properties, ceremonial materials such as chipped stone, tools, pottery, bone, historic crockery, glass, metal items or burial grounds. However, should construction activities expose buried archaeological or building materials, this office should be contacted immediately at 1- 800-522-6170 extension 2243 or 2125. A member of our staff will be sent to evaluate the significance of these remains.

Sincerely,

A handwritten signature in cursive script, appearing to read "Olin Williams".

Olin Williams, Tribal Historic Preservation Officer
Cultural Resources
Choctaw Nation of Oklahoma



the
Chickasaw
Nation HEADQUARTERS

Arlington at Mississippi / Box 1548 / Ada, OK 74821-1548 / (580) 436-2603

Bill Anoatubby
Governor

Jefferson Keel
Lieutenant
Governor

April 25, 2003

Mr. Gerald Kline
State of Tennessee
Department of Transportation
Environmental Planning & Permits Division
Suite 900, James Polk Building
505 Deaderick St.
Nashville, TN 37243-0334

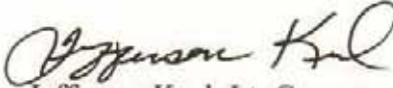
Dear Mr. Kline:

Thank you for your letter of notification regarding Tennessee's Department of Transportation Project: Proposed Improvements to State Route 27 (U.S. 72) at Interstate 24 in Kimball, Marion County, Tennessee. The Chickasaw Nation does want to be included as a consulting party for this project.

We are unaware of any specific historic properties or traditional cultural, religious and/or sacred sites at this time. However, in the event of inadvertent discoveries, we expect all construction activities to cease and we be notified according to all applicable state and federal laws.

If you have any questions, please contact Ms. Rena Duncan, historic preservation officer, at (580) 332-8685.

Sincerely,


Jefferson Keel, Lt. Governor
The Chickasaw Nation



God Bless America!



Creek Nation of Oklahoma
Muscogee National Library and Archives

March 27, 2003

Gerald Kline
State of Tennessee-Department of Transportation
Environmental Planning and Permits Division
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334

Subjects: SEE ATTACHED

Dear Mr. Kline:

Thank you for contacting our department regarding the above mentioned projects with the Tennessee Department of Transportation. In reviewing the enclosed maps, we have determined that no culturally significant sites are located at your project locations at this time.

In the event that human remains or culturally significant artifacts are inadvertently discovered during construction, please contact me at (800) 482-1979 ext. 604.

Respectfully,

A handwritten signature in cursive script, appearing to read "Tim Thompson".

Tim Thompson
Research Specialist
Muscogee Creek Nation

jj

SUBJECTS:

Section 106 Initial Coordination for Proposed Improvements to state Route 332 (Northshore Drive) from Ebenezer Road to Lyons View Pike/Westland Drive in Knoxville, Knox County, Tennessee 2002143

Section 106 Initial Coordination for Proposed Improvements to University Drive and College Drive East, from State Route 317 to State Route 317 in Collegedale, Hamilton County, Tennessee 2002073

Section 106 Initial Coordination for Proposed Interchange Improvements to State Route 27 (U.S. 72) AT interstate 24 in Kimball, Marion County, Tennessee 2003074

Section 106 Initial Coordination for Proposed Improvements to SIA Serving Airborne Express at Tri-Cities Regional Airport, Sullivan County, Tennessee 2002052

Proposed Improvements to Planestation Road at the Extension of Threet Industrial Boulevard, Rutherford County, Tennessee

Section 106 Initial Coordination for Proposed Improvements to State Route 37 Slide Repair at Valley Forge, Carter County, Tennessee 2003075

Section 106 Initial Coordination for Proposed Improvements State Route 160 at LM 1.02 & 1.71 and State Route 348 at LM 6.75, Cocke & Greene Counties, Tennessee 2002034

Section 106 Initial Coordination for Proposed Improvements to State Route 19 from State Route 3 to State Route 76, Haywood & Lauderdale Counties, Tennessee 2003072

Section 106 Initial Coordination for Proposed Improvements to SIA Road Serving Ryan Companies US, Inc./Deere Warehouse and Distribution Center, Jefferson City, Jefferson County, Tennessee 2003097



EASTERN SHAWNEE TRIBE OF OKLAHOMA

P.O. Box 350 • Seneca, MO 64865 • (918) 666-2435 • FAX (918) 666-3325

March 25, 2003

*Gerald Kline
Department of Transportation
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334*

Re: Listed on attachment

Dear Mr. Kline:

Thank you for notice of the referenced project. The Eastern Shawnee Tribe of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Eastern Shawnee Tribe request notification and further consultation.

