

**APPENDIX K – STATE HISTORIC PRESERVATION OFFICER AND
TRIBAL CORRESPONDENCE**

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STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

FRANK W. WHITE
EXECUTIVE DIRECTOR

July 22, 2009

TEL: 334-242-3184
FAX: 334-240-3477

Eric Howard
Manager (Interim)
Cultural Resources
TVA
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1499

Re: Investigations at the Cuba Cemetery
Muscle Shoals Reservation
Colbert County

Dear Mr. Howard:

Thank you for the excellent report on the Cuba Cemetery. We applaud TVA's efforts towards their Section 110 responsibilities under the National Historic Preservation Act. We will add this information to our files.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, the point of contact for this matter is Amanda Hill at 334-230-2692. Please have the AHC tracking number referenced above available and include it with any correspondence.

Truly yours,

Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/AMH/amh



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1499

June 30, 2009

Ms. Elizabeth Brown
Deputy State Historic Preservation Officer
Alabama Historical Commission
468 S. Perry St.
Montgomery, Alabama 36130-0900

INVESTIGATION OF THE CUBA CEMETERY IN TVA'S MUSCLE SHOALS
RESERVATION, COLBERT COUNTY, ALABAMA

Dear Ms. Brown:

The Tennessee Valley Authority (TVA) is involved in the preparation of an Environmental Impact Statement regarding the potential redevelopment of that area south of Reservation Road on the Muscle Shoals Reservation. In preparation, TVA has been involved in a multi-year inventory of the cultural resources at Muscle Shoals. Recently, TVA investigated cemeteries reported to be on the Muscle Shoals Reservation. TVA has rediscovered the Cuba Cemetery, but has not found evidence of a mass grave for victims of the 1918 influenza pandemic.

Enclosed please find two copies of a report entitled, *Investigations at the Cuba Cemetery in Anticipation of Redevelopment within the Muscle Shoals Reservation in Colbert County, Alabama* by James J. D'Angelo of TRC. At this time, TVA has no specific undertaking for the Cuba Cemetery area. So we are providing these reports to you for information purposes. If you have any questions please contact Tom Maher at 865-632-7458 or tomaher@tva.gov.

Sincerely,

A handwritten signature in black ink that reads "Eric Howard". The signature is written in a cursive, flowing style.

A. Eric Howard
Manager (Interim)
Cultural Resources
WT 11D-K

TOM:IKS
Enclosures
cc: EDMS, WT 11D-K



STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

FRANK W. WHITE
EXECUTIVE DIRECTOR

July 21, 2009

TEL: 334-242-3184
FAX: 334-240-3477

Eric Howard
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1499

Re: AHC 08-0002
Phase II Testing of Site 1Ct574
Muscle Shoals Reservation
Colbert County, Alabama

Dear Mr. Howard:

Upon review of the Phase II testing report conducted by TRC, we have determined that we agree with the author. Site 1Ct574 is not eligible for the National Register of Historic Places (NRHP) and the project may proceed.

We appreciate your efforts on this project. Should you have any questions, please contact Greg Rhinehart at (334) 230-2662. Please have the AHC tracking number referenced above available and include it with any correspondence.

Truly yours,

A handwritten signature in black ink, appearing to read "Elizabeth Ann Brown".

Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/SGH/GCR/gcr



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1499

June 24, 2009

Ms. Stacey Hathorn
State Archaeologist
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama 36130-0900

AHC 08-0002
A PHASE II TEST OF SITE 1CT574; MUSCLE SHOALS RESERVATION, COLBERT
COUNTY, ALABAMA

Dear Ms. Hathorn,

The Tennessee Valley Authority (TVA) is considering the redevelopment of the Muscle Shoals Reservation south of Reservation Road in Colbert County, Alabama. Archaeological site, 1CT574, was identified and recommended potentially eligibility for the National Register of Historic Places (NRHP) as a result of a 2006 Phase I survey which you have previously reviewed. Although site 1CT574 had no diagnostic artifacts, the 2006 surveyors believed the lithics recovered in shovel test pits may have come from a stratum below the plow zone.

TVA engaged TRC to evaluate the NRHP status of site 1CT574 in May of 2009. Enclosed are two copies of *Phase II Testing of 1CT574 on the TVA Muscle Shoals Reservation, Colbert County, Alabama* by James J. D'Angelo. During the field work, TRC made minor modification to the location of the seven 1 x 1 meter units described in their research proposal because of field conditions. TVA consulted with TRC in the field and approved these modifications.

No archaeological features were identified in the seven excavation units. No intact cultural strata were identified and all artifacts were obtained from the plow zone. On the basis of these results, TVA has determined that site 1CT574 is not eligible for the NRHP. Pursuant to 36CFR Part 800, TVA seeks your concurrence with this determination. If you have any questions please contact Tom Maher at 865-632-7458 or tomaher@tva.gov.

Sincerely,

A handwritten signature in black ink that reads "Eric Howard".

