



February 28, 2013

Dr. David Crass, Director,
State Historic Preservation Officer
Historic Preservation Division/DNR
254 Washington Street, SW
Ground Level
Atlanta, GA 30334

RE: GDOT Project BHF00-0151-01(006), Gordon County; P.I. No. 631570; **HP # 0400607-001**
Section 106 Compliance - Federal Highway Administration:
Assessment of Effects Addendum

Dear Dr. Crass:

Project BHF00-0151-01(006), Gordon County consists of the proposed replacement of bridges on SR 225 over New Town Creek and the Coosawattee River and the realignment of SR 225 from the New Echota site entrance to just past CR 125/McDaniel Road. Please find enclosed the Section 106 documentation for the New Echota historic site, National Historic Landmark, and Traditional Cultural Property, as well as for archaeological site 9GO59, all of which are National Register of Historic Places (NRHP) listed or eligible historic properties located within the proposed project's area of potential effects (APE).

The enclosed documentation was prepared for use in compliance with Section 106 of the National Historic Preservation Act of 1966 and subsequent amendments. The documentation consists of the Addendum Effects Assessment and copies of the National Register and National Historic Landmark Nomination Forms for New Echota, an excerpt from *A Traditional Cultural Property Study of New Echota*, and the Determination of Eligibility for 9GO59. The Survey Reports were previously submitted to your office and to the Federal Highway Administration (FHWA) and to all other consulting parties in the Section 106 process for this project. In compliance with 36 CFR 800.4(c)(2), the aforementioned properties were considered eligible National Register properties by the FHWA and the SHPO. New Echota is a National Historic Landmark and National Register listed property. The original AOE resulted in a finding of No Adverse Effect to New Echota and the New Echota TCP, and adverse effect to 9GO297. As a result, three Memorandum of Agreements and Statement of Conditions for No Adverse Effect were ratified in 2009 and are also included in the enclosed documentation.

In accordance with 23 CFR Part 774 (Sections 774.3(b) and 774.17) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, the FHWA and GDOT intend to make a *de minimis* finding based on your concurrence with

the Section 106 determination of “*No Adverse Effect*” for the resources listed in the table below. The Department requests the SHPO’s acknowledgement of this *de minimis* finding and also requests that the SHPO’s acknowledgement of *de minimis* includes any potential use of additional land from these resources as long as the change is coordinated with the SHPO, and the effect remains no adverse per the 2003 Memorandum of Understanding.

A copy of the enclosed documentation has been forwarded to the FHWA and to all consulting parties. Please notify this office of the scheduled consultation date, if any, with the FHWA to discuss this project. The Department respectfully requests expedited review of the enclosed documentation. Please provide any comments by March 18, 2013.

If additional information is required, please contact project archaeologist Heather Mustonen (404.631.1166 or hmustonen@dot.ga.gov), project Historian Matthew Kear (404.631.1468 or mkear@dot.ga.gov), or Jim Pomfret (404-631-1256 or jpomfret@dot.ga.gov) of the Office of Environmental Services. We appreciate your assistance in this matter.

Sincerely,



Glenn Bowman, P.E.
State Environmental Administrator

GB/hlm

Enclosure

cc: Rodney N. Barry, P.E., FHWA, (Attn: Chetna Dixon) w/attachment
Sam Pugh, GDOT NEPA
Chandria Brown, GDOT Project Manager, Office of Program Delivery
Northwest Georgia Regional Commission, w/attachment
David Gomez, New Echota Historic Site, w/attachment
Debbie Wallsmith, Georgia Department of Natural Resources – HPD, w/attachment
Cynthia Walton, National Park Service – National Historic Landmarks, w/attachment
Michael Russo, National Park Service – Southeast Archeological Center, w/attachment
Michael Elliott, National Park Service – Trail of Tears National Historic Trail, w/attachment
Jeff Bishop, Georgia Trail of Tears Association, w/attachment
Richard Allen, Cherokee Nation, w/attachment
Russell Townsend, Eastern Band of Cherokee Indians, w/attachment
Lisa Baker, United Keetoowah Band of Cherokee Indians, w/attachment
Alabama-Coushatta Tribe of Texas, w/attachment
Alabama-Quassarte Tribal Town, w/attachment
Coushatta Tribe of Louisiana, w/attachment
Kialegee Tribal Town, w/attachment
Muscogee (Creek) Nation, w/attachment
Muscogee (Creek) National Council, w/attachment
Poarch Band of Creek Indians, w/attachment
Seminole Nation of Oklahoma, w/attachment
Seminole Tribe of Florida, w/attachment
Thlopthlocco Tribal Town, w/attachment

ADDENDUM

ASSESSMENT OF EFFECTS

GDOT PROJECT BHF-0151-01(006), GORDON COUNTY

P.I. # 631570

HP # 040607-001

FINDING OF NO ADVERSE EFFECT TO

ARCHAEOLOGICAL SITE 9G059

NEW ECHOTA HISTORIC SITE

NEW ECHOTA NATIONAL HISTORIC LANDMARK

NEW ECHOTA TRADITIONAL CULTURAL PROPERTY

February 28, 2013

This document has been produced for use in compliance with Section 106 of the National Historic Preservation Act of 1966 and subsequent amendments.

INTRODUCTION

This document has been prepared for use in completion of applicable Section 106 procedures in compliance with the National Historic Preservation Act (NHPA) of 1966 and subsequent amendments. The documentation has been developed in accordance with the GDOT/FHWA Cultural Resource Survey Guidelines and 36 CFR Part 800. An original Assessment of Effects (AOE) was completed for the project in 2008, however since that time; project changes have necessitated addendum surveys, particularly in relation to the redesign of the Calhoun Elks Golf Course as a result of Cost-to-Cure mitigation during the right-of-way negotiations. As such, this addendum AOE assesses the effects to historic properties identified within the area of potential effects for the Calhoun Elks Golf Course Cost-to-Cure redesign as part of GDOT Project BHF-0151-01(006); PI 631570 in Gordon County, Georgia.

The design of the proposed project was developed by GDOT engineering personnel who, as a standard procedure, include environmental parameters as a part of the initial investigations prior to laying out a proposed design. Basic data of the project area that was gathered and studied included aerial photography, topographic maps, traffic (existing and projected), previous studies, wetland inventory maps, soil survey maps, flood plain maps, and Georgia Department of Natural Resources' historic resource survey maps.

That data was used to delineate wetland or hydric soil boundaries, flood plains, parks and recreational facilities, known or suspected historic properties and archaeological sites, existing rights-of-way, possible UST/landfill/hazardous waste sites, and areas of possible endangered species habitat on the aerial photography prior to laying out an alignment. In addition, other "controls" such as churches, cemeteries, schools, hospitals, and any other noise sensitive areas were also identified.

Only at this point was the proposed alignment developed with every attempt being made to avoid sensitive ecological, historic and archaeological areas. In the event that avoidance was not possible, every attempt was made to minimize harm to such resources. The proposed alignment, once laid out, was then field checked and additional refinements were made to further minimize harm to both the natural and built environment.

NEED AND PURPOSE

A need exists for the replacement of two structurally deficient bridges located on SR 225 over New Town Creek (MP 2.40) and the Coosawattee River (MP 2.57) in Gordon County, Georgia. Initially, both bridge replacement projects were listed under separate GDOT project numbers, BHF-0151-01(006), PI 631570 for the New Town Creek Bridge and BRST-0151-01(007), PI 632906 for the Coosawattee River Bridge, but have since been combined under one project number: GDOT Project BHF-0151-01(006), PI 631570.

Both bridges were structurally evaluated most recently on June 21 and 22, 2011 by the GDOT Office of Bridge Maintenance and were classified as structurally deficient due to the load capacity and recommended for replacement. The bridge at New Town Creek has a sufficiency rating of 54.05, while the bridge at the Coosawattee River has a sufficiency rating of 4.00.

Additionally, the existing roadway has substandard curvature and super-elevation, which increases the likelihood that a vehicle will leave their travel lane either off the roadway or into oncoming traffic. This is a major concern for this roadway because it is on steep fill, without adequate shoulders or guardrail. This, combined with the sharp curves and deficient banking, increases the likelihood of injuries or fatalities during crashes along this portion of roadway.

The need for the proposed project is due to the structural deficiencies of the existing bridges and the above average number of crashes. The purpose of the project is to improve safety and traffic operations through replacement of the two structurally deficient bridges and realignment of this portion of SR 225 to meet current design standards.

DESCRIPTION OF THE UNDERTAKING

GDOT Project BHF-0151-01(006); PI 631570 is federally funded. Therefore, Section 106 compliance is being processed through the Federal Highway Administration (FHWA).

The proposed project would replace the existing bridges on SR 225 over New Town Creek and the Coosawattee River in Gordon County (Figure 1). Along with the bridge replacements, the project proposes to improve SR 225 to enhance safety and correct a substandard horizontal alignment. The proposed project would maintain traffic on the existing roadway during construction. The existing bridge over New Town Creek was constructed in 1952, and is approximately 162 feet long and 24 feet wide. The existing bridge over the Coosawattee River was constructed in 1955, and is approximately 621 feet long and 24 feet wide. The existing SR 225 roadway consists of two 12-foot lanes with 3-foot shoulders. The current right-of-way is 80 feet wide while the proposed right-of-way would be approximately 130 feet. Project implementation will require the redesign of several holes and tee boxes on the Calhoun Elks Club Golf Course located immediately adjacent to the project area.

As defined in 36 CFR 800.16(d), the area of potential effects (APE) of an undertaking is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist". Based on this definition, the nature and scope of the undertaking, the guidance in the GDOT/FHWA Cultural Resource Survey Guidelines and past experience with similar projects, the APE was defined, in consultation with the Georgia SHPO, as the project viewshed and the proposed right-of-way of the proposed project, within which all construction and ground disturbing activity would be confined, as well as areas which may be indirectly affected by the proposed project. This addendum AOE pertains specifically to the expanded APE related to redesign of the Calhoun Elks Golf Course as cost-to-cure mitigation for the project.

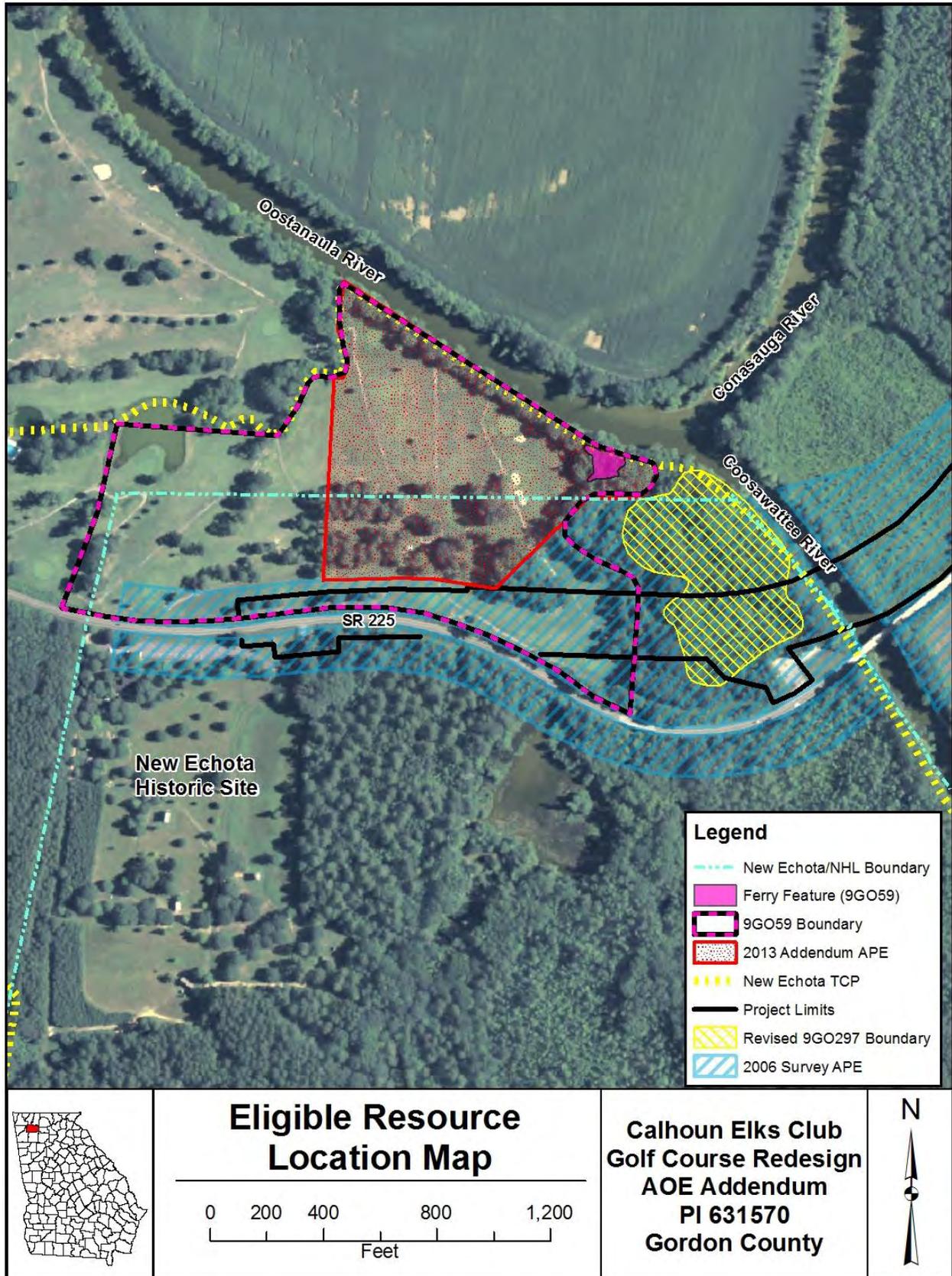


Figure 1. SR 225 Project Location Map showing Eligible Historic Properties.

IDENTIFICATION OF HISTORIC PROPERTIES AND PUBLIC INVOLVEMENT

During the initial studies for the SR 225 project, existing information on previously identified historic properties was examined to determine if any are located within the APE of this undertaking. This review included National Register listed properties, proposed National Register nominations, National Historic Landmarks, and the updated Georgia Historic Bridge Survey (GHBS). The Department of Natural Resources (DNR) Gordon County survey dated 1990 was consulted. The state archaeological site files at the University of Georgia and existing survey reports were consulted to locate previously identified archaeological sites within the APE. Also topographic maps and aerial photography were reviewed to identify areas of high archaeological site potential within the APE.

Following the review of existing information on previously identified historic properties; potential consulting parties in the Section 106 process were identified. In addition to the Georgia SHPO, other potential consulting parties were identified based on the nature of the undertaking and the guidance in the GDOT/FHWA Cultural Resource Survey Guidelines. The other potential consulting parties invited to participate in the Section 106 process were the Coosa Valley Regional Development Center, the Gordon County Historical Society, the New Echota State Historic Site (Georgia DNR), the City of Calhoun, the Gordon County Commission, the National Park Service – National Historic Landmarks Division (NPS-NHL), the National Park Service – Trail of Tears National Historic Trail (NPS-TRTE), Georgia Trail of Tears, and the Advisory Council on Historic Preservation. Also, on behalf of the FHWA, in keeping with a government-to-government relationship and in compliance with 36 CFR 800, applicable federally recognized tribal governments were invited to participate in the Section 106 process for this project: Absentee-Shawnee Tribe of Oklahoma, Alabama-Coushatta Tribe of Texas, Alabama-Quassarte Tribal Town, Cherokee Nation, Chickasaw Nation, Coushatta Tribe of Louisiana, Eastern Band of Cherokee Indians, Kialegee Tribal Town, Muscogee (Creek) Nation of Oklahoma, Poarch Band of Creek Indians, Seminole Tribe of Florida, Seminole Nation of Oklahoma, Thlopthlocco Tribal Town, and the United Keetoowah Band of Cherokee Indians. In accordance with 36 CFR 800.2, these consulting parties were informed of our efforts to locate previously identified historic properties and the results of those efforts and were asked to provide information on any unidentified National Register listed or potentially eligible historic properties located within the proposed project's APE by a Notification dated June 4, 2004 (see Notification in Appendix A). The Department also requested available information on past, present and future local developments or zoning plans that could result in indirect or cumulative impacts to historic properties. A response was received from the SHPO by a letter dated June 10, 2004 and a response via email was received on June 15, 2004 from the Coosa Valley Regional Development Center. The Chickasaw Nation responded to the Notification with a letter dated November 3, 2004 and while no other written responses were received from federally-recognized tribes, representatives from the Cherokee Nation, Eastern Band of Cherokee Indians, and United Keetoowah Band of Cherokee Indians were present for the Initial Concept Team Meeting held on March 22, 2004. Additionally, the National Park Service – Trail of Tears National Historic Trail and the Georgia Trail of Tears were later identified as consulting parties in 2011 (see copies of correspondence in Appendix A).

After reviewing any additional information received from consulting parties, field surveys and background research were conducted within the APE of the proposed project to identify any

historic properties or archaeological sites eligible for listing in the National Register. During the field survey and while conducting research on historic resources located along the project corridor, interviews were conducted with various property owners regarding the history of the resources. The results of the field surveys and background research were summarized in a Survey Report and an Archaeological Assessment, and subsequent addenda reports. These reports were provided to all consulting parties participating in the Section 106 process for review and comment.

As a result of these identification efforts, one National Register listed property, one National Register eligible historic property, and one National Historic Landmark were identified within the proposed project's APE (refer to Figure 1). These historic properties are interrelated and consist of the New Echota State Historic Site, New Echota National Historic Landmark (NHL), and the New Echota Traditional Cultural Property (TCP). Additionally, the project corridor is located along the Trail of Tears National Historic Trail. Two National Register eligible archaeological sites, 9GO59 and 9GO297, were also identified. The original Historic Properties Survey Report was submitted to the SHPO and FHWA on August 15, 2006, with SHPO concurrence received on August 23, 2006. A subsequent addendum Historic Properties Survey Report was submitted on January 18, 2011 and SHPO concurrence was received on January 24, 2011. The original Archaeological Survey Report was submitted to the SHPO and FHWA on April 19, 2007 and SHPO concurrence was received on May 1, 2007, while an Addendum Archaeological Survey Report was submitted to SHPO on January 23, 2013 and SHPO concurrence was received on February 1, 2013. Additional comments on project documentation were received by the Cherokee Nation, Eastern Band of Cherokee Indians, United Keetoowah Band of Cherokee Indians, Georgia DNR, the NPS-NHL, the NPS-TRTE, and the Georgia Trail of Tears (see Appendix A). In accordance with 36 CFR 800.4(c)(2), these properties were considered eligible for listing in the National Register by the FHWA and the SHPO.

While five National Register Eligible resources were identified within the overall project's APE, Archaeological Site 9GO297 is located outside of the APE for the Calhoun Elks Club Golf Course redesign as covered in this addendum document. An evaluation of project effects on this resource can be found in the original 2008 AOE and agreed upon mitigation measures are outlined in the ratified 2009 Memorandum of Agreements (MOA). Three MOA and Statements of Conditions for No Adverse Effect were ratified in 2009 between the FHWA, GDOT, Georgia SHPO, Georgia DNR and each of the three federally-recognized Cherokee tribal governments, the Cherokee Nation, Eastern Band of Cherokee Indians, and United Keetoowah Band of Cherokee Indians, respectively. The MOA's agree upon stipulations to resolve adverse effects to Archaeological Site 9GO297 and the Statement of Conditions agree upon measures to avoid adverse effect to New Echota Historic Site, National Historic Landmark, and TCP (see Appendix B).

Pursuant to 23 CFR 771.111, various public involvement efforts have been undertaken by the Department from the earliest stages of project planning. These public involvement efforts include the following activities: a Public Hearing Open House (PHOH) and multiple tribal consultation meetings. The PHOH was held on September 29, 2009 and a total of four citizens attended, three of which offered comments in support of the project due to safety concerns over the existing roadway. One attendee offered conditional support of the project and expressed concerns over the preferred alternative and how it would impact their property; however they

specifically expressed support for the “improved access and definition of New Echota Historic Site”. Additional public involvement included project consultation meeting held August 2, 2007 at New Echota Historic Site which was attended by members of the Cherokee Nation, Eastern Band of Cherokee Indians, United Keetoowah Band of Cherokee Indians, Seminole Tribe of Florida, Georgia SHPO, Georgia DNR, and FHWA to discuss the project. Additionally, a group of Elders from the Eastern Band of Cherokee Indians visited New Echota on September 25, 2008 to discuss the project. The two larger consultation meetings were further supplemented with multiple project consultation meetings with each of the three federally-recognized Cherokee tribal governments including a meeting with the Eastern Band of Cherokee Indians on May 17, 2011 and consultation at the To Bridge A Gap Conference with the Cherokee Nation and United Keetoowah Band of Cherokee Indians in April 2011.



Figure 2. Google Earth Aerial showing existing conditions, tee boxes, and green holes at Calhoun Elks Golf Course.

DESCRIPTION OF HISTORIC PROPERTIES

Archaeological Site 9GO59 (Lum Moss Site and McCoy's/Fork Ferry)

Archaeological Site 9GO59 is a multi-component site originally identified in 1955 by Clemens DeBaillou (then referred to as the Lum Moss Site) and later documented in 1970 during salvage archaeological excavations associated with the original construction of the Calhoun Elks Club Golf Course by Stephen Baker. Additional documentation of the site was completed in the 2006 Archaeological Report for the SR 225 project, along with a 2013 Addendum survey. Temporal components identified at the site include Early Woodland, Late Woodland/Early Mississippian, Historic Cherokee, and late 19th to early 20th century. The site is largely located within the existing Elks Club Golf Course, extending west of New Town Creek and east of an unnamed branch, north from the Oostanaula River and south of SR 225 to the New Echota State Historic Site (Figure 1). The site is located completely within the New Echota National Register/TCP boundary and partially within the New Echota National Historic Landmark. A portion of the site is on property owned by the Calhoun Elks Club, while the remainder is on property owned by the State of Georgia and leased to the Elks Club.

While the majority of the site has seen extensive disturbance due to the construction of the golf course, the 1970 field report on the salvage excavations noted a 100-ft “preservation buffer” along the Oostanaula River to preserve portions of the site for future study. While it is unknown whether the entire preservation buffer was respected, as there are existing golf course facilities located within this area, the 2013 addendum archaeological survey identified intact deposits dating to the Early Woodland period along the wood line of the northern edge of the site and within the preservation buffer zone. Additionally, intact archaeological deposits associated with an historic ferry landing were identified in the wooded area in the northwest corner of the property where New Town Creek meets the Oostanaula River. The historic ferry, located at the fork of the Conasauga, Coosawattee, and Oostanaula rivers, originally would have served New Echota and would have been known as McCoy's Ferry from 1825 until approximately 1835. The ferry was likely in continuous operation from 1825 until approximately 1913, when the Fork Bridge was constructed over the Coosawattee River. Later uses of the ferry were referred to by different names including New Town Ferry, Newtown Ferry, Johnson's Ferry, and Fork Ferry.

Portions of 9GO59 have been found to contribute to the site's eligibility for the NRHP under Criteria A, B, and D. The site, particularly the ferry component, is significant under Criterion A for its association with New Echota, the New Echota National Historic Landmark, and the New Echota TCP and under Criterion B for its association with Alexander McCoy, a prominent Cherokee citizen. The site is also considered significant under Criterion D for its potential to yield important information about both the Early Woodland component of the site, as well as information regarding historic ferry organization, architecture, mechanics, and landscape (refer to Determination of Eligibility in Appendix C).

New Echota (State Historic Site/National Historic Landmark)

New Echota is a National Historic Landmark and National Register listed historic site located north of Calhoun along SR 225, approximately 0.5 mile east of I-75 (refer to Figure 1). It was the capitol of the Cherokee Nation between 1825 and 1838 and was the location of the establishment of the first Native American language newspaper in 1828, the *Cherokee Pheonix*. The Treaty of New Echota was signed on the site in 1835, which eventually resulted in the forced resettlement of the Cherokee from the Southeast along the “Trail of Tears.” The site originally contained a Council House, a Courthouse for the Cherokee Supreme Court, a mission school, a print shop, and several other houses and commercial buildings. Currently owned and administered by the State of Georgia, New Echota has been developed for public visitation and interpretation. The site currently contains three reconstructed historic buildings, two reconstructed house complexes; a nineteenth century building that has been moved to the site, reconstructed Cherokee farmstead, and a visitor’s center and museum building. The State of Georgia also currently leases a portion of the land within the National Register boundary to the Calhoun Elks Club for use as a golf course. This property was determined to possess a national level of significance in the areas of archaeology (historic-aboriginal), architecture, conservation, education, landscape architecture, literature, military, political, religion/philosophy, and history. This listed National Register boundary of the property comprises approximately 192 acres (refer to National Register and National Historic Landmark Nomination Forms in Appendix C). In 2003, the National Register acknowledged an expanded boundary for New Echota corresponding to the boundary of the New Echota Traditional Cultural Property, however there is no documentation that paperwork officially changing the boundary in the nomination form was ever completed. No mention was made of a change to the National Historic Landmark boundary (Appendix A).

New Echota and the New Echota National Historic Landmark are also considered historic properties along the Trail of Tears National Historic Trail managed by the National Park Service.

New Echota Traditional Cultural Property

The New Echota Traditional Cultural Property (TCP) was identified through the GDOT contract study, *A Traditional Cultural Property Study of New Echota, the First Cherokee National Capitol from 1825-1838, Gordon County, Georgia*. The study used archaeological and historical contexts, interviews with representatives of three federally recognized Cherokee tribes, and an assessment of the current New Echota landscape to assess whether New Echota could be considered a TCP. According to National Register Bulletin 38, “a traditional cultural property...can be defined generally as one that is eligible for inclusion in the National Register because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community’s history and (b) are important in maintaining the continuing cultural identity of the community.” The report concluded that New Echota should be considered a TCP because of its important association with the present day beliefs and identity of the Cherokee. This property was evaluated for eligibility for listing in the National Register under Criterion A and was determined to possess significance for its important association with significant events in Cherokee history. The TCP was evaluated for eligibility under Criterion D and was

determined to possess significance for its potential to provide information on Cherokee history, architecture, customs, and culture.

The eligible National Register boundary of the TCP corresponds to the historic town site of New Echota, which extends beyond the boundary of the New Echota State Historic Site/National Historic Landmark to include areas of the historic town that are considered important to the Cherokee but that were excluded from the listed National Register/National Historic Landmark boundary. The boundary is discontinuous and includes the New Echota Cemetery, which is separated by a non-historic residential development (refer to Figure 1 and an excerpt from the study in Appendix C). As noted in the New Echota State Historic Site description, in 2003 the Keeper of the National Register acknowledged an expansion of the National Register boundary for New Echota to correspond with that of the TCP; however no formal documentation was made to the National Register nomination for the site. The correspondence did not specifically reference a change to the National Historic Landmark boundary (Appendix A).

ASSESSMENT OF EFFECTS

Archaeological Site 9GO59 (Lum Moss Site and McCoy's/Fork Ferry)

A finding of **No Adverse Effect** is anticipated for Archaeological Site 9GO59, the Lum Moss Site and McCoy's/Fork Ferry. In the area of the resource, project implementation would consist of reconstruction and relocation of two tee boxes (Tee Box #6 and Tee Box #8), demolition and relocation of three green holes (Green Hole #5-wet season, Green Hole #5-dry season, and Green Hole #6), and the demolition and relocation of multiple segments of asphalt paved cart path (see Figure 2).

Project implementation would result in physical destruction of, or damage to, part of the property; however, this effect would not be considered adverse. 9GO59 is located within the existing Elks Club golf course and all construction associated with the redesign will be contained to the limits of the existing golf course. Salvage archaeology was conducted on the majority of 9GO59 during construction of the golf course in 1968, apart from a purported 100ft preservation buffer along the Oostanaula River. Contributing portions of 9GO59 are potentially located within this 100ft buffer area as well as the McCoy's/Fork Ferry feature located within the wooded area on the northeastern edge of the golf course. The contributing portions of the site will not be physically disturbed during construction of Tee Box #6, which will be relocated immediately south of the ferry portion of the site. The remainder of the site within the area of the golf course redesign has been previously disturbed by golf course construction and has little potential to contain intact soils or archaeological deposits that were not previously recorded during the earlier salvage operations (Figure 3).

Additionally, Green Hole #6 will be relocated east of its current location and will be constructed completely on fill to avoid any new ground disturbance. The newly relocated Hole 6 will be constructed on approximately four feet of fill, placed directly on top of the existing grade. Existing irrigation lines will be used outside of the 100ft preservation buffer and the new irrigation lines required for Green Hole #6 will be buried within the fill to avoid any new ground

disturbance within the buffer (Figures 4-5). No physical demolition will be associated with the abandonment of the existing Green Hole #6. Consultation with David Locke, Calhoun Elks Club Course Manager indicated that the existing green and sand trap will remain in their current location and will be maintained as fairway after redesign is complete. The existing paved cart path within the preservation buffer will also be maintained and will not be demolished or relocated.

Additional work associated with the golf course redesign outside of the preservation buffer will include the removal and relocation of paved cart paths, the demolition and relocation of Green Hole #5-wet season, Green Hole #5-dry season, and relocation of Tee Box #8 (Figure 2). This work will occur within the larger limits of 9GO59, however they will take place in the portion of the site which underwent salvage archaeological excavations during initial construction of the golf course and for which there is little potential for intact archaeological deposits. Some clearing and grubbing is associated with the relocation of Tee Box #8 and construction of new cart paths to Tee Box #6 and Tee Box #8.

Based on the avoidance measures in the golf course redesign as described above, No Adverse Effect is anticipated to the archaeological deposits associated with Archaeological Site 9GO59.

Project implementation would not result in a change in the character of the property's use. There are no direct or indirect effects anticipated to 9GO59 that would alter the character of the property. The site is currently located within an active golf course and redesign of the course layout would result in a change in the character of the property's use.

Project implementation would not result in a change in the character of the property's physical features within the property's setting that contribute to its historic significance. The resource is an archaeological site and all associated features are located subsurface or outside of the proposed course redesign. Furthermore, redesign of the golf course will not change the setting as it is currently maintained and operated as a golf course.

Project implementation would not result in the introduction of visual elements that diminish the integrity of the property's significant historic characteristics or features. The redesign of the existing golf course would not further compromise the visual character of the property as it would not alter the overall visual setting of the resource.

Project implementation is anticipated to indirectly affect 9GO59; however that effect would not be considered adverse. The golf course redesign, as detailed above, will be constructed in a manner that avoids ground disturbance within the portions of 9GO59 that have potential for intact archaeological deposits. Once the redesign has been constructed, the golf course will continue operations in the same manner as which they are currently occurring.

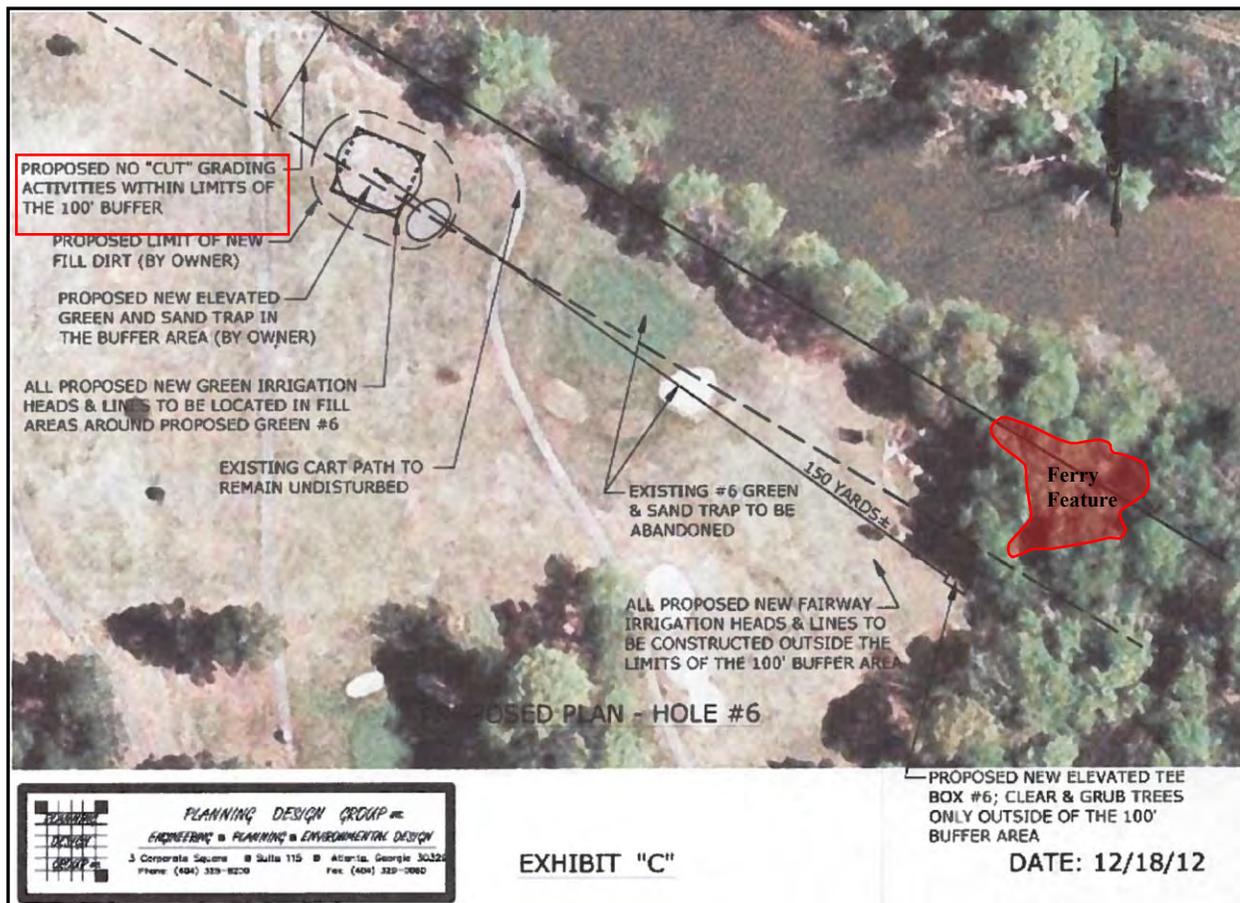


Figure 3. Proposed Improvements in the Area of 9GO59. Aerial showing proposed Hole 6 Relocation in relation to the 100-ft Preservation Buffer.

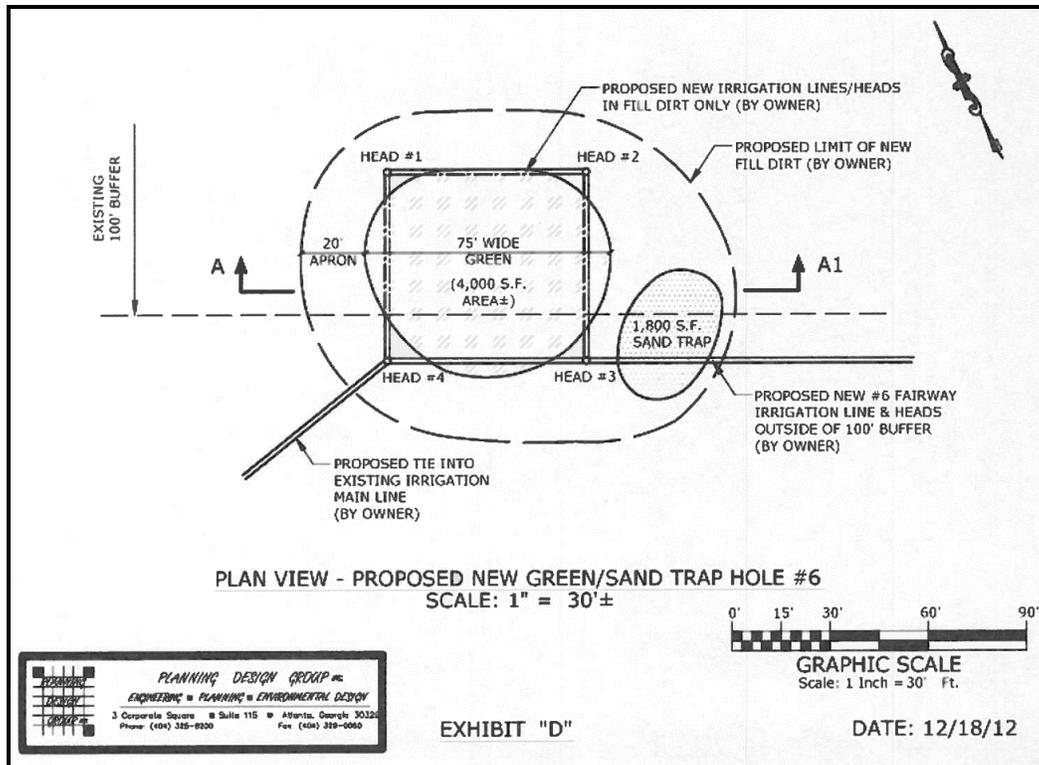


Figure 4. Proposed Improvements in the Area of 9GO59. Plan View Detail of Hole 6 Cost-to-Cure Construction Plans.