The Eastern Shawnee Tribe has no objection to the proposed construction. However, if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.

Sincerely,

Charles Eryart
Charles Eryart, Chief

Eastern Shawnee Tribe of Oklahoma

Section 106 initial coordination for proposed improvements to University Drive and College Drive East, from State Route 317 to State Route 317 in Collegedale, Hamilton County, Tennessee

Section 106 initial coordination for proposed interchange improvements to State Route 27 (U.S. 27) at Interstate 24 in Kimball, Marion County, Tennessee 2003074

Section 106 initial coordination for proposed improvements to State Route 332 (Northshore Drive) from Ebenezer Road to Lyons View Pike/Westland Drive in Knoxville, Know County, Tennessee 2002-143

June 2, 2003

Dear Mr. Gerald Kline:

The EBCI-CR/THPO has received the initial project scoping letters for the projects listed below. The EBCI-CR/THPO is excepting your invitation to be a consulting party for these projects as they develop and occur within the Cherokee aboriginal territory. As a consulting party, we requesting that all archaeological/historic properties information generated for these projects be submitted to our office for review and comment. Please note that this is your information of **Subject** that has been given below, the date that you have on your initial letter is referenced first.

- 1). April 22, 2003 - Proposed Single Improvements to Intersection of State Rt. 24 and State Rt. 111 Northbound Exit Ramp, Cookeville, Putnam Co., TN
- 2). April 11, 2003 – Proposed Interchange Improvements to State Rt. 32 (US25E) at State Rt. 343, Hamblen Co., TN
- 3). April 22, 2003 – Proposed Bridge Improvements to Long Branch Road (A521) over Shoal Creek, LM 4.54, Lawrence Co., TN
- 4). May 2, 2003 - Proposed Improvements to State Rt. 33 at East Broadway Ave., East Harper Ave., and Everett Rd., Maryville, Blount Co., TN
- 5). May 2, 2003 - Proposed SIA Improvements Serving the Ball Corporation, from Reinhart Rd. to State Rt. 35, Chestnut Hill, Jefferson Co., TN
- 6). July 30,2003 – Proposed SIA Improvements Serving Bridgestone APM, City of Dickson Co., TN
- 7). May 2, 2003 – Proposed Improvements to Ashland City Bypass from State Rt. 49 to State Rt. 12 Cheatham Co., TN
- 8). April 30, 2003 - Proposed Improvements to Tallant Road from Old Tallant Road to College View Dr., Collegedale, Hamilton Co., TN
- 9). April 15, 2003 - Proposed Bridge Improvements to Steverson Rd. (A277) over CSX Railroad at Log Mile 0.89, Giles Co., TN
- 10). March 19, 2003 – Proposed Improvements to Shallowford Rd. from .11 mi / 0.17 km east of Sandifer Gap Rd. and .02 mi / .03 km west of Center St., Hamilton Co., TN
- 11). March 19, 2003 – Proposed Interchange Improvements to State Rt. 32 (U. S. 25E) at College Park Drive, Hamblen Co. TN

- 12). March 20, 2003 – Proposed Improvements to SIA from State Route 1 to Existing Industrial Park, Humphreys Co., TN
- 13). March 25, 2003 – Requested Project Report, State Rt. 7 (U. S. 31) from South of Bunker Hill Rd. to State Rt. 15 (U.S. 64 - Pulaski Bypass), Giles Co., TN
- 14). March 14, 2003 – Proposed Improvements to State Rt. 332 (Northshore Drive) from Ebenezer Road to Lyons View Pike/Westland Drive in Knoxville, Knox Co., TN
- 15). March 14, 2003 – Proposed Improvements to University Dr. and College Drive East, from State Rt. 317 to State Rt. 317 in Collegedale, Hamilton Co., TN
- 16). March 14, 2003 – Proposed Interchange Improvements to State Rt. 27 (U.S. 72) at Interstate 24 in Kimball, Marion Co., TN
- 17). March 17, 2003 – Proposed Improvements to SIA Serving Airborne Express at Tri-City Regional Airport, Sullivan Co., TN
- 18). March 17, 2003 – Proposed Improvements to Planestation Rd. at the Extension of Threet Industrial Blvd., Rutherford Co. TN
- 19). March 18, 2003 – Proposed Improvements to State Rt. 37 Slide Repair at Valley Forge, Carter Co., TN
- 20). March 18, 2003 - Proposed Improvements to SIA Road Serving Ryan Companies US, Inc. / Deere Warehouse and Distribution Center, Jefferson City, Jefferson Co., TN.
- 21). March 18, 2003 – Proposed Improvements to State Rt. 160 at LM 1.02 & 1.71 and State Rt. 348 at LM 6.75, Coke & Greene Co., TN
- 22). January 23, 2003 – Requested Project Reports, Multi Co., 10 archaeological survey reports:
 - State Rt 49 9.46 Sycamore Creek, Cheatham Co., Tn
 - I40 East Bound Lane, Herman Street to State Rt. 2 (Charlotte Ave) Davidson Co., TN
 - State Rt. 155/Briely Parkway, Curry Road, Intersection Improvements, Davidson Co., TN
 - I69 State Rt. 3 of Troy to South Fulton at Kentucky State Line, Dyer & Obion Co., TN
 - State Rt. 331/ Tazewell Pike from Broadway to Murphy Rd., Knox Co. TN
 - Washington Pike Improvements to Millertown Pike, Murphy Road Exit, Knox