A. Eric Howard
Manager (Interim)
Cultural Resources
WT 11-D-K

Enclosures



ALABAMA-COUSHATTA TRIBE OF TEXAS

571 State Park Rd 56 • Livingston, Texas 77351 • (936) 563-1100

May 19, 2010

Tennessee Valley Authority
Attn: Pat Bernard Ezzell
400 West Summit Hill Drive
Knoxville, TN 37902-1499

Dear Mrs. Ezzell:

On behalf of Mikko Oscola Clayton Sylestine and the Alabama-Coushatta Tribe, our appreciation is expressed on your efforts to consult us regarding the Phase II evaluation of 1CT331 and the Muscle Shoals redevelopment proposal in Colbert County.

Our Tribe maintains ancestral associations throughout the state of Alabama despite the absence of written records to completely identify Tribal activities, villages, trails, or grave sites. However, it is our objective to ensure significances of Native American ancestry including the Alabama-Coushatta Tribe are administered with the utmost regard.

Upon review of your April 14, 2010 submission, we have no objections to your recommendations based upon the level of disturbances to the site. However, we do express concern regarding the investigators' determination that 1CT331 may consist of a larger site, which may or may not have been previously impacted or discovered.

Since no National Register eligible properties were discovered, we are aware protections for the site will be diminished. However, in the event the site is included into non-federal land transitions, the recipient should be advised of potential inadvertent discoveries that may occur near the site.

Should you require additional assistance, please do not hesitate to contact us.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bryant J. Celestine".

Bryant J. Celestine
Historic Preservation Officer

Telephone: 936 - 563 - 1181

celestine.bryant@actribe.org

Fax: 936 - 563 - 1183

Date Rec'd: 5/3/10
Saved: Muscle Shoals
Sent to: TOM PRG
File: ✓

SEMINOLE TRIBE OF FLORIDA
TRIBAL HISTORIC PRESERVATION OFFICE

TRIBAL HISTORIC
PRESERVATION OFFICE
SEMINOLE TRIBE OF FLORIDA
AH-TAH-THI-KI MUSEUM
HC-61, BOX 21A
CLEWISTON, FL 33440
PHONE: (863) 983-6549
FAX: (863) 902-1117



TRIBAL OFFICERS
CHAIRMAN
MITCHELL CYPRESS
VICE CHAIRMAN
RICHARD BOWERS JR.
SECRETARY
PRISCILLA D. SAYEN
TREASURER
MICHAEL D. TIGER

Pat Bernard Ezzell
Native American Liaison and Historian
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, TN 37902-1499

THPO: 005708

April 27, 2010

Subject: Assessment of Effects for the Redevelopment of the Muscle Shoals Reservation (MSR) in Colbert County, Tennessee

Dear Ms. Ezzell,

The Seminole Tribe of Florida's Tribal Historic Preservation Office (STOF-THPO) has received the TVA's correspondence concerning the aforementioned project. The STOF-THPO has no objection to your findings at this time. However, the STOF-THPO would like to be informed if cultural resources that are potentially ancestral or historically relevant to the Seminole Tribe of Florida are inadvertently discovered during the construction process. We thank you for the opportunity to review the information that has been sent to date regarding this project. Please reference **THPO-005708** for any related issues.

We look forward to working with you in the future.

Sincerely,

Direct routine inquiries to:

Willard Steele,
Tribal Historic Preservation Officer
Seminole Tribe of Florida

Anne Mullins,
Compliance Review Supervisor
annemullins@semtribe.com

Ah- Tah- Thi- Ki Museum, HC-61, Box 21-A, Clewiston, Florida 33440
Phone (863) 902-1113 ♦ Fax (863) 902-1117



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1499

March 10, 2010

Ms. Elizabeth Ann Brown
Deputy State Historic Preservation Officer
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama 36130-0900

Dear Ms. Brown:

MUSCLE SHOALS RESERVATION (MSR) – ADAPTIVE REUSE STUDY AND RE-DEVELOPMENT OF A PORTION OF THE MUSCLE SHOALS RESERVATION – COLBERT COUNTY, ALABAMA - AHC 2008-0002

The Tennessee Valley Authority (TVA) manages approximately 3025 acres at Muscle Shoals, Alabama. Located on this property are a number of buildings, structures, and objects which are eligible for listing in the National Register of Historic Places (NRHP). In 2009, TVA issued a Notice of Intent for the disposal of a portion of the property at Muscle Shoals. For the purposes of reducing business costs and encouraging economic development in the area, TVA proposes to dispose of approximately 1380 acres of property at Muscle Shoals. This disposal would include approximately 53 buildings and structures which are eligible for listing on the NRHP.

In preparation of Section 106 consultation on this undertaking, TVA commissioned Lord, Aeck, Sargent Architects to prepare an Adaptive Reuse Study (Study). The Study focused on three broad areas, evaluating about 45 buildings within the immediate Study area:

- Existing architectural and structural conditions of each building and the flexibility of each building for uses other than their original function;
- Viability of the buildings based on current and foreseeable market trends in the region;
- Development of a draft concept plan illustrating examples of how the historic buildings might be used in a larger redevelopment effort.