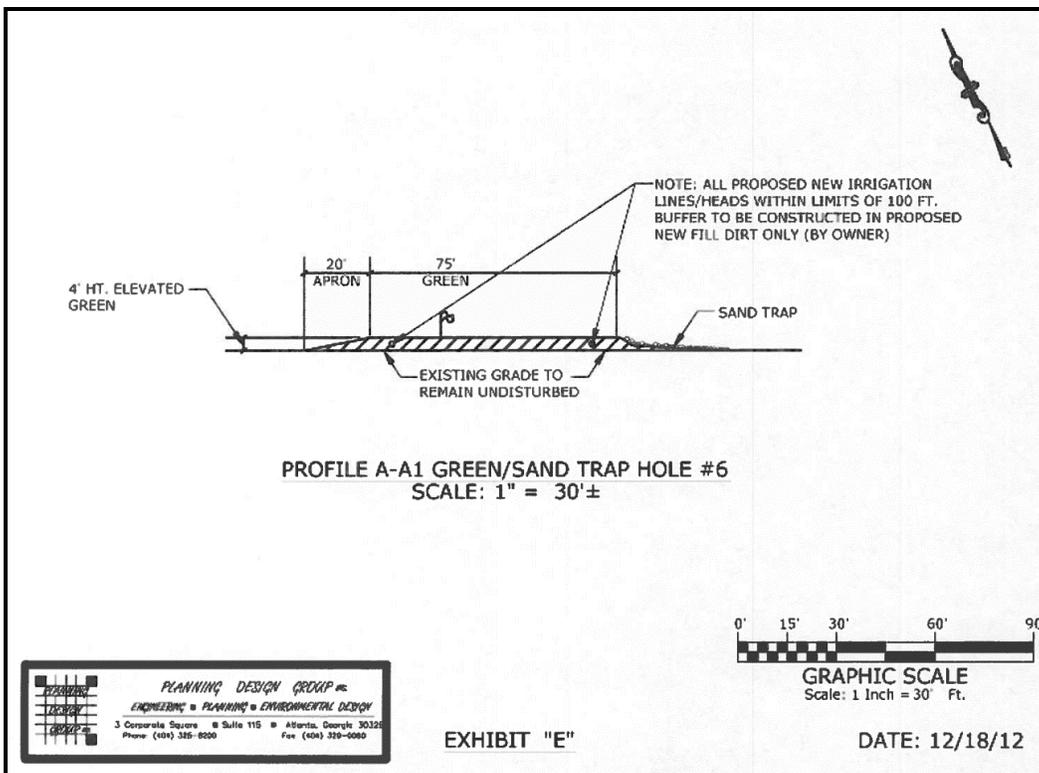


Figure 5. Proposed Improvements in the Area of 9GO59. Cross Section Detail of Hole 6 Cost-to-Cure Construction Plans.

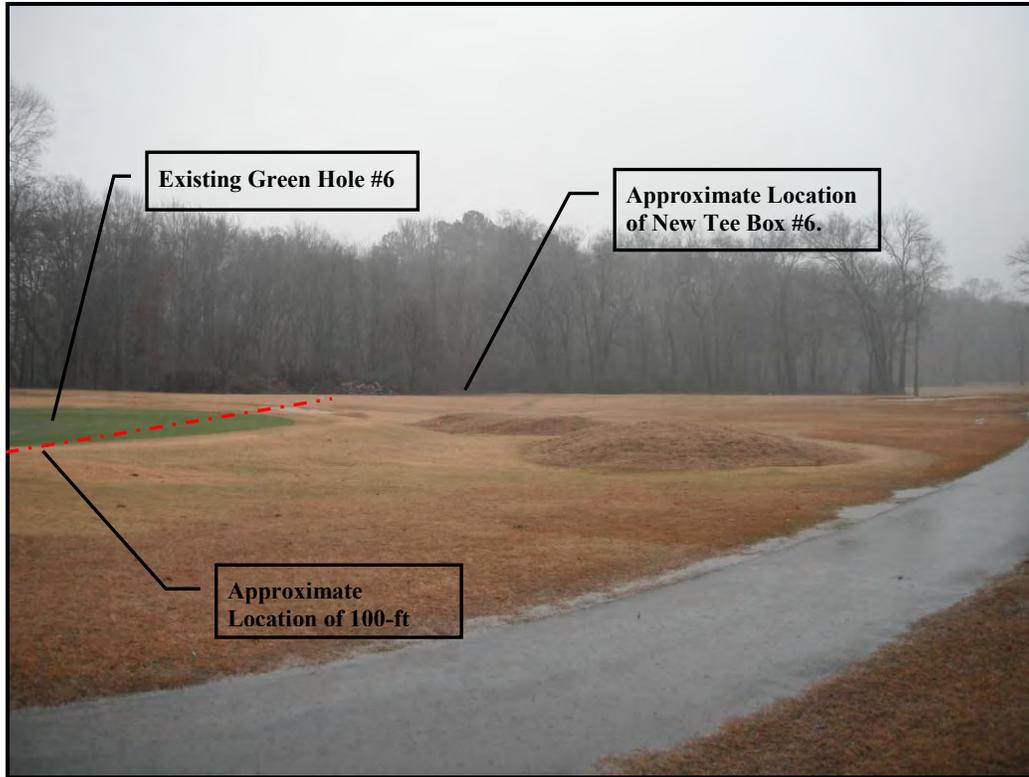


Figure 6. Existing conditions at Hole 6 within 9GO59, facing east towards New Town Creek. Cart path will remain in existing location.



Figure 7. Existing conditions at location of new Green Hole #6 within 9GO59, facing north towards the Oostanula River

New Echota (State Historic Site/National Historic Landmark)

In 2008, the original AOE resulted in a finding of **Conditional No Adverse Effect** for New Echota based on a set of conditions imposed on the proposed project through stipulations included in a Statement of Conditions for No Adverse Effect within the ratified 2009 Memorandum of Agreements (See Appendix B). For the current addendum, a finding of **No Adverse Effect** is still anticipated for New Echota. In the area of the resource, project implementation would consist of reconstruction and relocation of two tee boxes (Tee Box #6 and Tee Box #8), demolition and relocation of three green holes (Green Hole #5-wet season, Green Hole #5-dry season, and Green Hole #6), and the demolition and relocation of multiple segments of asphalt paved cart path (see Figure 2).

Project implementation would result in physical destruction of or damage to part of the property; however this effect is not considered adverse based on the conditions imposed on the project design outlined in the 2009 Statement of Conditions for No Adverse Effect. While construction activity related to the redesign of the Calhoun Elks Golf Course would occur within the listed National Register/National Historic Landmark boundary of the property, no characteristics that qualify the property for inclusion in the National Register would be altered. The golf course will be redesigned completely within the limits of the existing golf course so there will be no net change in how much of the resource is used as a golf course. Additionally, the golf course redesign work is located completely north of SR 225 and away from all of the buildings and features that contribute to the eligibility of the New Echota.

Project implementation would not result in a negative change in the character of the property's use. There are no direct or indirect effects anticipated to New Echota that would alter the character of the continued interpretive and educational use of the property. The portion of New Echota being affected by the Elks Club Golf Course redesign is currently being used as a golf course, therefore implementation of the redesign as part of the project would not result in a change in the character of the property's use.

Project implementation would not result in a change in the character of the property's physical features within the property's setting that contribute to its historic significance. While construction activity would occur within the listed National Register/National Historic Landmark boundary of the property, the contributing features to the property are located south of SR 225 and outside of the area of the golf course redesign.

Project implementation would not result in the introduction of visual elements that diminish the integrity of the property's significant historic characteristics or features. Conditions imposed on the project would reduce the visual impacts of the proposed project and would lessen the visual impacts of existing intrusions into the viewshed of the property. A landscape plan has been incorporated into the project design as part of the 2009 Statement of Conditions for No Adverse Effect which adds native vegetation along the roadway to break up the view of the golf course from the road and the New Echota Historic Site. The landscaping will not screen the resource from the golf course, but rather would soften the visual intrusions of the golf course on the setting for New Echota. The redesign plans do include some additional clearing of vegetation on the existing course in order to relocate Tee Box #8, Fairway #5, and portions of cart path, however this will not change the overall setting of New Echota and, in combination with the

landscaping stipulated in the MOA as part of the SR 225 construction, there will be no net gain of golf course to the setting (See Figure 2).

Project implementation would not result in the introduction of atmospheric elements that diminish the integrity of the property's significant historic characteristics or features. There would be no atmospheric effect to this property as a result of project implementation. The project is consistent with the State Implementation Plan for air quality in the region.

Project implementation would not audibly affect New Echota. The proposed golf course redesign would not have an effect on the roadway or traffic, and the project itself would not increase the capacity of the existing roadway, and therefore, would not result in an increase in traffic-generated noise.

Project implementation is not anticipated to indirectly adversely affect New Echota. The redesign of the golf course would allow the Elks Club to continue operation of an 18 hole course, as is currently operating on the site without having to further expand beyond the exiting parcel.

New Echota Traditional Cultural Property

In 2008, the original AOE resulted in a finding of **Conditional No Adverse Effect** for the New Echota Traditional Cultural Property based on a set of conditions imposed on the proposed project through stipulations included in a Statement of Conditions for No Adverse Effect included in the ratified 2009 Memorandum of Agreements (See Appendix B). For the current addendum, a finding of **No Adverse Effect** is still anticipated for the New Echota TCP. In the area of the resource, project implementation would consist of reconstruction and relocation of two tee boxes (Tee Box #6 and Tee Box #8), demolition and relocation of three green holes (Green Hole #5-wet season, Green Hole #5-dry season, and Green Hole #6), and the demolition and relocation of multiple segments of asphalt paved cart path (see Figure 2).

Physical destruction of or damage to part of the property would occur however this effect is not considered adverse based on the conditions imposed on the project design outlined in the 2009 Statement of Conditions for No Adverse Effect. While construction activity related to the redesign of the Calhoun Elks Golf Course would occur within the TCP boundary of the property, no characteristics that qualify the property for inclusion in the National Register would be altered. The golf course will be redesigned completely within the limits of the existing golf course so there will be no net change in how much of the resource is used as a golf course and all contributing features will be avoided during the construction of the new holes. Additionally, the golf course redesign work is located completely north of SR 225 and all of the buildings and features that contribute to the eligibility of the TCP.

Project implementation would not result in a change in the character of the TCP's use. There are no direct or indirect effects anticipated to the New Echota TCP that would alter the character of the continued use of the property by the Cherokee. The proposed project will result in a golf course redesign that will take place completely within the limits of the existing golf course; therefore, project implementation would not result in a change in the character of the property's use.

Project implementation would not result in a change in the character of the property's physical features within the TCP's setting that contribute to its historic significance or significance to the Cherokee people today. The original construction of the Calhoun Elks Golf Course in 1969 previously modified this area and redesign of the specific course layout would not adversely affect any physical features that contribute to the setting. The redesign plans do include some additional clearing of vegetation on the existing course in order to relocate Tee Box #8, Fairway #5, and portions of cart path, however the overall setting of the TCP would not be adversely affected by this change (See Figure 2).

Project implementation would not result in the introduction of visual elements that diminish the integrity of the TCP's significant historic or cultural characteristics or features. Conditions imposed on the project would reduce the visual impacts of the proposed project and would lessen the visual impacts of existing intrusions into the viewshed of the property. A landscape plan has been incorporated into the project design as part of the 2009 Statement of Conditions for No Adverse Effect that adds native vegetation along the roadway to break up the view of the golf course from the road and New Echota Historic Site. The landscaping will not screen the resource from the golf course, but rather would soften the visual intrusions of the golf course on the setting for New Echota. The redesign plans do include some additional clearing of vegetation on the existing golf course in order to clear fairway and tee box locations; however this will not change the overall setting of New Echota and, in combination the landscaping stipulated in the MOA as part of the SR 225 construction, there will be no net gain of golf course to the setting.

Project implementation would not result in the introduction of atmospheric elements that diminish the integrity of the property's significant historic characteristics or features. There would be no atmospheric effect to this property as a result of project implementation. The project is consistent with the State Implementation Plan for air quality in the region.

Project implementation would not audibly affect the New Echota TCP. The proposed project would not increase the capacity of the existing roadway, and therefore, would not result in an increase in traffic-generated noise.

Project implementation is not anticipated to affect indirectly the New Echota TCP. The redesign of the golf course would allow the Elks Club to continue operation of an 18 hole course, as is currently operating on the site without having to further expand beyond the exiting parcel.

SUMMARY

As presented in the above addendum, implementation of the proposed redesign of the Calhoun Elks Club Golf Course would result in a finding of **No Adverse Effect** for Archaeological Site 9GO59, New Echota Historic Site/National Historic Landmark, and the New Echota Traditional Cultural Property based on conditions imposed on the proposed project which have already been incorporated into the Cost-to-Cure mitigation plans for the golf course redesign. The golf course redesign would take place completely within the limits of the existing golf course and would be constructed in such a way as to avoid new disturbance to contributing features of Archaeological Site 9GO59 and New Echota.

In addition to the above effects, the original 2008 AOE also took into account effects of the project on the New Echota Historic Site, National Historic Landmark, and TCP, in addition to Archaeological Site 9GO297. The project was found to have an Adverse Effect to Archaeological Site 9GO297 and No Adverse Effect to New Echota and the New Echota TCP based on a set of conditions placed upon the project. Memorandum of Understandings were ratified in 2009 to agreeing to these conditions as well as mitigation efforts to resolve the Adverse Effect to 9GO297 and these efforts are currently underway.

PLANNING TO MINIMIZE HARM

Planning to minimize harm was taken into consideration to the extent possible during project development. Specific to the resources included in this addendum, the golf course redesign was altered to contain all work within the existing golf course so as to minimize any new disturbance. The length of several holes were altered, while maintaining the necessary Par, to allow for the tee box to be located out of the wooded portion of the site and therefore avoid any adverse impacts to the McCoy's/Fork Ferry feature of Archaeological Site 9GO59. Additionally, plans were altered to construct Green Hole #6 completely on fill, including irrigation lines, to avoid any ground disturbance within the 100ft Preservation Buffer. Coordination between GDOT archaeologists, the Cost-to-Cure engineer, and the Calhoun Elks Club Course Manager discussed potential design elements to avoid adverse effects and minimize ground disturbance within the Preservation Buffer of 9GO59. These avoidance and minimization efforts also benefit New Echota State Historic Site, National Historic Landmark, and Traditional Cultural Property by containing the golf course redesign within the existing course and therefore not introducing any new visual elements to the setting of those resources.

As an additional effort to preserve the resources in this area and ensure that all eligible resources were not adversely affected, GDOT's Office of Right-of-Way included a Special Provision and Performance Bond as part of the Right-of-Way agreement with the Calhoun Elks Club. The Special Provision indicates that the Elks Club will reconstruct their course according to the Cost-to-Cure plans agreed upon during negotiations (and detailed above). Additionally, the Performance Bond withholds \$10,000 of the final negotiated Right-of-Way settlement upon condition that the Calhoun Elks Club completes the redesign of the course in accordance with the developed Cost-to-Cure plans. This will help to ensure that the avoidance measures of the design are adhered to and adverse impacts to contributing portions of 9GO59 are avoided.

As noted earlier, three Memorandum of Agreement and Statement of Conditions for No Adverse Effect were ratified in 2009 between the FHWA, GDOT, Georgia SHPO, Georgia DNR and each of the three federally-recognized Cherokee tribal governments, the Cherokee Nation, Eastern Band of Cherokee Indians, and United Keetoowah Band of Cherokee Indians, respectively. The Memorandum of Agreement resolved adverse effects to archaeological site 9GO297 and mitigation work is currently underway. The Statement of Conditions for No Adverse Effect specifically addressed the effects of the project on New Echota. The context sensitive design bridges, guardrail, signage, and landscape plan have been incorporated into the project plans in consultation with all consulting parties. Additionally, while the reuse of the abandoned roadbed for additional interpretative trail at the park was not found to be a feasible option due to issues of ADA accessibility and safety, additional interpretive signage is being developed to add to the existing New Echota facility in fulfillment of the spirit of Condition #4 for No Adverse Effect (see Appendix B). Fulfillment of the Memorandum of Agreement and Conditions for No Adverse Effect is being conducted in close coordination with all consulting parties.

APPENDICES

APPENDIX A

**NOTIFICATION AND
CONSULTATION CORRESPONDENCE**



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO: 2280

To: Robert M. Callan, P.E.
Division Administrator FHWA
GA Division
61 Forsyth St., SW, Suite 17T100
Atlanta, GA 30303

The Director of the National Park Service wishes to inform you of our determination pursuant to the National Historic Preservation Act, as amended, and Executive Order 11593 in response to your request for a determination of eligibility for inclusion in the National Register of Historic Places. Our determination appears on the enclosed material.

As you know, your request for our professional judgment constitutes a part of the Federal planning process. We urge that this information be integrated into the National Environmental Policy Act analysis and the analysis required under section 4(f) of the Department of Transportation Act, if this is a transportation project, to bring about the best possible program decisions.

This determination does not serve in any manner as a veto to uses of property, with or without Federal participation or assistance. The responsibility for program planning concerning properties eligible for the National Register lies with the agency or block grant recipient after the Advisory Council on Historic Preservation has had an opportunity to comment.

Attachment



United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

DETERMINATION OF ELIGIBILITY NOTIFICATION

National Register of Historic Places
National Park Service

Name of Property: New Echota, the First Cherokee National Capitol from 1825-1838

Location: Gordon County

State: Georgia

Request submitted by: Robert M. Callan, Division Administrator, FHWA, Georgia Division

Date received: 03/25/03

Additional information received

Opinion of the State Historic Preservation Officer:

Eligible Not Eligible No Response Need More Information

Comments:

Opinion of the Tribal Historic Preservation Officer:

Eligible Not Eligible No Response Need More Information

Comments:

The Secretary of the Interior has determined that this property is:

Eligible Applicable criteria: Not Eligible

Comment:

The proposed boundary increase to New Echota is eligible for listing in the National Register under criteria A and D. Please see the attached comment sheet for further information. Also attached is a map showing the boundaries of the area determined eligible for listing.

Donald J. Vicia
for Keeper of the National Register

Date: May 5, 2003

DETERMINATION OF ELIGIBILITY NOTIFICATION

National Register of Historic Places National Park Service

Comment: The proposed boundary increase to New Echota is eligible for listing in the National Register under criterion A and D. The documentation demonstrates that property is historically significant under Criterion A for its association with New Echota, the first capitol of the Cherokee Nation. The property reflects the history of the Cherokee nation from the founding of New Echota in 1825 to 1838, when the forced removal of the Cherokee—the “Trail of Tears”—began under the terms of the Treaty of New Echota. The property is also significant under Criterion D for archeological resources that have the potential to yield important information about Cherokee history and culture.

The property determined eligible for listing in the National Register as a boundary increase to New Echota is delineated by the solid blue line shown on the attached map. The eligible property is a discontinuous district because it is comprised of the proposed boundary increase to New Echota and also the New Echota cemetery, a site situated approximately 900 feet south of the current National Register boundary.

Georgia Department of Natural Resources

Historic Preservation Division

Lonice C. Barrett, Commissioner

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer
156 Trinity Avenue S.W., Suite 101, Atlanta, Georgia 30303
Telephone (404) 656-2840 Fax (404) 651-8739

October 31, 2002

Harvey D. Keepler
State Environmental/Location Administrator
Office of Environment & Location
Georgia Department of Transportation
3993 Aviation Circle
Atlanta, Georgia 30336-1593

RE: New Echota Traditional Cultural Property
Gordon County, Georgia
FP-020813-001

Dear Mr. Keepler:

The Historic Preservation Division (HPD) has received documentation concerning New Echota, the first capitol of the Cherokee Nation, located in present day Gordon County, Georgia. Our comments are offered to assist the Federal Highway Administration and the Georgia Department of Transportation in complying with Section 106 of the National Historic Preservation Act of 1966, as amended, in transportation planning along the SR 225 corridor in the area of New Echota State Historic Site, a National Historic Landmark listed on the National Register of Historic Places.

HPD has reviewed the report entitled "A Traditional Cultural Property Study of New Echota the First Cherokee National Capitol from 1825-1838, Gordon County, Georgia," including Appendix A, Determination of Eligibility for New Echota Traditional Cultural Property, prepared by New South Associates. Based on the information contained in this report, and on the Determination of Eligibility submitted for this property, HPD concurs with the finding that New Echota should be considered eligible for listing on the National Register of Historic Places under criteria A and D as a Traditional Cultural Property. Furthermore, HPD agrees that the proposed boundary, based on historical documentation and consultation with representatives of the three Federally recognized Cherokee tribes, appears to accurately define this property.

If we may be of further assistance, please contact Betsy Shirk, Transportation Projects Review Coordinator, at (404) 463-6687.

Sincerely,



Richard Cloues
Deputy State Historic Preservation Officer

RC/ECS

cc: Robert M. Callan, P.E., FHWA (ATTN: David Grachen/Jennifer Giersch)
David Gomez, Superintendent, New Echota State Historic Site
Dan Latham, Jr., Coosa Valley RDC



The Eastern Band of Cherokee Indians

The Honorable Leon D. Jones, Principal Chief
The Honorable Carroll J. Crowe, Vice-Chief

October 28, 2002

Bob Blankenship
Chairman
Yellowhill Township

Larry Blythe
Vice-Chairman
Wolfstown Township

Tribal Council Members

Teresa Bradley McCoy
Big Cove Township

Richard Panther
Big Cove Township

Jim Owle
Birdtown Township

Albert Crowe
Birdtown Township

Marie L. Junaluska
Painttown Township

Tommye Saunooke
Painttown Township

Glenda Sanders
Snowbird &
Cherokee Co. Township

Brenda L. Norville
Snowbird &
Cherokee Co. Township

Dwayne Jackson
Wolfstown Township

Alan B. Ensley
Yellowhill Township

Mr. Eric Anthony Duff
Georgia Department of Transportation
3993 Aviation Boulevard
Atlanta, GA

RE: New Echota Traditional Cultural Property Study

Dear Eric,

Per your request of October 4, 2002, by this letter the Eastern Band of Cherokee Indians Tribal Historic Preservation Office is providing formal comment regarding the above-referenced project. First, let me say that the Eastern Band of Cherokee have been very excited by this project and have enjoyed their involvement in the study and nomination process. We have enjoyed providing oral history information regarding New Echota as well as participating in the creation of a video that tells the story of this important place.

Second, please know that the Eastern Band of Cherokee Indians have continually supported your agency's efforts to document New Echota as a TCP. Also, after our review of the draft TCP study, it is our pleasure to say that, with only a few exceptions (see comments/corrections provided by the EBCI THPO on October 3, 2002), the Eastern Band of Cherokee can concur with both the factual information and cultural analysis provided in the draft report. New Echota reveals a series of vital stories about the Cherokee people—a people with a long and complex history. In our opinion, the TCP study both accurately and poignantly reveals the myriad of opinions and emotions regarding this historically and spiritually significant resource and respectfully and thoroughly re-tells the stories.

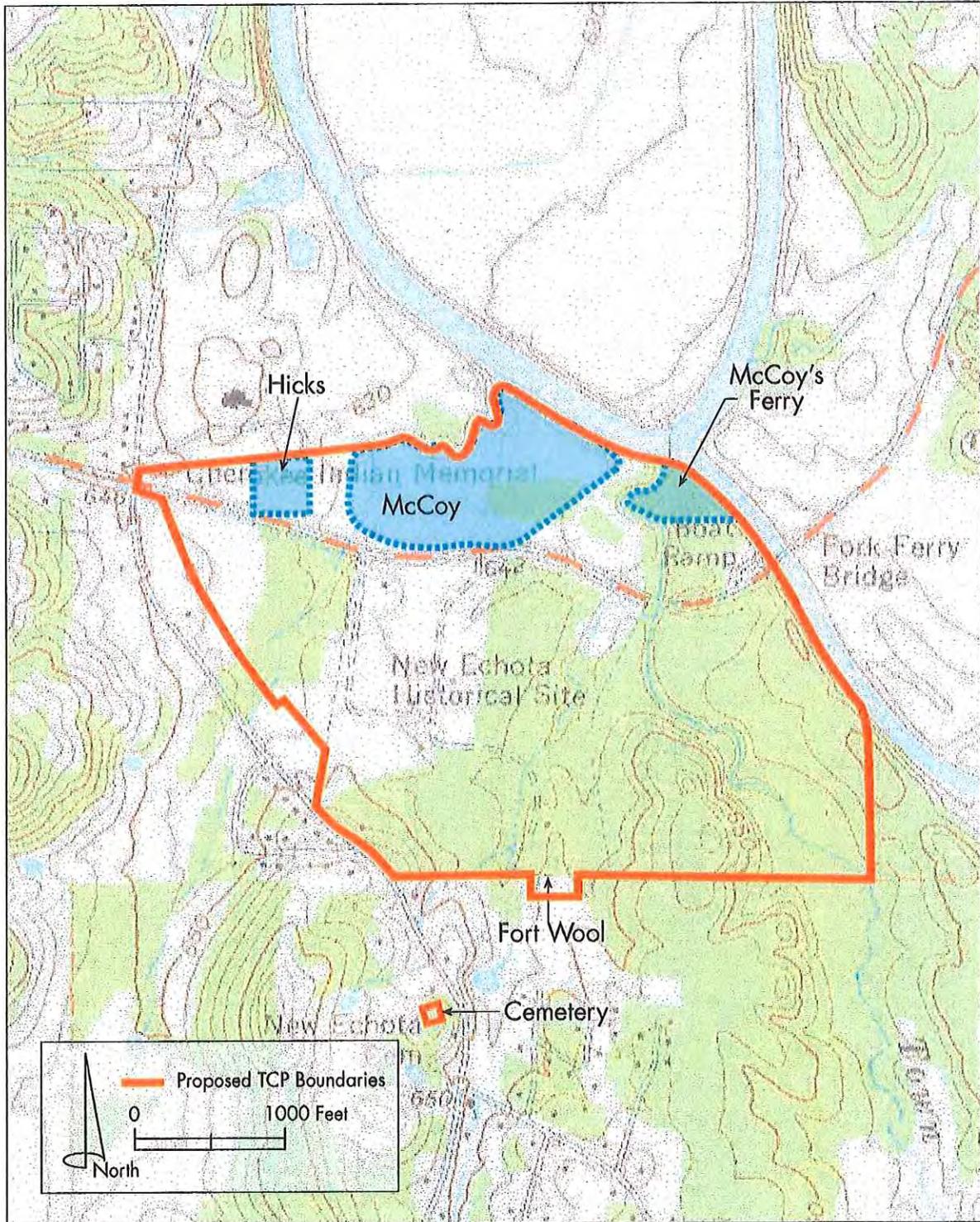
Undertaking a TCP study and nominations is an arduous task, but one that we feel was well worth pursuing. The Eastern Band of Cherokee Indians appreciates the patience, sensitivity, and seriousness with which you undertook this most important of cultural preservation initiatives. We look forward to continued consultations between the Eastern Band of Cherokee and Georgia DOT concerning this and other projects.

Sincerely,

Lee Claus

Historic Preservation Specialist

Figure 20
TCP Boundaries Recorded on the USGS Calhoun North Quad





Department of Transportation

HAROLD E. LINNENKOHL
COMMISSIONER
(404) 656-5206

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CHIEF ENGINEER
(404) 656-5277

State of Georgia
3993 Aviation Circle
Atlanta, Georgia 30336

LARRY E. DENT
DEPUTY COMMISSIONER
(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

March 03, 2004

Dr. Richard Allen
NAGPRA Representative
Cherokee Nation
Post Office Box 948
Tahlequah, Oklahoma 74465

Re: Aerial Photography of New Echota and Initial Concept Team Meeting Information for GDOT Projects BHF-151-1(6) and BRST-151-1(7); PI #'s 631570 and 632906; Proposed Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County Georgia

Dear Dr. Allen:

Enclosed please find four sets of aerial photography of New Echota and SR 225 in Gordon County, Georgia. As you may recall in December 2003, three of these aerial photography sets were utilized during our meeting at New Echota in conceptual discussions relating to GDOT's proposed projects noted above. In addition, please find one aerial photograph which outlines potential design alternatives in the area of the proposed projects along SR 225 adjacent to New Echota. This aerial was developed at the request of all meeting participants so that conceptual issues could be graphically represented. At your earliest convenience, please review and comment on the requested aerial photograph that depicts potential design alternatives along SR 225 adjacent to New Echota.

Also, please find information relating to the Initial Concept Team Meeting that is scheduled for 10:30am on March 22, 2004 at New Echota. This meeting will discuss issues similar to those discussed in December of 2003, and the potential design alternatives depicted on the aerial photograph will be reviewed by GDOT Location/Design Engineers. The Department is committed to working with all parties on the proposed projects, and believes that with your help, conceptual designs for the proposed projects can be developed that meet future transportation needs while maintaining environmental excellence and stewardship initiatives. If you would like to attend the meeting noted above or should you have any questions concerning the enclosed aerial photography, please contact Eric Anthony Duff of this office at (404) 699-4437.

Sincerely,

A handwritten signature in black ink that reads "Harvey D. Keepler" followed by a stylized flourish.

Harvey D. Keepler
State Environmental/Location Engineer

HDK/EAD

cc: Mr. Robert M. Callan, P.E., FHWA, (ATTN: David Grachen/Jennifer Giersch)
Thomas L. Turner, P.E., GDOT Director of Preconstruction



Department of Transportation

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TREASURER
(404) 656-5224

March 03, 2004

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

Re: Aerial Photography of New Echota and Initial Concept Team Meeting Information for GDOT Projects BHF-151-1(6) and BRST-151-1(7); PI #'s 631570 and 632906; Proposed Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County Georgia

Dear Mr. Townsend:

Enclosed please find four sets of aerial photography of New Echota and SR 225 in Gordon County, Georgia. As you may recall in December 2003, three of these aerial photography sets were utilized during our meeting at New Echota in conceptual discussions relating to GDOT's proposed projects noted above. In addition, please find one aerial photograph which outlines potential design alternatives in the area of the proposed projects along SR 225 adjacent to New Echota. This aerial was developed at the request of all meeting participants so that conceptual issues could be graphically represented. At your earliest convenience, please review and comment on the requested aerial photograph that depicts potential design alternatives along SR 225 adjacent to New Echota.

Also, please find information relating to the Initial Concept Team Meeting that is scheduled for 10:30am on March 22, 2004 at New Echota. This meeting will discuss issues similar to those discussed in December of 2003, and the potential design alternatives depicted on the aerial photograph will be reviewed by GDOT Location/Design Engineers. The Department is committed to working with all parties on the proposed projects, and believes that with your help, conceptual designs for the proposed projects can be developed that meet future transportation needs while maintaining environmental excellence and stewardship initiatives. If you would like to attend the meeting noted above or should you have any questions concerning the enclosed aerial photography, please contact Eric Anthony Duff of this office at (404) 699-4437.

Sincerely,

A handwritten signature in cursive script that reads "Harvey D. Keepler" followed by a small mark that appears to be "WRB".

Harvey D. Keepler
State Environmental/Location Engineer

HDK/EAD

cc: Mr. Robert M. Callan, P.E., FHWA, (ATTN: David Grachen/Jennifer Giersch)
Thomas L. Turner, P.E., GDOT Director of Preconstruction



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EARL L. MAHFUZ
TREASURER
(404) 656-5224

March 03, 2004

Mr. Archie Mouse
THPO/NAGPRA Representative
United Keetoowah Band of Cherokee Indians
Post Office Box 189
Park Hill, Oklahoma 74451

Re: Aerial Photography of New Echota and Initial Concept Team Meeting Information for GDOT Projects BHF-151-1(6) and BRST-151-1(7); PI #'s 631570 and 632906; Proposed Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County Georgia

Dear Mr. Mouse:

Enclosed please find four sets of aerial photography of New Echota and SR 225 in Gordon County, Georgia. As you may recall in December 2003, three of these aerial photography sets were utilized during our meeting at New Echota in conceptual discussions relating to GDOT's proposed projects noted above. In addition, please find one aerial photograph which outlines potential design alternatives in the area of the proposed projects along SR 225 adjacent to New Echota. This aerial was developed at the request of all meeting participants so that conceptual issues could be graphically represented. At your earliest convenience, please review and comment on the requested aerial photograph that depicts potential design alternatives along SR 225 adjacent to New Echota.

Also, please find information relating to the Initial Concept Team Meeting that is scheduled for 10:30am on March 22, 2004 at New Echota. This meeting will discuss issues similar to those discussed in December of 2003, and the potential design alternatives depicted on the aerial photograph will be reviewed by GDOT Location/Design Engineers. The Department is committed to working with all parties on the proposed projects, and believes that with your help, conceptual designs for the proposed projects can be developed that meet future transportation needs while maintaining environmental excellence and stewardship initiatives. If you would like to attend the meeting noted above or should you have any questions concerning the enclosed aerial photography, please contact Eric Anthony Duff of this office at (404) 699-4437.

Sincerely,

A handwritten signature in cursive script that reads "Harvey D. Keeper" followed by a flourish.

Harvey D. Keeper
State Environmental/Location Engineer

HDK/EAD

cc: Mr. Robert M. Callan, P.E., FHWA, (ATTN: David Grachen/Jennifer Giersch)
Thomas L. Turner, P.E., GDOT Director of Preconstruction



Department of Transportation

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(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

March 03, 2004

Mr. David A. Gomez
Site Manager
New Echota State Historic Site
1211 Chatsworth Highway
Calhoun, Georgia 30701

Re: Aerial Photography of New Echota and Initial Concept Team Meeting Information for GDOT Projects BHF-151-1(6) and BRST-151-1(7); PI #'s 631570 and 632906; Proposed Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County Georgia

Dear Mr. Gomez:

Enclosed please find four sets of aerial photography of New Echota and SR 225 in Gordon County, Georgia. As you may recall in December 2003, three of these aerial photography sets were utilized during our meeting at New Echota in conceptual discussions relating to GDOT's proposed projects noted above. In addition, please find one aerial photograph which outlines potential design alternatives in the area of the proposed projects along SR 225 adjacent to New Echota. This aerial was developed at the request of all meeting participants so that conceptual issues could be graphically represented. At your earliest convenience, please review and comment on the requested aerial photograph that depicts potential design alternatives along SR 225 adjacent to New Echota.

Also, please find information relating to the Initial Concept Team Meeting that is scheduled for 10:30am on March 22, 2004 at New Echota. This meeting will discuss issues similar to those discussed in December of 2003, and the potential design alternatives depicted on the aerial photograph will be reviewed by GDOT Location/Design Engineers. The Department is committed to working with all parties on the proposed projects, and believes that with your help, conceptual designs for the proposed projects can be developed that meet future transportation needs while maintaining environmental excellence and stewardship initiatives. If you would like to attend the meeting noted above or should you have any questions concerning the enclosed aerial photography, please contact Eric Anthony Duff of this office at (404) 699-4437.

Sincerely,

A handwritten signature in black ink that reads "Harvey D. Keepler" followed by a stylized monogram "WKB".

Harvey D. Keepler
State Environmental/Location Engineer

HDK/EAD

cc: Mr. Robert M. Callan, P.E., FHWA, (ATTN: David Grachen/Jennifer Giersch)
Thomas L. Turner, P.E., GDOT Director of Preconstruction

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA
INTERDEPARTMENTAL CORRESPONDENCE

FILE BHF-151-1(6) & BRST-151-1(7) **OFFICE** Environment/Location
Gordon County
P.I. No. 632906 & 631570 **DATE** March 22, 2004

FROM Harvey D. Keepler, State Environmental/Location Engineer

TO Distribution Below

SUBJECT INITIAL CONCEPT TEAM MEETING MINUTES – SR 225 Bridge Replacements

Date/Time: Monday, March 22, 2004; 10:30 a.m.
Place: Conference Room of the New Echota Historic Park
Attending: Eastern Band of Cherokee Indians: Russell Townsend. United Keetoowah Band of Cherokee Indians: Archie Mouse, Sequoyah Guess. Elks Club: David Locke, Cais Roland, Brent Davis. Gordon County Road Superintendent: Barry Hice. Bell South: Bob Oesterle. North Georgia EMC: Brent Peteet. FHWA: David Grachen, Makayah Royal. DNF-HPD: Ronnie Rogers, Betsy Shirk.. DNR-Parks: Handy Johnson, Wally Woods, David Gomez.. GDOT-Consultant Design: Ted Cashin. GDOT-Right-of-Way: Rick Ford. GDOT-Cartersville District: Royce Turner, Kerry Bonner, Dewayne Comer, Patrick Bowers, Mike Thomason, Lisa Wesley, Harlan Conley. GDOT-Materials & Research: Karyn Matthews. GDOT-Environment/Location: Jerry Hobbs, Ken Thompson, Keith Posey, Dan Funk, Richard Williams, Rowe Bowen, Susan Knudson, William Bouthiller, Andrick Anderson.