96). October 22, 2001 – Combined Architecture and Archaeological, Assessment for Proposed Rehabilitation of the Elk Avenue Bridge (10-3939-00.11), Doe River, Elizabethton, Carter Co., TN

(This proposed project received in EBCI office on Jan. 31, 2003)

97). August 2, 2000 - FHWA, Archaeological Assessment, SR-52-Russell St. Intersection, Portland, Sumner Co., TN

(This proposed project received in EBCI office on Jan. 31, 2003)

98). August 2, 2000 – FHWA, Archaeological Assessment, SR-386/Forest Retreat Rd. Intersection, Hendersonville, Sumner Co., TN

(This proposed project received in EBCI office on Jan. 31, 2003)

99). December 7, 2001 – FHWA, SR-111/Sr-135 Interchange, Unincorporated, White Co., TN

(This proposed project received in EBCI office on Jan. 31, 2003)

If you should have any questions, please contact Lee Clauss at (828) 497-1589 or via email at leeclauss@nc-cherokee.com



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
OFFICE OF ENVIRONMENTAL PLANNING AND PERMITS
SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334
(615) 741-3653
Fax (615) 741-1098

GERALD F. NICELY
COMMISSIONER

PHIL BREDESEN
GOVERNOR

June 5, 2003

Ms. Lee Clauss
Eastern Band of Cherokee Indians
810 Acquoni Road
Cherokee, NC 28719

Re: Requested Project Reports, Multi-County

Dear Ms. Clauss:

As per your request I have enclosed sixteen (16) **archaeological and historical survey reports** for projects in various counties in Tennessee. These projects have been studied and no resources were identified. The SHPO has concurred with these findings and the letters are attached to the reports. The specific projects enclosed are:

<u>COUNTY</u>	<u>ROUTE</u>	<u>LOG MILE</u>	<u>FEATURE CROSSED/DESCRIPTION</u>
Blount	SR35	N/A	Intersection at Doc Norton Rd
Carter	SR27	N/A	Slide Repair at 18.2, Valley Forge
Davidson	I 24/40	N/A	From Fesslers Lane Interchange to the Green State Interchange, Nashville
Giles	Steverson Rd	0.89	CSX R/R
Hamilton	University Drive & College Drive East	N/A	From SR317 in Collegedale
Humphreys	SIA	N/A	From SR1 (US70) to Existing Industrial Park
Knox	Watt Road	N/A	Interchange @ I40/75
Knox	Weisgarber Rd (5289)	0.34	Fourth Creek
Lawrence	Long Branch Rd (A521)	4.54	Shoal Creek
Macon	Wilburn Lane (A447)	0.02	Branch
Marion	I24	N/A	Interchange at US72/US64 in Kimball
Maury	Industrial Rd (3209)	0.70	Duck River
Monroe	Cooper Hollow Rd (A454)	2.01	Coker Creek
Monroe	McLemore Rd (A509)	0.20	Powder Mill Branch

Robertson	I65	N/A	Weigh Station Improvements near the Kentucky State Line
Warren	SR55	N/A	Intersection at Old Shelbyville Rd and SR1 at Sunset Drive/Daylight Rd in McMinnville

If there are any questions, please contact me at (615) 741-5257.