The resulting Study is comprised of four volumes: the Planning Document, Architectural Conditions, Structural Conditions, and a Market Assessment.

Upon evaluation of the Study, TVA considered two architectural periods of significance:

- United States Nitrate Plant No. 2 (1918-1933)
- The Tennessee Valley Authority (1933-present)

Muscle Shoals Reservation Redevelopment

Ms. Elizabeth Ann Brown

Page 2

March 10, 2010

The National Register Criteria for Evaluation were applied, considering these two architectural periods of significance, whereby TVA developed the strategy for removing and promoting buildings and structures for adaptive reuse enumerated in the enclosed presentation.

Pursuant to the requirements of Section 106 of the *National Historic Preservation Act* and its implementing regulations at 36 CFR Part 800, TVA's Historic and Archaeological Permitting and Compliance staff seeks your office's comments on:

- The Study completed by Lord, Aeck, Sargent Architects (two hard copies enclosed)
- The Area of Potential Effect, as proposed (enclosed)
- A change in the eligibility of four (4) buildings - the Office Service Warehouse, Substation No. 1, the Phosphate Development Works Warehouse, and the 2A Nitrate House
- Removal of 26 buildings and structures which are eligible for listing in the NRHP, but are not suitable for adaptive re-use
- Promotion of 27 buildings and structures which are eligible for listing in the NRHP for adaptive reuse to maintain the physical expression of the two periods of architectural significance
- Transfer of approximately 1380 acres from Federal ownership
- Subsequent use of the MSR property as Industrial, Commercial/Retail, Residential, or Mixed-Use

Based on previous reports from 2002 and 2007 submitted by TRC and letters of concurrence from your office dated October 30, 2007, TVA finds that these associated actions would adversely affect properties eligible for listing in the NRHP.

We have requested that the City of Sheffield Historical Commission and the Northwest Alabama Cooperative District participate as consulting parties and have provided them the documentation of adverse effects. After consulting with your office and the other parties, TVA will develop alternatives to resolve the adverse effects of this undertaking.

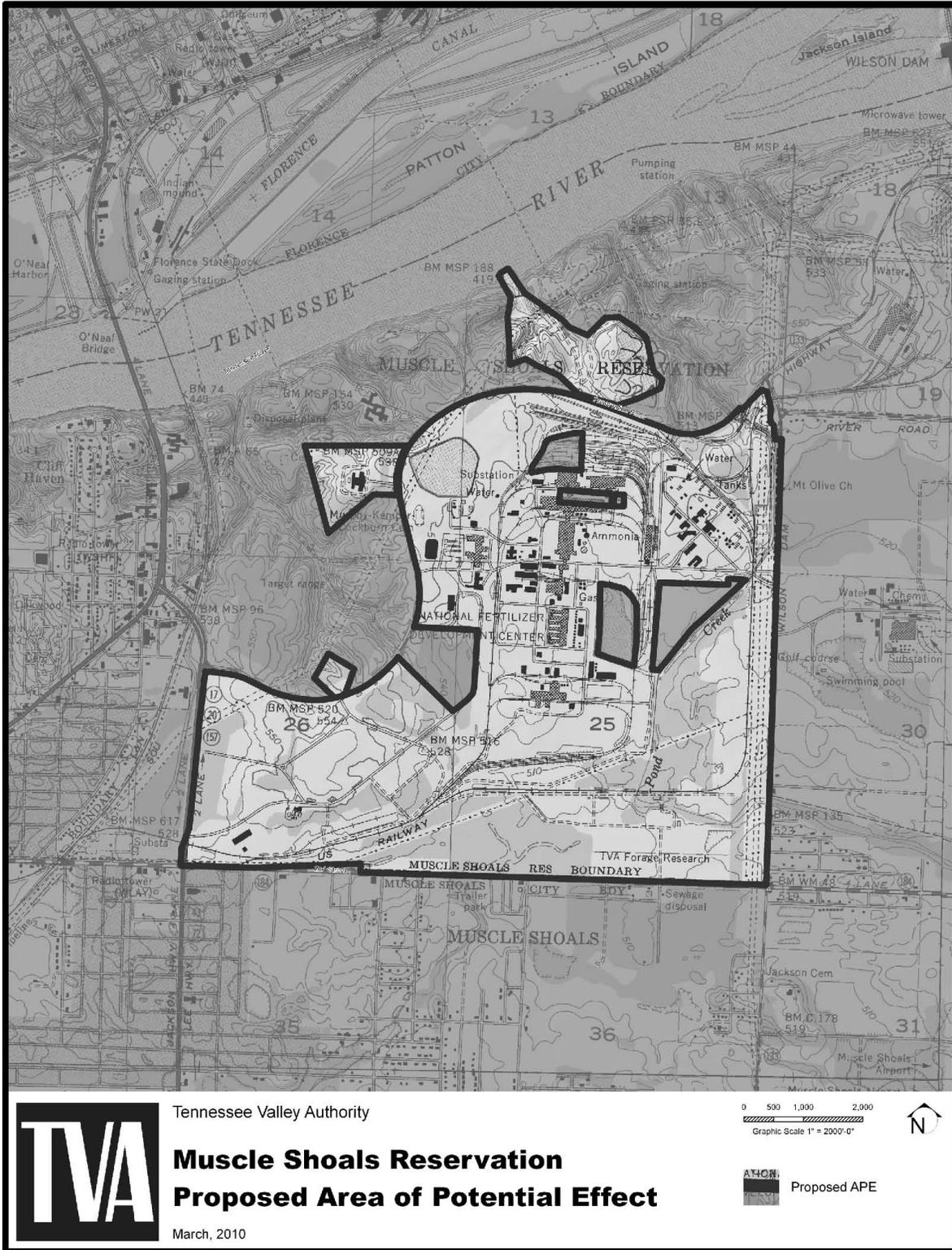
If you have questions concerning this action please contact Jon C. Riley by telephone at (256) 386-2750 or by e-mail at jcriley@tva.gov.