Keith Posey opened the meeting by presenting the purpose and the format for the meeting along with a brief description of the project. The purpose of this meeting is to validate the Need and Purpose of the project, and to include, early in the process, local officials and key Department of Transportation(GDOT) personnel for review and discussion. Constraints will be identified along the project corridor, and how they affect concept geometry will be discussed . Dan Funk then described the project in detail.

Project BHF-151-1(6) and BRST-151-1(7) is the replacement of two bridges on SR 225 over New Town Creek and the Coosawattee River, approximately 1 mile east of I-75. The existing alignment is located adjacent to the New Echota State Historic Site. This was the first national capital of the Cherokee Nation. The Georgia Department of Natural Resources (DNR) owns approximately 190 acres on which the site sits; 30 acres north of SR 225 and 160 acres south of SR 225. The land on the north side of the road is currently leased to the Elks Club and used as a golf course. The existing bridge over New Town Creek was

constructed in 1952, is 162 feet long and 24 feet wide with a sufficiency rating of 50.69. The existing bridge over Coosawattee River was also constructed in 1955 and is 621 feet long and 24 feet wide with a sufficiency rating of 20.36. The deck width of both bridges is 30 feet, and existing SR 225 consists of two, 12 foot lanes with 3 foot shoulders on 80 feet of existing right-of-way. Opening day traffic (2010) is projected to be 6500 AADT and the design year traffic (2030) is 9700 AADT. The posted speed limit along the roadway and the design speed is 55 mph.

Although very little engineering and no environmental work has been done for the current study, five possible alignments were displayed at the meeting to initiate the discussion. The corridor considerations begin at varying points along SR 225, east of CR 483/New Town Church Road, and tie back in to existing SR 225 after crossing over both the New Town Creek and Coosawattee River at different locations within 600 ft of the existing bridges. Along with the bridge replacements the proposed alternative alignments would improve SR 225 to enhance the safety of the existing roadway between the New Echota State Historic Site and an existing golf course. All alignments were less than one mile in length.

In his introduction Keith Posey expressed the two primary reasons for the projects are to replace the bridges at the two stream crossings, and to improve the safety of the existing roadway approaching the bridges, as GDOT data indicates there have been 5 reported accidents with 2 fatalities in the immediate vicinity of the bridges since 1995. It was emphasized to the attendees that the corridor considerations displayed at this point do not represent proposed concept alignments. However, they were shown at this meeting to present a starting point from which attendees could visualize the corridor area, and to assist in discussing attendee issues and concerns.

After review of the project, the following comments were made:

United Keetoowah Band of Cherokee Indians

Comment: An alignment between the yellow alternative and dark blue alternative that closely follows the existing roadway would be best for economic reasons.

Comment: There are concerns about future widening of the road, so they prefer archeological surveys to be wider in scope than proposed the right-of-way. They would also like to see a list of existing flora and fauna in the area.

Eastern Band of Cherokee Indians

Comment: The Eastern Band favors the yellow alignment and would like an archaeology report on areas around the Coosawattee River.

Comment: There is a high potential for graves and other cultural resources along the existing alignment that has not yet been surveyed.

Elks Club

Comment: The two most northern alignments (north of the dark blue line) are not preferred because they would interfere with the golf course. They would be in favor of any other alignment. Improvement on existing geometry is important because 6 to 8 accidents have occurred in the past 6 months.

Department of Natural Resources (DNR)

Comment: DNR's main concern is the improvement of the existing roadway geometry because of the number of accidents that happen and the safety of school buses entering and exiting the park.

Comment: DNR doesn't want anymore encroachment on the park, but would like to enhance the access to traffic entering the park.

FHWA

Comment: would like to improve access to park and would like to see more extensive accident data.

Bell South

Comment: Bell South prefers the dark blue alternative just north of the existing roadway and would like the bridges designed to accommodate phone conduit. Also, a consideration should be made for a redesign of the boat ramp because of limited sight distance.

GDOT, Cartersville District

Comment: The dark blue and the red alternatives, which cross the Coosawatee River just north of the existing bridge look to be the most cost effective. Any alignment between the dark blue and red alignments would allow traffic along existing roadway to remain open during construction, and would minimize impacts to the park, the golf course and other environmental concerns.

GDOT Materials & Research

Comment: There doesn't look to be any hazardous material sites, and all the alternatives would have the same impact from a geotechnical stand point.

GDOT R/W

Question: Is right-of-way mitigation anticipated?

Response: Yes

GDOT Environment/Location

Comment: Wider shoulders are needed on both the bridges and the existing SR 225.

Comment: Ecology will furnish a list of flora and fauna in the area for the United Keetowah Band.

Comment: A formal Section 7 is needed for environmental critical habitat. There are 9 species of endangered mussel and an endangered fish where the two Conasauga and Oostanaula Rivers meet and along the Coosawattee River. Any alignment considered should minimize impacts to fish & mussels.

Comment: The area that the Eastern Band commented on is wetlands. South of the existing alignment has cultural resources, while north of the existing roadway has yet to be surveyed.

Comment: Building the road can be beneficial to all. Everyone can still be stewards of their concerns, and we can still build a good transportation facility to solve the various safety issues of the bridges and roadway.

Comment: GDOT will next request environmental surveys for the project taking into consideration the comment of the Initial Concept Team Meeting. The concept alternative(s) will be developed based on the results of the surveys. We would like to present the alternative(s) to coordinating federal resource agencies at a Practical Alternatives Review meeting by late summer, and hold a regular Concept Team Meeting in the fall of this year.

Distribution: Tom Turner
Brent Story
Terry McCollister
Phillip Allen
Paul Liles
David Graham
Bryant Poole
Georgene Geary
David Mulling
Joe Palladi
District Engineer/Cartersville District
Jeff Baker



Department of Transportation

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PAUL V. MULLINS
CHIEF ENGINEER
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State of Georgia
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LARRY E. DENT
DEPUTY COMMISSIONER
(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

NOTIFICATION

Initiation of Section 106 Process for

GDOT Projects BHF-151-1(6) and BRST-151-1(7), Gordon County

P.I. #'s 631570 and 632906

June 04, 2004

The Georgia Department of Transportation is in the beginning stages of project development for these proposed transportation projects. In compliance with Section 106 of the National Historic Preservation Act, the Department has determined that because of the nature and the scope of this undertaking, the proposed projects have the potential to cause effects to historic properties if any such properties exist in the project areas. The Department is attempting to identify historic properties already listed in the National Register of Historic Places and any properties not already listed that would be considered eligible for listing that are located within the geographic area of potential effect (APE) of the proposed projects.

The proposed projects would replace the existing bridges on SR 225 over New Town Creek [BHF-151-1(6)] and the Coosawatee River [BRST-151-1(7)] in Gordon County (see attached map). Along with the bridge replacements, the proposed projects propose to improve SR 225 to enhance safety and correct substandard horizontal alignment between New Echota State Historic Site and the existing Elks Club golf course. At the current time, a corridor approach is being studied. The sufficiency rating of the existing bridges are as follows: 50.69 over New Town Creek; and 20.36 over the Coosawatee River. The Office of Bridge Design has determined that any structure with a sufficiency rating less than 50 should be replaced, and although the bridge over New Town Creek rates 50.69, it is anticipated that it will fall below rating sufficiency in the near future. The proposed projects would maintain traffic on the existing roadway during construction. The existing bridge over New Town Creek was constructed in 1952, and is approximately 162 feet long and 24 feet wide. The existing bridge over the Coosawatee River was constructed in 1955, and is approximately 621 feet long and 24 feet wide. The existing SR 225 roadway consists of two 12 foot lanes with 3 foot shoulders. The current right-of-way is 80 feet wide. Although very little engineering has been done, it is anticipated that the replacement bridges would be approximately 38 feet wide (excluding side barrier walls) and would consist of two 12 foot travel lanes. The study corridor is approximately 1 mile in length.

Because of the nature and scope of the undertaking, the APE is limited to the proposed width of the corridor and viewshed of the proposed projects, within which all construction and ground disturbing activity would be confined. No potential for indirect effects outside of this corridor is anticipated as a

result of implementation of the proposed projects. No additional access to the existing facility would be provided and existing access to the facility would be maintained or modified.

Section 106 of the National Historic Preservation Act requires the Federal Highway Administration and the Georgia Department of Transportation, in consultation with the Georgia State Historic Preservation Officer, to identify potential consulting parties and to invite them to participate in the Section 106 process. This Notification letter is one of several methods the Department uses to encourage public participation in this process and it serves as your invitation to participate as a consulting party in the Section 106 process for these projects.

A written request to become a consulting party for cultural resources for this project should be directed to:

Harvey D. Keepler
Department of Transportation
Office of Environment/Location
3993 Aviation Circle
Atlanta, Georgia 30336-1593

Attn: Eric Anthony Duff

Responses would be appreciated within thirty (30) days of receipt of this Notification letter. Please refer to the project identification numbers (P.I. 631570 & 632906) in your response. The potential consulting parties identified and invited to participate in the Section 106 process for this project are the Coosa Valley Regional Development Center, Georgia SHPO, Gordon County Historical Society, New Echota State Historic Site, City of Calhoun, and the Gordon County Commission. If you are aware of other organizations or individuals interested in cultural resources in the project areas not already identified, please forward their names to the Department.

Also, on behalf of the Federal Highway Administration Georgia Division (FHWA), in keeping with a government-to-government relationship and in compliance with 36CFR800, the following tribal governments are invited to participate in the Section 106 process for this project: Absentee-Shawnee Tribe of Oklahoma, Alabama-Coushatta Tribe of Texas, Alabama-Quassarte Tribal Town, Cherokee Nation, Chickasaw Nation, Coushatta Tribe of Louisiana, Eastern Band of Cherokee Indians of North Carolina, Kialegee Tribal Town, Muscogee (Creek) Nation of Oklahoma, Poarch Band of Creek Indians, Seminole Nation of Florida, Seminole Nation of Oklahoma, Thlopthlocco Tribal Town, and the United Keetoowah Band of Indians. Responses to this Notification regarding tribal concerns should be addressed to the attention of Mr. Eric Duff, the Department's Native American liaison, at the above address.

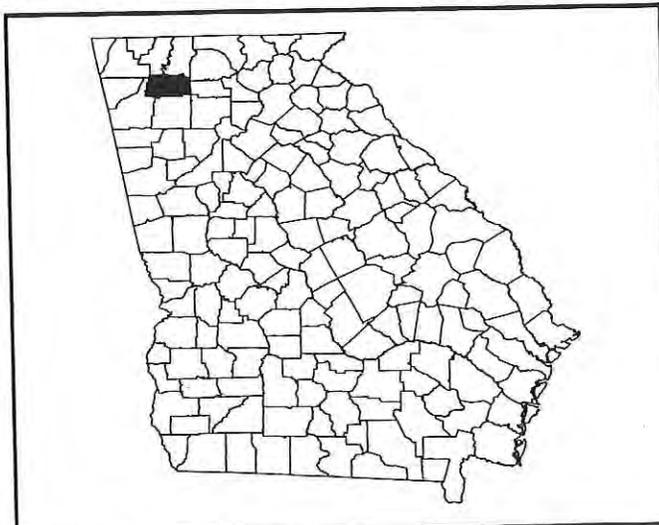
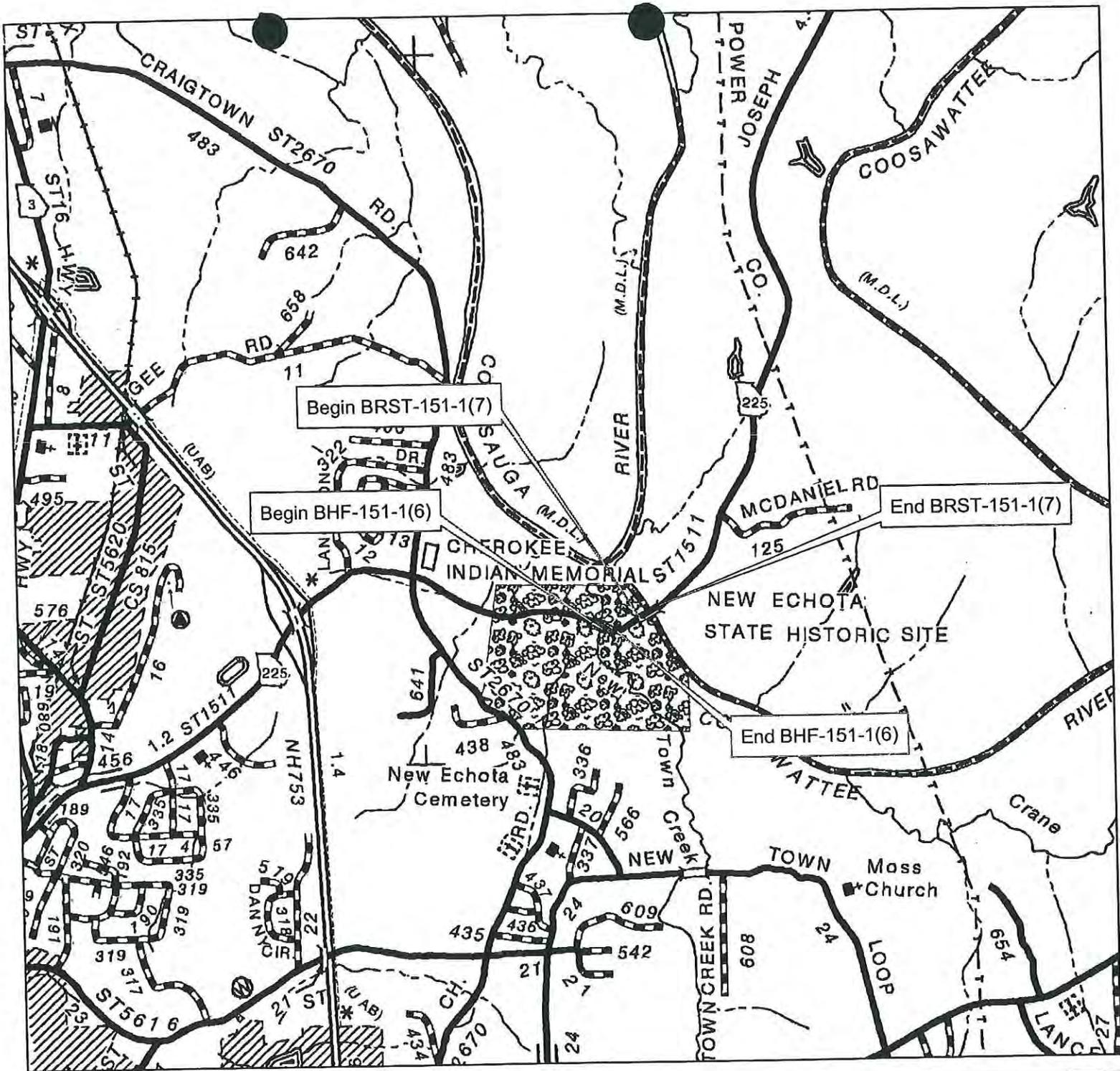
Existing information on previously identified historic properties has been checked to determine if any are located within the APE of this undertaking. This review of existing information revealed two properties listed in or nominated for listing in the National Register of Historic Places within the proposed projects' APE. These properties are the New Echota State Historic Site, which includes contributing archaeological sites (also noted as a National Historic Landmark) and the New Echota Traditional Cultural Property (which also includes the entirety of the New Echota Historic Site). The existing bridge over New Town Creek, while older than 50 years of age, is listed as not eligible for listing in the National Register in the updated Georgia Historic Bridge Survey (see attached form).

Field Surveys for both historic properties and archaeological sites will be conducted and the Criteria of Eligibility will be applied to any identified properties in consultation with the Georgia SHPO and other

consulting parties to determine if any of those properties are eligible for inclusion in the National Register of Historic Places.

Consulting parties are also invited to provide information concerning any historic or archaeological properties already listed in the National Register or that could be eligible for listing in the National Register that are not identified in this Notification letter. In accordance with Section 106 of the National Historic Preservation Act, the Department will assess project effects to any identified historic properties as preliminary project plans become available, endeavor to minimize harm to all identified historic properties and produce an Assessment of Effects report. This document will be provided to all consulting parties for comment when completed.

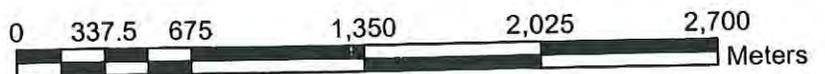
Individuals and organizations that do not wish to become a consulting party, but would still like to comment on the proposed projects will also have that opportunity throughout the plan development process. Historic resource concerns can be addressed to Lisa Crawford (404-699-3474 or lisa.crawford@dot.state.ga.us) of the Department's Office of Environment/Location; archaeological resource concerns, including cemetery and other human burials, can be addressed to Eric Anthony Duff (404-699-4437 or eric.duff@dot.state.ga.us) of the Department's Office of Environment/Location. Questions concerning general design or location issues may be addressed to Ken Thompson (404-699-4455 or ken.thompson@dot.state.ga.us) of the Department's Office of Environment/Location.



Project Location Map



BHF-151-1(6) & BRST-151-1(7)
Gordon County
P.I. No. 631570 & 632906



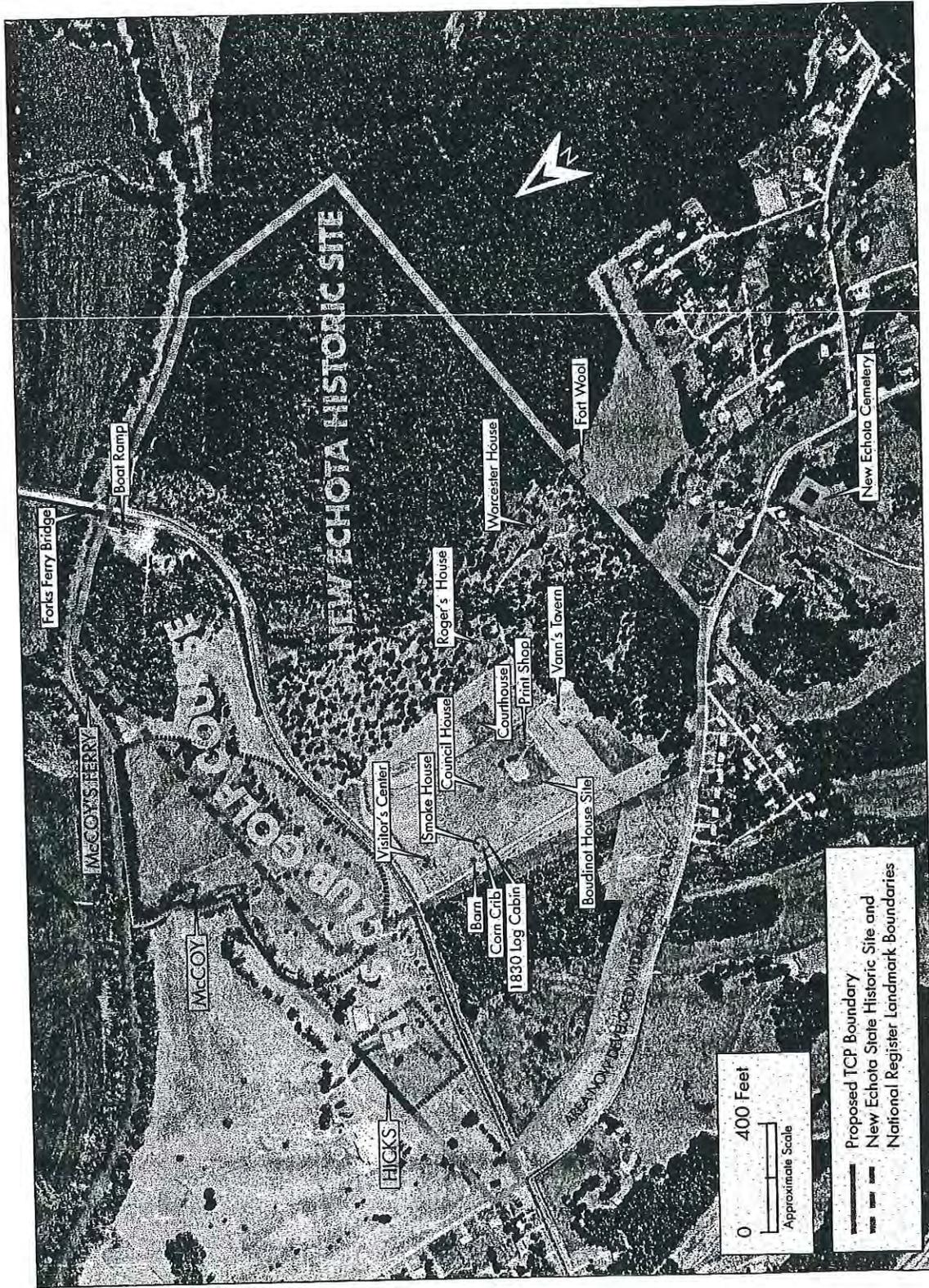
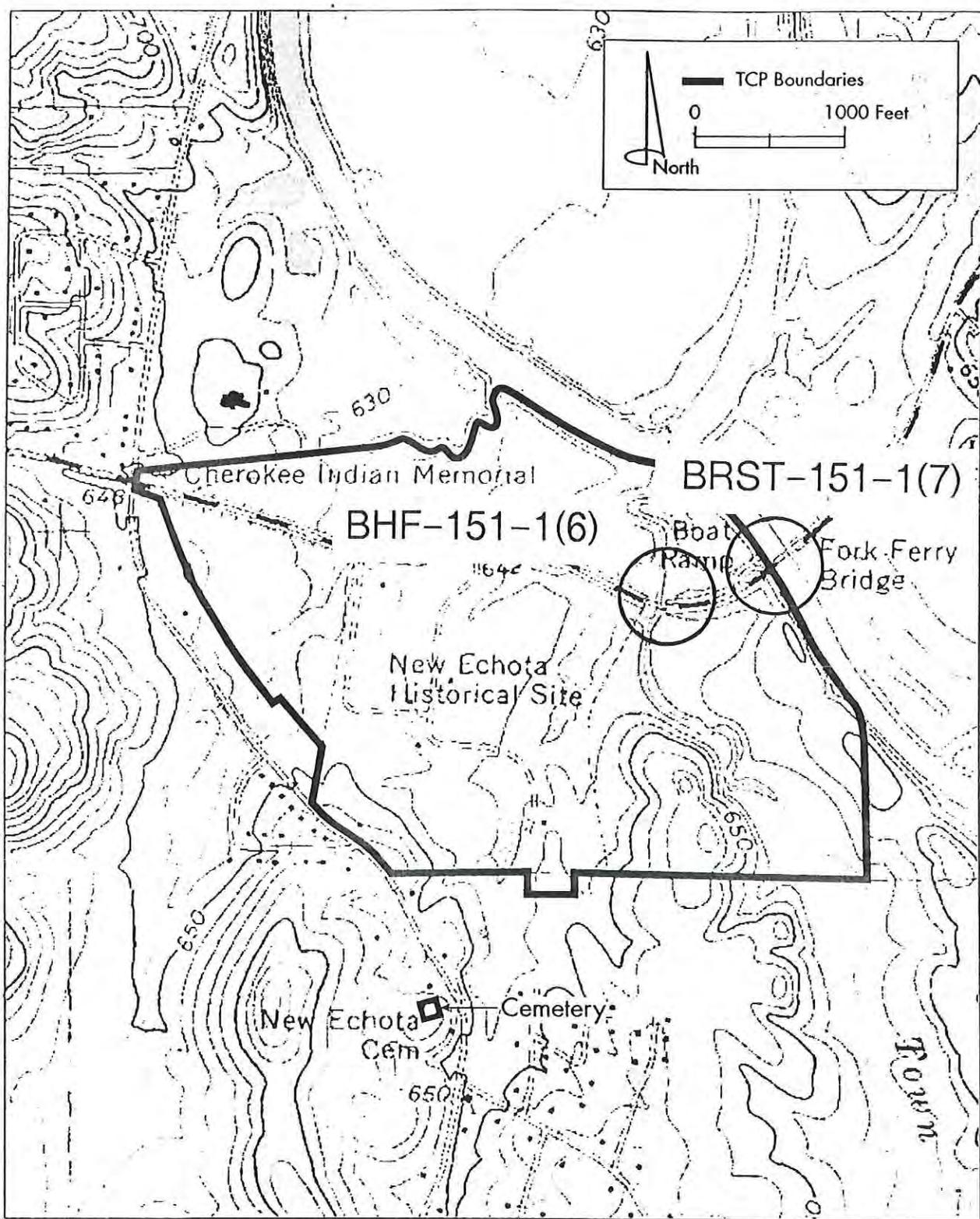


Figure 19. Proposed TCP Boundaries, New Echota Site

TCP Boundaries, New Echota Site



Gordon County, Georgia; Map Prepared by New South Associates, July 8, 2003.

GEORGIA HISTORIC BRIDGE SURVEY

SERIAL NUMBER: 129-0051-0 COUNTY: GORDON OWNER: STATE HIGHWAY
 BRIDGE LOCATION: 129-00225D-002.44 N LOCATION: 3.5 MI NE OF CALHOUN
 FACILITY CARRIED: SR 225

FEATURE INTERSECTED: NEW TOWN CREEK

TYPE: STRINGER DESIGN: SIMPLE

MATERIAL: STEEL SUBSTRUCTURE: CONCRETE COLUMN/CONCRETE CAP

SPANS: 3 LENGTH: 162 WIDTH: 29.8
 DATE OF CONSTRUCTION: 1952 ALTERATION: SOURCE: FAS 824(1)
 DESIGNER/BUILDER: STATE HWY DEPT BRIDGE DEPT DOT DIST: 6
 Update Status:

SETTING: The bridge carries a two-lane state highway on a horizontal curve over a stream in a forested setting. The superelevated bridge is in the park boundaries of the New Echota State Historic Site. The site is located about 1/4 mile southwest of the bridge at the former location of New Echota, a Cherokee town from 1817 to 1840. The town was reconstructed in 1957. Opposite the historic site on the north side of the highway is a golf course.

NR Recommendation: Not Eligible

SUMMARY: The skewed three-span steel stringer bridge has standard concrete railings, safety walks, a concrete deck, concrete diaphragms, and two-column concrete bent piers with web walls and spill thru abutments. The steel stringer bridge is a common type and standard design built from the 1930s thru the 1950s. This 1952 bridge has no technologically noteworthy features. It has no significant historic association with the New Echota Historic Site but is within the site's property boundaries. It is not historically distinguished by its setting or context.

Split

Load Split

PHOTO: 59:30-32

REVIEWED BY: JPH

DATE: 7/95



Department of Transportation

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(404) 656-5206

PAUL V. MULLINS
CHIEF ENGINEER
(404) 656-5277

State of Georgia
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Atlanta, Georgia 30336

LARRY E. DENT
DEPUTY COMMISSIONER
(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

June 04, 2004

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

Re: Initial Team Concept Meeting Minutes, Aerial Photography, and Initiation of Section 106 Early Notification Letter for GDOT Projects BHF-151-1(6) and BRST-151-1(7); PI #'s 631570 and 632906; Proposed Bridge Replacements over New Town Creek and the Coosawattee River at New Echota in Gordon County, Georgia

Dear Mr. Townsend:

Enclosed please find one copy of the minutes generated from the March 22, 2004 Initial Team Concept Meeting (ITCM) that you attended at New Echota. These notes are for your files, and include aerial photography which defines a proposed study corridor that will be evaluated for the proposed projects noted above. As you may recall during the ITCM, the corridor will be subjected to environmental studies, and the results of these investigations will be utilized to develop concept alternative(s). The Department is committed to working with all parties on the proposed projects, and believes that with your help, conceptual designs for the proposed projects can be developed that meet future transportation needs while maintaining environmental excellence and stewardship initiatives.

Also please find one copy of the early notification letter initiating the Section 106 process for the proposed projects. As required by federal legislation, the early notification letter is provided to all potential consulting parties, and invites those parties to be participants in the Section 106 process. As noted in the letter, these consulting parties include all federally recognized Native American tribal governments that claim Georgia as their ancestral homeland.

In the near future archaeological studies will be completed within the defined study corridor. Prior to that, the Department would like to inquire about your interest in providing student/co-op help and/or partnering with the Department and its designated archaeological consultant to complete the archaeological studies related to the study corridor. If you have an expressed interest in partnering with the Department on this endeavor or if you should have any questions concerning the enclosed documentation and aerial photography, please feel free to contact Eric Anthony Duff of this office at (404) 699-4437.

Sincerely,

A handwritten signature in cursive script that reads "Harvey D. Keepler" followed by a smaller signature "WED".

Harvey D. Keepler
State Environmental/Location Engineer

HDK/EAD

cc: Mr. Robert M. Callan, P.E., FHWA, (ATTN: David Grachen/Jennifer Giersch)
Thomas L. Turner, P.E., GDOT Director of Preconstruction



Department of Transportation

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TREASURER
(404) 656-5224

June 04, 2004

Dr. Richard Allen
NAGPRA Representative
Cherokee Nation
Post Office Box 948
Tahlequah, Oklahoma 74465

Re: Initial Team Concept Meeting Minutes, Aerial Photography, and Initiation of Section 106 Early Notification Letter for GDOT Projects BHF-151-1(6) and BRST-151-1(7); PI #'s 631570 and 632906; Proposed Bridge Replacements over New Town Creek and the Coosawattee River at New Echota in Gordon County, Georgia

Dear Dr. Allen:

Enclosed please find one copy of the minutes generated from the March 22, 2004 Initial Team Concept Meeting (ITCM) held at New Echota. These notes are for your files, and include aerial photography which defines a proposed study corridor that will be evaluated for the proposed projects noted above. All parties agreed during the ITCM that the corridor will be subjected to environmental studies, and the results of these investigations will be utilized to develop concept alternative(s). The Department is committed to working with all parties on the proposed projects, and believes that with your help, conceptual designs for the proposed projects can be developed that meet future transportation needs while maintaining environmental excellence and stewardship initiatives.

Also please find one copy of the early notification letter initiating the Section 106 process for the proposed projects. As required by federal legislation, the early notification letter is provided to all potential consulting parties, and invites those parties to be participants in the Section 106 process. As noted in the letter, these consulting parties include all federally recognized Native American tribal governments that claim Georgia as their ancestral homeland.

In the near future archaeological studies will be completed within the defined study corridor. Prior to that, the Department would like to inquire about your interest in providing student/co-op help and/or partnering with the Department and its designated archaeological consultant to complete the archaeological studies related to the study corridor. If you have an expressed interest in partnering with the Department on this endeavor or if you should have any questions concerning the enclosed documentation and aerial photography, please feel free to contact Eric Anthony Duff of this office at (404) 699-4437.

Sincerely,

A handwritten signature in cursive script that reads "Harvey D. Keeper" followed by a stylized initial "WEB".

Harvey D. Keeper
State Environmental/Location Engineer

HDK/EAD

cc: Mr. Robert M. Callan, P.E., FHWA, (ATTN: David Grachen/Jennifer Giersch)
Thomas L. Turner, P.E., GDOT Director of Preconstruction



Department of Transportation

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TREASURER
(404) 656-5224

June 04, 2004

Mr. Archie Mouse
THPO/NAGPRA Representative
United Keetoowah Band of Cherokee Indians
Post Office Box 189
Park Hill, Oklahoma 74451

Re: Initial Team Concept Meeting Minutes, Aerial Photography, and Initiation of Section 106 Early Notification Letter for GDOT Projects BHF-151-1(6) and BRST-151-1(7); PI #'s 631570 and 632906; Proposed Bridge Replacements over New Town Creek and the Coosawattee River at New Echota in Gordon County, Georgia

Dear Mr. Mouse:

Enclosed please find one copy of the minutes generated from the March 22, 2004 Initial Team Concept Meeting (ITCM) that you attended at New Echota. These notes are for your files, and include aerial photography which defines a proposed study corridor that will be evaluated for the proposed projects noted above. As you may recall during the ITCM, the corridor will be subjected to environmental studies, and the results of these investigations will be utilized to develop concept alternative(s). The Department is committed to working with all parties on the proposed projects, and believes that with your help, conceptual designs for the proposed projects can be developed that meet future transportation needs while maintaining environmental excellence and stewardship initiatives.

Also please find one copy of the early notification letter initiating the Section 106 process for the proposed projects. As required by federal legislation, the early notification letter is provided to all potential consulting parties, and invites those parties to be participants in the Section 106 process. As noted in the letter, these consulting parties include all federally recognized Native American tribal governments that claim Georgia as their ancestral homeland.

In the near future archaeological studies will be completed within the defined study corridor. Prior to that, the Department would like to inquire about your interest in providing student/co-op help and/or partnering with the Department and its designated archaeological consultant to complete the archaeological studies related to the study corridor. If you have an expressed interest in partnering with the Department on this endeavor or if you should have any questions concerning the enclosed documentation and aerial photography, please feel free to contact Eric Anthony Duff of this office at (404) 699-4437.

Sincerely,

A handwritten signature in cursive script that reads "Harvey D. Keepler".

Harvey D. Keepler
State Environmental/Location Engineer

HDK/EAD

cc: Mr. Robert M. Callan, P.E., FHWA, (ATTN: David Grachen/Jennifer Giersch)
Thomas L. Turner, P.E., GDOT Director of Preconstruction



Department of Transportation

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TREASURER
(404) 656-5224

June 04, 2004

Mr. David A. Gomez
Site Manager
New Echota State Historic Site
1211 Chatsworth Highway
Calhoun, Georgia 30701

Re: Initial Team Concept Meeting Minutes, Aerial Photography, and Initiation of Section 106 Early Notification Letter for GDOT Projects BHF-151-1(6) and BRST-151-1(7); PI #'s 631570 and 632906; Proposed Bridge Replacements over New Town Creek and the Coosawattee River at New Echota in Gordon County, Georgia

Dear Mr. Gomez:

Enclosed please find one copy of the minutes generated from the March 22, 2004 Initial Team Concept Meeting (ITCM) that you attended at New Echota. These notes are for your files, and include aerial photography which defines a proposed study corridor that will be evaluated for the proposed projects noted above. As you may recall during the ITCM, the corridor will be subjected to environmental studies, and the results of these investigations will be utilized to develop concept alternative(s). The Department is committed to working with all parties on the proposed projects, and believes that with your help, conceptual designs for the proposed projects can be developed that meet future transportation needs while maintaining environmental excellence and stewardship initiatives.

Also please find one copy of the early notification letter initiating the Section 106 process for the proposed projects. As required by federal legislation, the early notification letter is provided to all potential consulting parties, and invites those parties to be participants in the Section 106 process. As noted in the letter, these consulting parties include all federally recognized Native American tribal governments that claim Georgia as their ancestral homeland.

In the near future archaeological studies will be completed within the defined study corridor. Prior to that, the Department would like to inquire about your interest in providing student/co-op help and/or partnering with the Department and its designated archaeological consultant to complete the archaeological studies related to the study corridor. If you have an expressed interest in partnering with the Department on this endeavor or if you should have any questions concerning the enclosed documentation and aerial photography, please feel free to contact Eric Anthony Duff of this office at (404) 699-4437.

Sincerely,

A handwritten signature in cursive script that reads "Harvey D. Keepler" followed by a stylized monogram.

Harvey D. Keepler
State Environmental/Location Engineer

HDK/EAD

cc: Mr. Robert M. Callan, P.E., FHWA, (ATTN: David Grachen/Jennifer Giersch)
Thomas L. Turner, P.E., GDOT Director of Preconstruction

Georgia Department of Natural Resources

Historic Preservation Division

Lonice C. Barrett, Commissioner

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer
47 Trinity Avenue, S.W., Suite 414-H, Atlanta, Georgia 30334
Telephone (404) 656-2840 Fax (404) 657-1040 <http://www.gashpo.org>

MEMORANDUM

TO: Harvey D. Keeper
State Environmental/Location Administrator
Office of Environment & Location
Georgia Department of Transportation

FROM: Elizabeth Shirk 
Transportation Projects Coordinator
Historic Preservation Division

RE: Receipt of Early Coordination Information

Project Title: P.I. 631570, P.I. 632906, BHF-151-1(6) and BRST-151-1(7)
Bridge Replacements and Road Improvements, SR 225

Project Number: HP 0400607-001

County: Gordon

Historian: Eric Anthony Duff, Georgia Department of Transportation

DATE: June 10, 2004

The Historic Preservation Division has received the early coordination information required by Section 106 of the National Historic Preservation Act and the Georgia Environmental Policy Act (GEPA). Thank you for submitting this information, and we look forward to working with you in the future as this project progresses.