Sincerely,



Gerald W. Kline
Archaeology Program Manager

GWK



To Vm
6/22/03

Tammy -
Please pull
2 copy / Kenster
copy
a report w/
letters for
Vic.
Thank
MC

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PLANNING AND PERMITS DIVISION
SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334

Memorandum

To: Technical Section (Archeology, History, Ecology, Hazardous Waste, Air & Noise)
From: Harold Jackson
Subject: Project Description: **I-24, Interchange Modifications I-24 @ US 72 Marion County, Tennessee**
Project #: NA PIN #: NA
Scheduled Approval Date: 7/2/2003
Date: 5/1/03
Planner Vic Jordan

The Environmental Studies Office has requested technical studies for the subject project. In order to complete the document in accordance with the existing schedule the technical studies and any applicable concurrence must be concluded by 6/2/2003.

We should always
begin a
Minimum of 90
days.

Please complete the following and return to me within 5 working days.

- The project is complete and was sent to the Planner on _____
- The Project will be assigned to _____
- The Scheduled Approval Date can be met.
- The Scheduled Approval Date should be amended to _____, because _____

Joint report sent to
SHPD 12-16-02
SHPD response 12-16-02

Marta Carter
Tech Studies Signature
5-6-03

Copies given to
Love / Ford

Attachments

APR Functional Plans Other: Study document by consultant.

5 copies



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
 ENVIRONMENTAL PLANNING AND PERMITS DIVISION
 SUITE 900, JAMES K. POLK BUILDING
 505 DEADERICK STREET
 NASHVILLE, TENNESSEE 37243-0334

Memorandum

To: Technical Section (Archeology, History, Ecology, Hazardous Waste, Air & Noise)
From: Harold Jackson
Subject: Project Description: **I-24, Interchange Modifications I-24 @ US 72 Marion County, Tennessee**

Project #: NA PIN #: NA
 Scheduled Approval Date: 7/2/2003

Date: 5/1/03

Planner Vic Jordan

The Environmental Studies Office has requested technical studies for the subject project. In order to complete the document in accordance with the existing schedule the technical studies and any applicable concurrence must be concluded by 6/2/2003.

We should always begin a minimum of 90 days.

Please complete the following and return to me within 5 working days

* The project is complete and was sent to the Planner on _____ days.

The Project will be assigned to _____

___ The Scheduled Approval Date can be met.

___ The Scheduled Approval Date should be amended to _____, because joint report sent to SHPD 12-16-02 SHPD response 12-16-02

Mixha Carter
 Tech Studies Signature 5-6-03

Copies given to Lore/Ford

Attachments

APR Functional Plans Other: Study document by consultant.

5 copies

Architectural/Historical Update Replies

From: Phillip Hodge
To: Melson, Jerry
Date: 8/2/2007 4:17:48 PM
Subject: Re: SR-27 Interchange Modification at I-24, Marion Co. Pin Number 102236.00

Jerry,

I have reviewed the June 2007 Right-of-Way plans for the subject project. The archaeological portion of the 2002 combined cultural resources assessment remains valid, as does the SHPO letter of December 16, 2002.

Please let me know if you have questions or need additional information.

Thanks,
Phil

Phillip R. Hodge, M.A., RPA
Archaeologist
TN Department of Transportation
Office of Social and Cultural Resources
505 Deaderick Street, Suite 900
Nashville, TN 37243
615-741-0977
Phillip.Hodge@state.tn.us

>>> Jerry Melson 7/30/2007 10:05 AM >>>

I am in the process of preparing a Right-of-Way Reevaluation on the above project. Please review the PDF file located in our project R Drive and give me a reply back. The proposed project will acquire 4.220 acres for highway ROW. (See attached map).

The only change is on page 5 at Ramp E. (See page 5A) Originally there was only going to be one lane at the ramp. Now Ramp E will have 2 lanes.

R:\Project Files\Region II\58) Marion Co\Interchange.