Sincerely,



A. Eric Howard
Federal Preservation Officer

Enclosures





STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

FRANK W. WHITE
EXECUTIVE DIRECTOR

TEL: 334-242-3184
FAX: 334-240-3477

June 14, 2010

Mr. Eric Howard
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, TN 37902-1499

Re: AHC 08- 0002, Muscle Shoals Redevelopment

Dear ~~Mr. Howard~~ Eric:

Thank you for the opportunity to work with TVA on the redevelopment of the Muscle Shoals Reservation. It is exciting to be involved in a project that has the potential to have such a positive impact on Alabama. We especially want to compliment you on the quality of the research and materials you have prepared for this project, materials which should make the process going forward have a better opportunity for success. We believe the research has identified an area of potential effect which is appropriate for evaluating the historic properties in this undertaking.

First, let me make sure we have a clear understanding of the two lists of buildings we are considering. You have delineated two lists of buildings, one which will be considered a part of the MOA on this project, and another that will be removed from the MOA. "Removed," in this case, means removed from the MOA, not demolished, and these buildings could be redeveloped if there is a market, but will not be a part of the MOA process. Is this correct?

As far as buildings which are part of the MOA, we have substantial agreement on the list but have asked for reconsideration of building 48, the paint storage building; building 53, the tin shop; buildings 68, 72a, and 74a, three substations. All of these are located in areas of buildings which will be reused, and could be a part of a rehabilitation plan which includes studios, work/live spaces, and smaller retail outlets for studios or manufacturing businesses that might operate there.

THE STATE HISTORIC PRESERVATION OFFICE
www.preserveala.org

We also asked for reconsideration of the bus bar terminal, and to understand the extent of the narrow-gauge rail, and whether the rail bed was a resource which could enhance the adaptability and usability of the project.

We had concerns about eligibility on several buildings in the report, but after our site visit we concur with you that buildings 4, 15, 86, and 134 are not eligible for the National Register of Historic Places. We asked for information about eligibility of the Quonset hut, which we understand you are assembling.

Thank you for the explanation of TVA's history in growing trees and crops, and the relation of this effort to the American Chestnut tree research grove. Our understanding is that TVA had a tree and vine nurseries which were started using CCC labor in the 1930's. Trees and vines were grown and given away free to fight erosion and support re-forestation. With the advent of WWII, trees were phased out and crops were planted to support the war effort. Although the planting of the American Chestnut trees is in keeping with the spirit of supporting agriculture by the TVA, we concur with you that it does not follow programmatically with the federally-supported erosion-control and war-support activities undertaken by TVA. The trees are important, but we concur with you that they are not a cultural resource.

Archaeology has been conducted to identify sites on the area in question, and sites associated with the construction of Wilson Dam II have been identified. We have discussed an oral history project with people who lived in the villages as mitigation for these sites, and understand that you are moving forward with finding someone for that project. That should complete our concerns about archaeology in this project.

Since we met, Lee Anne Wofford and Chloe Mercer have met on site with you and explored the cemeteries. Their understanding from the meeting was that the cemeteries would be mapped to determine the extent of the boundaries, cleaned up, the Cuban cemetery would be fenced, and then no further work would take place. We do not think this is a sufficient effort, and that local efforts need to be made to continue to monitor the cemeteries. We would like to work with you and the local governments to set up a cemetery authority or local group which would accept a broader role in cemetery care into the future.

Thank you again for the opportunity to work with you on this project.

Truly yours,



Elizabeth Ann Brown

Deputy State Historic Preservation Officer

Muscle Shoals Reservation Redevelopment



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1499

April 12, 2010

Ms. Stacye Hathorn
State Archaeologist
Alabama Historical Commission
468 S. Perry Street
Montgomery, Alabama 36130

Re: AHC 10-0193
Phase II report on
Site 1CT331
Colbert County, Alabama

Dear Ms. Hathorn,

Enclosed please find one hard copy and one digital copy on Compact Disc of the report, *Phase II Testing of 1CT331 on the TVA Muscle Shoals Reservation, Colbert County, Alabama* by P.K. Laird, L.A. Thomas, and J.L. Holland. The authors present the results of deep testing of archaeological site 1CT331 to determine its eligibility for listing on the National Register of Historic Places (NRHP). This site is within the Muscle Shoals redevelopment area, and the land is proposed to be transferred out of federal ownership as part of that project.