ES:mcv

cc: Dan Latham Jr., Coosa Valley RDC
Robert Callan, FHWA

Crawford, Lisa

From: Dan Latham [dlatham@cvrdc.org]
Sent: Tuesday, June 15, 2004 8:59 AM
To: Crawford, Lisa
Subject: GDOT Projects BHF-151-1(6) and BRST-151-1(7), Gordon County

RE: Notification of Initiation of Section 106 Process
P. I. #s 631570 and 632906

The Coosa Valley RDC has received, reviewed, and concurs with the Notification of Section 106 Process Initiation for the subject projects. We do not desire to be a consulting party for these projects.

Dan Latham
Historic Preservation Planner
Coosa Valley RDC
June 15, 2004



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Georgia Division
61 Forsyth Street, S.W., Suite 17T100
Atlanta, Georgia 30303
October 19, 2004

IN REPLY REFER TO:
HPD-GA

Mr. John Fowler
Executive Director
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue, N.W., Suite 809
Washington, D.C. 20004

Subject: Native American Tribal Consultation Documentary for the New Echota Traditional Cultural Property Study in Gordon County, Georgia

Dear Mr. Fowler:

Enclosed is one copy of the video documentary and informational brochure that was developed by the Federal Highway Administration (FHWA) Georgia Division and the Georgia Department of Transportation (GDOT), in consultation with the Cherokee Nation, the Eastern Band of Cherokee Indians, and the United Keetoowah Band of Cherokee Indians, as part of the New Echota Traditional Cultural Property Study. This initiative is a tremendous accomplishment for Georgia and we are proud to share it with you as an example of our commitment to enhanced environmental stewardship in the cultural resources area.

As you are aware, a traditional cultural property (TCP) is defined as a site that is eligible for listing on the National Register of Historic Places because of its association with a living community's cultural beliefs and practices, or its importance in maintaining the identity of a community. Most of the TCP's that are currently recorded are located in the western part of the United States, and available information and/or examples documenting the methods utilized in TCP studies are not readily available. As such, one of our reasons for creating this documentary was to assist others involved in tribal consultation initiatives better understand the complexities of evaluating cultural identity and its place in modern development when considering whether a site is a TCP.

Our consultation and coordination efforts for this study were proactively initiated as a part of long-term planning for transportation decisions in northwest Georgia. In April 2004, we provided copies of this documentary to all FHWA Division Offices and State DOT's nationwide as a possible best practice model for integrating proactive tribal consultation methods into their transportation decision-making processes.

In addition, the documentary was also created to have additional application as an educational tool that could be utilized by the Cherokee to teach younger generations about their heritage and the significance of New Echota. The relationships that were formed between the transportation agencies and the tribal governments during this study are important and will assist us in continuing effective consultation with the Cherokee on future transportation projects in Georgia.

If you have any questions or require further information about this initiative, please contact Mr. David Grachen of the FHWA at 404-562-3652, or Mr. Eric Duff of the GDOT at 404-699-4406.

Sincerely,



rc Robert M. Callan, P.E.
Division Administrator

Enclosures

cc: Mr. Don L. Klima, Office of Planning and Review (w/1 copy)
Ms. Sharon S. Conway, Education and Outreach (w/1 copy)
Ms. Valerie Hauser, Native American Program (w/1 copy)
Ms. Carol Legard, FHWA Liaison
Mr. Eric Duff, GDOT Office of Environment and Location



the
Chickasaw
Nation HEADQUARTERS

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

Bill Anoatubby
Governor

Jefferson Keel
Lieutenant
Governor

November 3, 2004

Mr. Eric Duff
Department of Transportation
State of Georgia
Office of Environment/Location
3993 Aviation Circle
Atlanta, GA 30336-1593

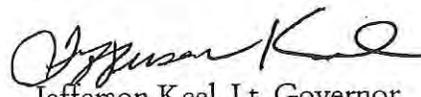
Dear Mr. Duff:

Thank you for your letter of notification regarding Georgia's Department of Transportation Projects listed on the attachment. Lists of affected projects are attached for your use.

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. Giny Nail, historic preservation officer, at (580) 332-8685.

Sincerely,


Jefferson Keel, Lt. Governor
The Chickasaw Nation

Attachment



God Bless America!

Georgia Department of Transportation Projects

County	Description	Project Number
Atkinson County	Right turn lane on SR/520 /US 82	P.I.#NA QR# 82 BR-0003-00(087)
Pierce County	SR 15 over Fishing Creek 2.0 miles	P.I.#0003087 BR-0003-00(087)
Grady County	CR 85/Joyner RD Near Tired Creek	P.I.#0003842 BR-0003-00(842)BHF-151-1(6) &BRST-151-1(7)
Gordon County	SR 225 Over New Town Creek	P.I.#631570 &632906 BHF-151-1(6) &BRST-151-1(7)
Columbia County	SR 104 William Few Parkway	P.I.# N/A QR:SR 104 at William Few Parkway
Henry County	SR81 at CR376 Racetrack Road	P.I. # 332975 STP-163-1(22)
Clayton County	SR 54 Jonesboro Rd Interstate.	P.I. # 753020 STP-9010(3)STP-0000-00(422) & NHS-0001-00 (585)
Glynn County	Rt. 99 Interstate 95 to US 17/ State Rt.25	P.I. # 0000422,0001585 STP-0000-00(422) & NHS-0001-00 (585)STP-0006-00(274)
Fulton County	Alpharetta St./SR 9	P.I. # 0006274 STP-0006-00(274)
Dougherty County	Washington St. & West Society Ave.	P.I. #450540 N/A STP-0134(6)
Lowndes County	SR 94 & SR 1024/ Perimeter Rd.	P.I. #0006440 CSSTP-00005-00(440)
Forsyth County	Interstate McGinnis Ferry Rd	P.I. #N/A
Jefferson County	US 1 Bus/SR 4 Bus Williamson Swamp RD.	P.I. #232281 BRST-0430(59)
Candler County	CR 223/Portal Highway	P.I. #0002841 BR-0002-00(841)
Coweta County	SR 154 Fayetteville Rd.	P.I. #0004406 MSL-0004-00(406)
Floyd County	Interstate SR 101 & East 9th St. In Rome	P.I. #0003771 STP-0003-00(771)
Fulton County	North Side of East Wesley Rd.	P.I. #0000337 STP-0000-00(337)
Fulton County	CR 85/Kimball Bridge Rd.	P.I. #771270 BRZLF-121(17)
Hall County	SR 284 Chattahoochee River	P.I. #142291 BRST-242(3)
Cobb County	SR 92 in Acworth	P.I. #731865 BRST-213-1(5)
DeKalb County	SR 13/Buford Highway	P.I. #0004640 MSL-0004-00(640)
Cobb County	SR 120/ Rosewell Rd.& SR 120 Loop	P.I. #0004403 MSL-0004-00(403)
Douglas County	Fairburn Rd./SR 92 to Dorris Rd.	P.I. #0004425 MSL-0004-00(425)
Candler	CR 223/ Portal Highway	P.I. #0002842&0002843 BR-0002-00(842) & BR-0002-00(843)



Department of Transportation

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DAVID E. STUDSTILL, JR., P.E.
CHIEF ENGINEER
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Atlanta, Georgia 30334-1002

LARRY E. DENT
DEPUTY COMMISSIONER
(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

March 16, 2006

Dr. Mark R. Barnes
National Park Service, U.S. Department of the Interior
Cultural Resources Division, SERO, NPS
1924 Building, 100 Alabama Street, SW
Atlanta, Georgia 30303

Re: Notification of Cultural Resource Studies at the National Historic Landmark Site of New Echota for GDOT Projects BHF-151-1(6) and BRST-151-1(7); PI #'s 631570 and 632906; Proposed Bridge Replacements over New Town Creek and the Coosawattee River at New Echota in Gordon County, Georgia

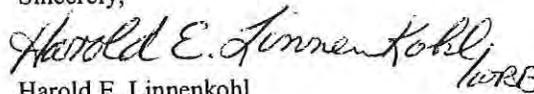
Dear Dr. Barnes:

This letter is to inform you that the Georgia Department of Transportation (GDOT) will be beginning cultural resource studies at New Echota as part of the early planning process for the proposed projects noted above. New Echota is a National Historic Landmark (NHL), and at this time it has not been determined if these undertakings will affect the NHL. The Department and the Federal Highway Administration have taken great strides to ensure that this historic property is considered during the earliest stages of the transportation planning process. Much of the work was initiated in 2004, although the New Echota Traditional Cultural Property Study with the Cherokee (in 2000-2003) was initiated with the sole purpose of building a critical planning foundation for the proposed undertakings. Pursuant to 36 CFR Sections 800.6 and 800.10 and activities that involve National Historic Landmark properties, GDOT and FHWA feel that it is vital that you are kept abreast of our progress as it relates to New Echota and the proposed undertakings.

Enclosed please find one copy of the Section 106 Early Notification letter (for the proposed projects) and minutes generated from the March 22, 2004 Initial Team Concept Meeting (ITCM) held at New Echota. Also included you will find aerial photography which defines a proposed study corridor that will be evaluated for the proposed projects noted above. All parties agreed during the ITCM that the corridor will be subjected to environmental studies, and the results of these investigations will be utilized to develop concept alternative(s). The Department is committed to working with all parties on the proposed projects, and believes that conceptual alternatives can be developed that meet future transportation needs while maintaining environmental excellence and stewardship initiatives. As noted in this letter, cultural resource studies of the corridor, which will include Cherokee tribal member participation, will be initiated in the upcoming months.

If you should have any questions concerning the enclosed documentation and aerial photography, please feel free to contact Eric Anthony Duff of the Office of Environment/Location at (404) 699-4406.

Sincerely,


Harold E. Linnenkohl
Commissioner

HDK/EAD

cc: Ms. Carol Legard, Advisory Council on Historic Preservation (with attachments)
Mr. Robert M. Callan, P.E., FHWA, (ATTN: Katy Allen)

Duff, Eric

From: Jody_Cook@nps.gov
Sent: Tuesday, April 04, 2006 7:21 PM
To: Duff, Eric
Subject: National Landmark Program

Hi Eric--

As we discussed, I am the program manager for the NHL Program in the Southeast and your office should send all Section 106 correspondence regarding Landmarks to my attention.

Thanks for your help.

Jody Cook

JODY COOK - NATIONAL HISTORIC LANDMARKS Program Manager NATIONAL PARK SERVICE - Southeast
Regional Office - Cultural Resources Division - 100 Alabama Street SW - Atlanta, GA 30303
(404) 562-3117, x 515 - fax (404) 562-3202



Department of Transportation

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Atlanta, Georgia 30334-1002

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EARL L. MAHFUZ
TREASURER
(404) 656-5224

April 19, 2007

Dr. W. Ray Luce
Director and Deputy SHPO
Historic Preservation Division/DNR
34 Peachtree Street, NW, Suite 1600
Atlanta, Georgia 30303-2316

Re: Archaeological Draft Report; GDOT Projects BHF-151-1(6) and BRST-151-1(7); P.I. Nos. 631570 and 632906; Archaeological Survey and Testing of the Proposed SR 225 Improvements and Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County, Georgia; **HP# 0400607-001**

Dear Dr. Luce:

Enclosed please find one draft archaeological report entitled "Phase I and Phase II Investigations Along State Route 225, Adjacent to New Echota, Gordon County, Georgia" prepared by URS Corporation. The Department concurs with the recommendations presented by URS Corporation for sites 9GO59 and 9GO297 located within the boundary of both the New Echota National Historic Landmark and the New Echota Traditional Cultural Property. In addition, the Department concurs with the URS Corporation assessment for archaeological sites 9GO296 and 9GO298. In the near future the Department will be assessing effects related to the undertakings on the New Echota National Historic Landmark, the New Echota Traditional Cultural Property, and archaeological site 9GO297. Please review and comment on the recommendations of this report by the week of May 25, 2007. Should you have any questions concerning this report, please contact Eric Anthony Duff at (404) 699-4406 or Heather Mustonen at (404) 699-6881 of this office.

Sincerely,

A handwritten signature in cursive script that reads "Harvey D. Keeper/wEB".

Harvey D. Keeper
State Environmental/Location Engineer

HDK/EAD

cc: Absentee-Shawnee Tribe of Oklahoma, Alabama Coushatta Tribe of Texas, Alabama Quassarte Tribal Town, Cherokee Nation, Chickasaw Nation, Coushatta Tribe of Louisiana, Eastern Band of Cherokee Indians, Kialegee Tribal Town, Muscogee (Creek) Nation, Poarch Band of Creek Indians, Seminole Nation of Florida, Seminole Nation of Oklahoma, Thlopthlocco Tribal Town and the United Keetoowah Band of Cherokee Indians
Mr. David Gomez, Superintendent, New Echota State Historic Site
Mr. William C. Farr, Acting Division Director, FHWA, (Attn: Ms. Katy Allen)



Department of Transportation

State of Georgia

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EARL L. MAHFUZ
TREASURER
(404) 656-5224

April 19, 2007

Ms. Lisa Stopp
THPO/NAGPRA Representative
United Keetoowah Band of Cherokee Indians
Post Office Box 746
Tahlequah, Oklahoma 74465

Re: Archaeological Draft Report and Aerial Photography; GDOT Projects BHF-151-1(6) and BRST-151-1(7); P.I. Nos. 631570 and 632906; Archaeological Survey of the Proposed SR 225 Improvements and Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County, Georgia; **HP# 0400607-001**

Dear Ms. Stopp:

Enclosed please find one draft archaeological report entitled "Phase I and Phase II Investigations Along State Route 225, Adjacent to New Echota, Gordon County, Georgia" prepared by URS Corporation, as well as aerial photography showing the preferred alternative for proposed transportation improvements on SR 225 at New Echota. The Department concurs with the recommendations presented by URS Corporation for sites 9GO59 and 9GO297 located within the boundary of both the New Echota National Historic Landmark and the New Echota Traditional Cultural Property. In addition, the Department concurs with the URS Corporation assessment for archaeological sites 9GO296 and 9GO298.

In the near future the Department will be assessing effects related to the undertakings on the New Echota National Historic Landmark, the New Echota Traditional Cultural Property, and archaeological site 9GO297. Prior to that and tentatively scheduled for June 2007, the FHWA and the Department wish to consult with the Cherokee to discuss, context sensitive design, interpretive initiatives, landscaping, as well as tribal needs and considerations that can be incorporated into the project design and planning. Furthermore, prior to a future consultation meeting, the Department seeks Cherokee comment on proposed data recovery at archaeological site 9GO297. More specifically, the Department is interested to know if the Cherokee believe that data recovery is an appropriate measure to mitigate the potential adverse effect to the archaeological site and if so, whether the Cherokee have research questions and/or needs that can be incorporated into a research design. Such an endeavor would also benefit from having the Cherokee as active members in the data recovery; a partnership that the FHWA and the Department would find very educational and rewarding.

Ms. Lisa Stopp
April 19, 2007
Page 2

The FHWA and the Department are committed to working with all parties as these undertakings develop, and believe that with your help, the proposed projects can be developed to meet future transportation needs while maintaining environmental excellence and stewardship initiatives. The FHWA and the Department enjoy learning from the Cherokee and appreciate the opportunity to work in partnership with all three federally recognized Cherokee tribal governments. With your help, the proposed projects can be designed to provide a greater sense of place regarding the significance of New Echota to the Cherokee people, while providing the citizens of Georgia with a better understanding and respect for the strength of Cherokee culture and its people.

Please review and comment on the recommendations of this report by the week of May 25, 2007. Should you have any questions concerning this report and if you would like to attend a proposed consultation meeting with FHWA and the Department in June 2007, please contact Eric Anthony Duff at (404) 699-4406 or Heather Mustonen at (404) 699-6881 of this office.

Sincerely,

Handwritten signature of Harvey D. Keepler in black ink, with the initials 'web' written at the end of the signature.

Harvey D. Keepler
State Environmental/Location Engineer

HDK/EAD

cc: Mr. William C. Farr, Acting Division Director, FHWA, (Attn: Ms. Katy Allen)



Department of Transportation

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EARL L. MAHFUZ
TREASURER
(404) 656-5224

April 19, 2007

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

Re: Archaeological Draft Report and Aerial Photography; GDOT Projects BHF-151-1(6) and BRST-151-1(7); P.I. Nos. 631570 and 632906; Archaeological Survey of the Proposed SR 225 Improvements and Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County, Georgia; **HP# 0400607-001**

Dear Mr. Townsend:

Enclosed please find one draft archaeological report entitled "Phase I and Phase II Investigations Along State Route 225, Adjacent to New Echota, Gordon County, Georgia" prepared by URS Corporation, as well as aerial photography showing the preferred alternative for proposed transportation improvements on SR 225 at New Echota. The Department concurs with the recommendations presented by URS Corporation for sites 9GO59 and 9GO297 located within the boundary of both the New Echota National Historic Landmark and the New Echota Traditional Cultural Property. In addition, the Department concurs with the URS Corporation assessment for archaeological sites 9GO296 and 9GO298.

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Mr. Russell Townsend
April 19, 2007
Page 2

The FHWA and the Department are committed to working with all parties as these undertakings develop, and believe that with your help, the proposed projects can be developed to meet future transportation needs while maintaining environmental excellence and stewardship initiatives. The FHWA and the Department enjoy learning from the Cherokee and appreciate the opportunity to work in partnership with all three federally recognized Cherokee tribal governments. With your help, the proposed projects can be designed to provide a greater sense of place regarding the significance of New Echota to the Cherokee people, while providing the citizens of Georgia with a better understanding and respect for the strength of Cherokee culture and its people.

Please review and comment on the recommendations of this report by the week of May 25, 2007. Should you have any questions concerning this report and if you would like to attend a proposed consultation meeting with FHWA and the Department in June 2007, please contact Eric Anthony Duff at (404) 699-4406 or Heather Mustonen at (404) 699-6881 of this office.

Sincerely,



Harvey D. Keepler
State Environmental/Location Engineer

HDK/EAD

cc: Mr. William C. Farr, Acting Division Director, FHWA, (Attn: Ms. Katy Allen)



Department of Transportation

State of Georgia

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(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

April 19, 2007

Mr. Richard Allen
NAGPRA Representative
Cherokee Nation
Post Office Box 948
Tahlequah, Oklahoma 74465

Re: Archaeological Draft Report and Aerial Photography; GDOT Projects BHF-151-1(6) and BRST-151-1(7); P.I. Nos. 631570 and 632906; Archaeological Survey of the Proposed SR 225 Improvements and Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County, Georgia; **HP# 0400607-001**

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Mr. Richard Allen
April 19, 2007
Page 2

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Please review and comment on the recommendations of this report by the week of May 25, 2007. Should you have any questions concerning this report and if you would like to attend a proposed consultation meeting with FHWA and the Department in June 2007, please contact Eric Anthony Duff at (404) 699-4406 or Heather Mustonen at (404) 699-6881 of this office.

Sincerely,



Harvey D. Keepler
State Environmental/Location Engineer

HDK/EAD

cc: Mr. William C. Farr, Acting Division Director, FHWA, (Attn: Ms. Katy Allen)



Department of Transportation

State of Georgia

#2 Capitol Square, S.W.

Atlanta, Georgia 30334-1002

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EARL L. MAHFUZ
TREASURER
(404) 656-5224

April 19, 2007

Mr. David A. Gomez, Site Manager
New Echota State Historic Site
1211 Chatsworth Highway
Calhoun, Georgia 30701

Re: Archaeological Draft Report and Aerial Photography; GDOT Projects BHF-151-1(6) and BRST-151-1(7); P.I. Nos. 631570 and 632906; Archaeological Survey of the Proposed SR 225 Improvements and Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County, Georgia; **HP# 0400607-001**

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In the near future the Department will be assessing effects related to the undertakings on the New Echota National Historic Landmark, the New Echota Traditional Cultural Property, and archaeological site 9GO297. Prior to that and tentatively scheduled for June 2007, the FHWA and the Department wish to consult with the Cherokee, New Echota State Historic Site (GDNR State Parks and Historic Sites), and other consulting parties to discuss, context sensitive design, interpretive initiatives, landscaping, as well as tribal needs and considerations that can be incorporated into the project design and planning. Furthermore, prior to a future consultation meeting, the Department seeks New Echota State Historic Site's comment on proposed improvements that the park would like incorporated into the project design that would enhance current facilities (such as entrance improvements, etc.). In addition, the Department also requests New Echota State Historic Site's comment on their interest in maintaining the existing SR 225 roadway and bridge over New Town Creek as a potential nature and cultural interpretive trail and/or educational kiosk center.

Mr. David Gomez
April 19, 2007
Page 2

The FHWA and the Department are committed to working with all parties as these undertakings develop, and believe that with your help, the proposed projects can be developed to meet future transportation needs while maintaining environmental excellence and stewardship initiatives. The FHWA and the Department have enjoyed working with the staff at New Echota State Historic Site. As noted earlier, the FHWA and the Department would like to have a consultation meeting with all concerned parties in June 2007. Many previous consultation meetings related to these undertakings have been held at your facility. Given the location and excellent amenities at New Echota State Historic Site, the Department would like to host a future consultation meeting at your facility, schedules permitting.

Please review and comment on the recommendations of this report by the week of May 25, 2007. Should you have any questions concerning this report and if you would like to host a proposed consultation meeting with FHWA, other consulting parties, and the Department in June 2007, please contact Eric Anthony Duff at (404) 699-4406 or Heather Mustonen at (404) 699-6881 of this office.

Sincerely,



Harvey D. Keepler
State Environmental/Location Engineer

HDK/EAD

cc: Ms. Becky Kelley, Director, GDNR State Parks and Historic Sites
Dr. Debbie Wallsmith, GDNR State Parks and Historic Sites
Mr. William C. Farr, Acting Division Director, FHWA, (Attn: Ms. Katy Allen)

Georgia Department of Natural Resources

Historic Preservation Division

Noel Holcomb, Commissioner

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer

34 Peachtree Street NW, Suite 1600, Atlanta, Georgia 30303

Telephone (404) 656-2840 Fax (404) 657-1040 <http://www.gashpo.org>

May 1, 2007

Mr. Harvey D. Keepler
State Environmental/Location Administrator
Georgia Department of Transportation
3993 Aviation Circle
Atlanta, GA 30336

RE: Draft Phase I and Phase II Archaeology Report; GDOT Projects BHF-15-1(6) and
BRST-151-1(7)
P.I. Nos. 631570 and 632906
Gordon County, Georgia
HP-0400607-001

Dear Mr. Keepler:

The Historic Preservation Division (HPD) has received the draft Phase I and II archaeological survey and testing report concerning the proposed bridge replacements on SR 225 over New Town Creek and the Coosawattee River in Gordon County, Georgia. Our comments are offered to assist the Federal Highway Administration and the Georgia Department of Transportation in complying with Section 106 of the National Historic Preservation Act of 1966, as amended.

HPD has reviewed the archaeological survey report entitled "*A Phase I and II Investigations along State Route 225, adjacent to New Echota, Gordon County, Georgia*," prepared by URS. Based on the information contained in this report, HPD agrees with the finding that archaeological site 9GO297 is considered eligible for listing on the National Register of Historic Places (NRHP). HPD also concurs that the portions of archaeological sites 9GO296 and 9GO59 located within the proposed project's Area of Potential Environmental Effect (APE) do not contribute to the criteria for listing on the NRHP. HPD agrees that archaeological site 9GO298 is not eligible for inclusion in the NRHP. We look forward to working closely with your office and stakeholders on this project and look forward to receiving additional information concerning this project as it becomes available.

The following technical comment is offered:

1. A brief discussion of the New Echota Traditional Cultural Property (TCP) should be included in Chapter III and should appear on appropriate maps, project diagrams, and drawings (e.g. Figure 4.1).

If you have any questions or if we may be of further assistance, please contact Robert F. Entorf, Review Archaeologist, at (404) 651-6775.

Sincerely,



Richard Cloues

Deputy State Historic Preservation Officer

RC/RFE

cc: Mr. William Farr, P.E., FHWA (Attn: Katy Allen)
Dan Latham, Jr., Cossa Valley RDC

Duff, Eric

From: Rhianna Rogers [RhiannaRogers@semtribe.com]
Sent: Thursday, May 17, 2007 4:34 PM
To: Duff, Eric
Subject: HP # 0400607-001

17 May 2007

Georgia Department of Transportation
#2 Capitol Square, S.W.
Atlanta, GA 30334-1002
Attn: Eric Duff

Subj: HP # 0400607-001
Gordon County

In regard to the above referenced project, please be informed that the Tribal Historic Preservation Office of the Seminole Tribe of Florida is unaware of any cultural resources associated with the tribe that exist within the project area or that will be impacted as a result of the proposed undertaking. However, we would appreciate being informed as soon as possible should any inadvertent discovery of archaeological sites and/or human remains emerge during the construction. We thank you for the opportunity to review the information that has been sent to date regarding this project.

Respectfully,

Rhianna C. Rogers, Archaeological Data Analyst

For: Willard F. Steele, Tribal Historic Preservation Officer
Seminole Tribe of Florida
Ah-Tah-Thi-Ki Museum
HC 61, Box 21-A
Clewiston, FL 33440
Tel: 863.902.1113

Rhianna C. Rogers
Archaeological Data Analyst
Tribal Historic Preservation Office
Seminole Tribe of Florida
Ah-Tah-Thi-ki Museum
HC 61, Box 21-A
Clewiston, Florida 33440
Work Phone: 863-902-1113 x12216
Work Fax: 863-902-1117
Email: RhiannaRogers@semtribe.com

Duff, Eric

From: Rhianna Rogers [RhiannaRogers@semtribe.com]
Sent: Friday, May 18, 2007 9:16 AM
To: Duff, Eric
Subject: Addendum: Comments for Report "Phase I and II Investigations along State Route 225, adjacent to New Echota"

18 May 2007

Georgia Department of Transportation
#2 Capitol Square, S.W.
Atlanta, GA 30334-1002
Attn: Eric Duff

Subj: Update for HP # 0400607-001
Gordon County

After further review, please be informed that the Tribal Historic Preservation Office of the Seminole Tribe of Florida has an increased interest in this project. Based on concluded remarks presented in this Report, the THPO would like to know of any further investigations into site 9GO297 (Boat Ramp Site). Due to the existence of Late Woodland ceramic types in 9GO59 (Lum Moss Site), 9GO297 (Boat Ramp Site), Site 9GO296 (newly identified in this project) it is the recommendation of the Tribe to continue monitoring the construction and progress made at the APE until further archaeological investigations are completed. We believe this is in the Tribe's best interests.

We thank you for the opportunity to review the information that has been sent to date regarding this project.

If you have any questions or comments, feel free to contact me.

Respectfully,

Rhianna C. Rogers, Archaeological Data Analyst

For: Willard F. Steele, Tribal Historic Preservation Officer
Seminole Tribe of Florida
Ah-Tah-Thi-Ki Museum
HC 61, Box 21-A
Clewiston, FL 33440
Tel: 863.902.1113

Rhianna C. Rogers
Archaeological Data Analyst
Tribal Historic Preservation Office
Seminole Tribe of Florida

Duff, Eric

From: Rhianna Rogers [RhiannaRogers@semtribe.com]
Sent: Friday, May 18, 2007 2:00 PM
To: Duff, Eric
Subject: RE: HP # 0400607-001

18 May 2007

Georgia Department of Transportation
#2 Capitol Square, S.W.
Atlanta, GA 30334-1002
Attn: Eric Duff

Subj: PI # 631570 and #632906
Gordon County

I am sorry about the confusion. I will remember to reference the PI number in the future. On the same note, I hope that you received the addendum I sent today (5/18/07) stipulating a renewed interest in these aforementioned projects. Based on concluding remarks in the project report, (entitled "Phase I and II Investigations along State Route 225, adjacent to New Echota: Gordon County, Georgia,") the THPO would like to know of any further investigations into specific site 9GO297 (Boat Ramp Site). Specifically, the report stated that site contained both stratified deposits and in-situ features, both of which the THPO finds very intriguing. In addition, the existence of Late Woodland ceramic types in 9GO59 (Lum Moss Site), 9GO297 (Boat Ramp Site), Site 9GO296 (newly identified in this project) may be culturally affiliated with the Tribe. Therefore, it is the recommendation of the Tribe to continue monitoring the construction and progress made at the APE until further archaeological investigations are completed.

Let me know if you have any questions or comments.

I hope you have a great weekend as well!

Regards,

Rhianna C. Rogers, Archaeological Data Analyst

For: Willard F. Steele, Tribal Historic Preservation Officer
Seminole Tribe of Florida
Ah-Tah-Thi-Ki Museum
HC 61, Box 21-A
Clewiston, FL 33440
Tel: 863.902.1113

Rhianna C. Rogers
Archaeological Data Analyst

Tribal Historic Preservation Office
Seminole Tribe of Florida
Ah-Tah-Thi-ki Museum
HC 61, Box 21-A
Clewiston, Florida 33440
Work Phone: 863-902-1113 x12216
Work Fax: 863-902-1117
Email: RhiannaRogers@semtribe.com



-----Original Message-----

From: Duff, Eric [mailto:Eric.Duff@dot.state.ga.us]
Sent: Friday, May 18, 2007 1:44 PM
To: Rhianna Rogers
Subject: RE: HP # 0400607-001

Ms. Rogers...can you please reference the GDOT project number and PI# in these emails as well. The HPD# is a tracking number that our SHPO uses, unfortunately GDOT does not utilize their tracking number...so I have no way of knowing which project this is. Thanks and have a great weekend.

Eric.

From: Rhianna Rogers [mailto:RhiannaRogers@semtribe.com]
Sent: Thursday, May 17, 2007 4:34 PM
To: Duff, Eric
Subject: HP # 0400607-001

17 May 2007

Georgia Department of Transportation
#2 Capitol Square, S.W.
Atlanta, GA 30334-1002
Attn: Eric Duff

Subj: HP # 0400607-001
Gordon County

In regard to the above referenced project, please be informed that the Tribal Historic Preservation Office of the Seminole Tribe of Florida is unaware of any cultural resources associated with the tribe that exist within the project area or that will be impacted as a result of the proposed undertaking. However, we would appreciate being informed as soon as possible should any inadvertent discovery of archaeological sites and/or human remains emerge during the construction. We thank you for the opportunity to review the information that has been sent to date regarding this project.

Respectfully,

Rhianna C. Rogers, Archaeological Data Analyst

For: Willard F. Steele, Tribal Historic Preservation Officer
Seminole Tribe of Florida
Ah-Tah-Thi-Ki Museum
HC 61, Box 21-A
Clewiston, FL 33440
Tel: 863.902.1113

Rhianna C. Rogers
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1832 1832 1832 1832 1832



United Keetoowah Band of Cherokee Indians in Oklahoma

Historic Preservation Program

P.O. Box 746 • Tahlequah, OK 74465
20525 S. Jules Valdez Rd. • Tahlequah, OK 74464
Phone: 918.822.1959 or 918.456.9200 • Fax: 918.456.9220

COUNCIL

George Wickliffe
Chief

Charlie Locust
Assistant Chief

Liz Littledave
Secretary

Shelbi Wofford
Treasurer

Eddie Sacks
Canadian District

Cliff Wofford
Cooweescoowee District

Jerry Hansen
Delaware District

Woodrow Proctor
Flint District

Joyce Fourkiller
Goingsnake District

Susan Adair
Illinois District

Adalene Smith
Saline District

Barry Dotson
Sequoyah District

Albert Shade
Tahlequah District

CONCURRENCE

Project:

GDOT Projects BHF-151-1(6) and BRST-151-1(7); P.I. Nos. 631570 and 632906; Proposed SR 225 Improvements and Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County, Georgia; HP# 0400607-001.

This is to notify you that the United Keetoowah Band of Cherokee Indians in Oklahoma Historic Preservation program **CONCURS** with the findings and recommendations of URS Corporation and the Georgia Department of Transportation.

However, if any remains, artifacts or other items are inadvertently discovered, please cease any ground disturbance and contact us immediately at 918-822-1959 or via e-mail (lstopp@unitedkeetoowahband.org). We would like to remain a consulting party in this issue.

Lisa C. Stopp, Acting Tribal Historic Preservation Officer



Department of Transportation

State of Georgia

#2 Capitol Square, S.W.

Atlanta, Georgia 30334-1002

HAROLD E. LINNENKOHL
COMMISSIONER
(404) 656-5206

DAVID E. STUDSTILL, JR., P.E.
CHIEF ENGINEER
(404) 656-5277

BUDDY GRATTON, P.E.
DEPUTY COMMISSIONER
(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

July 2, 2007

Dr. W. Ray Luce
Director and Deputy SHPO
Historic Preservation Division/DNR
34 Peachtree St. NW, Suite 1600
Atlanta, Georgia 30303

Re: Transmittal of Final Archaeological Report; GDOT Projects BHF-151-1(6) and BRST-151-1(7); P.I. Nos. 631570 and 632906; HP-0400607-001; Phase I and II Investigations along State Route 225, adjacent to New Echota, Gordon County, Georgia

Dear Dr. Luce:

Enclosed please find three (3) copies of the final report entitled, "Phase I and II Investigations along State Route 225, adjacent to New Echota, Gordon County, Georgia" prepared by URS Corporation. The Department concurs with the recommendations presented by URS Corporation.

Should you have any questions concerning this report, please contact Heather Mustonen of this office at (404) 699-6881.

Sincerely,

A handwritten signature in black ink that reads "Harvey D. Keepler". The signature is written in a cursive style with a large, stylized "K" and "P".

Harvey D. Keepler
State Environmental/Location Engineer

HDK/HLM

cc: Mr. Rodney N. Barry, P.E., FHWA, (ATTN: Katy Allen)



Department of Transportation

HAROLD E. LINNENKOHL
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TREASURER
(404) 656-5224

July 13, 2007

Mr. Charles Krautler, Director
Atlanta Regional Commission
40 Courtland Street, NE
Atlanta, Georgia 30303-2538

Re: Early Coordination Request for Project BHF-151-1(6), Gordon County, P.I. No. 631570

Dear Mr. Krautler:

The Georgia Department of Transportation has initiated the SR 225 Bridge Replacement project. The proposal consists of the design and environmental documentation for the replacement of the bridge over the Coosawatee River and New Town Creek on SR 225. The project would realign SR 225 north, adding a 10-foot shoulder. A project location map is attached.

The design for the project is being developed concurrently with environmental documentation and in compliance with applicable environmental laws and regulations. This process, developed by the Georgia Department of Transportation to make our projects responsive to social, economic, and environmental concerns, offers you the opportunity to identify site specific conditions to be addressed in the environmental assessment.

Please advise us of any known project area conditions of special concern. With your assistance, we can give these issues due consideration and integrate them into the development of the project alignment and design.

We appreciate your efforts in assisting us with the development of this project. We request your response within 30 days of receipt of this letter. If no comments are received from your agency by August 15, 2007, we will assume you have no comments. If you need additional review time, have any questions, or require additional information, please contact Larry Bowman, NEPA Specialist, via telephone (404-699-4400) or email (larry.bowman@dot.state.ga.us). Thank you.