--

Thanks,
Jerry T. Melson, Transportation Planner
Department of Transportation
Environmental Division
Suite 900 James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334
Telephone Number: (615) 741-5371
Fax Number: (615) 741-1098
E Mail Address: Jerry.Melson@state.tn.us

CC: Carver, Martha

From: Tammy Sellers
To: Carver, Martha; Melson, Jerry
Date: 8/8/2007 8:35:32 AM
Subject: Re: SR-27 Interchange Modification at I-24, Marion Co. Pin Number 102236.00

Jerry,

In 2002, a historic architecture report was prepared by TDOT staff for the proposed I-24 interchange modification at State Route 27 in Marion County. The field study did not identify any properties within the project's Area of Potential Effect that are either listed in or eligible for listing in the National Register of Historic Places. In a letter dated December 16, 2002, the Tennessee State Historic Preservation Office concurred with TDOT's findings. After reviewing project plans, the original 2002 historic report adequately covered the project area identified in the 2007 plans. Therefore, the 2002 historic report and TN-SHPO letters continue to fulfill requirements found in 36 CFR 800 of the National Historic Preservation Act of 1966.

>>> Jerry Melson 8/7/2007 10:52 AM >>>

Martha,

Please send me another email on this project saying something like this. I have reviewed the project plans along with our Architectural/Historical Report or Cultural Resources Assessment, and the SHPO letter. The Architectural/Historical Report or Cultural Resources Assessment and SHPO remains in effect and is still valid.

I need something that I can quote.

--

Thanks,
Jerry T. Melson, Transportation Planner
Department of Transportation
Environmental Division
Suite 900 James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334
Telephone Number: (615) 741-5371
Fax Number: (615) 741-1098
E Mail Address: Jerry.Melson@state.tn.us

On 7/30/2007 at 10:40 AM, in message <46ADC02B.D527.007C.0@state.tn.us>, Martha Carver <JJ02255@state.tn.us> wrote:

> **We are still good--can't speak for the archaeologists.**

>

>>>> Jerry Melson 7/30/2007 10:05 AM >>>

> I am in the process of preparing a Right-of-Way Reevaluation on the above
> project. Please review the PDF file located in our project R Drive and give
> me a reply back. The proposed project will acquire 4.220 acres for highway
> ROW. (See attached map).

>

> The only change is on page 5 at Ramp E. (See page 5A) Originally there was
> only going to be one lane at the ramp. Now Ramp E will have 2 lanes.

>

> R:\Project Files\Region II\58 Marion Co\Interchange.

>

>

> --

>

> Thanks,

> Jerry T. Melson, Transportation Planner

> Department of Transportation

> Environmental Division

> Suite 900 James K. Polk Building

> 505 Deaderick Street

> Nashville, Tennessee 37243-0334

> Telephone Number: (615) 741-5371

> Fax Number: (615) 741-1098

> E Mail Address: Jerry.Melson@state.tn.us

>

>

CC: VanWinkle, Tony



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL DIVISION
SUITE 900 - JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334
615-741-5257
Fax: 615-741-1098

February 12, 2010

Mr. Patrick McIntyre
Executive Director and State Historic Preservation Officer
Tennessee Historical Commission
2941 Lebanon Road
Nashville, Tennessee 37243-0442

**RE: An Addendum Report to State Route 27 Interchange at I-24 in Kimball, Marion
County, Tennessee (TDOT Pin 102236).**

Dear Mr. McIntyre,

An archaeological assessment of the above-referenced TDOT project is enclosed. The results of the background research and fieldwork indicate no National Register listed, eligible, or potentially eligible archaeological sites are located in the area of potential effect.

In compliance with Section 106 of the National Historic Preservation Act (as amended) and implementing regulations 36 CFR 800, please review the enclosed documentation and provide me with your comments. If any additional information is needed, please contact Phillip Hodge at 741-0977 or me at 741-5257. I appreciate your assistance.

Sincerely,

A handwritten signature in blue ink that reads "Gerald W. Kline".

Gerald W. Kline
Transportation Specialist I
Archaeology Program Manager

GWK/prh

cc: Ms. Jennifer Barnett, TDOA w/enclosure
Ms. Erin Pritchard, TVA Archaeology w/enclosure
TDOT Archaeology File #2002077



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

February 22, 2010

Mr. Gerald Kline
Tennessee Department of Transportation
Environmental Division
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334

RE: FHWA, ARCHAEOLOGICAL ASSESSMENT, SR-27 INTERCHANGE AT I-24, KIMBALL,
MARION COUNTY, TN

Dear Mr. Kline:

At your request, our office has reviewed the above-referenced archaeological survey report in accordance with regulations codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739). Based on the information provided, we find that the project area contains no archaeological resources eligible for listing in the National Register of Historic Places.

If project plans are changed or archaeological remains are discovered during construction, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act.

Your cooperation is appreciated.

Sincerely,

E. Patrick McIntyre, Jr.
Executive Director and
State Historic Preservation Officer

EPM/jmb