Limited, but deep excavations at 1CT331 revealed that most of this site was highly disturbed by the construction, operation, and demolition of the 1918 steam-generated electrical plant. A small, 10 x 10 meter, portion of this site showed relatively less disturbance and was the focus of excavations to two meters below surface.

No features, midden or buried A-horizon soils were encountered during these deep excavations. There is, however, some evidence of the stratification of lithic material at this site. The authors conclude that given the lack of *in situ* features or buried A-horizon soils, site 1CT331 does not contain significant information on the prehistory of this area. TVA recommends that site 1CT331 is not eligible for listing on the NRHP.

Following 36 CFR Part 800, TVA seeks concurrence from the Alabama State Historic Preservation Office that archaeological site 1CT331 is not eligible for the NRHP. If you have any questions please contact Tom Maher at 865-632-7458 or tomaher@tva.gov.

Sincerely,

A handwritten signature in black ink that reads "Eric Howard".

A. Eric Howard
Federal Preservation Officer

TOM:IKS
Enclosures
cc: Kimberly Hodges (EDMS), LP 2V-C



STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

FRANK W. WHITE
EXECUTIVE DIRECTOR

May 7, 2010

TEL: 334-242-3184
FAX: 334-240-3477

A. Eric Howard
TVA
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1499

Re: AHC 10-0193
Phase II Testing Report
Site 1Ct331
Colbert County, Alabama

Dear Mr. Howard:

Upon review of the Phase II Report for 1Ct331 conducted by TRC, we have determined that we agree with the author's findings. Site 1Ct331 is not eligible for the National Register of Historic Places (NRHP) and no further investigations are warranted at this site.

We appreciate your efforts on this project. Should you have any questions, please contact Greg Rhinehart at (334) 230-2662. Please have the AHC tracking number referenced above available and include it with any correspondence.

Truly yours,

A handwritten signature in cursive script, appearing to read "Elizabeth Ann Brown".

Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/SGH/gcr



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1499

April 14, 2010

Those listed

TVA, MUSCLE SHOALS REDEVELOPMENT, PHASE II REPORT, 1CT331, COLBERT COUNTY, ALABAMA

The Tennessee Valley Authority (TVA) is proposing to redevelop portions of the Muscle Shoals Reservation (MSR) in Colbert County, Alabama. Proposed redevelopment could result in the transfer of portions of MSR from federal to local or private control. An Environmental Impact Statement is being prepared to assess the impacts of the disposal and alternative future uses of land on the MSR.

Following the *National Historic Preservation Act of 1966*, as amended, TVA has identified the historic properties within the area of potential effect (APE) through surveys of the MSR in 2002 and 2007. The enclosed map illustrates eligible or potentially eligible sites in the project area. Only 1CT331 has been identified as a prehistoric, Native American site. The other identified sites are historic and relate to the construction of Wilson Dam and Nitrate Plant #2 during the early 20th century.

Prehistoric site 1CT331, first identified in the 1990s, was re-evaluated in 2002 and deemed potentially eligible for listing in the National Register of Historic Places (NRHP). This site is within an area north of Reservation Road that is part of the project area. This site's eligibility for the NRHP must be evaluated before it could be transferred out of federal control.

TVA contracted with TRC to conduct a phase II evaluation of site 1CT331 in January and February 2010. A digital copy of the phase II report is available at TRC's download FTP site. You can access this file (*Phase II Testing of 1CT331 on the TVA Muscle Shoals Reservation, Colbert County, Alabama TRC.pdf*) by going to their web site <http://www.trcsolutions.com>. At the top right of the web page, there is a "Secure Logon" link. Click on this link. You will be directed to the TRC portal. To logon, use this information:

User name: tva@tva.gov

Password: tvatribal

You will see a list of TVA reports. If you wish to download the file, right click on its name and choose download. You can also left click on the file name and it will open in PDF.

Limited, but deep excavations at 1CT331 revealed that most of this site was highly disturbed by the construction, operation and demolition of the 1918 steam-generated electrical plant. A small, 10 x 10 meter, portion of this site showed relatively less disturbance and was the focus of excavations to two meters below surface.

Page 2
April 14, 2010

No features, midden or buried A-horizon soils were encountered during these deep excavations. There is some evidence of the stratification of lithic material at this site. The authors conclude that given the lack of *in situ* features or buried A-horizon soils, site 1CT331 does not contain significant information on the prehistory of this area. TVA has determined that site 1CT331 is not eligible for listing in the NRHP.