Sincerely,

Harvey D. Keepler
State Environmental/Location Engineer

HDK/lr
Attachment

SR 225 Bridge Replacements, Gordon County

BHF-151-1(6), Gordon County
SR 225 Bridge Replacements
P.I. No. 631570

EARLY COORDINATION LETTERS

Russell Townsend, THPO
Eastern Band of Cherokee Indians
Qualla Boundary Reservation
PO Box 455
Cherokee, NC 28719

David Howerin
Planning Director
Coosa Valley Regional Development Center
P.O. Box 1793
Rome, GA 30162-1793

Lisa Stopp
Acting Tribal Historic Preservation Officer
United Keetoowah Band of Cherokee Indians
P.O. Box 746
20525 S. Jules Valdez Rd.
Tahlequah, OK 74464

Honorable Alvin Long
Gordon County Board of Commissioners, Chairperson
District 3
County Administration Building
201 North Wall Street
Calhoun, Georgia 30701

Honorable Judy Bailey
Gordon County Board of Commissioners, Vice Chairperson
District 1
County Administration Building
201 North Wall Street
Calhoun, Georgia 30701

Honorable Richard Gordon
Gordon County Board of Commissioners
District 2
County Administration Building
201 North Wall Street

Calhoun, Georgia 30701

Honorable Rebecca Hood
Gordon County Board of Commissioners
District 4
County Administration Building
201 North Wall Street
Calhoun, Georgia 30701

Honorable Phil Garner
Gordon County Board of Commissioners
District 5
County Administration Building
201 North Wall Street
Calhoun, Georgia 30701

Randall Dowling
Gordon County Administrator
Gordon County Administration Building
201 North Wall Street
Calhoun, Georgia 30701

Tom Burgess
Director
Building Planning & Development
Gordon County Wall Street Annex
200 South Wall Street, First Floor
Calhoun, Georgia 30701

Barry Hice
Director
Transportation & Public Works
Gordon County
4011 SR 53 East
Calhoun, Georgia 30701

Honorable James F. Palmer
Mayor
City of Calhoun
P.O. Box 248
Calhoun, Georgia 30703

Honorable Lorene Potts
Mayor Pro Tem
City Council Post 2
City of Calhoun

P.O. Box 248
Calhoun, Georgia 30703

Honorable Ray M. Denmon
Councilman
City Council Post 3
City of Calhoun
P.O. Box 248
Calhoun, Georgia 30703

Honorable George R. Crowley
Councilman
City Council Post 1
City of Calhoun
P.O. Box 248
Calhoun, Georgia 30703

Honorable David Hammond
Councilman
City Council Post 4
City of Calhoun
P.O. Box 248
Calhoun, Georgia 30703

Kevin McEntire
Street Superintendent
250 Kirby Road
Calhoun, Georgia 30701

Ms. Linda Poythress
Regional Office of Environment
Regional Environmental Officer
U. S. Department of Housing and Urban Development
4th floor Five Points Plaza Building
40 Marietta Street
Atlanta, Georgia 30303

Mr. Frank Green
Interim Chief, Forest Management Department
Georgia Forestry Commission
P.O. Box 819
Macon, Georgia 31202-0819

Attention: Ms. Bonny Adams

Mr. Paul Joe, DO, MPH

Medical Officer
National Center for Environmental Health
4770 Buford Highway
Atlanta, Georgia 30341

Mr. Bob Young
Regional Director
Department of Housing and Urban Development
Five Points Plaza Building
40 Marietta Street
Atlanta, GA 30303

Pat Hooks
Regional Director
National Park Service
U. S. Department of Interior
Building 1924
100 Alabama Street
Atlanta, Georgia 30303

Mr. Lloyd H. Woosley, Chief
U. S. Geological Survey
Environmental Affairs Program
12201 Sunrise Valley Drive
Mail Stop 440
Reston, VA 20192-0001

Mr. James I. Palmer, Jr.
Regional Administrator
U. S. Environmental Protection Agency
Region Four
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303-3104

Mr. Rodney Barry
Division Administrator
Federal Highway Administration
US Department of Transportation
Suite 17T100
61 Forsyth Street
Atlanta, Georgia 30303-8821

Dr. Carol Couch
Director
Georgia Environmental Protection Division

2 MLK Jr. Drive
Suite 1152, East Tower
Atlanta, Georgia 30334

Mr. Ed Johnson
Chief
Savannah District, Northern Section
Regulatory Functions Branch
U. S. Army Corps of Engineers
The Plaza Suite 200
1590 Adamson Parkway
Morrow, Georgia 30260-1777

NRCS LETTER

Mr. James E. Tillman, Sr.
Natural Resources Conservation Service
Stephens Federal Building
355 East Hancock Avenue
Athens, Georgia 30601-2769

FEMA LETTER

Mr. Todd Davison
Mitigation Division
Federal Emergency Management Agency
3003 Chamblee-Tucker Road
Atlanta, Georgia 30341

Mr. Collis Brown
Georgia Department of Natural Resources
Floodplain Management Office
7 Martin Luther King Drive
Suite 440
Atlanta, Georgia 30334-9004

USFWS / GA DNR LETTER

Ms. Deborah Harris
U.S. Fish and Wildlife Service
105 Westpark Drive
Suite D
Athens, GA 30606-3174

Mr. Sam Hamilton
Regional Director

1875 Century Blvd., Suite 400
Atlanta, GA 30345

Mr. Matt Elliott
Georgia Department of Natural Resources
Wildlife & Natural Heritage Section
2065 U.S. Hwy 278 SE
Social Circle, GA 30025



Eastern Band of Cherokee Indians
Tribal Historic Preservation Office
P.O. Box 455
Cherokee, NC 28719
Ph: 828-554-6852 Fax 828-488-2462

DATE: 27 - July - 07

TO: Federal Highway Administration
Georgia Division
Katy Allen
61 Forsyth St., SW – Suite 17T100
Atlanta, GA 30303

PROJECT(S): Comments regarding Phase I and II Investigations along St. Rt. 225, New Echota, Gordon County, Georgia.

The Tribal Historic Preservation Office of the Eastern Band of Cherokee Indians is in receipt of the above-referenced project information and would like to thank you for the opportunity to comment on this proposed NHPA Section 106 activity.

The project's location is within the aboriginal territory of the Cherokee people. Because the project is located adjacent to New Echota, designated as a Traditional Cultural Property (TCP), and as a National Historic Landmark, the EBCI THPO does not underestimate the cultural sensitivity of this proposed project. This area may have cultural, archaeological, or religious significance to the Eastern Band of Cherokee Indians. Detrimental adverse effects can damage or destroy the historical, cultural, or scientific integrity of this culturally important region.

We offer the following comments:

Lum Moss Site (9GO59)

This office concurs with the archeologist's recommendations that "no intact archaeological evidence relating to the historic occupation of New Echota was documented" during the recent field investigations. Only one pearlware sherd was recovered from the "mixed plowzone," and may be "related to New Echota." Additionally, this office recognizes that the lithic artifacts and prehistoric ceramics were documented to have been recovered from the "plowzone or disturbed contexts." The EBCI THPO concurs with the archeologist's recommendations that do to extensive previous disturbance from earlier work along St. Rt. 225, this site does not require additional archeological investigation. However, the EBCI THPO is concerned over potential secondary impacts to the New Echota site.

Boat Ramp Site (9GO297)

This site is considered eligible for inclusion on the National Register of Historic Places,

and is within the New Echota TCP. This site “yielded quantities of prehistoric artifacts” and should be considered closely. It appears that the majority of artifacts recovered represent Archaic through Mississippian components. This office also recognizes that a potential Late Archaic hearth was discovered within Unit 1. The EBCI THPO concurs with the archeologist’s recommendations that “staged data-recovery excavations” should be conducted at site 9GO297.

9GO296

This office recognizes that no cultural materials were discovered throughout 11 backhoe trenches. However, the EBCI THPO also recognizes that the site boundaries for 9GO296 have not been defined, and that buried cultural materials may still be present “closer to the Conasauga River.”

9GO298

This collapsed “early-to-mid-twentieth century house” site is not associated with the historic Cherokee occupation of New Echota. Prehistoric artifacts were limited to a single flake. As such, the EBCI THPO does not have any comments, and differs to the GASHPO. This office concurs with the archeologist’s recommendations that no further archeological investigation is warranted.

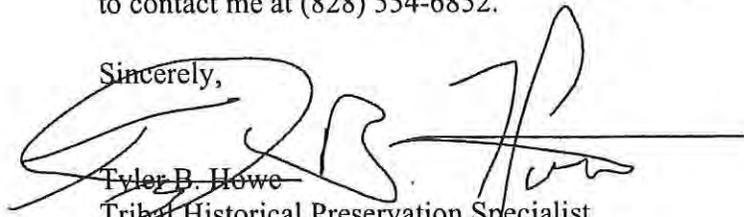
Other areas of concern

Area 6: Lum Moss Site, 9GO59

This portion of the site lies very close to the New Echota Museum parking lot. Out of 10 shovel tests, four tested positive for prehistoric artifacts. While this portion of the site is disturbed from previous construction activities associated with both St. Rt. 225, and the museum parking lot, how will the proposed construction activity affect the parking lot? This question has not been addressed, and is considered a potential secondary impact to New Echota. For example, if the right of way for St. Rt. 255 is expanded into portions of the parking lot, how much more land will be lost to New Echota? If the parking lot has to be shifted, even slightly, what cultural resources will be impacted? A discussion of potential secondary impacts from the proposed activity might be useful in our upcoming government to government consultation on Thursday August 2, 2007.

If we can be of further service, or if you have any comments or questions, please feel free to contact me at (828) 554-6852.

Sincerely,



Tyler B. Howe
Tribal Historical Preservation Specialist
Eastern Band of Cherokee Indians

C: Eric Anthony Duff

Meeting Minutes

P.I. No. 631570, Gordon County

BHF-151-1(6)

SR 225 over New Town Creek and Coosawattee River

Date/Time: August 2, 2007, 9:00 am

Location: New Echota State Historic Site

Attendees:

Eric Duff, OEL

Heather Mustonen, OEL

Keith Posey, OEL

Jeff Carr, OEL

Larry Bowman, OEL

Chris Goodson, OEL

Rowe Bowen, OEL

Vince Wilson, GDOT

Katy Allen, FHWA

Handy Johnson, GA DNR, PRHSD

Russell Townsend, Eastern Band of Cherokee Indians

Tyler Howe, Eastern Band of Cherokee Indians

Richard Allen, Cherokee Nation

Lisa Stopp, United Keetoowah Band of Cherokee Indians

Marion Smith, Seminole Tribe of Florida

Debbie Wallsmith, DNR – Parks

Wally Woods, DNR – Parks

David Gomez, New Echota

Bob Entorf, GA DNR, HPD

Amanda Schraner, GA DNR, HPD

Dave Crass, GA DNR

Annie Gillespie, WSA

Emily Ritzler, WSA

Melvin Brown, WSA

Shannon Dotson, WSA

The purpose of the meeting was to 1) update the Native American representatives and the Department of Natural Resources on the current status of the project, 2) review the archaeological study, 3) discuss possibilities for context sensitive design for the site, and 4) answer any questions about the project that attendees may have.

The meeting was opened by Eric Duff with introductions and a brief project overview. Shannon Dotson and Annie Gillespie presented the project history and the preferred alternative. Heather Mustonen described the archaeological research that has been conducted to date and identified locations that may require additional investigation. Emily Ritzler presented context sensitive design examples that may be appropriate for this project. The meeting was then opened for discussion. Below is a summary of the major discussion points.

Discussion

- **Keith Posey** suggested moving the boat ramp entrance to the west to improve site distance.
- **Handy Johnson** wanted to know whether a deceleration lane had been considered for the entrance to the site or to McDaniel Road.
Shannon Dotson said that the need for deceleration lanes is determined by turning volume. He did not think that there was enough traffic to warrant a deceleration lane, but if the site was interested in having one, it could be studied further and a design variance could be obtained. Shannon also stated that the deceleration lane would increase the impact to the site itself.
David Gomez then asked about a deceleration lane for the park entrance. The turning movement currently experiences a high number of rear-end collisions, particularly with school buses. Buses have had several problems with rear wheels being suspended in air, but no rear-end collisions known to have occurred with buses. Collisions have been with passenger vehicles.

- **Shannon Dotson** stated if this is something that all parties can agree to, it is something that can be designed as a possible mitigation factor. However, the impact to the park site itself would increase with the additional lane widening required.
Russell Townsend stated the position of the Eastern Band of Cherokee Indians would be to support David Gomez.
Katy Allen suggested moving the alignment north to allow for a deceleration lane without increasing the impacts to the site.
- **Rowe Bowen** commented on the possibility of a steep grade leading down to the boat ramp.
Shannon Dotson responded that WSA is planning on keeping the vertical profile of the road very similar to that of the existing road. The parking area for the boat ramp now is just below grade with the existing road so there is no steep grade anticipated with the new driveway.
- **Eric Duff** stated that the purpose of the context sensitive design was to give New Echota a 'sense of place.'
- **Handy Johnson** asked if there would be money for a new sign for the site.
Katy Allen answered that if a sign is considered mitigation for impacts to the historic site, a sign could be funded by the project.
- **Eric Duff** stated that if the lease is renewed with the Elks Lodge Golf Course, there would be no need for a pedestrian tunnel.
- **Eric Duff** stated that GDOT is committed to context sensitive design for both bridges.
Russell Townsend stated that he has preferences for which context sensitive designs are used on the bridges and would like to work with GDOT when making decisions when the time comes. He understands that budget is an issue and is willing to work with GDOT to come to a solution that is appropriate.
- **Lisa Stopp** commented that she would prefer a more natural-looking landscaping using native plants rather than a manicured look.
- **David Gomez** stated that the leasing of the property is handled by the Georgia State Properties Commission and not the park itself. Not renewing the lease would impact about half of the golf course.
Melvin Brown asked if the golf course will already lose two holes, maybe they are no longer interested in renewing the lease?
David Gomez responded that the golf course wants to renew no matter what.
Eric Duff stated that if we do not renew the lease, landscaping can be done along the property line, away from the road, to hide the golf course.
- **David Gomez** stated that a pedestrian tunnel would mostly likely be flooded. Currently, SR 225 is acting as a dam that keeps the historic site from flooding; a pedestrian tunnel would be a channel for floodwaters to enter the site.
- **Rowe Bowen** asked what would happen in terms of flooding at the park if the existing road bed was removed as it is currently acting as a dam during times of high water.
Handy Johnson asked if there was a reason for people to be on the other side of the road.
David Gomez stated that the ferry site was on the other side of the road and people often express interest in seeing the headwaters.
Debbie Wallsmith stated that she thinks the ferry site can be covered by the interpretive trail.

- **Eric Duff** stated that the bridge over New Town Creek would remain in place and the state would give it over to the park and it would become the park's responsibility to maintain it.
- **Lisa Stopp** asked what the lease renewal time was.
David Gomez replied that it was a 20-year lease.
Lisa asked if it would be possible to put in the pedestrian tunnel sometime in the future.
Shannon Dotson replied that anything is possible, but it would require closing the road, building a detour, or routing traffic around to other roads. Also the tunnel would need to be considered while the profile of the road is being determined.
Lisa stated that she was just wondering what would happen to the land if the lease was not renewed in the future.
Russell Townsend suggested maybe a pedestrian bridge would be a better option.
- **Dave Crass** asked if not renewing the lease would be considered mitigation for the Traditional Cultural Property.
- **Russell Townsend** stated that they are not looking to alienate the park from the community. They are interested in find a solution that makes everyone happy.
- **Wallace Woods** asked how the parks department would pay for the bridge upkeep.
Heather Mustonen responded that it has been discussed that the money that would have been used for bridge demolition be transferred to the parks department to help pay for the bridge maintenance.
Russell Townsend asked if building a new pedestrian bridge over New Town Creek would be more cost effective than trying to maintain the old bridge.
Shannon Dotson replied that in general your biggest expense would be the construction of a new bridge and the demolition of the old bridge.
- In discussion of the pre-historic site north of existing SR 225, **Marion Smith** stated that the Seminole Tribe would defer to the Cherokees about the fate of the site but thinks that a stratified display for the archeological findings would be fine. He would like to see data recovery efforts at 9GO297 tied into interpretation at the park.
- **David Gomez** asked if it would be possible to provide parking on the north side of SR 225 for fisherman. Currently, they use the boat ramp parking area and take a foot path to fishing areas. As the project is proposed now, the fisherman would have to cross SR 225 to gain access to the headwaters.
Katy Allen stated that this raises a safety issue as people will want to get to the fishing area and will most likely cross the road to do so.
Eric Duff asked if it is possible to put a trail under the new bridge for the fisherman.
Shannon Dotson replied that anything is possible; we would just need a directive to design it.
Keith Posey stated that we would need to look at the costs of a trail versus a pedestrian tunnel.
- **Bob Entorf** asked where the pedestrian trail would begin.
Eric Duff replied that it wouldn't be from the old road end.
Bob stated that he was concerned about people attempting to cross to the trail from the parking lot while cars are pulling in.
Debbie Wallsmith also stated that we need to make sure that our visitors are not crossing to private property.
Eric Duff replied that the existing bridge over the Coosawattee River would be removed so there would not be a way to get across the river onto the private property.
Keith Posey inquired as to whether fill would be removed down to level once the bridge over the Coosawattee was removed?

Eric Duff replied that that is open for discussion.

- **Eric Duff** stated that there is new development in the west corner of the New Echota property. He stated the GDOT is committed to buying the wetlands from Mr. Lusk as a buffer for the site.
David Gomez said that Mr. Lusk is an electrical contractor and he has a shed and an equipment store on the property. He is possibly building a convenience store. He believes his daughter is building a shop on a nearby parcel. Lusk is a land/housing developer; his daughter is a real-estate agent. They did sale part of the corner lot (225/newtown church rd) to someone that is putting up an electrical contractor shop. Lot on the corner has not been sold. No store going in...at least not yet.
- **Katy Allen** expressed concern about a possible landscape buffer. She noted that usually there are conflicts between landscaping and clear zone requirements.
Eric Duff stated that this issue is up for discussion.
Katy asked if it would be justified to widen the ROW for landscaping purposes. She stated she was under the impression that the landscape buffer would extend along the entire property boundary with the road.
Handy Johnson stated that they preferred a longer view shed rather than having landscaping along the very edge of the road.
Russell Townsend stated that he likes the idea of making sure people are aware that they are somewhere special and he recommended that in lieu of landscaping stone pillars representing the 7 tribes could be used.
Lisa Stopp recommended including art work as part of the design.
- **David Gomez** suggested that more signs may help to let people know they are entering the TCP. Increased signage would help greatly, as well as the increased sight distance that will be gained with the new road design. With a much wider radius turn on the new park entrance, a deceleration lane may not be needed.
- **Katy Allen** expressed concern about the timing of the project. The design and the appropriate mitigation need to be determined before we can have a completed environmental document. We also need to determine the state of the lease as soon as possible.
Handy Johnson said they would check on the lease.
Katy asked how strong the desire is to not renew the lease. She thinks this will determine whether it is renewed or not.
- **Amanda Schraner** asked if anyone had preferences for bridge materials.
Richard Allen stated that he didn't really care what the bridges looked like because you don't really see them or notice them as you drive across.
Jeff Carr and **Heather Mustonen** both answered that they think it may be possible to see the bridge from the interpretive trail.
Lisa Stopp stated that she likes the idea of a wooden guardrail being used instead of standard guardrail and thinks it would be more effective in changing the feel of the area than a bridge façade would.
Tyler Howe stated that there has long been a debate between progressive and traditional Cherokees and thinks that a design with a combination of the two styles would be appropriate.
Eric Duff stated that OEL would put together a packet of context sensitive options.
- **Russell Townsend** stated that he doesn't believe the Eastern Band of Cherokee Indians would have any negative comments about data recovery.
Eric Duff stated that with this alignment, archeological data recovery would be done. Tyler Howe stated that he is concerned about impacts to the parking lot and possibly shifting it to the south because there have been no archeological studies performed there.

- **Eric Duff** stated that due to the location of the site and the foot traffic through the area to reach the fishing spot, looting may be an issue during data recovery. He proposed that some form of security may need to be incorporated into data recovery at the site.
- **Dave Crass** inquired about the depth of the deposits and the soil at the site as these may affect looting efforts.
- **Debbie Wallsmith** asked if there has been any thought to updating the National Landmark status. **Eric Duff** replied that no there had not.
- **Handy Johnson** asked if there would be an exhibit at the New Echota site of what is recovered from the data recovery. **Debbie Wallsmith** replied that she didn't think that would be a problem.
- **Debbie Wallsmith** asked if the interpretive trail could possibly loop around or if we could connect it to the fisherman's trail.
- **Wallace Woods** said that his boss would be meeting with the GA State Properties Commission next Friday (August 10) and could discuss this lease.
- **Katy Allen** stated that any trail put in must be ADA compliant if it is build as part of the mitigation for the project. **Eric Duff** requested a letter from DNR about their desire to use the old road bed as an interpretive trail.

DEPARTMENT OF TRANSPORTATION

STATE OF GEORGIA

INTERDEPARTMENT CORRESPONDENCE

FILE P.I. Nos. 631570 & 632906

OFFICE Environment/Location

FROM Jeff Carr

DATE September 21, 2007

TO Files

SUBJECT GDOT Projects BHF-151-1(6) & BRST-151-1(7), Gordon County;
P.I. Nos. 632906 & 631570 and HP #020813-001:
Technical Assistance Meeting Notes

On September 19, 2007, a technical assistance meeting was held between the Georgia Department of Transportation (Jeff Carr & Heather Mustonen) and the Georgia Department of Natural Resources, Historic Preservation Division (Richard Cloues, Amanda Schraner, & Keith Hebert).

The meeting was held in order to discuss the anticipated effects the subject projects would have on New Echota (National Register listed/National Historic Landmark) and the New Echota Traditional Cultural Property. The proposed projects would replace the existing bridges on SR 225 over New Town Creek [BHF-151-1(6)] and the Coosawattee River [BRST-151-1(7)] in Gordon County. In addition to the bridge replacements, the proposed projects would realign SR 225 to the north in order to enhance safety and correct substandard horizontal alignment between New Echota and the existing Elks Club Golf Course.

During the meeting, Jeff Carr and Heather Mustonen described the proposed projects, the ongoing planning process, and the proposed efforts to minimize harm to New Echota. These efforts include the use of context sensitive bridges, which will be designed in consultation with consulting Native American tribes; the use of wooden guardrail in order to reduce visual impacts; the development of landscaping that could include new signage for the park, screening of non-historic elements from the New Echota site, and other design elements such as sculpture; and the possible reuse of the abandoned section of SR 225 as an interpretive trail for the historic site.

Much of the setting north of the New Echota site has been compromised by non-historic residential development and the construction of a golf course. The proposed landscaping would help to buffer the site from those elements. Also, the realignment of SR 225 to the north would allow a portion of New Echota to be reclaimed from the golf course. Furthermore, the abandoned

portion of SR 225 would no longer be used for vehicular traffic, and there would be no 'net gain' of roadway pavement within New Echota as a result of project implementation.

Based on the described minimization efforts/conditions, it was determined during the meeting that the overall impact of the projects would result in No Adverse Effect to New Echota and the New Echota Traditional Cultural Property.

JTC/

cc: Rodney N. Barry, P.E., FHWA (Attn: Katy Allen)
W. Ray Luce, Deputy SHPO
Heather Mustonen, GDOT Archaeology
Larry Bowman, GDOT NEPA
Emily Ritzler, Wilber Smith Associates

SEMINOLE TRIBE OF FLORIDA

◇ TRIBAL HISTORIC PRESERVATION OFFICE ◇

Tribal Historic
Preservation Office

TINA M. OSCEOLA
Executive Director

WILLARD S. STEELE
Tribal Historic Preservation
Officer

DR. MARION SMITH
Compliance Review Supervisor

BENJAMIN G. BURY
Tribal Archaeologist



Tribal Officers

MITCHELL CYPRESS
Chairman

RICHARD BOWERS
Vice Chairman

PRISCILLA D. SAYEN
Secretary

MICHAEL D. TIGER
Treasurer

September 24, 2007

Mr. Eric Duff
Native American Liaison
Georgia Department of Transportation
3993 Aviation Circle
Alpharetta, Georgia 30336

RE: GDOT Projects BHF-151-1(6) and BRST-151-1(7); P.I. Nos. 631570 and 632906; Archaeological Survey and Testing of the Proposed SR 225 Improvements and Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County, Georgia; HP# 0400607-001

Dear Eric:

For the Tribal Historic Preservation Office (THPO) of the Seminole Tribe of Florida (STOF), I thank you and Heather for the telephone discussion last week of our concerns relative to the aforementioned project at the New Echota historic site. I confirm the major points of that conversation:

First, STOF prefers to defer to the Cherokee nations regarding the historic period resources, infrastructures, and interpretations at the National Historic Landmark site of New Echota. This is in line with our general positions that STOF's greatest cultural heritage concerns relate to the historical tribal groups, primarily but not wholly Muskogean-speaking Upper and Lower Creeks, who are documented to have played a role in the formation of the Seminole people starting in the early 18th century; and that archaeologically-known groups using Lamar ceramics over the interior Southeast, in the sense of Williams and Shapiro (1990), are the most important Creek predecessors.

Second, due to the first point, it is not necessary to send to STOF the context-sensitive design package.

Third, our outstanding interest at this point is for project actions affecting prehistoric sites, especially 9Go297. The preferred alternative for site improvements, shifting road alignment north, seems well-grounded in the avoidance of the main New Echota Site and in safety concerns for passersby and Site visitors. It will not affect Lum Moss seriously but may destroy the deeply stratified Boat Ramp Site (9Go297), which may have Archaic, Woodland, and even Mississippian components and would require Data Recovery. The main substantive concerns of our office would be straightforward in the event of Data Recovery, to ensure that the Boat Ramp site is well understood in terms of date and nature of occupations. The THPO of STOF asks to be kept informed of major steps toward Data Recovery, and specifically we would appreciate being able to review relevant scopes of work and research designs for Data Recovery. Please reference our Correspondence ID 0000084 for this project in future correspondence.

Please do not hesitate to contact us if you have any questions or problems.

Sincerely,

Willard S. Steele
Tribal Historic Preservation Officer
Tribal Historic Preservation Office
Seminole Tribe of Florida
HC 61, Box 21-A
Clewiston, FL 33440
Tel: 863.902.1113
wsteele@semtribe.com

Please direct response to:

Marion F. Smith, Jr.
Compliance Review Supervisor
Tribal Historic Preservation Office
Seminole Tribe of Florida
HC 61, Box 21-A
Clewiston, FL 33440
Tel: 863.902.1113 ext 12223
marionsmith@semtribe.com



Department of Transportation

State of Georgia

#2 Capitol Square, S.W.

Atlanta, Georgia 30334-1002

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BUDDY GRATTON, P.E.
DEPUTY COMMISSIONER
(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

December 19, 2007

Ms. Lisa Stopp
THPO/NAGPRA Representative
United Keetoowah Band of Cherokee Indians
Post Office Box 746
Tahlequah, Oklahoma 74465

Re: Context Sensitive Design Considerations; GDOT Project BHF-151-1(6) ; P.I. Nos. 631570; Proposed SR 225 Improvements and Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County, Georgia

Dear Ms. Stopp:

Enclosed please find one copy of the Context Sensitive Design Considerations Packet for the proposed transportation improvements to SR 225 at New Echota. The Department seeks input from the United Keetoowah Band of Cherokee Indians regarding their preference in context sensitive design elements to be incorporated into the overall design of the project.

On August 2, 2007 FHWA and the Department met with the UKB to discuss context sensitive design, interpretive initiatives, landscaping, as well as tribal needs and considerations to be incorporated into the project design and planning. The Department is seeking to minimize the effect of the undertakings on the New Echota National Historic Landmark and the New Echota Traditional Cultural Property by implementing context sensitive design bridges and guardrails as well as developing a landscape plan and possible interpretive trail along the existing section of SR 225. The use of context sensitive design features will develop a transportation facility that blends with the natural landscape of the area surrounding New Echota.

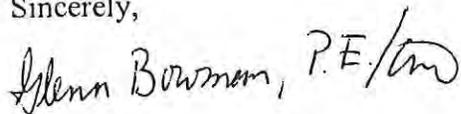
Pursuant to the above mentioned meeting, the Department indicated that it would provide a packet of material on context sensitive design elements for review and feedback from consulting parties. The enclosed packet includes examples of context sensitive guardrail and bridge designs for consideration. At this time, the Department is seeking input from the UKB regarding design preferences that will be presented to the project design team and explored in terms of feasibility, from both an engineering and cost standpoint. Additional consultation between the Department and the UKB will be initiated further into the planning process to ensure that the interests and desires of the Cherokee are incorporated into the project.

Ms. Lisa Stopp
December 19, 2007
Page 2

The FHWA and the Department are committed to working with all parties as these undertakings develop, and believe that with your help, the proposed projects can be developed to meet future transportation needs while maintaining environmental excellence and stewardship initiatives. The FHWA and the Department enjoy learning from the UKB and appreciate the opportunity to work in partnership with all three federally recognized Cherokee tribal governments. With your help, the proposed projects can be designed to provide a greater sense of place regarding the significance of New Echota to the Cherokee people, while providing the citizens of Georgia with a better understanding and respect for the strength of Cherokee culture and its people.

Please review the Context Sensitive Design Considerations packet and complete the accompanying questionnaire by the week of January 28, 2008. Should you have any questions concerning the use of context sensitive design on this project, please contact Heather Mustonen at (404) 699-6881 of this office.

Sincerely,

Handwritten signature of Glenn Bowman, P.E. in cursive script.

Glenn Bowman, P.E.
State Environmental/Location Engineer

GSB/HLM

cc: Mr. Rodney N. Barry, P.E., Division Administrator, FHWA, (Attn: Ms. Katy Allen)



Department of Transportation

State of Georgia

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EARL L. MAHFUZ
TREASURER
(404) 656-5224

December 19, 2007

Mr. Richard Allen
NAGPRA Representative
Cherokee Nation
Post Office Box 948
Tahlequah, Oklahoma 74465

Re: Context Sensitive Design Considerations; GDOT Project BHF-151-1(6) ; P.I. Nos. 631570; Proposed SR 225 Improvements and Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County, Georgia

Dear Mr. Allen:

Enclosed please find one copy of the Context Sensitive Design Considerations Packet for the proposed transportation improvements to SR 225 at New Echota. The Department seeks input from the Cherokee Nation regarding their preference in context sensitive design elements to be incorporated into the overall design of the project.

On August 2, 2007 FHWA and the Department met with the Cherokee Nation to discuss context sensitive design, interpretive initiatives, landscaping, as well as tribal needs and considerations to be incorporated into the project design and planning. The Department is seeking to minimize the effect of the undertakings on the New Echota National Historic Landmark and the New Echota Traditional Cultural Property by implementing context sensitive design bridges and guardrails as well as developing a landscape plan and possible interpretive trail along the existing section of SR 225. The use of context sensitive design features will develop a transportation facility that blends with the natural landscape of the area surrounding New Echota.

Pursuant to the above mentioned meeting, the Department indicated that it would provide a packet of material on context sensitive design elements for review and feedback from consulting parties. The enclosed packet includes examples of context sensitive guardrail and bridge designs for consideration. At this time, the Department is seeking input from the Cherokee Nation regarding design preferences that will be presented to the project design team and explored in terms of feasibility, from both an engineering and cost standpoint. Additional consultation between the Department and the Cherokee Nation will be initiated further into the planning process to ensure that the interests and desires of the Cherokee are incorporated into the project.

Mr. Richard Allen
December 19, 2007
Page 2

The FHWA and the Department are committed to working with all parties as these undertakings develop, and believe that with your help, the proposed projects can be developed to meet future transportation needs while maintaining environmental excellence and stewardship initiatives. The FHWA and the Department enjoy learning from the Cherokee Nation and appreciate the opportunity to work in partnership with all three federally recognized Cherokee tribal governments. With your help, the proposed projects can be designed to provide a greater sense of place regarding the significance of New Echota to the Cherokee people, while providing the citizens of Georgia with a better understanding and respect for the strength of Cherokee culture and its people.

Please review the Context Sensitive Design Considerations packet and complete the accompanying questionnaire by the week of January 28, 2008. Should you have any questions concerning the use of context sensitive design on this project, please contact Heather Mustonen at (404) 699-6881 of this office.

Sincerely,

Handwritten signature of Glenn Bowman, P.E. in black ink, with a stylized flourish at the end.

Glen Bowman, P.E.
State Environmental/Location Engineer

GSB/HLM

cc: Mr. Rodney N. Barry, P.E., Division Administrator, FHWA, (Attn: Ms. Katy Allen)



Department of Transportation

State of Georgia

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EARL L. MAHFUZ
TREASURER
(404) 656-5224

December 19, 2007

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

Re: Context Sensitive Design Considerations; GDOT Project BHF-151-1(6) ; P.I. Nos. 631570; Proposed SR 225 Improvements and Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County, Georgia

Dear Mr. Townsend:

Enclosed please find one copy of the Context Sensitive Design Considerations Packet for the proposed transportation improvements to SR 225 at New Echota. The Department seeks input from the Eastern Band of Cherokee Indians regarding their preference in context sensitive design elements to be incorporated into the overall design of the project.

On August 2, 2007 FHWA and the Department met with the EBCI to discuss context sensitive design, interpretive initiatives, landscaping, as well as tribal needs and considerations to be incorporated into the project design and planning. The Department is seeking to minimize the effect of the undertakings on the New Echota National Historic Landmark and the New Echota Traditional Cultural Property by implementing context sensitive design bridges and guardrails as well as developing a landscape plan and possible interpretive trail along the existing section of SR 225. The use of context sensitive design features will develop a transportation facility that blends with the natural landscape of the area surrounding New Echota.

Pursuant to the above mentioned meeting, the Department indicated that it would provide a packet of material on context sensitive design elements for review and feedback from consulting parties. The enclosed packet includes examples of context sensitive guardrail and bridge designs for consideration. At this time, the Department is seeking input from the EBCI regarding design preferences that will be presented to the project design team and explored in terms of feasibility, from both an engineering and cost standpoint. Additional consultation between the Department and the EBCI will be initiated further into the planning process to ensure that the interests and desires of the Cherokee are incorporated into the project.

Mr. Russell Townsend
December 19, 2007
Page 2

The FHWA and the Department are committed to working with all parties as these undertakings develop, and believe that with your help, the proposed projects can be developed to meet future transportation needs while maintaining environmental excellence and stewardship initiatives. The FHWA and the Department enjoy learning from the EBCI and appreciate the opportunity to work in partnership with all three federally recognized Cherokee tribal governments. With your help, the proposed projects can be designed to provide a greater sense of place regarding the significance of New Echota to the Cherokee people, while providing the citizens of Georgia with a better understanding and respect for the strength of Cherokee culture and its people.

Please review the Context Sensitive Design Considerations packet and complete the accompanying questionnaire by the week of January 28, 2008. Should you have any questions concerning the use of context sensitive design on this project, please contact Heather Mustonen at (404) 699-6881 of this office.

Sincerely,

Glenn Bowman, P.E. / GB

Glenn Bowman, P.E.
State Environmental/Location Engineer

GSB/HLM

cc: Mr. Rodney N. Barry, P.E., Division Administrator, FHWA, (Attn: Ms. Katy Allen)



Department of Transportation

State of Georgia

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EARL L. MAHFUZ
TREASURER
(404) 656-5224

December 19, 2007

Mr. David Gomez
Superintendent
New Echota State Historic Site
1211 Chatsworth Highway NE
Calhoun, Georgia 30701

Re: Context Sensitive Design Considerations; GDOT Project BHF-151-1(6) ; P.I. Nos. 631570; Proposed SR 225 Improvements and Bridge Replacements over New Town Creek and the Coosawattee River in Gordon County, Georgia

Dear Mr. Gomez:

Enclosed please find one copy of the Context Sensitive Design Considerations Packet for the proposed transportation improvements to SR 225 at New Echota. The Department seeks input from New Echota State Historic Site regarding their preference in context sensitive design elements to be incorporated into the overall design of the project.

On August 2, 2007 FHWA and the Department met with the New Echota State Historic Site and members of the Cherokee to discuss context sensitive design, interpretive initiatives, landscaping, as well as tribal needs and considerations to be incorporated into the project design and planning. The Department is seeking to minimize the effect of the undertakings on the New Echota National Historic Landmark and the New Echota Traditional Cultural Property by implementing context sensitive design bridges and guardrails as well as developing a landscape plan and possible interpretive trail along the existing section of SR 225. The use of context sensitive design features will develop a transportation facility that blends with the natural landscape of the area surrounding New Echota.

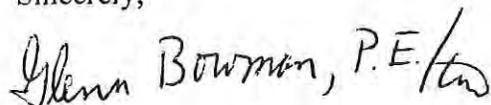
Pursuant to the above mentioned meeting, the Department indicated that it would provide a packet of material on context sensitive design elements for review and feedback from consulting parties. The enclosed packet includes examples of context sensitive guardrail and bridge designs for consideration. At this time, the Department is seeking input from New Echota State Historic Site regarding design preferences that will be presented to the project design team and explored in terms of feasibility, from both an engineering and cost standpoint. Additional consultation between the Department, New Echota State Historic Site, and the Cherokee will be initiated further into the planning process to ensure that the interests and desires of the park and the Cherokee are incorporated into the project.

Mr. David Gomez
December 19, 2007
Page 2

The FHWA and the Department are committed to working with all parties as these undertakings develop, and believe that with your help, the proposed projects can be developed to meet future transportation needs while maintaining environmental excellence and stewardship initiatives. With your help, the proposed projects can be designed to provide a greater sense of place regarding the significance of New Echota to the Cherokee people, while providing the citizens of Georgia with a better understanding and respect for the strength of Cherokee culture and its people.

Please review the Context Sensitive Design Considerations packet and complete the accompanying questionnaire by the week of January 28, 2008. Should you have any questions concerning the use of context sensitive design on this project, please contact Heather Mustonen at (404) 699-6881 of this office.

Sincerely,

Handwritten signature of Glenn Bowman, P.E. in black ink.

Glenn Bowman, P.E.
State Environmental/Location Engineer

GSB/HLM

cc: Mr. Rodney N. Barry, P.E., Division Administrator, FHWA, (Attn: Ms. Katy Allen)
Ms. Debbie Wallsmith, Park Interpretive Supervisor, Parks, Recreation, and Historic Sites, GaDNR
Mr. Handy Johnson, Landscape Architect, Parks, Recreation, and Historic Sites, GaDNR
Ms. J. Wade, Project Director, GSPC

Georgia Department of Natural Resources

Historic Preservation Division

Noel Holcomb, Commissioner

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer
34 Peachtree Street, N.W., Suite 1600, Atlanta, Georgia 30303
Telephone (404) 656-2840 Fax (404) 657-1040 <http://www.gashpo.org>

February 8, 2008

Glenn Bowman, P.E.
State Environmental/Location Engineer
Office of Environment & Location
Georgia Department of Transportation
3993 Aviation Circle
Atlanta, Georgia 30336-1593

RE: **GDOT Project BHF-151-9(6) & BRST-151-1(7); PI#s 631570/632906**
Bridge Replacements and Road Improvements, SR 225
Gordon County, Georgia
HP-040607-001

Dear Mr. Bowman:

The Historic Preservation Division (HPD) has received the documentation for the above-referenced project. Our comments are offered to assist the Georgia Department of Transportation (GDOT) and the Federal Highway Administration (FHWA) in complying with the provisions of Section 106 of the National Historic Preservation Act, as amended.

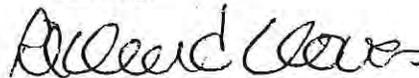
Based on the information provided in the January 18, 2008 Assessment of Effects document, HPD concurs with GDOT's determination that the proposed project will have an **adverse effect** to Archaeological Site 9Go297 (Boat Ramp Site) as defined in 36 CFR Part 800.5(d)(1).

HPD also concurs that the proposed project will have a conditional **no adverse effect** to New Echota (State Historic Site/National Historic Landmark) and New Echota Traditional Cultural Property, provided the implementation of conditions for no adverse effect, which are detailed in the "Planning to Minimize Harm, Proposed Mitigation, and Conditions for No Adverse Effect" section of the Assessment of Effects document.

HPD acknowledges that, based on the concurrence of no adverse effect to New Echota (State Historic Site/National Historic Landmark) and New Echota Traditional Cultural Property, GDOT and FHWA intend to make a *de minimis* finding for these properties in accordance with Section 6009(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

If we may be of further assistance, please contact Amanda Schraner, Transportation Projects Coordinator, at (404) 463-6687 or Amanda.Schraner@dnr.state.ga.us.

Sincerely,



Richard Cloues
Deputy State Historic Preservation Officer

RC:als

cc: Rodney N. Barry, P.E., FHWA, (Attn: Katy Allen)
Dan Latham, Jr., Coosa Valley RDC

Mustonen, Heather

From: Debbie Wallsmith [Debbie.Wallsmith@dnr.state.ga.us]
Sent: Monday, March 24, 2008 8:12 AM
To: Mustonen, Heather
Subject: NEw Echota
Attachments: Debbie Wallsmith.vcf

Hey, Heather! Yes I did receive the documents and am currently perusing them. I don't believe I will have any comments.

Cheers,
Debbie

Debbie L. Wallsmith, Ph.D.
Interpretive Supervisor
Ga DNR Parks & Historic Sites
2 Martin Luther King Jr. Drive
Suite 1352 East Tower
Atlanta, GA 30334

404-656-6527 (Phone)
770-362-2792 (Cell)
404-651-5871 (Fax)

Debbie.Wallsmith@mail.dnr.state.ga.us

Mustonen, Heather

From: Mustonen, Heather
Sent: Monday, March 24, 2008 10:01 AM
To: 'Debbie Wallsmith'
Subject: RE: NEw Echota

Hi Debbie,

Thank you for the email. If upon review of the document you have any questions or concerns please let me know. If I do not hear from you in the future we will take this email as concurrence with the document for our records.

I also wanted to check with you regarding the use of the existing roadway as an interpretive trail as we discussed at our consultation meeting in August. We are still working on getting information from Bridge Design on the safety/maintenance requirements of the bridge over New Town Creek for you. Is this something that the DNR is still interested in exploring? As soon as we have that information available, I will pass it along to you.

Thanks!
Heather

-----Original Message-----

From: Debbie Wallsmith [mailto:Debbie.Wallsmith@dnr.state.ga.us]
Sent: Monday, March 24, 2008 8:12 AM
To: Mustonen, Heather
Subject: NEw Echota

Hey, Heather! Yes I did receive the documents and am currently perusing them. I don't believe I will have any comments.

Cheers,
Debbie

Debbie L. Wallsmith, Ph.D.
Interpretive Supervisor
Ga DNR Parks & Historic Sites
2 Martin Luther King Jr. Drive
Suite 1352 East Tower
Atlanta, GA 30334

404-656-6527 (Phone)
770-362-2792 (Cell)
404-651-5871 (Fax)

[Debbie Wallsmith@mail.dnr.state.ga.us](mailto:Debbie.Wallsmith@mail.dnr.state.ga.us)



**United Keetoowah Band
Of Cherokee Indians in Oklahoma**

P.O. Box 746 • Tahlequah, OK 74465
2450 S. Muskogee • Tahlequah, OK 74464
Phone: (918) 431-1818 • Fax: (918) 431-1873
www.ukb-nsn.gov

Language, History, and Culture

COUNCIL

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Goingsnake District

Susan Adair
Illinois District

Adalene Smith
Saline District

Barry Dotson
Sequoyah District

Albert Shade
Tahlequah District

March 28, 2008

Eric Duff
Georgia Department of Transportation
#2 Capitol Square, S.W.
Atlanta, GA 30334-1002

Dear Eric:

Please regard this as our official response to the following project:
GDOT Project BHF-151-1(6), Gordon County; P.I. #631570 & HP #040607-001: Section 106 Compliance – Federal highway Administration, Assessment of Effects.

After review of the documents, the United Keetoowah Band is satisfied with the findings, as well as the thoughtful planning and analysis, and concurs with that project implementation is not anticipated to indirectly adversely affect the New Echota TCP.

Thank you so much for your work in protecting this site, and we look forward to continuing as your partner in this project.

Best Regards,

Lisa C. Stopp
Interim Director, Language, History and Culture
Acting Tribal Historic Preservation Officer

Mustonen, Heather

From: Richard Allen [Richard-Allen@cherokee.org]
Sent: Tuesday, April 01, 2008 11:22 AM
To: Mustonen, Heather
Subject: RE: New Echota AOE

Dear Ms. Mustonen:

I have reviewed the New Echota Assessment of Effects and I have no immediate concerns.

Dr. Richard L. Allen
Policy Analyst
Cherokee Nation
POB 948
Tahlequah, Oklahoma 74465

From: Mustonen, Heather [mailto:hmustonen@dot.ga.gov]
Sent: Wednesday, March 05, 2008 9:26 AM
To: Richard Allen
Cc: Duff, Eric
Subject: New Echota AOE

Good morning Richard,

I wanted to touch base with you to see if you have had an opportunity to review the New Echota Assessment of Effects as of yet. We would appreciate any comments that you may have on the document. We are hoping to compile comments from consulting parties by the middle of March and then begin work towards getting a signed Memorandum of Agreement.

If you have any questions about the document or have had any trouble accessing the ftp site to download it, please let me know.

Thank you,
Heather

From: Mustonen, Heather
Sent: Monday, February 11, 2008 11:08 AM
To: 'Richard Allen'
Subject: New Echota AOE

Richard,

Good Morning. I wanted to check in with you to see that you received the Assessment of Effects document for the New Echota Project. We placed them in the mail in late January and are following up to make sure everyone received their copy.

If you would like an electronic version of the AOE I have placed it on the GDOT ftp site where it can be downloaded. A link to the folder and directions on accessing it are below. Some of the pages in the document are a bit skewed due to our scanner, I apologize for any inconvenience. If you have any questions regarding the document, please let me know.

Click on the following link:

[ftp://ftp.dot.state.ga.us/DOTFTP/Anonymous-Public/New%20Echota%20Project%20\(Pi%20631570\)/](ftp://ftp.dot.state.ga.us/DOTFTP/Anonymous-Public/New%20Echota%20Project%20(Pi%20631570)/)



Eastern Band of Cherokee Indians
Tribal Historic Preservation Office
P.O. Box 455
Cherokee, NC 28719
Ph: 828-554-6852 Fax 828-488-2462

DATE: 22 - April - 08

TO: FHWA, Georgia Division
Katy Allen
61 Forsyth St., SW – Suite 17T100
Atlanta, GA 30303

PROJECT(S): Comments regarding the *Assessment of Effects, Bridge Replacement on St. Rt. 225 over New Town Creek and the Coosawattee River, effects to New Echota, Gordon County, Georgia.*

The Tribal Historic Preservation Office of the Eastern Band of Cherokee Indians (EBCI THPO) is in receipt of the notification to act as a consulting party for the above referenced project information and would like to thank you for the opportunity to comment on this proposed Section 106 activity. The EBCI THPO accepts the invitation to act as a consulting party on the above referenced Section 106 undertaking as mandated under 36 C.F.R. 800.

The project's location is within the aboriginal territory of the Cherokee Nation. The EBCI THPO cannot stress enough the importance of the New Echota site for the Cherokee people. It is the opinion of the EBCI THPO that the Archaeology Unit of the Georgia Department of Transportation has gone above and beyond their Section 106 responsibilities to provide a series of documents which have continued to incorporate our concerns and comments. We believe this project can be used in future consultations with other federal agencies as a standard for true government to government consultation.

As such, we offer the following comments:

Assessment of Effects

The EBCI THPO recognizes the need for improving the bridge at New Town Creek, and the bridge over the Coosawattee River, both of which were classified as "structurally deficient . . ." This office also recognizes our role in the nomination of the New Echota site as a Traditional Cultural Property (TCP), and its eligibility on the National Register of Historic Places (NRHP).

The EBCI THPO also recognizes that one NRHP listed property, and one eligible site were encountered during the archeological field survey.

New Echota TCP

The EBCI THPO concurs with the archeologist's recommendation that the New Echota TCP will not be affected by the proposed federal undertaking, and such stipulations will be included in the forth coming Memorandum of Agreement (MOA). This office recognizes that, "While construction activity would occur within the listed National Register / National Historic Landmark boundary . . . no characteristics that qualify for inclusion on the National Register would be altered."

According to the information provided, "no direct or indirect effects anticipated to New Echota . . . would adversely affect the character" of the site. This office also recognizes GADOT and the FHWA are willing to explore the possibility of utilizing the abandoned section of St. Rt. 225 "within the property as a walking trail"

The EBCI THPO concurs with the archeologist's statement that the proposed federal undertaking will not diminish any visual elements of the New Echota TCP. This office also anticipates working with the FHWA and the GADOT to develop a landscape plan through government to government consultation.

9GO297 (Boat Ramp Site)

According to the information provided, there will be an adverse effect to 9GO297 by the relocation of St. Rt. 225 north of its current alignment. This office recognizes that the southern portion of the site will require data recovery. This office requests our involvement in the creation of any data recovery plan which will be constructed for the proposed project.

The EBCI THPO would like to commend Eric Duff and his staff for their foresight and thoroughness in addressing our Tribal concerns regarding the sensitive nature, and cultural importance of the New Echota site. This office believes the manner in which this project has transpired can be used as a fine representation of government to government consultation.

Please do not hesitate to contact me should you have any questions or comments.

Sincerely,



Tyler B. Howe
Tribal Historic Preservation Specialist
Eastern Band of Cherokee Indians

C: Eric Anthony Duff

RECEIVED

MAY 01 2008

oey

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



TRIBAL OFFICERS:
MITCHELL CYPRESS
CHAIRMAN
MOSES OSCEOLA
VICE CHAIRMAN
PRISCILLA D. SAYEN
SECRETARY
MICHAEL D. TIGER
TREASURER

BOWMAN
D'AVINO
KNUDSON *Page*
THOMPSON
WILLIAMS
FILE: *BHF-151-1(6)*
631570

SEMINOLE TRIBE OF FLORIDA
TRIBAL HISTORIC PRESERVATION OFFICE

April 28, 2008

Eric Duff, Native American Liaison
Georgia Department of Transportation
#2 Capitol Square, S.W.
Atlanta, GA 30334-1002

Subject: Assessment of Effects for GDOT Project BHF-151-1(6), Gordon County; P.I. No. 631570 and H.P. No. 0400607-001: Section 106 Compliance – Federal Highway Administration

Dear Eric:

For the Tribal Historic Preservation Office of the Seminole Tribe of Florida (STOF-THPO), we thank you for the opportunity to comment on the Assessment of Effects for the aforementioned project as per the NHPA and 36CFR800.

We concur with the following specific findings of GDOT:

1. Conditional "No Adverse Effect" for New Echota and the New Echota Traditional Cultural Property
2. "Adverse Effect" for 9GO297, the Boat Ramp Site. This is expected to lead to a Data Recovery process governed by a forthcoming Memorandum of Agreement.

As you know, STOF-THPO requests to participate as a Tribal consultant in the mitigation process.

In any future correspondence regarding this issue please reference **THPO-000084**.

Sincerely,

Marion Smith
For

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

Direct Routine Replies to:
Marion Smith
Acting Compliance Review Supervisor
Seminole Tribe of Florida
Ah-Tah-Thi-Ki Museum
HC-61, Box 21A
Clewiston, FL 33440



Department of Transportation

GENA L. ABRAHAM, Ph.D.
COMMISSIONER
(404) 656-5206

GERALD M. ROSS, P.E.
CHIEF ENGINEER
(404) 656-5277

State of Georgia
#2 Capitol Square, S.W.
Atlanta, Georgia 30334-1002

BUDDY GRATTON, P.E.
DEPUTY COMMISSIONER
(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

May 6, 2008

Mr. Rodney N. Barry, P.E.
Division Administrator
Federal Highway Administration
Atlanta Federal Center
61 Forsyth Street, S.W., Suite 17 T100
Atlanta, Georgia 30303-3104

Attn: Katy Allen

Subject: Georgia Department of Transportation Project BHF-151-1(6), Gordon County; P.I. # 631570,
HP# 04067-001: Anticipated Adverse Effect

Dear Mr. Barry:

The Section 106 documentation for the subject project was submitted to the Georgia State Historic Preservation Officer (SHPO) and all other consulting parties including the Georgia Department of Natural Resources, State Parks and Historic Sites Division (GADNR), the Cherokee Nation, the United Keetoowah Band of Cherokee Indians, the Eastern Band of Cherokee Indians, and the Seminole Tribe of Florida on January 18, 2008. We are in receipt of comments from the SHPO, GADNR, and all four consulting tribal governments that they concur with our determination of Adverse Effect to archaeological site 9GO297.

In accordance with Section 800.6(a)(1), we are requesting that you notify the Advisory Council on Historic Preservation (ACHP) via email of the Finding of Adverse Effect and seek to determine if the ACHP elects to join the consultation to resolve the adverse effect on the subject project. An Assessment of Effects document for the project with all pertinent attachments will be forwarded to the Council upon the project archaeologist's receipt of a copy of the aforementioned email.

If additional information is required, please contact Heather Mustonen (404-699-6881 or hmustonen@dot.ga.gov) or Eric Duff (404-699-4406 or eduff@dot.ga.gov) of the Office of Environment and Location. We appreciate your assistance in this matter.

Sincerely,


Glenn Bowman, P.E.
State Environmental/Location Engineer

GB/HLM
Enclosures

cc: W. Ray Luce, Director and Deputy SHPO
Todd Long, P.E., Director of Preconstruction



Preserving America's Heritage

June 4, 2008

Ms. Katy Allen, P.E.
Environmental Team Leader
Federal Highway Administration
Georgia Division
61 Forsyth St., SW – Suite 17T100
Atlanta, Georgia 30303

*Ref: Proposed Replacement of the SR 255 bridges - Archaeological Site 9G0297(Boat Ramp Site)
Gordon County, Georgia*

Dear Ms. Allan:

On May 21, 2008 the Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. This letter is to inform you that the ACHP has decided not to participate in consultation for this undertaking. However, if we receive a request for participation from the State Historic Preservation Officer, Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR 800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Georgia State Historic Preservation Officer (SHPO) and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require our further assistance, please contact Carol Legard at 202-606-8522 or via e-mail at clegard@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Federal Permitting, Licensing and Assistance Section
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

Mustonen, Heather

From: Christine_Arato@nps.gov
Sent: Tuesday, November 08, 2011 12:42 PM
To: Kear, Matthew
Cc: 'Cynthia_Walton@nps.gov'; Mustonen, Heather
Subject: RE: New Echota NHL -- GDOT Project

M,

Sorry...we're really stretched thin here. I will try to get you a formal letter before Thanksgiving. However, in the interim, with this e-mail I acknowledge SERO-NHL concurrence (just so that you have a placeholder in your project file).

C.

Christine Arato
Acting Chief, History Branch, Southeast Region NHL Program Manager, Southeast Region
100 Alabama St. SW, 1924 Building
Atlanta, GA 30303
404.507.5805 (office)
404.831.8411 (mobile)

SER Cultural Resources: <http://inpseros00329/sites/CRD/default.aspx>

"Kear, Matthew"
<mkear@dot.ga.gov
> To
"Christine_Arato@nps.gov"
10/31/2011 10:25 AM <Christine_Arato@nps.gov>
cc
"Mustonen, Heather"
<hmustonen@dot.ga.gov>,
"Cynthia_Walton@nps.gov"
<Cynthia_Walton@nps.gov>
Subject
RE: New Echota NHL -- GDOT Project

Good Morning Christine,

I just wanted to follow up with you on the message from earlier this month, regarding NPS concurrence for the GDOT Finding of No Adverse Effect for the realignment of SR 225 in the vicinity of New Echota NHL (see below). You concurred with the Finding back in February via email (see attached email for details), but you were also going to send a formal letter of concurrence for the project file.

Thanks for your help!

Best, Matthew

Matthew Kear, MA HPP
Transportation Planner/Historian

GDOT, Office of Environmental Sciences
One Georgia Center
600 West Peachtree Street NW, 16th Floor Atlanta, Georgia 30308 404.631.1468, mkear@dot.ga.gov

From: Kear, Matthew
Sent: Tuesday, October 11, 2011 3:01 PM
To: 'Christine_Arato@nps.gov'
Cc: Mustonen, Heather
Subject: New Echota NHL -- GDOT Project

Hello Christine,

How is busy NPS life treating you? Still superintending?

Heather and I wanted to follow up with you on the concurrence letter from NPS for the Finding of No Adverse Effect for New Echota NHL. Our last contact over this was back in March, I believe (see message below), and our office hasn't received anything yet.

I hope things are well. Give my best to everybody at SERO!

Best, Matthew

Matthew Kear, MA HPP
Transportation Planner/Historian

GDOT, Office of Environmental Sciences
One Georgia Center
600 West Peachtree Street NW, 16th Floor Atlanta, Georgia 30308 404.631.1468, mkear@dot.ga.gov

-----Original Message-----

From: Christine_Arato@nps.gov [mailto:Christine_Arato@nps.gov]
Sent: Tuesday, March 01, 2011 9:31 AM
To: Mustonen, Heather
Cc: Kear, Mathew; Steven_Bare@nps.gov
Subject: Re: Draft Meeting Minutes -New Echota NHL

Hi, Heather.

I read through the notes this morning: very thorough--I've nothing to add.
As I mentioned to Matthew, I will provide GDOT with NPS' written concurrence of NAE for the NHL. I hope to have that to you by this Thursday. Please bear with me--I'm juggling two jobs right now.

C.

Christine Arato
NHL Program Manager, Southeast Region
National Park Service
100 Alabama Street, SW Atlanta, GA
404.507.5805

SER Cultural Resources: <http://inpseros00329/sites/CRD/default.aspx>

"Mustonen,
Heather"
<hmustonen@dot.ga.gov> To
"Christine_Arato@nps.gov"
<Christine_Arato@nps.gov>,
02/22/2011 03:22 PM "Steven_Bare@nps.gov"
<Steven_Bare@nps.gov>
cc
"Kear, Mathew" <mkear@dot.ga.gov>
Subject
Draft Meeting Minutes -New Echota
NHL

Hi Christine,

Attached are the draft minutes from our meeting concerning New Echota. If you have any revisions or additions to the minutes, please let me know and I will revise accordingly and distribute finalized notes.

Thanks again for meeting with us, I look forward to working with you as the project progresses.

Best,
Heather

Heather Mustonen
Archaeologist

JAN 20 2012

RECEIVED

DEPARTMENT OF TRANSPORTATION

STATE OF GEORGIA

INTERDEPARTMENT CORRESPONDENCE

FILE P.I. #631570

OFFICE Environmental Services

DATE January 18, 2012

FROM Matthew Kear

TO Files

SUBJECT GDOT Project BHF00-0151-01(006), Gordon County;
P.I. #631570 and HP #0400607-001;
Survey Report Addendum.

Attached is the Survey Report Addendum for the subject project. This document describes the Department's efforts to identify an historic resource that was not identified in the original survey report. The resource was surveyed and evaluated through the application of the Criteria of Eligibility to determine eligibility for inclusion in the National Register of Historic Places.

MRK/

cc: Rodney N. Barry, P.E., FHWA, w/attachment (Attn: Chetna Dixon)

David Crass, Deputy SHPO, w/attachment

Northwest Georgia Regional Commission, w/attachment

Christine Arato, NPS Southeast Regional Office – NHL Program, w/attachment

Michael Elliott, National Trails Intermountain Region, National Park Service, w/attachment

Jeff Bishop, Georgia Chapter of the Trail of Tears Association w/attachment

Debbie Wallsmith, Georgia DNR – Parks, Recreation, and Historic Sites, w/attachment

Lisa Larue, United Keetoowah Band of Cherokee Indians, w/attachment

Russell Townsend, Eastern Band of Cherokee Indians, w/attachment

Richard Allen, Cherokee Nation, w/attachment

CONCUR:


David Crass, Deputy SHPO

DATE:

1/24/12

cc: Sam Pugh, GDOT NEPA

Chandria Brown, GDOT Project Manager

Mustonen, Heather

From: Michael_Elliott@nps.gov
Sent: Wednesday, January 18, 2012 4:40 PM
To: Mustonen, Heather
Cc: Amanda Schraner; Brown, Chandria; Chetna.Dixon@dot.gov; Christine_Arato@nps.gov; David Gomez; Debbie Wallsmith; Ritzler, Emily E.; Kear, Matthew; Rachel Black; Richard Allen; Russell Townsend; Pugh, Samuel; Tyler B. Howe; ukbthpo-larue@yahoo.com; wjeffbishop@yahoo.com
Subject: Re: Historic Resources Survey Addendum - SR 225 at New Echota, Gordon Co.

Hello Heather,

Thank you for your recent emails. As you may know, Steve Burns speaks for our office on all sign issues, so I will have no comments on those. I am responsible for cultural resources compliance reviews related to the Trail of Tears National Historic Trail, and I do have some comments on the compliance related to this project. I have read your addendum report on the possible Trail of Tears Segment near the SR 225 segment at New Echota. I have also read through, though not in detail, the other documents that you thoughtfully provided for our review. We have also had a conference call regarding these issues. I agree with your conclusions regarding the somewhat equivocal association of Resource 1 with the Trail of Tears National Historic Trail, its lack of integrity, and your eligibility recommendation of "not eligible." The project will have no direct effect on the resource in any event, and its setting has been seriously compromised. Thank you for consulting with the National Park Service National Trails Intermountain Region office regarding this project. Please contact me if you have any questions.

Best regards,

Mike Elliott

Michael L. Elliott
Cultural Resources Specialist
National Trails Intermountain Region
National Park Service
PO Box 728
Santa Fe, NM 87504-0728
Street: 1100 Old Santa Fe Trail
voice: (505) 988-6092
fax: (505) 986-5214

"National historic trails shall have as their purpose the identification and protection of the historic route and its historic remnants and artifacts for public use and enjoyment."

The National Trails System Act (16 U.S.C. 1241)

"Mustonen,
Heather"
<hmustonen@dot.ga.gov>
To
Amanda Schraner
<Amanda.Schraner@dnr.state.ga.us>,
01/18/2012 11:52 AM
"Christine_Arato@nps.gov"
<Christine_Arato@nps.gov>, David
Gomez

Mustonen, Heather

From: Lisa LaRue - UKB THPO <ukbthpo-larue@yahoo.com>
Sent: Wednesday, January 18, 2012 3:46 PM
To: Mustonen, Heather
Cc: lstapleton@unitedkeetoowahband.org
Subject: Re: Historic Resources Survey Addendum - SR 225 at New Echota, Gordon Co.

The United Keetoowah Band of Cherokee Indians in Oklahoma concurs that this site is questionable as to actual affiliation for a certain event or location.

Thanks, Heather!

--- On Wed, 1/18/12, Mustonen, Heather <hmustonen@dot.ga.gov> wrote:

From: Mustonen, Heather <hmustonen@dot.ga.gov>
Subject: Historic Resources Survey Addendum - SR 225 at New Echota, Gordon Co.
To: "Amanda Schraner" <Amanda.Schraner@dnr.state.ga.us>, "Christine Arato@nps.gov" <Christine_Arato@nps.gov>, "David Gomez" <David.Gomez@dnr.state.ga.us>, "Debbie Wallsmith" <Debbie.Wallsmith@dnr.state.ga.us>, "Michael Elliott" <Michael_Elliott@nps.gov>, "Rachel Black" <Rachel.Black@dnr.state.ga.us>, "Richard Allen" <Richard-Allen@cherokee.com>, "Russell Townsend" <RussellT@nc-cherokee.com>, "Tyler B. Howe" <tylehowe@nc-cherokee.com>, "wjffbishop@yahoo.com" <wjffbishop@yahoo.com>, "ukbthpo-larue@yahoo.com" <ukbthpo-larue@yahoo.com>
Cc: "Chetna.Dixon@dot.gov" <Chetna.Dixon@dot.gov>, "Kear, Matthew" <mkear@dot.ga.gov>, "Brown, Chandria" <chbrown@dot.ga.gov>, "Pugh, Samuel" <SPugh@dot.ga.gov>, "Ritzler, Emily E." <eritzler@wilbursmith.com>
Date: Wednesday, January 18, 2012, 12:52 PM

Good afternoon,

We have one additional item regarding the SR 225 project (GDOT Project 631570) that we would like to coordinate with you on. During initial coordination on the Trail of Tears signage with the NPS Intermountain Trail Office last month, a potential resource (a roadbed located north of SR 225 in the Calhoun Elks Golf Course) was brought to our attention. This resource is located outside of the physical APE for the project but is located within the viewshed so we have reopened Section 106 in our final document and evaluate it. Project historian Matthew Kear and I have prepared an historic resources survey report and would like to evaluate it, which is available for download at the link below. We have also placed hard copies in the mail to you today.

<ftp://ftp.dot.state.ga.us/DOTFTP/Anonymous-Public/New%20Echota/TRTE%20&%20GA%20TOTA%20Consultation%20Docs/Historic%20Resources%20Survey>

Username: dotpublic

Password: dotoutside02

Mustonen, Heather

From: Richard Allen <Richard-Allen@cherokee.org>
Sent: Wednesday, January 18, 2012 2:58 PM
To: Mustonen, Heather; Amanda Schraner; Christine_Arato@nps.gov; David Gomez; Debbie Wallsmith; Michael_Elliott@nps.gov; Rachel Black; Russell Townsend; Tyler B. Howe; wjeffbishop@yahoo.com; ukbthpo-larue@yahoo.com
Cc: Chetna.Dixon@dot.gov; Kear, Matthew; Brown, Chandria; Pugh, Samuel; Ritzler, Emily E.
Subject: RE: Historic Resources Survey Addendum - SR 225 at New Echota, Gordon Co.

Hello Heather,

I have reviewed the documentation and agree that the road has lost any significance. Regarding the Trail of Tears Logo, I have no problem with it. As a matter of fact, it was my brother, Gary Allen, who did the design for that logo. Prior to that the NPS Santa Fe had contracted with an Eastern Band citizen who seemed not to be inspired to do the logo and I pointed out that he was not a descendant of those who did make the trip.

Richard

From: Mustonen, Heather [<mailto:hmustonen@dot.ga.gov>]
Sent: Wednesday, January 18, 2012 12:52 PM
To: Amanda Schraner; [Christine Arato@nps.gov](mailto:Christine_Arato@nps.gov); David Gomez; Debbie Wallsmith; [Michael Elliott@nps.gov](mailto:Michael_Elliott@nps.gov); Rachel Black; Richard Allen; Russell Townsend; Tyler B. Howe; wjeffbishop@yahoo.com; ukbthpo-larue@yahoo.com
Cc: Chetna.Dixon@dot.gov; Kear, Matthew; Brown, Chandria; Pugh, Samuel; Ritzler, Emily E.
Subject: Historic Resources Survey Addendum - SR 225 at New Echota, Gordon Co.

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<ftp://ftp.dot.state.ga.us/DOTFTP/Anonymous-Public/New%20Echota/TRTE%20&%20GA%20OTA%20Consultation%20Docs/Historic%20Resources%20Survey%20Addendum/>

Username: dotpublic
Password: dotoutside02

As noted in my previous email regarding the signs, we are very close to the scheduled June 2012 Let date for construction on the project. Because of this, we are respectfully requesting an expedited review of the addendum report so that we can be sure to address this resource properly, with enough time to incorporate the Section 106 findings into the larger NEPA document for the project. We recognize everyone's busy schedules, and apologize for any inconvenience associated with an expedited review.

Please find the attached document for your review and let me know if you have any concerns, or if you concur with its findings by **Friday, February 3rd**. Thank you for all of your work on this project to this point and we look forward to hearing from

Mustonen, Heather

From: Jeff Bishop <wjeffbishop@yahoo.com>
Sent: Wednesday, January 18, 2012 2:13 PM
To: Mustonen, Heather; Amanda Schraner; Christine_Arato@nps.gov; David Gomez; Debbie Wallsmith; Michael_Elliott@nps.gov; Rachel Black; Richard Allen; Russell Townsend; Tyler B. Howe; ukbthpo-larue@yahoo.com
Cc: Chetna.Dixon@dot.gov; Kear, Matthew; Brown, Chandria; Pugh, Samuel; Ritzler, Emily E.
Subject: Re: Historic Resources Survey Addendum - SR 225 at New Echota, Gordon Co.

Thank you for your due diligence on this issue, Heather. It's disappointing that a more definitive conclusion regarding the road segment's association with the Trail of Tears couldn't be made, but I can't fault your reasoning or your methods. It is heartening to know, however, that the resource itself, such as it is, apparently won't be threatened by the project. Thanks so much.

Jeff Bishop
Trail of Tears Association

From: "Mustonen, Heather" <hmustonen@dot.ga.gov>
To: Amanda Schraner <Amanda.Schraner@dnr.state.ga.us>; "Christine Arato@nps.gov" <Christine_Arato@nps.gov>; David Gomez <David.Gomez@dnr.state.ga.us>; Debbie Wallsmith <Debbie.Wallsmith@dnr.state.ga.us>; "Michael_Elliott@nps.gov" <Michael_Elliott@nps.gov>; Rachel Black <Rachel.Black@dnr.state.ga.us>; Richard Allen <Richard-Allen@cherokee.org>; Russell Townsend <RussellT@nc-cherokee.com>; Tyler B. Howe <tylehowe@nc-cherokee.com>; "wjeffbishop@yahoo.com" <wjeffbishop@yahoo.com>; "ukbthpo-larue@yahoo.com" <ukbthpo-larue@yahoo.com>
Cc: "Chetna.Dixon@dot.gov" <Chetna.Dixon@dot.gov>; "Kear, Matthew" <mkear@dot.ga.gov>; "Brown, Chandria" <chbrown@dot.ga.gov>; "Pugh, Samuel" <SPugh@dot.ga.gov>; "Ritzler, Emily E." <eritzler@wilbursmith.com>
Sent: Wednesday, January 18, 2012 1:52 PM
Subject: Historic Resources Survey Addendum - SR 225 at New Echota, Gordon Co.

Good afternoon,

We have one additional item regarding the SR 225 project (GDOT Project 631570) that we would like to coordinate with you all on. During initial coordination on the Trail of Tears signage with the NPS Intermountain Trail Office last month, a potential historic resource (a roadbed located north of SR 225 in the Calhoun Elks Golf Course) was brought to our attention. This resource is located outside of the physical APE for the project but is located within the viewshed so we have reopened Section 106 in order to properly document and evaluate it. Project historian Matthew Kear and I have prepared an historic resources survey report addendum to evaluate it, which is available for download at the link below. We have also placed hard copies in the mail to you today as well.

<ftp://ftp.dot.state.ga.us/DOTFTP/Anonymous-Public/New%20Echota/TRTE%20&%20GA%20TOTA%20Consultation%20Docs/Historic%20Resources%20Survey%20Addendum/>

Username: dotpublic
Password: dotoutside02

As noted in my previous email regarding the signs, we are very close to the scheduled June 2012 Let date for construction on the project. Because of this, we are respectfully requesting an expedited review of the

Mustonen, Heather

From: Lisa Larue <llarue@unitedkeetoowahband.org>
Sent: Wednesday, November 02, 2011 3:59 PM
To: Mustonen, Heather; Chetna.Dixon@dot.gov; Richard Allen; Tyler B. Howe; Russell Townsend; Rachel Black; Amanda Schraner; Debbie Wallsmith; David Gomez; Christine_Arato@nps.gov
Cc: Kear, Matthew; Brown, Chandria; Pugh, Samuel; Cynthia_Walton@nps.gov; Laverna Stapleton; Bryan Shade; Elizabeth Bird
Subject: RE: Context Sensitive Design Update - SR 225 at New Echota, Gordon Co.

It's BEAUTIFUL!!! So proud to have been part of the process for this important historical site, really Heather, you've done an outstanding job!!!

Lisa LaRue

Acting Tribal Historic Preservation Officer

United Keetoowah Band of Cherokee Indians in Oklahoma

918-822-1952

-----Original Message-----

From: Mustonen, Heather [<mailto:hmustonen@dot.ga.gov>]

Sent: Mon 10/31/2011 2:48 PM

To: Chetna.Dixon@dot.gov; Richard Allen; Lisa Larue; Tyler B. Howe; Russell Townsend; Rachel Black; Amanda Schraner; Debbie Wallsmith; David Gomez; Christine_Arato@nps.gov

Cc: Kear, Matthew; Brown, Chandria; Pugh, Samuel; 'Cynthia_Walton@nps.gov'

Subject: Context Sensitive Design Update - SR 225 at New Echota, Gordon Co.

Good afternoon,

I hope this email finds everyone well. Please follow the link below to find the results of the Context Sensitive Design considerations on the SR 225 bridges at New Echota (GDOT Project 631570). Our previous consultation with you all on the CSD was taken into account and incorporated into the bridge and roadway design. In the PDF document you will find information on each chosen element, mock-ups of the bridge design and copies of the roadway, bridge, sign, and landscape plans. Because of the large file size it is available for download at the following link and hard copies will be placed in the mail for your files as well. If you have trouble accessing the site, or if you would prefer to receive it via a series of smaller emails, please let me know. Whatever will be most convenient for you.

<ftp://ftp.dot.state.ga.us/DOTFTP/Anonymous-Public/New%20Echota/Context%20Sensitive%20Design/>

Username: dotpublic

Password: dotoutside02

(In Internet Explorer choose "Page", then "View in Windows Explorer" for easier download. One large comprehensive document as well as the individual files are available.)

We appreciate all of your input up to this point and would appreciate any additional feedback that you may have on the proposed design by December 1, 2011. A Final Field Plan Review of the project design will be scheduled in the first two weeks of December so we would like to be sure and have your feedback to take to that meeting.

If you would like to meet/conference call to discuss the enclosed CSD, please let me know and I'd be happy to set something up. Likewise, if you have any questions or concerns, please let me know. We appreciate all of your work on this project up to this point and look forward to your feedback on the enclosed information.

Thank you!

Mustonen, Heather

From: Debbie Wallsmith <Debbie.Wallsmith@dnr.state.ga.us>
Sent: Wednesday, November 02, 2011 4:23 PM
To: Allen, Richard; Black, Rachel; Chetna.Dixon@dot.gov; Christine_Arato@nps.gov; Gomez, David; Howe, Tyler B.; Larue, Lisa; Mustonen, Heather; Schraner, Amanda; Townsend, Russell
Cc: Brown, Chandria; 'Cynthia_Walton@nps.gov'; Kear, Matthew; Pugh, Samuel
Subject: Re: Context Sensitive Design Update - SR 225 at New Echota, Gordon Co.
Attachments: Text.htm

Great job, Heather. It's a gorgeous design.