TVA is consulting with the following federally recognized Indian tribes regarding this undertaking: Cherokee Nation, Eastern Band of Cherokee Indians, United Keetoowah Band of Cherokee Indians in Oklahoma, The Chickasaw Nation, Jena Band of Choctaw Indians, Muscogee (Creek) Nation of Oklahoma, Alabama-Coushatta Tribe of Texas, Alabama-Quassarte Tribal Town, Kialegee Tribal Town, Thlopthlocco Tribal Town, Poarch Band of Creek Indians, Absentee Shawnee Tribe of Oklahoma, Eastern Shawnee Tribe of Oklahoma, Shawnee Tribe of Oklahoma, Seminole Tribe of Oklahoma, and Seminole Tribe of Florida.

By this letter, TVA is providing notification of these findings and is seeking your comments regarding this undertaking and any properties that may be of religious and cultural significance and may be eligible for the NRHP pursuant to 36 CFR Part 800.2(c)(2)(ii), 800.3(f)(2), and 800.4(a)(4)(b).

If you have any questions, please contact me at 865-632-6461 or pbezzell@tva.gov.

Sincerely,



Patricia Bernard Ezzell
Native American Liaison and Historian

TOM:PBE:IKS
Enclosure
cc: Kimberly Hodges (EDMS), LP 2V-C

Muscle Shoals Reservation Redevelopment

THOSE LISTED:

Dr. Richard Allen
Policy Analyst
Cherokee Nation
Post Office Box 948
Tahlequah, Oklahoma 74465

Governor Bill Anoatubby
The Chickasaw Nation
Post Office Box 1548
Ada, Oklahoma 72821-1548

Ms. Augustine Asbury
Cultural Preservation Coordinator
Alabama Quassarte Tribal Town
Post Office Box 187
Wetumka, Oklahoma 74883

Second Chief Alfred Berryhill
Muscogee (Creek) Nation
Office of the Principal Chief
Post Office Box 580
Okmulgee, Oklahoma 74447

cc: Ms. Joyce Bear
Historic Preservation Officer
Muscogee (Creek) Nation of Oklahoma
Post Office Box 580
Okmulgee, Oklahoma 74447

Mr. Bryant Celestine
Tribal Historic Preservation Officer
Alabama-Coushatta Tribe of Texas
571 State Park Rd. 56
Livingston, Texas 77351

Mr. Charles Coleman
NAGPRA Representative
Thlopthlocco Tribal Town
Route 1, Box 190-A
Weleetka, Oklahoma 74880

Ms. Natalie Deere
Tribal Historic Preservation Officer
Seminole Nation of Oklahoma
Post Office Box 1498
Wewoka, Oklahoma 74884

Ms. Robin DuShane
Cultural Preservation Director
Eastern Shawnee Tribe of Oklahoma
127 West Oneida
Seneca, Missouri 64865

Mr. Henry Harjo
Environmental Director
Kialegee Tribal Town
Post Office Box 332
Wetumka, Oklahoma 74883

Mr. Tyler Howe
Historic Preservation Specialist
Eastern Band of the Cherokee Indians
Post Office Box 455
Cherokee, North Carolina 28719

cc: Mr. Russ Townsend
Tribal Historic Preservation Officer
Eastern Band of the Cherokee Indians
Post Office Box 455
Cherokee, North Carolina 28719

Ms. Karen Kaniatobe
Tribal Historic Preservation Officer
Absentee Shawnee Tribe of Oklahoma
2025 S. Gordon Cooper
Shawnee, Oklahoma 74801

Ms. Lisa C. LaRue
Director, Language, History and Culture &
Acting Tribal Historic Preservation Officer
United Keetoowah Band
of Cherokee Indians in Oklahoma
Post Office Box 746
Tahlequah, Oklahoma 74464

Mr. Kirk Perry
Administrator
Division of Policy and Standards
The Chickasaw Nation
Post Office Box 1548
Ada, Oklahoma 72821-1548

Ms. Jennifer Pietarila
Archaeological Data Analyst
Seminole Tribe of Florida
Ah-Tah-Thi-Ki Museum
HC-61 Box 21-A
Clewiston, Florida 33440

cc: Ms. Anne Mullins
Project Coordinator
Seminole Tribe of Florida
Ah-Tah-Thi-Ki Museum
HC-61, Box 21-A
Clewiston, Florida 33440

Muscle Shoals Reservation Redevelopment

cc: Mr. Willard Steele
Tribal Historic Preservation Officer
Seminole Tribe of Florida
Ah-Tah-Thi-Ki Museum
HC-61, Box 21-A
Clewiston, Florida 33440

Ms. Julie Ray
Preservation & Repatriation Manager
The Chickasaw Nation
Post Office Box 1548
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cc: Ms. Virginia (Gingy) Nail
Tribal Historic Preservation Officer
The Chickasaw Nation
Post Office Box 1548
Ada, Oklahoma 72821-1548

Mr. Ron Sparkman
Chairman
Shawnee Tribe
Post Office Box 189
Miami, Oklahoma 74355

cc: Ms. Kim Jumper
Tribal Historic Preservation Officer
Shawnee Tribe
Post Office Box 189
Miami, Oklahoma 74355