Cheers,
Debbie

Debbie L. Wallsmith, Ph.D.
Interpretive Supervisor
Ga DNR Parks & Historic Sites
2600 Highway 155 SW
Suite D
Stockbridge, GA 30281
770-389-7268 (Phone)
770-362-2792 (Cell)
770-389-7402 (Fax)
www.gastateparks.org

Debbie_Wallsmith@dnr.state.ga.us

>>> On 10/31/2011 at 3:48 pm, in message <45E27605F34B6D4A9550582E445D67BE5649E5BCF0@GDOT-EVS2.gdot.ad.local>, "Mustonen, Heather" <hmustonen@dot.ga.gov> wrote:

Good afternoon,

I hope this email finds everyone well. Please follow the link below to find the results of the Context Sensitive Design considerations on the SR 225 bridges at New Echota (GDOT Project 631570). Our previous consultation with you all on the CSD was taken into account and incorporated into the bridge and roadway design. In the PDF document you will find information on each chosen element, mock-ups of the bridge design and copies of the roadway, bridge, sign, and landscape plans. Because of the large file size it is available for download at the following link and hard copies will be placed in the mail for your files as well. If you have trouble accessing the site, or if you would prefer to receive it via a series of smaller emails, please let me know. Whatever will be most convenient for you.

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Username: dotpublic

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If you would like to meet/conference call to discuss the enclosed CSD, please let me know and I'd be happy to set something up. Likewise, if you have any questions or concerns, please let me know. We appreciate all of your work on this project up to this point and look forward to your feedback on the enclosed information.

Thank you!

Heather

Heather Mustonen
Archaeologist
Georgia Department of Transportation
One Georgia Center - 16th Floor
600 West Peachtree NW
Atlanta, GA 30308
Phone: (404) 631-1166
Fax: (404) 631-1916
hmustonen@dot.ga.gov



HISTORIC PRESERVATION DIVISION

MARK WILLIAMS
COMMISSIONER

DR. DAVID CRASS
DIVISION DIRECTOR

November 10, 2011

Glenn Bowman, P.E.
State Environmental Administrator
Georgia Department of Transportation
One Georgia Center
600 West Peachtree Street, NW
16th Floor
Atlanta, Georgia 30308

Attn: Heather Mustonen

**RE: Bridge Replacement & Road Improvements SR 225
GDOT Project BHF-151-1(6) & BRST-151-1(7); PI#s 631570/632906
Gordon County, Georgia
HP-040607-001**

Dear Mr. Bowman:

The Historic Preservation Division (HPD) has received the documentation for the above-referenced project. Our comments are offered to assist the Georgia Department of Transportation (GDOT) and the Federal Highway Administration (FHWA) in complying with the provisions of Section 106 of the National Historic Preservation Act, as amended.

HPD has received the Context Sensitive Design Considerations for the SR 225 bridges over New Town Creek and the Coosawattee River at New Echota, dated October 31, 2011. In our opinion the design consideration are appropriate and we have no additional comments to make at this time.

If we may be of further assistance, please contact Amanda Schraner, Transportation Projects Coordinator, at (404) 463-6687 or Amanda.Schraner@dnr.state.ga.us.

Sincerely,

Richard Cloues
Deputy State Historic Preservation Officer

RC:als

cc: Rodney N. Barry, P.E., FHWA, (Attn: Chetna Dixon)

Mustonen, Heather

From: Michael_Elliott@nps.gov
Sent: Wednesday, January 04, 2012 4:45 PM
To: Kear, Matthew
Cc: Mustonen, Heather; Michael_Taylor@nps.gov; Steve_Burns@nps.gov; wjeffbishop@yahoo.com
Subject: RE: Section 106 Documentation - SR 225 at New Echota, GDOT Project 631570

Thank you for the information, Matthew. I asked the question before all the documents that Heather made available had downloaded, which I am now reviewing, and can see the MOA documents related to the project. It appears that there has been great care and sensitivity afforded to the critically important cultural resources of the area. I look forward to seeing the results of the survey addendum report from your recent visit so that we can continue our discussions and hopefully wrap them up to everyone's satisfaction in good time.

Best regards,
Mike

Michael L. Elliott
Cultural Resources Specialist
National Trails Intermountain Region
National Park Service
PO Box 728
Santa Fe, NM 87504-0728
Street: 1100 Old Santa Fe Trail
voice: (505) 988-6092
fax: (505) 986-5214

"National historic trails shall have as their purpose the identification and protection of the historic route and its historic remnants and artifacts for public use and enjoyment."
The National Trails System Act (16 U.S.C. 1241)

"Kear, Matthew"
<mkear@dot.ga.gov>
>
To
"Michael_Elliott@nps.gov"
12/19/2011 10:08 AM <Michael_Elliott@nps.gov>,
"Mustonen, Heather"
<hmustonen@dot.ga.gov>
cc
"Michael_Taylor@nps.gov"
<Michael_Taylor@nps.gov>,
"Steve_Burns@nps.gov"
<Steve_Burns@nps.gov>,
"wjeffbishop@yahoo.com"
<wjeffbishop@yahoo.com>
Subject
RE: Section 106 Documentation - SR

Mustonen, Heather

From: Tyler B. Howe <tylehowe@nc-chokeee.com>
Sent: Wednesday, January 18, 2012 3:30 PM
To: Chetna.Dixon@dot.gov; Mustonen, Heather
Cc: Amanda Schraner; Christine_Arato@nps.gov; David Gomez; Debbie Wallsmith; Michael_Elliott@nps.gov; Kear, Matthew; Rachel Black; Richard Allen; Russell Townsend; wjeffbishop@yahoo.com; Aaron_Mahr@nps.gov; Sharon_Brown@nps.gov; Kristin_Van_Fleet@nps.gov; Coreen_Kolisko@nps.gov; ukbthpo-larue@yahoo.com; Steve_Burns@nps.gov
Subject: RE: New Echota Sign Plans - Trail of Tears National Historic Trail

Chetna:

The Eastern Band of Cherokee Indians Tribal Historic Preservation Office (EBCI THPO) concurs with the sign suggestions. In addition, the EBCI THPO continues to be very impressed with the extremely thorough work that Heather Mustonen has, and continues to produce regarding this very culturally sensitive site. The EBCI THPO frequently praises this project to other federal agencies as a fine example of both the spirit and the letter of consultation within the National Historic Preservation Act.

Sincerely,

Tyler B. Howe
Tribal Historic Preservation Specialist
Eastern Band of Cherokee Indians

From: Mustonen, Heather [mailto:hmustonen@dot.ga.gov]
Sent: Wednesday, January 18, 2012 1:13 PM
To: Steve_Burns@nps.gov; ukbthpo-larue@yahoo.com
Cc: Amanda Schraner; Chetna.Dixon@dot.gov; Christine_Arato@nps.gov; David Gomez; Debbie Wallsmith; Michael_Elliott@nps.gov; Kear, Matthew; Rachel Black; Richard Allen; Russell Townsend; Tyler B. Howe; wjeffbishop@yahoo.com; Aaron_Mahr@nps.gov; Sharon_Brown@nps.gov; Kristin_Van_Fleet@nps.gov; Coreen_Kolisko@nps.gov
Subject: RE: New Echota Sign Plans - Trail of Tears National Historic Trail

Good afternoon,

Thank you all for your feedback so far. We agree that it is important that we memorialize the Cherokee people through our efforts here and we hope that the Cherokee signs will help to do that. The sign with "New Echota (in Cherokee) Former Capital of the Cherokee Nation" will be the first sign that travelers see along this roadway, however the larger sign would have a big presence in the corridor as it would be several feet larger than the Cherokee sign.

Steve - can the distance be added to the "Historic Site Name" sign type that is shown on the TRTE website (<http://www.nps.gov/trte/parkmgmt/how-to-create-your-sign-plan.htm>) so that it signifies the Trail of Tears National Historic Trail, has the authorized logo, and has the New Echota State Historic Site name and distance as well? Or, are there other options for a smaller sign that could be mounted on the same post as the Historic Site Entrance sign as currently shown in our plans? These may offer options for accomplishing the same goal without addition of the two larger signs. David Gomez at

the historic site has indicated that they have plans to install a double post Trail of Tears sign, similar to the one in place at the Chief Vann house, along the entrance to the site after the project is complete so this would be an added presence if we decide to install a smaller version of the sign along SR 225.

I am coordinating with our Traffic Operations office on the origin of the existing sign - which is still unclear; however the bridge replacement project will offer us the opportunity to replace it with the correct, authorized logo.

Thank you,
Heather

Heather Mustonen
Archaeologist
GDOT Office of Environmental Services
(404) 631-1166

-----Original Message-----

From: Steve_Burns@nps.gov [mailto:Steve_Burns@nps.gov]

Sent: Tuesday, January 17, 2012 7:40 PM

To: ukbthpo-larue@yahoo.com

Cc: Amanda Schraner; Chetna.Dixon@dot.gov; Christine_Arato@nps.gov; David Gomez; Debbie Wallsmith; Mustonen, Heather; Michael_Elliott@nps.gov; Kear, Matthew; Rachel Black; Richard Allen; Russell Townsend; Tyler B. Howe; wjeffbishop@yahoo.com; Aaron_Mahr@nps.gov; Sharon_Brown@nps.gov; Kristin_Van_Fleet@nps.gov; Coreen_Kolisko@nps.gov

Subject: Re: New Echota Sign Plans - Trail of Tears National Historic Trail

Hi Lisa,

I can add a few points of clarification that might help. The sign in question as proposed did not have any Cherokee syllabary on it. The sign shown on the Signing and Marking Plans sheet 26-05 that had the 12 inch Cherokee Syllabary above and the 4 inch "Former Capital of the Cherokee Nation" text below is not changed at all. That sign is the one that identifies in Cherokee large font that the capital of the Cherokee Nation. Your points on the importance and significance of the site are agreed completely. The sign being proposed to change is the directional sign that said "Historic Site Entrance 500 FEET AHEAD," and did not have any Syllabary on it. The suggested change is to identify New Echota as a site on the Trail of Tears National Historic Trail using the national historic trail sign standard modification that adds the trail name and logo. Among all the National Historic Trails, only for the Trail of Tears National Historic Trail is Cherokee Syllabary used on these signs. This was based on the initial development of the national historic trail sign standards that reflect the interest and input of the Cherokee to include Cherokee and in particular to follow the "Cherokee first" initiative for signing by the Cherokee Nation. That is why Cherokee is first on the sign. The Cherokee on this sign is the proximate translation for Trail of Tears (the syllabary was reviewed and provided through consultation with the Cherokee Nation years ago and before my time and the same syllabary as used on the trail brochure. These signs have been used at a number of sites on the Trail of Tears National Historic Trail to identify for the public that these are sites on the trail. Since the entrance sign for the park does not include the standard entry sign panel for the national historic trail, there is no way for the public to realize that New Echota is also a part of the National Historic Trail.

Mustonen, Heather

From: Tyler B. Howe <tylehowe@nc-chokeee.com>
Sent: Thursday, March 22, 2012 10:14 AM
To: Mustonen, Heather
Subject: RE: New Echota Signage

Hi Heather:

It was nice to speak with you this morning. The Eastern Band of Cherokee Indians Tribal Historic Preservation Office concurs with the new sign suggestion. Thank you for all your hard work. We hope to see you at New Echota this summer.

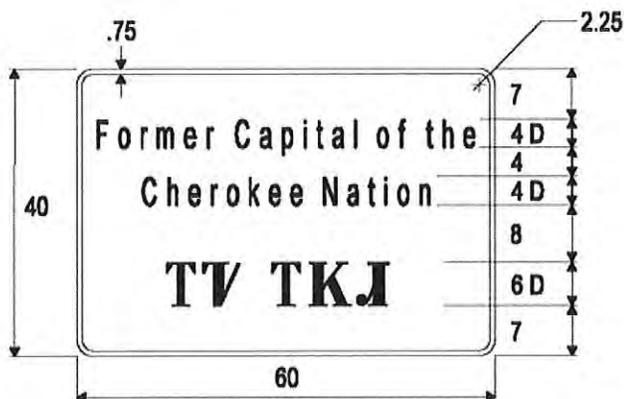
Sincerely,

Tyler B. Howe
Tribal Historic Preservation Specialist
Eastern Band of Cherokee Indians

From: Mustonen, Heather [<mailto:hmustonen@dot.ga.gov>]
Sent: Thursday, March 22, 2012 9:23 AM
To: Tyler B. Howe
Cc: Russell Townsend; Chetna.Dixon@dot.gov
Subject: New Echota Signage

Hi Tyler,

As we just spoke about on the phone, FHWA has indicated that the following sign with the Cherokee included would be allowable on the New Echota project. The sign has been rearranged so that the English appears at the top of the sign and the Cherokee below. The font size has also been reduced.



Please let us know your thoughts on this sign change and let me know if you have any questions or concerns.
Thank you,
Heather

Mustonen, Heather

From: Jeff Bishop <wjeffbishop@yahoo.com>
Sent: Wednesday, April 11, 2012 11:33 AM
To: Mustonen, Heather; 'russtown@nc-chokeee.com'; Tyler B. Howe; ukbthpo-larue@yahoo.com; Richard Allen; Steve_Burns@nps.gov; Rachel Black; Amanda Schraner; Debbie Wallsmith; David Gomez; Christine_Arato@nps.gov
Cc: Chetna.Dixon@dot.gov; Kear, Matthew; Pomfret, Jim; Lawrence, Sandy; Duff, Eric
Subject: Re: New Echota Sign Plan Update

Heather,

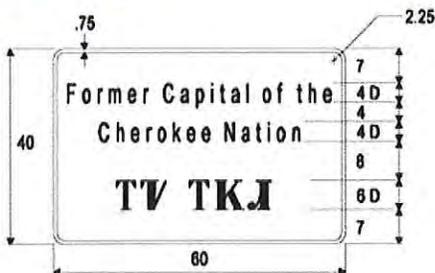
I cannot tell you how happy I am that this accommodation has been made. We at TOTA thank you for your sensitivity to this request. This is great, great news.

Jeff

From: "Mustonen, Heather" <hmustonen@dot.ga.gov>
To: "'russtown@nc-chokeee.com'" <russtown@nc-chokeee.com>; Tyler B. Howe <tylehowe@nc-chokeee.com>; "ukbthpo-larue@yahoo.com" <ukbthpo-larue@yahoo.com>; Richard Allen <Richard-Allen@chokeee.org>; "Steve_Burns@nps.gov" <Steve_Burns@nps.gov>; Jeff Bishop <wjeffbishop@yahoo.com>; Rachel Black <Rachel.Black@dnr.state.ga.us>; Amanda Schraner <Amanda.Schraner@dnr.state.ga.us>; Debbie Wallsmith <Debbie.Wallsmith@dnr.state.ga.us>; David Gomez <David.Gomez@dnr.state.ga.us>; "Christine_Arato@nps.gov" <Christine_Arato@nps.gov>
Cc: "Chetna.Dixon@dot.gov" <Chetna.Dixon@dot.gov>; "Kear, Matthew" <mkear@dot.ga.gov>; "Pomfret, Jim" <jpomfret@dot.ga.gov>; "Lawrence, Sandy" <slawrence@dot.ga.gov>; "Duff, Eric" <eduff@dot.ga.gov>
Sent: Wednesday, April 11, 2012 10:46 AM
Subject: RE: New Echota Sign Plan Update

Good morning,

Upon further consultation and coordination with FHWA on the use of Cherokee in the sign plans for the SR 225 project, it was determined that small adjustments to the sign design would allow for use of the Cherokee language. The content has been retained, however the orientation and font size have been altered as shown below and in the attached sign plans. This compromise will allow for the added presence of the Cherokee language in the overall CSD for the project and will help signify the importance of this area to travelers along the roadway.



Thank you for your time and please let me know if you have any questions or concerns.

Best,
Heather

Heather Mustonen
Archaeologist
GDOT Office of Environmental Services
(404) 631-1166

From: Mustonen, Heather
Sent: Friday, February 17, 2012 11:40 AM
To: 'russtown@nc-chokeee.com'; Tyler B. Howe; ukbthpo-larue@yahoo.com; Richard Allen; 'Steve_Burns@nps.gov'; 'Jeff Bishop'; Rachel Black; Amanda Schraner; 'Debbie Wallsmith'; David Gomez; Christine_Arato@nps.gov
Cc: Chetna.Dixon@dot.gov; Kear, Matthew; Pomfret, Jim; Lawrence, Sandy
Subject: New Echota Sign Plan Update

Good morning,

I want to provide you all with an update on the sign plans for the SR 225 project at New Echota (PI 631570). Upon final review of the plans several concerns were raised regarding whether both sets of signs were in compliance with the MUTCD (Manual for Uniform Traffic Control Devices) required of all signs erected in GDOT right-of-way. Coordination on this issue with GDOT Traffic Operations and FHWA has resulted in two changes to the sign plans as described below.

The signs for New Echota Historic Site that also contain the Trail of Tears National Historic Trail logo were found by FHWA to be allowable if they remained informational only and were not used as guide signs. The original design of the signs had a distance panel located on the bottom (originally 500ft then shifted to 1000ft). This panel has been removed so that the signs are considered informational in nature and not guide signs. They will still serve to notify the travelling public that they are at New Echota and that the site is located on the Trail of Tears National Historic Trail.

Additionally, during final review of the plans the question was raised as to whether the Cherokee Syllabary on the second set of signs adhered to the MUTCD. Coordination with FHWA determined that the use of the Cherokee is not compliant with the MUTCD as it does not adhere to the five principles required of traffic control devices, and therefore cannot be installed within the GDOT right-of-way. The attached section of the MUTCD was provided as reference.

Based on these two determinations, changes to the sign plans are necessary. The syllabary has been changed to English, however the signs have been retained in their original proposed locations because these 'gateway' signs to the TCP are important in informing drivers of the significance of the area as the first capital of the Cherokee Nation. Additionally, the syllabary will still be incorporated into the overall project design through its inclusion on the bridge plaques, which will be visible to drivers twice on each bridge (the plaque design is attached for your reference).

I have attached the revised sign plans based on these changes and a copy of the plaque design for your reference. If you have any concerns or questions regarding these changes, please let me know. Thank you again for all of your consultation on this project to date.

Best,
Heather

Heather Mustonen
Archaeologist
Georgia Department of Transportation

Mustonen, Heather

From: Steve_Burns@nps.gov
Sent: Friday, April 13, 2012 3:32 PM
To: Mustonen, Heather
Cc: Amanda Schraner; Chetna.Dixon@dot.gov; Christine_Arato@nps.gov; David Gomez; Debbie Wallsmith; Duff, Eric; Pomfret, Jim; Kear, Matthew; Rachel Black; Richard Allen; 'russtown@nc-choke.com'; Lawrence, Sandy; Tyler B. Howe; ukbthpo-larue@yahoo.com; Jeff Bishop
Subject: RE: New Echota Sign Plan Update
Attachments: pic21374.jpg; Gordon 631570 Revised Sign Plans - FINAL 4.11.2012.pdf

Heather,

Thank you for passing this on. This is good news.

Steve

Steve Burns Chavez
Landscape Architect
National Park Service
National Trails System Intermountain Region P.O. Box 728
1100 Old Santa Fe Trail
Santa Fe NM 87504
(505) 988-6737
(505) 986-5214 fax
steve_burns@nps.gov
www.nps.gov

The National Park Service cares for special places saved by the American people so that all may experience our heritage.

Experience Your America!

"Mustonen,
Heather"
<hmustonen@dot.ga.gov> To
"russtown@nc-choke.com"
<russtown@nc-choke.com>, "Tyler
04/11/2012 08:46 B. Howe"
AM <tylehowe@nc-choke.com>,
"ukbthpo-larue@yahoo.com"
<ukbthpo-larue@yahoo.com>, Richard
Allen <Richard-Allen@choke.org>,
"Steve_Burns@nps.gov"
<Steve_Burns@nps.gov>, Jeff Bishop
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Black
<Rachel.Black@dnr.state.ga.us>,"

"Amanda Schraner"
<Amanda.Schraner@dnr.state.ga.us>,
Debbie Wallsmith
<Debbie.Wallsmith@dnr.state.ga.us>,
David Gomez
<David.Gomez@dnr.state.ga.us>,
"Christine_Arato@nps.gov"
<Christine_Arato@nps.gov>

cc

"Chetna.Dixon@dot.gov"
<Chetna.Dixon@dot.gov>, "Kear,
Matthew" <mkear@dot.ga.gov>,
"Pomfret, Jim"
<jpomfret@dot.ga.gov>, "Lawrence,
Sandy" <slawrence@dot.ga.gov>,
"Duff, Eric" <eduff@dot.ga.gov>

Subject

RE: New Echota Sign Plan Update

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(Embedded image moved to file: pic21374.jpg)

Thank you for your time and please let me know if you have any questions or concerns.

Best,
Heather

Heather Mustonen
Archaeologist
GDOT Office of Environmental Services
(404) 631-1166

From: Mustonen, Heather

Sent: Friday, February 17, 2012 11:40 AM

To: 'russtown@nc-chokeee.com'; Tyler B. Howe; ukbthpo-larue@yahoo.com; Richard Allen; 'Steve_Burns@nps.gov'; 'Jeff Bishop'; Rachel Black; Amanda Schraner; 'Debbie Wallsmith'; David Gomez; Christine_Arato@nps.gov

Cc: Chetna.Dixon@dot.gov; Kear, Matthew; Pomfret, Jim; Lawrence, Sandy

Subject: New Echota Sign Plan Update

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Best,
Heather

Heather Mustonen
Archaeologist
Georgia Department of Transportation
One Georgia Center - 16th Floor
600 West Peachtree NW
Atlanta, GA 30308
Phone: (404) 631-1166
Fax: (404) 631-1916
hmustonen@dot.ga.gov
(See attached file: Gordon 631570 Revised Sign Plans - FINAL
4.11.2012.pdf)



GEORGIA
DEPARTMENT OF NATURAL RESOURCES
HISTORIC PRESERVATION DIVISION

MARK WILLIAMS
COMMISSIONER

DR. DAVID CRASS
DIVISION DIRECTOR

February 1, 2013

Glenn Bowman, P.E.
State Environmental Administrator
Georgia Department of Transportation
One Georgia Center
600 W. Peachtree St. NW, 16th Floor
Atlanta, Georgia 30308

ATTN: Heather Mustonen

RE: Archaeological Draft Addendum Report GDOT Project No BHF00-0151-01(006)
P.I. No. 631570
Gordon County, Georgia
HP-040607-001

Dear Mr. Bowman:

The Historic Preservation Division (HPD) has received the draft addendum archaeology report concerning the proposed road improvements to SR 255, Gordon County. Our comments are offered to assist the Federal Highway Administration (FHWA) and the Georgia Department of Transportation (GDOT) in complying with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended.

HPD has reviewed the addendum archaeological draft report entitled *Addendum Phase I and II Investigations Along State Route 225: Archaeological and Historical Investigations for the Proposed Elks Club Golf Course Cost to Cure Alterations, Gordon County*, dated January 18, 2013 and prepared by New South Associates, Inc. Based on the information contained in the report, HPD concurs that the portions of archaeological sites 9GO297 and 9GO59 within the current APE are contributing to the eligibility of each site under Criterion D. HPD also concurs that site 9GO59 is eligible for the NRHP under Criterion A and B. In addition, HPD concurs with the management recommendations for both sites.

HPD would like to see the following changes made to the draft addendum:

1. Pg. 95- add "(Figure 15)" after the words "unattributed map"
2. Pg. 95/97- the maximum depths of artifacts do not match, please make them agree
3. Pg. 103- change "Figure 32" to "Figure 30"

We look forward to receiving the Addendum Assessment of Affects when it becomes available.

Please submit one electronic copy of the final report to HPD. Please ensure the electronic copy is an optical character recognition enabled .pdf. For your information, the electronic copy will be sent to the Georgia Archaeological Site File at the University of Georgia-Athens for permanent retention.

If you have any questions or if we may be of further assistance please feel free to contact Jennifer Bedell, Review Archaeologist, by phone at (404) 657-1042 or email at Jennifer.Bedell@dnr.state.ga.us.

Sincerely,



Karen Anderson-Cordova
Program Manager
Environmental Review and Preservation Planning

KAC:jb

cc: Mr. Rodney N. Barry, P.E., FHWA, (ATTN: Chetna Dixon)

Mustonen, Heather

From: Elliott, Michael <michael_elliott@nps.gov>
Sent: Thursday, February 07, 2013 1:32 PM
To: Mustonen, Heather
Subject: Re: Project Update - SR 225 @ New Echota - Gordon 631570

Hello Heather,

Thank you for your email and the hard copy of the report on the addendum area for the SR 225 bridge replacement project. I have reviewed the document. I think it is a thorough discussion of the work. I agree with the recommendations regarding eligibility and potential effects of the project on the sites that were investigated.

I also note that while this addendum to your APE occurs away from mapped location of the Congressionally designated Trail of Tears National Historic Trail, it is likely that the McCoy's ferry locations discussed and mapped were parts of the Trail of Tears, as mentioned on p. 18. We will be reconsidering our mapping of the trail in this area, particularly in light of the Drane survey map on p.27. Thanks for providing this most informative report. We look forward to reviewing any other reports or documentation on the project