Mr. Mike Tarpley
Jena Band of Choctaw Indians
Post Office Box 14
Jena, Louisiana 71342

Mr. Robert Thrower
Tribal Historic Preservation Officer
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, Alabama 36502

Mr. Elliot York
Archaeological Data Analyst
Seminole Tribe of Florida
Ah-Tah-Thi-Ki Museum
HC-61, Box 21-A
Clewiston, Florida 33440

Chief Glenna J. Wallace
Eastern Shawnee Tribe of Oklahoma
127 West Oneida
Seneca, Missouri 64865



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1499

October 1, 2007

Ms. Elizabeth Ann Brown
Deputy State Historic Preservation Officer
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama 36130-0900

Dear Ms. Brown,

The Tennessee Valley Authority wishes to consult with you on the results of a Cultural Resource Assessment of 1,040 acres of the Muscle Shoals Reservation. Completed in 2006 by TRC, this assessment was intended to complete a review of all of TVA's fee-owned land associated with both the Wilson Hydroelectric Unit and the Muscle Shoals reservation. Pietak, et. al (2002) presented the findings of a cultural resource assessment of an area roughly north of Reservation Road. Your office reviewed this report as part of a development plan proposed by the Retirement Systems of Alabama at that time. The enclosed report deals with an area roughly south of Reservation Road.

During the cultural resources survey performed in August of 2006, TRC identified three (3) archaeological sites: 1CT573, 1CT574, and 1CT575. TRC describes site 1CT573 as an extensive historic trash scatter which is ephemeral in nature. Site 1CT574 is described as a large prehistoric lithic scatter and small historic artifact scatter possibly containing intact buried deposits. Site 1CT575 is the remains of a picnic pavilion built by Civilian Conservation Corps labor and is considered part of the Wilson Dam Village No. 2 Complex. TRC recommends site 1CT573 as ineligible, site 1CT574 as potentially eligible, and site 1CT575 as eligible due to its contribution to the Muscle Shoals Historic District (MSHD). One historic cemetery called the Murphy-Kemper-Cockburn Cemetery was identified within the APE.

Cultural Resource	Description	NRHP Eligibility
1CT573	Historic Refuse Scatter	Ineligible
1CT574	Large Prehistoric Lithic Scatter	Potentially Eligible
1CT575	Wilson Dam Village No. 2 Picnic Pavilion Remains	Eligible
Murphy-Kemper-Cockburn Cemetery	Historic Cemetery	Ineligible

In addition to the archaeological sites, TRC recorded thirteen (13) isolated finds all of which are recommended ineligible as they are not associated with substantial archaeological resources.

In addition to eligibility recommendations, TRC provided recommendations for further assessing archaeological resources. Site 1CT573 requires no further work. Site 1CT574 requires further evaluation to determine its National Register of Historic Places (NRHP) eligibility. Site 1CT575 is considered eligible as a contributing element to the MSHD and will require mitigation if disturbance is necessary. TRC recommends the

Ms. Brown
 Page 2
 October 1, 2007

Murphy-Kemper-Cockburn Cemetery be avoided or removed in accordance with Alabama's cemetery removal and relocation laws.

TRC also carried out surveys of the architectural resources within the 1,040 acre project site. The 2006 survey included an update of the previous survey, completed in 2002. Two architectural resources were identified within the project area, in addition to the four previously identified resources.

TRC recommends the Quonset Hut (TRC-1), and the Phosphate Development Works Warehouse (TRC-2) as eligible for listing in the NHRP both individually and as a contributing resource of the MSHD. The Quonset Hut (TRC-1) is recommended as individually eligible for listing in the NRHP under Criterion A. The Phosphate Development Works Warehouse (TRC-2) is recommended as individually eligible under Criterion C.

Architectural Resource	Description	NRHP Eligibility
TRC-1 (Quonset Hut)	Structure	Eligible
TRC-2 (Warehouse)	Building	Eligible
National Fertilizer Development Center*	Building – Complex	Eligible
TVA Greenhouse Research Complex*	Building – Complex	Eligible
TVA Environmental Research Center*	Building – Complex	Eligible
Muscle Shoals Historic District (MSHD)*	Historic District	Eligible

*Originally recommended in the 2002 TRC report

TRC acknowledged that there were additional above ground properties within the proposed MSHD that were non-contributing, based on their dates of construction (D'Angelo, et al. 2007:84).

TVA has two undertakings that relate to the information in the 2002 and 2007 reports. The immediate undertaking is the proposed demolition of 21 structures on the Muscle Shoals Reservation. These building are no longer in use and present a safety liability that TVA does not wish to maintain. We have determined these buildings not to be contributing members of the MSHD primarily because they were constructed less than 50 years ago. Enclosed, you will find a description of each of the buildings that TVA intends to demolish in fiscal year 2008 and our reasons for considering them not part of the district. We seek your concurrence and comments regarding this immanent undertaking.

The second undertaking is multi-year in nature. TVA is undertaking a re-development of the Muscle Shoals Reservation south of Reservation Road. It is our desire to partner with local government and, with support of the north Alabama congressional delegation, to develop this area for the benefit of the north Alabama economy and local job growth. Currently we do not have specific plans for development, but we cannot rule out demolition of buildings that do contribute to the MSHD in the future. We would, therefore, like to enter into formal consultations leading to a Memorandum of Agreement

Ms. Brown
Page 3
October 1, 2007

on the disposition of buildings south of Reservation Road. Specifically, we would like to discuss what would be appropriate mitigation for the demolition of buildings associated with the defunct National Fertilizer Development Center and the Greenhouse Research Complex.

In summary, TVA has determined that archaeological site 1Ct573 is not eligible for the NRHP. Site 1Ct 574 is potentially eligible for the NRHP. It will be either avoided or a phase II survey will be completed to determine its NRHP eligibility. TVA will consult with the AL-SHPO on a phase II proposal for this site. Archaeological site 1Ct575 is eligible for the NRHP. It will be avoided or TVA will consult with the AL-SHPO on appropriate data recovery methods to mitigate any adverse effect. TRC also identified two individual structures eligible for the NRHP, the Quonset Hut and the Phosphate Development Works Warehouse. Three building complexes within the MSHD were also identified as eligible for the NRHP, the National Fertilizer Development Center, the TVA Greenhouse Research Complex, and the TVA Environmental Research Center. Pursuant to 36 CFR § 800.4 of the Advisory Council's regulations, TVA is seeking your office's concurrence on TVA Cultural Resources' determinations and findings.

If you have any questions or wish to discuss any part of the enclosed materials please contact me at 865-632-7452 (tomaher@tva.gov) or Jon Riley at 256-386-2750 (jcriley@tva.gov).

Sincerely,



Thomas O. Maher, Ph.D.
Manager
Cultural Resources

Enclosures

STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

October 30, 2007

TEL: 334-242-3184
FAX: 334-240-3477

Thomas O. Maher, Ph.D.
TVA
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1499

Re: AHC 08-0002
Current Demolitions and Multi-Year Re-Development
Muscle Shoals Reservation, South of Reservation Road
Colbert County, Alabama

Dear ~~Dr. Maher~~: Tom,

Upon review of the cultural resource assessment for the Muscle Shoals LUP tract conducted by TRC and review of the *Muscle Shoals Non Eligible and Non Contributing Structures* report submitted by your office, we have determined the following:

1. We agree with the National Register of Historic Places (NRHP) non-eligible and non-contributing determinations for the 21 structures presented in the TVA report. Therefore, we concur with the demolition of these structures.
2. We agree with TRC's and TVA's NRHP determinations regarding the archaeological sites and the cemetery.
 - A. Site 1Ct573, a historic refuse scatter is not eligible for the NRHP and no further investigation is warranted.
 - B. Site 1Ct574, a large prehistoric lithic scatter is potentially eligible for the NRHP and Phase II archaeological testing to determine the site's eligibility would be required if disturbance is necessary.
 - C. Site 1Ct575, the Wilson Dam Village No. 2 Picnic Pavilion remains are eligible for the NRHP and mitigation will be required if disturbance is necessary.
 - D. The Murphy-Kemper-Cockburn historic cemetery is not eligible for the NRHP but should be avoided. However, if disturbance is unavoidable, removal and relocation will have to take place in accordance with Alabama law.
3. We agree with TRC's and TVA's NRHP determinations of the structures and building complexes on the property.
 - A. TRC-1, the Quonset Hut structure, is eligible for the NRHP.
 - B. TRC-2, the warehouse building, is eligible for the NRHP.
 - C. The National Fertilizer Development Center building complex is eligible for the NRHP.
 - D. The TVA Greenhouse Research Complex is eligible for the NRHP.

THE STATE HISTORIC PRESERVATION OFFICE
www.preservcala.org

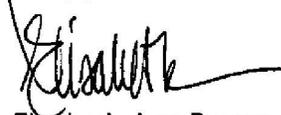
Dr. Maher
AHC 08-0002
October 30, 2007
Page 2

- E. The TVA Environmental Research Center complex is eligible for the NRHP.
- F. The Muscle Shoals Historic District (MSHD) is eligible for the NRHP.

Finally, we believe there should be close coordination between our offices involving future use or re-development within the Muscle Shoals Historic District. While there are many significant structures and complexes within the MSHD, adaptive re-use may not always be an alternative due to decay, contaminants, or other issues. We should be prepared to evaluate these buildings and sites and determine their possible re-use or levels of documentation and recording that may be necessary if re-use is not feasible.

We hope our comments have addressed the issues in your letter. We look forward to working with you as plans are developed. Should you have any questions, the point of contact for this matter is Amanda Hill at (334) 230-2692. Please have the AHC tracking number referenced above available and include it with any correspondence.

Truly yours,



Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/GCR/gcr

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