Best regards,
Mike Elliott

~~~~~

Michael L. Elliott  
Cultural Resources Specialist  
National Trails Intermountain Region  
National Park Service  
PO Box 728  
Santa Fe, NM 87504-0728  
Street: 1100 Old Santa Fe Trail  
voice: (505) 988-6092  
fax: (505) 986-5214  
web: <http://www.nps.gov/nts/>

***Working with you to protect, develop, and promote national historic trails.***

On Thu, Jan 24, 2013 at 2:39 PM, Mustonen, Heather <[hmustonen@dot.ga.gov](mailto:hmustonen@dot.ga.gov)> wrote:

Good afternoon,

I hope this email finds everyone well. As I noted in my December update email, New South Associates have prepared an addendum report for the Elks Club golf course redesign as part of the SR 225 project at New Echota. I've placed copies of the draft report in the mail for your review and comment so you should see those early next week. Additionally, a copy of the report has been saved to our ftp site if you all would prefer a digital copy. It can be accessed at the following link:

## Mustonen, Heather

---

**From:** Lisa LaRue-Baker - UKB THPO <ukbthpo-larue@yahoo.com>  
**Sent:** Wednesday, February 13, 2013 10:39 AM  
**To:** Mustonen, Heather  
**Cc:** Istapleton@unitedkeetoowahband.org; tgoodvoice@unitedkeetoowahband.org  
**Subject:** RE: Project Update - SR 225 @ New Echota - Gordon 631570

Heather, I have looked over the report and am really excited about all the continued discoveries at New Echota!

The United Keetoowah Band of Cherokee Indians in Oklahoma concurs with the recommendations as stated in the report.

BTW, the date of the report is shown on the title page as 2012, you might want to change that so years down the road there's no confusion. This project has so much paperwork, it could easily make for a confusing timeline!!!

Thanks, again!!

### **Lisa C. Baker**

Acting THPO  
United Keetoowah Band of Cherokee Indians in Oklahoma  
PO Box 746  
Tahlequah, OK 74465

c 918.822.1952  
ukbthpo-larue@yahoo.com

**[Please FOLLOW our historic preservation page and LIKE us on FACEBOOK](#)**

--- On Wed, 1/30/13, Mustonen, Heather <[hmustonen@dot.ga.gov](mailto:hmustonen@dot.ga.gov)> wrote:

From: Mustonen, Heather <[hmustonen@dot.ga.gov](mailto:hmustonen@dot.ga.gov)>  
Subject: RE: Project Update - SR 225 @ New Echota - Gordon 631570  
To: "[ukbthpo-larue@yahoo.com](mailto:ukbthpo-larue@yahoo.com)" <[ukbthpo-larue@yahoo.com](mailto:ukbthpo-larue@yahoo.com)>  
Cc: "[Istapleton@unitedkeetoowahband.org](mailto:Istapleton@unitedkeetoowahband.org)" <[Istapleton@unitedkeetoowahband.org](mailto:Istapleton@unitedkeetoowahband.org)>  
Date: Wednesday, January 30, 2013, 12:59 PM

Thanks Lisa! Please let me know if you have any questions or concerns over anything in the report.

Thank you!

Heather

**APPENDIX B**

**MEMORANDUM OF AGREEMENTS**



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Georgia Division**  
April 21, 2009

61 Forsyth St. SW  
Suite 17T100  
Atlanta, GA 30303

VIA EMAIL

Ms. Carol Legard  
FHWA Liason  
Advisory Council on Historic Preservation  
1100 Pennsylvania Avenue, N.W., Suite 809  
Washington, D.C. 20004

In Reply Refer To:  
HPD-GA

Dear Ms. Legard:

In accordance with Section 106 of the National Historic Preservation Act of 1966, 36 CFR Part 800 and in consultation with the State Historic Preservation Officer (SHPO), the Council was notified of a Finding of Adverse Effect to Archaeological Site 9GO297 (Boat Ramp Site) in Gordon County, Georgia on May 20, 2008. The Council declined to participate in the resolution of adverse effects for this project by letter dated June 4, 2008.

Pursuant to 36 CFR 800.6(b)(iv), please find enclosed the final Memorandum of Agreement (MOA) developed in consultation with the Georgia State Historic Preservation Officer (SHPO) and consulting tribes for this project. Filing of this MOA with the Council completes FHWA's compliance responsibilities under Section 106 of the National Historic Preservation Act.

If you should have any questions or require further information regarding these comments, please contact Katy L. Allen, P.E. at (404)562-3657.

Sincerely,

*Katy L. Allen, P.E.*

*fu*

Rodney N. Barry, P.E.  
Division Administrator

**MOVING THE  
AMERICAN  
ECONOMY**



**MEMORANDUM OF AGREEMENT  
AND  
STATEMENT OF CONDITIONS FOR NO ADVERSE EFFECT  
BETWEEN  
FEDERAL HIGHWAY ADMINISTRATION  
GEORGIA DEPARTMENT OF TRANSPORTATION  
THE EASTERN BAND OF CHEROKEE INDIANS  
GEORGIA DEPARTMENT OF NATURAL RESOURCES  
STATE PARKS AND HISTORIC SITES DIVISION  
AND  
GEORGIA DEPARTMENT OF NATURAL RESOURCES  
HISTORIC PRESERVATION DIVISION  
FOR  
GDOT PROJECT BHF-151-1(6)  
GORDON COUNTY, GEORGIA**

**WHEREAS**, the Federal Highway Administration (FHWA) has determined that Georgia Department of Transportation (GDOT) Project BHF-151-1(6), Gordon County, Georgia, will have an effect upon three properties included in or considered eligible for inclusion in the National Register of Historic Places (NRHP), and has consulted with the Georgia State Historic Preservation Officer (SHPO), the Eastern Band of Cherokee Indians (EBCI), the New Echota Historic Site, the Georgia Department of Natural Resources--State Parks and Historic Sites Division (DNR), and the Coosa Valley Regional Development Center pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470F); [and Section 110(f) of the same Act (16 U.S.C. 470h-2(f)); and,

**WHEREAS**, the project would consist of the proposed replacement of bridges on SR 225 over New Town Creek and the Coosawattee River and the realignment of SR 225 from the New Echota site entrance to just past CR 125/McDaniel Road; and,

**WHEREAS**, three NRHP listed or eligible properties were identified in the project's area of potential effects; and,

**WHEREAS**, an Assessment of Effects was completed on January 18, 2008 for these resources with findings of Conditional No Adverse Effect for New Echota and the New Echota Traditional Cultural Property and Adverse Effect for archaeological site 9GO297; and,

**WHEREAS**, if GDOT Project BHF-151-1(6) is not implemented within seven (7) years of this agreement's ratification, this agreement shall be considered null and void, and the FHWA, if it chooses to continue with the undertaking, shall reconsider the terms of this agreement; and,

**WHEREAS**, if the SHPO should object within thirty (30) days to any plans provided for review pursuant to this Memorandum of Agreement (MOA), the FHWA shall consult with the SHPO to resolve the objection. If the FHWA determines that the objection cannot be resolved,

the FHWA shall request further comments or recommendations of the Advisory Council on Historic Preservation (Council) concerning the dispute pursuant to 36 CFR Part 800. Any Council comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR Part 800 with reference only to the subject of the dispute. The FHWA's responsibility to carry out all actions under this MOA that are not the subject of the dispute will remain unchanged; and,

**NOW, THEREFORE**, the FHWA, the GDOT, the EBCI, the DNR, and the SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on archaeological site 9GO297.

### STIPULATIONS

The FHWA will ensure the following measures are carried out:

1. Special provisions in the construction contract will be implemented requiring the contractor to ensure the following: place orange fabric safety fence along the limits of the proposed project's APE at archaeological site 9GO297; label the portions of archaeological site 9GO297 outside the project's APE as Environmentally Sensitive Area's (ESA's) and prohibit the use of staging, construction easements, and vehicular use within the ESA's; limit the extent of subsurface disturbance, as is feasible to facilitate project construction, in the area of archaeological site 9GO297.
2. Based on previous survey and testing results, and in consultation with the EBCI and the SHPO, FHWA will ensure that a data recovery plan is developed for archaeological site 9GO297. The plan will be consistent with the Council's Handbook on Treatment of Archaeological Properties, Part III, Recommendations for Archaeological Data Recovery", and the FHWA will ensure that the plan is implemented. However, the EBCI and the SHPO comments will be taken into consideration prior to the implementation of the data recovery plan.
3. All archaeological work called for in Stipulation 2, described above, will be conducted under the direct supervision of an archaeologist who meets, at a minimum, the qualifications set forth in 36 CFR Part 66, Appendix C.
4. The archaeological data generated by GDOT Project BHF-151-1(6), Gordon County, Georgia will be curated at the Antonio J. Waring Jr. Archaeological Laboratory (Waring) of the University of West Georgia (pursuant to an agreement signed by GDOT and Waring in 2001) which meets the criteria as set forth in 36 CFR 79 (Curation of Federally-Owned and Administered Archaeological Collections). Upon request, the project documentation, archaeological field notes, maps, and other pertinent data will be made available to Federal, State, Native American Tribal Governments, and other parties as appropriate.

5. The draft report of the archaeological data recovery investigations will be submitted to the EBCI, the DNR and the SHPO for review and comment.
6. Copies of the final report of the archaeological data recovery investigations, incorporating comments received on the draft report, will be supplied to the EBCI, the DNR, the Council, and the SHPO.

**NOW, THEREFORE**, the FHWA, the GDOT, the EBCI, the DNR, and the SHPO agree that the undertaking shall be implemented in accordance with the following conditions in order to take into account the effect of the undertaking on New Echota and the New Echota Traditional Cultural Property.

### **CONDITIONS FOR NO ADVERSE EFFECT**

1. The proposed bridges to be constructed over New Town Creek and the Coosawattee River will incorporate context sensitive design, which may include natural looking materials such as stone or wood, open railings to help maintain vistas, and profiles as low as is acceptable by current design standards in order to reduce visual effects to the historic properties. The development of the design of the new bridges will be done in coordination with the EBCI and the New Echota State Historic Site. The Georgia SHPO will be afforded the opportunity to review and comment on the final design of the bridges prior to project implementation.
2. Context sensitive design guardrail will be used within the boundaries of the historic properties in order to reduce visual effects.
3. In coordination with the EBCI and the New Echota State Historic Site, GDOT will develop a landscape plan for New Echota and the New Echota Traditional Cultural Property that could include new signage for the park, screening of non-historic elements from the historic properties, and other design elements such as sculpture. The landscape plan will be submitted to the Georgia SHPO for review and comment prior to being incorporated into the final construction plans for the project.
4. In consultation with the EBCI and the New Echota Historic Site, GDOT will explore the reuse of the abandoned section of SR 225 within the property as a trail that could provide additional opportunities for interpretation through the development of educational kiosks.

Execution of this MOA by the FHWA, GDOT, EBCI, DNR and the SHPO, its subsequent filing with the Council, and implementation of its terms, evidence that the FHWA has afforded the Council an opportunity to comment on GDOT Project BHF-151-1(6), Gordon County, Georgia, and its effects on historic properties, and that the FHWA has taken into account the effects of the undertaking on historic properties.

**FEDERAL HIGHWAY ADMINISTRATION**

BY: Katy L. Allen, P.E. DATE: 4/16/09  
for Rodney N. Barry, P.E., Division Administrator

**GEORGIA DEPARTMENT OF TRANSPORTATION**

BY: Glenn Bowman DATE: 3/25/09  
Glenn Bowman, P.E., State Environmental/Location Engineer

**GEORGIA DEPARTMENT OF NATURAL RESOURCES, HISTORIC  
PRESERVATION DIVISION**

BY: Richard Luce DATE: 4-3-09  
W. Ray Luce, Division Director

**GEORGIA DEPARTMENT OF NATURAL RESOURCES, STATE PARKS AND  
HISTORIC SITES**

BY: Becky Kelley DATE: 3-17-09  
Becky Kelley, Director

**EASTERN BAND OF CHEROKEE INDIANS**

BY: Mitchell Hicks DATE: 2-27-09  
Mitchell Hicks, Principal Chief

**MEMORANDUM OF AGREEMENT  
AND  
STATEMENT OF CONDITIONS FOR NO ADVERSE EFFECT  
BETWEEN  
FEDERAL HIGHWAY ADMINISTRATION  
GEORGIA DEPARTMENT OF TRANSPORTATION  
THE CHEROKEE NATION  
GEORGIA DEPARTMENT OF NATURAL RESOURCES  
STATE PARKS AND HISTORIC SITES DIVISION  
AND  
GEORGIA DEPARTMENT OF NATURAL RESOURCES  
HISTORIC PRESERVATION DIVISION  
FOR  
GDOT PROJECT BHF-151-1(6)  
GORDON COUNTY, GEORGIA**

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**WHEREAS**, the project would consist of the proposed replacement of bridges on SR 225 over New Town Creek and the Coosawattee River and the realignment of SR 225 from the New Echota site entrance to just past CR 125/McDaniel Road; and,

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**WHEREAS**, an Assessment of Effects was completed on January 18, 2008 for these resources with findings of Conditional No Adverse Effect for New Echota and the New Echota Traditional Cultural Property and Adverse Effect for archaeological site 9GO297; and,

**WHEREAS**, if GDOT Project BHF-151-1(6) is not implemented within seven (7) years of this agreement's ratification, this agreement shall be considered null and void, and the FHWA, if it chooses to continue with the undertaking, shall reconsider the terms of this agreement; and,

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the FHWA shall request further comments or recommendations of the Advisory Council on Historic Preservation (Council) concerning the dispute pursuant to 36 CFR Part 800. Any Council comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR Part 800 with reference only to the subject of the dispute. The FHWA's responsibility to carry out all actions under this MOA that are not the subject of the dispute will remain unchanged; and,

**NOW, THEREFORE**, the FHWA, the GDOT, the Cherokee Nation, the DNR, and the SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on archaeological site 9GO297.

### STIPULATIONS

The FHWA will ensure the following measures are carried out:

1. Special provisions in the construction contract will be implemented requiring the contractor to ensure the following: place orange fabric safety fence along the limits of the proposed project's APE at archaeological site 9GO297; label the portions of archaeological site 9GO297 outside the project's APE as Environmentally Sensitive Area's (ESA's) and prohibit the use of staging, construction easements, and vehicular use within the ESA's; limit the extent of subsurface disturbance, as is feasible to facilitate project construction, in the area of archaeological site 9GO297.
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3. All archaeological work called for in Stipulation 2, described above, will be conducted under the direct supervision of an archaeologist who meets, at a minimum, the qualifications set forth in 36 CFR Part 66, Appendix C.
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5. The draft report of the archaeological data recovery investigations will be submitted to the Cherokee Nation, the DNR and the SHPO for review and comment.
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4. In consultation with the Cherokee Nation and the New Echota Historic Site, GDOT will explore the reuse of the abandoned section of SR 225 within the property as a trail that could provide additional opportunities for interpretation through the development of educational kiosks.

Execution of this MOA by the FHWA, GDOT, Cherokee Nation, DNR and the SHPO, its subsequent filing with the Council, and implementation of its terms, evidence that the FHWA has afforded the Council an opportunity to comment on GDOT Project BHF-151-1(6), Gordon County, Georgia, and its effects on historic properties, and that the FHWA has taken into account the effects of the undertaking on historic properties.

**FEDERAL HIGHWAY ADMINISTRATION**

BY: Katy L. Allen, P.E. DATE: 4/19/09  
for Rodney N. Barry, P.E., Division Administrator

**GEORGIA DEPARTMENT OF TRANSPORTATION**

BY: Glenn Bowman DATE: 3/25/09  
Glenn Bowman, P.E., State Environmental/Location Engineer

**GEORGIA DEPARTMENT OF NATURAL RESOURCES, HISTORIC  
PRESERVATION DIVISION**

BY: W. Ray Luce DATE: 4-3-09  
W. Ray Luce, Division Director

**GEORGIA DEPARTMENT OF NATURAL RESOURCES, STATE PARKS AND  
HISTORIC SITES**

X BY: Becky Kelley DATE: 3-17-09  
Becky Kelley, Director

**CHEROKEE NATION**

BY: [Signature] DATE: 12/06/08  
Chad Smith, Principal Chief

**MEMORANDUM OF AGREEMENT  
AND  
STATEMENT OF CONDITIONS FOR NO ADVERSE EFFECT  
BETWEEN  
FEDERAL HIGHWAY ADMINISTRATION  
GEORGIA DEPARTMENT OF TRANSPORTATION  
THE UNITED KEETOOWAH BAND OF CHEROKEE INDIANS  
GEORGIA DEPARTMENT OF NATURAL RESOURCES  
STATE PARKS AND HISTORIC SITES DIVISION  
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**FEDERAL HIGHWAY ADMINISTRATION**

BY: Katy L. Allen, P.E. DATE: 4/16/09  
for Rodney N. Barry, P.E., Division Administrator

**GEORGIA DEPARTMENT OF TRANSPORTATION**

BY: Glenn Bowman DATE: 3/25/09  
Glenn Bowman, P.E., State Environmental/Location Engineer

**GEORGIA DEPARTMENT OF NATURAL RESOURCES, HISTORIC  
PRESERVATION DIVISION**

BY: W. Ray Luce DATE: 4-3-09  
W. Ray Luce, Division Director

**GEORGIA DEPARTMENT OF NATURAL RESOURCES, STATE PARKS AND  
HISTORIC SITES**

BY: Becky Kelley DATE: 3-17-09  
Becky Kelley, Director

**UNITED KEETOOWAH BAND OF CHEROKEE INDIANS**

BY: George Wickliffe DATE: 1-8-09  
George Wickliffe, Principal Chief

**ORIGINAL**

**APPENDIX C**

**9G059 DETERMINATION OF ELIGIBILITY**

**NEW ECHOTA NATIONAL REGISTER NOMINATION FORM**

**NEW ECHOTA TRADITIONAL CULTURAL PROPERTY STUDY EXCERPT**

# Request for Determination of Eligibility

## I. Requesting Agency:

Federal Highway Administration  
Atlanta Federal Center  
61 Forsyth Street, S.W.  
Suite 17 T100  
Atlanta, Georgia 30303-3104

## II. Property Name:

Archaeological Site 9GO59 (Lum Moss Site and McCoy's/Fork Ferry)

## III. Location:

9GO59 (Lum Moss Site and McCoy's/Fork Ferry) is located north of SR 225 within the Calhoun Elks Golf Course in Calhoun, Gordon County, Georgia. The site is situated between an unnamed drainage to the west, New Town Creek to the east, the Oostanaula River to the north, and New Echota State Historic Site to the south of SR 225. The site is located within the boundary of the New Echota National Register boundary, National Historic Landmark, and Traditional Cultural Property as well as located along the Trail of Tears National Historic Trail.

## IV. Property Owner's Names and Addresses:

Calhoun Elks Club  
143 Craigtown Road, NE  
Calhoun, GA 30701-8931

Georgia State Properties Commission  
47 Trinity Ave, SW  
Atlanta, GA 30334

## V. Represented in Existing Surveys:

Baker, Steven G.

1970 *New Echota Archaeology 1969: A Progress Report.* Report prepared for the Georgia Historical Commission.

1971 Observations from the Lum Moss Site: An Interpretive Field Report. In *Twenty-Seventh Annual Meeting of the Southeastern Archaeological Conference*, pp. 115–118. Columbia, S.C.

Barse, William P. and John G. Gill

2007 *Phase I and II Investigations along State Route 225, Adjacent to New Echota, Gordon County, Georgia.* Prepared by the URS Corporation, Atlanta, Georgia. Report on file at the Georgia Department of Transportation Office of Environmental Services, Atlanta, Georgia.

De Baillou, Charles

1954 Second Quarterly Report on the Excavations at New Echota. Unpublished Manuscript on file at Antonio J. Waring, Jr., Archaeological Laboratory, University of West Georgia. Carrollton, Georgia.

1955 Excavations at New Echota in 1954. *Early Georgia* 1(4):18–29.

Elliott, Daniel T., Karen G. Wood, Grace F. Keith, and Scot J. Keith

2003 *The Archaeology of the New Echota State Historic Site, Gordon County, Georgia*. Report submitted to the Georgia Historic Preservation Division, Office of the State Archaeologist, Atlanta. Southern Research, Historic Preservation Consultants, Inc., Ellerslie, Georgia.

Kear, Matthew, and Heather Mustonen

2012 *Survey Report Addendum: GDOT Project BHF00-0151-01(006), Gordon County; P.I. #631570 and HP #0400607-001*. History Interdepartmental Correspondence. Report on file at the Georgia Department of Transportation Office of Environmental Services. Atlanta, Georgia.

Keith, Scot, Julie Coco, Jackie Tyson, and J.W. Joseph

2013 *Addendum to Phase I and II Investigations along State Route 225: Archaeological and Historical Investigations for the Proposed Elks Club Golf Course Cost-to-Cure Alterations, Gordon County, Georgia*. GDOT Project BHF00-0151-01(006), PI 631570. Prepared by New South Associates. Report on file at the Georgia Department of Transportation, Office of Environmental Services. Atlanta, Georgia.

## VI. Description:

Archaeological Site 9GO59 is a multi-component site originally identified in 1955 by Clemens DeBaillou (then referred to as the Lum Moss Site) and later documented in 1970 during salvage archaeological excavations associated with the original construction of the Calhoun Elks Club Golf Course by Stephen Baker. Additional documentation of the site was completed in the 2006 Archaeological Report for the SR 225 project, along with a 2013 Addendum survey. Temporal components identified at the site include Early Woodland, Late Woodland/Early Mississippian, Historic Cherokee, and late 19<sup>th</sup> to early 20<sup>th</sup> century. The site is largely located within the existing Elks Club Golf Course, extending west of New Town Creek and east of an unnamed branch, north from the Oostanaula River and south of SR 225 to the New Echota State Historic Site (Figure 1). The site is located completely within the New Echota National Register/TCP boundary and partially within the New Echota National Historic Landmark. A portion of the site is on property owned by the Calhoun Elks Club, while the remainder is on property owned by the State of Georgia and leased to the Elks Club.

While the majority of the site has seen extensive disturbance due to the construction of the golf course, the 1970 field report on the salvage excavations noted a 100ft “preservation buffer” along the Oostanaula River to preserve portions of the site for future study. While it is unknown whether the entire preservation buffer was respected, as there are existing golf course facilities located within this area, the 2013 addendum archaeological survey identified intact deposits dating to the Early Woodland period along the wood line of the northern edge of the site and within the preservation buffer zone.

Additionally, intact archaeological deposits associated with an historic ferry landing were identified in the wooded area in the northwest corner of the property where New Town Creek meets the Oostanaula River (Figures 2-5). The historic ferry, located at the fork of the Conasauga, Coosawattee, and Oostanaula rivers, originally would have served New Echota and would have been known as McCoy's Ferry from 1825 until approximately 1835, as it was run by Alexander McCoy, a prominent Cherokee citizen. The ferry was likely in continuous operation from 1825 until approximately 1913, when the Fork Bridge was constructed over the Coosawattee River. Later uses of the ferry were referred to by different names including New Town Ferry, Newtown Ferry, Johnson's Ferry, and Fork Ferry. In addition to the pre-contact and ferry components of the site, two pairs of former bridge abutments are located along New Town Creek within the limits of 9GO59. These concrete abutments represent the remains of former bridge crossings for the former alignment of the roadway prior to the relocation of SR 225 to its current location to the south.

*From Keith et al. 2013:*

The archaeological investigation of the addendum APE demonstrated that while much of the area has been heavily impacted, intact archaeological deposits are present. Previous work by both de Baillou (1954) and Baker (1970; 1971) in the area of the addendum APE, albeit not precisely georeferenced due to the lack of suitable excavation maps from their work, documented both prehistoric and historic features. De Baillou (1954) felt that they had located the remains of Alexander McCoy's ferry house and trading post in an excavation unit in the area of the "ferry site", and his (de Baillou 1955:18) excavation map contained in an *Early Georgia* article depicts the ferry extending from the mouth of New Town Creek northwest along the southern bank of the Oostanaula River. In 1969, Baker recorded dozens of features during his salvage work conducted as a result of the golf course construction, and his unscaled map depicts dozens of features in the area of the addendum APE. Baker (1970) witnessed and documented extensive destruction and disturbance to the site as a result of the golf course construction, and he helped to establish a 100-foot buffer from the Oostanaula River within which the site was to be preserved from construction impacts. While two features are depicted within this preservation buffer on his map, it is unknown to what level this preservation agreement has been followed in the years since it was made and thus how intact the archaeological deposits actually are within this area.

During the [2013] investigation, an approximately 25-centimeter thick lens of fill was identified as the upper-most stratum within Test Unit 2, a unit that falls within the supposed preservation buffer. While fill is present, intact prehistoric deposits relating to an Early Woodland period component were documented underneath the fill in this unit. It should also be restated that Barse and Gill's (2007) archaeological survey of the original APE located immediately south of the current addendum APE found that area of the site to lack archaeological integrity due to the extensive earth moving activities related to the construction of the golf course and SR 225.

## VII. Significance:

*Adapted from Keith et al. 2013:*

### PRE-CONTACT COMPONENT

Baker (1970, 1971) documented a substantial Early to Middle Woodland component at 9GO59. The [2013] investigation identified an Early Woodland period Dunlap Fabric Impressed ceramic, while a McIntire PPK was also recovered that likely remains from either this component or from a Late Archaic occupation. Although much of the addendum APE has been heavily disturbed, the sherd was recovered from a seemingly intact stratum in Test Unit 2, within the supposed 100-foot preservation buffer area. Based on the probable intact prehistoric deposit identified in Test Unit 2 and the potential for related archaeological features and deposits within other areas of the addendum APE, the prehistoric component of the site represents a contributing element to the NRHP eligibility of 9GO59. Specifically, this component of the site meets Criteria D for listing in the NRHP as it has yielded information important to the prehistory of the area. The Early Woodland deposits at this site may be used to address current research issues for this time frame (see Espenshade 2008 and Ledbetter et al. 2009), such as the usage of indigenous starchy seeded plants for subsistence, changes in cultural practices during the Late Archaic - Early Woodland period, and cultural interaction.

### MCCOY'S/FORK FERRY

Historical evidence clearly points to a ferry in existence at the fork in the rivers from 1825 until the early 1900s. While there is no evidence for every single year within this time frame, evidence as varied as records of legal proceedings of the Cherokee Nation, deed records, the Official Records of the Civil War, nineteenth-century land surveyor and property evaluation notes and maps, parcel maps, and soil maps all indicate a ferry at this location over this time span. The ferry was first referenced in the proceedings of the Cherokee Nation and is part of a discussion of McCoy's lands. In 1829, there was a direct reference to McCoy's operation of the ferry. Georgia Land Lottery Surveyor Stephen Drane referenced the ferry and McCoy's property and land in both his notes and map, as do Hargrove and Mays, who placed a very high value on McCoy's property prior to removal in 1837. The first specific deed reference appeared in 1853 and clear attempts are seen in the deed record to consolidate the three landings of the ferry at the fork. Two textual references were noted in the Official Records of the Civil War, while it is also noted on three Civil War-era maps, twice as Newtown Ferry and once as Johnson's Ferry. Another direct deed reference appeared in 1867 and the 1869 parcel map of the county continued to refer to the location of McCoy's Ferry. Finally, oral history from the descendants on the Forks Ferry Farm described the operation of the ferry by their family members in the early 1900s.

Currently, the McCoy's/Fork Ferry lies within the NRHP boundary for New Echota. As the ferry landing and Alexander McCoy's properties are included within the town of New Echota and served a crucial infrastructure link for the town, the ferry is already a contributing property to the listed district. In addition to being listed on the National Register, GDOT and FHWA, along with the Cherokee Nation, the Eastern Band of Cherokee Indians, and the United Keetoowah Band of Cherokee Indians, have determined New Echota is a TCP. This boundary corresponds with the National Register boundary; therefore, the ferry landing is also both within the boundaries of, and contributing to the significance of, the New Echota TCP. Finally, New Echota is part of the Trail of Tears National Historic Trail. The ferry is not specifically listed as an individual site, but it is likely that part of the forced exodus from New

Echota, towards Tennessee, crossed the rivers at McCoy's Ferry. The period of significance for McCoy's /Fork Ferry stretches from 1825 until circa 1910. The first reference to the ferry at New Echota was in 1825 and the last reference was to Frank and Jane Bearden in the early 1900s. The period of significance likely ended with the construction of the Fork Bridge prior to 1913, as noted on the soil map.

The historical significance of this ferry can be assessed in a number of different areas. As a NHL, New Echota has a national level of significance. New Echota's primary function, as the capital of the Cherokee Nation, clearly makes it significant at a national level for the Cherokee as well. Additional significance is recognized by the Cherokee, GDOT, and FHWA who consider the site a TCP and therefore a significant place in maintaining a sense of cultural and historical identity for Cherokee today. Under Criterion A, resources are considered significant if they are associated with events that have made a significant contribution to the broad patterns of our history. The ferry at the fork can be said to possess significance in two areas. As an important part of the Cherokee capital of New Echota, the ferry played an important part in community planning of the new capital and a significant role in the transportation network for the capital.

In the first decades leading up to the construction of New Echota, Cherokee leaders could see their lands rapidly disappearing without a stronger, more centralized government. One of their solutions to this problem was to create a government of their own that could negotiate with the U.S. government using one centralized voice and a structure similar to the U.S. government's. Choosing a centralized location in the Cherokee nation, a place with existing road networks and important waterways was an important component of that effort. The ferry operated as the northern entry point to New Echota, allowing two major rivers to be crossed at the Fork. When Council was in session each year, hundreds of individuals travelled to New Echota each year to either serve on the National Council, National Committee, or Supreme Court, to petition those governmental bodies, or to have a case heard. The high property valuation placed on the ferry in 1837 (\$10,000) clearly illustrates that it was a valued and important transportation resource. McCoy's/Fork Ferry is within the existing New Echota NRHP/TCP boundary and is considered significant under Criterion A for transportation and community planning at the national level. McCoy's/Fork Ferry is also significant under Criterion A as a contributing resource to the TCP. New Echota has been determined to be a TCP for the Cherokee as it remains important in maintaining their cultural and historical identity. The institutions established at New Echota laid the foundations for the modern Cherokee Nation including their systems of governance and justice, as well as a concrete expression of the value placed on literacy and education in the *Cherokee Phoenix*. McCoy's Ferry served a critical transportation function within the planned town, facilitating easy access for the hundreds of Cherokee travelling to New Echota to participate in the civic process.

Continuing its strong significance as a transportation resource, after the forced removal of the Cherokee from New Echota, McCoy's/Fork ferry continued to operate at the Fork until the early twentieth century. In the decades leading up to the Civil War, it was known as both McCoy's Ferry and the Newtown Ferry. Maps of the Civil War refer to it as both Newtown Ferry and Johnson's Ferry after Dennis Johnson who owned it during the war. The ferry under all of these names continued to serve an important local transportation function throughout the remainder of the nineteenth century. Land transactions illustrate that individuals deliberately tried to control all three of the landings for Fork Ferry. The ferry provided a way to cross two rivers, thereby significantly shortening the travel time of people moving north-south through the area.

Under Criterion B resources are considered significant if they are associated with the lives of persons significant in our past. McCoy's/Fork Ferry appears significant under Criterion B at the local level for its association with Alexander McCoy, a prominent Cherokee citizen, entrepreneur, and government official who established the ferry and operated it throughout its period of significance (1825-1835). McCoy was active in Cherokee politics before the establishment of New Echota and served twice as the secretary of the National Council. That his business was a thriving enterprise and served an important role on the capital is supported by the high price paid for the ferry property and his other lands.

McCoy's/Fork Ferry was evaluated under Criterion C for resources that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction. The ferry does not appear to possess significance under Criterion C as it retains only landscape features above the ground and lacks the structural components that would allow for an evaluation under Criterion C.

Resources are considered significant for Criterion D if they have yielded, or may be likely to yield, information important in prehistory or history. McCoy's/Fork Ferry possesses significance under Criterion D for its archaeological potential. Intact historic deposits associated with the ferry at this location were identified within the wooded portion of the site on the New Town Creek riverbank near its mouth with the river. The ferry landing within the APE exhibits intact deep deposits and features likely associated with the mechanics that once operated the ferry. Additionally, the landscape in the area immediately surrounding the ferry landing in the APE provides the potential to understand the layout of such sites. As noted by Salo (2009), the archaeological record of ferry sites is not well understood throughout the Southeast, as very few studies have been conducted on these sites, and hence information gained from this site would contribute to our understanding of ferry organization, architecture, mechanics, and landscape. *Historical Archaeology in Georgia* (Joseph et al. 2004) does not include a category under Transportation Resources for ferries, indicating that as of 2004 no studies of ferries had been completed in the state. We are not aware of any studies conducted since then, and hence ferries, as a resource class, have received scant archaeological attention, highlighting the significance of the data potential of McCoy's/Fork Ferry under Criterion D. While there have been significant modifications to some of the landforms in the project area, this study has revealed intact, shallow, archaeological features that may be related to the mechanics of the ferry operation between the east side of the depression and New Town Creek. To the west of this depression, the discovery of intact prehistoric deposits in this study and previous studies by Baker and de Baillou indicate the potential for additional intact historical deposits in the APE. These deposits could be related to either the ferry or other components of McCoy's property, such as the ferry house or ferry smokehouse.

### **Integrity**

McCoy's/Fork Ferry has been determined to possess integrity in the following areas:

Location – McCoy's/Fork Ferry possesses integrity of location. The landing on the south side of the Oostanaula River in the APE appears to have remained consistent in its location based on maps and historical evidence from 1825 until the early twentieth century. Although as noted in Salo (2009), ferries could have multiple landings that could be used on each side of the river depending on the river conditions; this does not appear to have been the case for the landing on the south side of the Oostanaula.

Design – At this point, the integrity of the design of the ferry landing cannot be evaluated. While one excavated feature shows possible evidence of machinery from the ferry, only a small portion of the area was investigated with test units. The site is considered to have potential to contribute archaeological data on ferry design, through further study.

Materials – The integrity of materials at the ferry landing likewise cannot be evaluated at this time with the limited archaeological testing completed to date. More information would be needed to assess whether the archaeological deposits have the potential to shed light on the specific mechanics and materials of the ferry operations.

Workmanship – As with design and workmanship, without further archaeological study the integrity of workmanship cannot be assessed. The site may possess the potential to provide information on the workmanship of specific mechanical and structural engineering elements at the landing site

Setting – The ferry landing at the Fork possesses integrity of setting. While this integrity lessens as one moves back from the river toward the golf course and out of the trees, at the crucial location near the river, one can easily picture the ferry landing as it would have appeared in the 1800s. To the south and west of the actual landing near the river, the tree buffer screens the landing from visual intrusion of the adjacent golf course. Across the Oostanaula, the viewshed remains rural and agricultural with trees and farmland. The Fork Ferry Farm, a Centennial Farm, is visible on the far side of the Coosawattee. However, as one moves west of the depression at the ferry landing, toward the golf course, the integrity of setting diminishes. Along the perimeter of the golf course there is evidence of significant earth moving activities and the dumping of vegetation and debris associated with grounds maintenance. Between this piled vegetation and the west side of the landing on the edge of the trees, trash has been dumped including items such as old picnic tables and building supplies. While this detracts from the setting, it is reversible. The landscape could be returned to its former appearance if the trash and brush were removed.

Feeling – The ferry landing at the Fork possesses integrity of feeling, but as with the integrity of setting, it lessens as one moves away from the landing and river and towards the golf course. From the river and looking out towards the fork, the ferry landing and the viewshed possess a strong integrity of feeling, appearing much as they might have in the 1800s. Trash, debris and earth moving activities closer to the golf course reduce the integrity of feeling in those areas. As noted above however, these alterations to the landscape at the site are reversible.

Association – McCoy's/Fork Ferry possesses integrity of association in its most crucial aspect – association with the river. The courses of the three rivers are unaltered and the ferry retains its location with respect to the river. In addition, the ferry retains its strong association with New Echota. Although not within the town, portions of McCoy's lands and properties were within the town limits and the ferry served a critical transportation function for the full period of New Echota's occupation. McCoy's Ferry does not maintain a clear association with a portion of historic roadbed on the golf course. While this road trace may or may not be related to the earliest period of significance at New Echota, that is, synonymous with McCoy's Ferry Road, it likely did serve the ferry in its later period of significance. The integrity of the association of the ferry landing to the road is lessened by the fragmented nature of the road trace.

## VIII. Bibliography:

Barse, William P. and John G. Gill

- 2007 *Phase I and II Investigations along State Route 225, Adjacent to New Echota, Gordon County, Georgia*. Prepared by the URS Corporation, Atlanta, Georgia. Report on file at the Georgia Department of Transportation Office of Environmental Services, Atlanta, Georgia.

Baker, Steven G.

- 1970 *New Echota Archaeology 1969: A Progress Report*. Report prepared for the Georgia Historical Commission.
- 1971 Observations from the Lum Moss Site: An Interpretive Field Report. In *Twenty-Seventh Annual Meeting of the Southeastern Archaeological Conference*, pp. 115–118. Columbia, S.C.

De Baillou, Charles

- 1954 Second Quarterly Report on the Excavations at New Echota. Unpublished Manuscript on file at Antonio J. Waring, Jr., Archaeological Laboratory, University of West Georgia. Carrollton, Georgia.
- 1955 Excavations at New Echota in 1954. *Early Georgia* 1(4):18–29.

Espenshade, Christopher

- 2008 *Woodland Period Archaeology of Northern Georgia. Update 2008*. Report prepared by New South Associates for the Georgia Department of Transportation. Atlanta, Georgia.

Joseph, J. W., Theresa M. Hamby, and Catherine Long

- 2004 *Historical Archaeology in Georgia*. Georgia Archaeological Research Design Paper No. 14. Athens, Georgia. Report on File at New South Associates, Inc., Stone Mountain, Georgia.

Keith, Scot, Julie Coco, Jackie Tyson, and J.W. Joseph

- 2013 *Addendum to Phase I and II Investigations along State Route 225: Archaeological and Historical Investigations for the Proposed Elks Club Golf Course Cost-to-Cure Alterations, Gordon County, Georgia*. GDOT Project BHF00-0151-01(006), PI 631570. Prepared by New South Associates. Report on file at the Georgia Department of Transportation, Office of Environmental Services. Atlanta, Georgia.

Ledbetter, Jerald, Lisa D. O'Steen, and Scott Jones

- 2008 *The Late Archaic to Early Woodland Transition in Northwest Georgia: Evidence for Terminal Archaic (ca. 1100-600 B.C.) Period Occupation in the Region. Context*. Occasional Papers in Cultural Resource Management. Atlanta, Georgia: Georgia Department of Transportation.

Salo, Edward George

- 2009 *Crossing the Rivers of the State: The Role of the Ferry in the Development of South Carolina, Circa 1680-1920s*. Dissertation, Tennessee: Middle Tennessee State University.

## IX. Geographical Data, Maps, and Acreage:

Archaeological site 9GO59 measures approximately 35.676 acres in size (600m in length and 330m in width, oriented east-west). The site is located within the Calhoun Elks Golf Course and is situated between an unnamed drainage to the west, New Town Creek to the east, the Oostanaula River to the north, and New Echota State Historic Site to the south of SR 225. The majority of the site has been disturbed by the construction of the Calhoun Elks Golf Course, however intact portions of the site are located to the north along the Oostanaula River within a 100-ft preservation buffer and within the wooded portions of the property along the river and in the northeast corner of the property. The UTM Coordinates are Zone 16, 692110 E, 3824110 N.

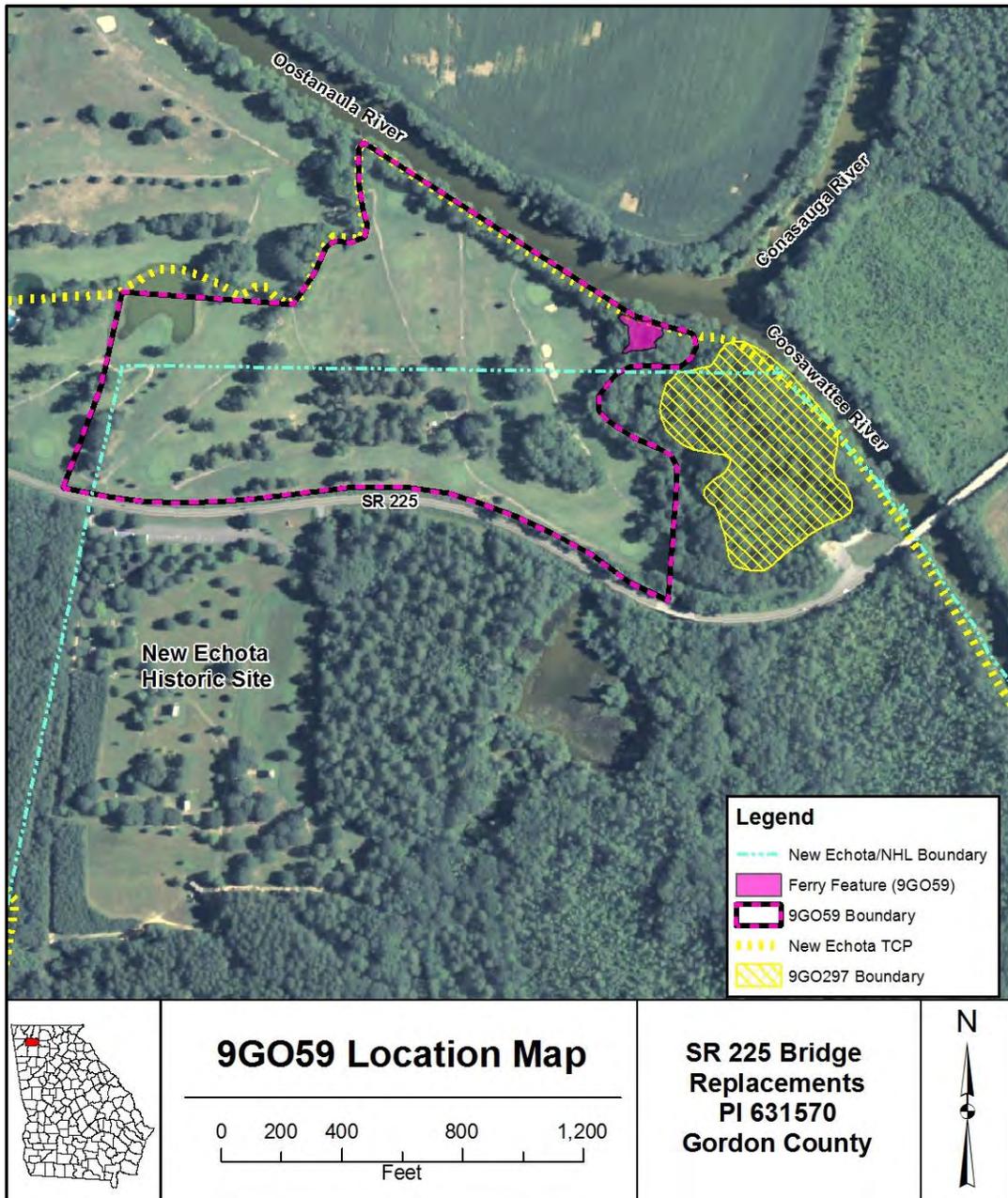
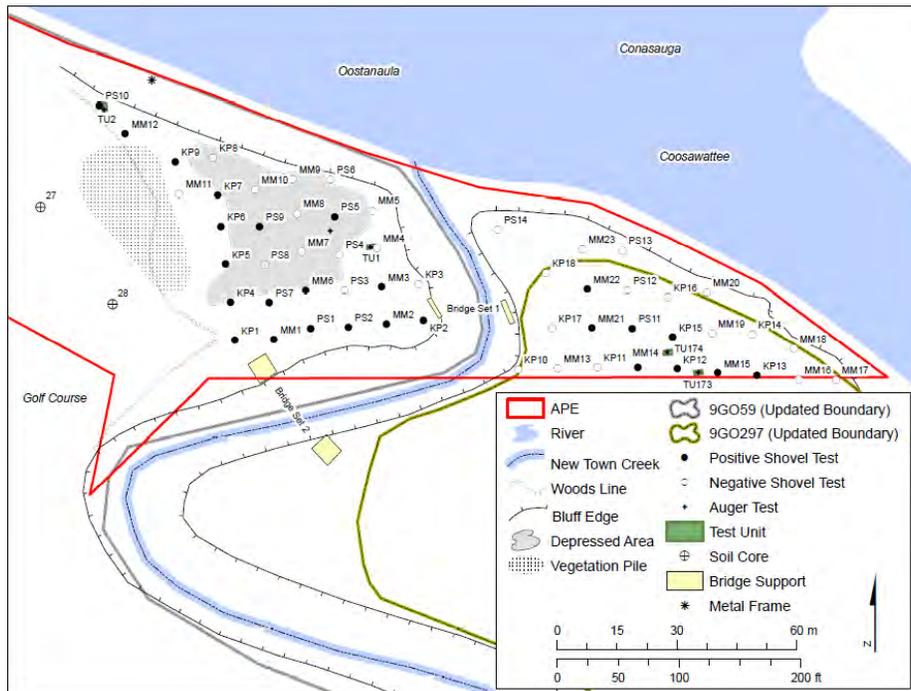
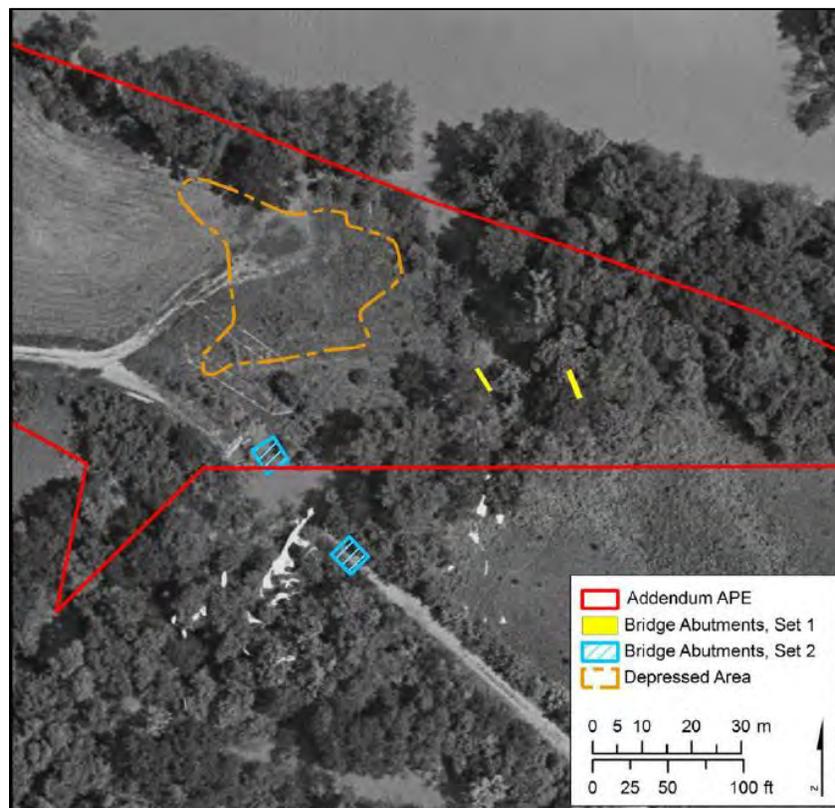


Figure 1. Location Map showing 9GO59 in relation to New Echota, Gordon County, Georgia.

**X. Photographs and Profiles (see following pages):**



**Figure 2. Survey and Testing Map of 9GO59 (from Keith et al. 2013).**



**Figure 3. 1958 Aerial Photograph showing ferry feature and location of historic roadways within 9GO59 (from Keith et al. 2013).**



A. View Northeast of  
Opening along River Bank  
(Note Shovel Test MM9 on  
Lower Left Side of Frame)



B. Depressed Area Showing Metal Trash  
Within Fill (Note Shovel Tests KP6 and KP7  
Marked By Red/White Flagging Tape Center  
of Frame)

**Figure 4. View of ferry feature depression at 9GO59 (from Keith et al. 2013).**



Figure 5. Metal Gears/Pulley Parts from Feature 1 at 9GO59 (Keith et al. 2013).

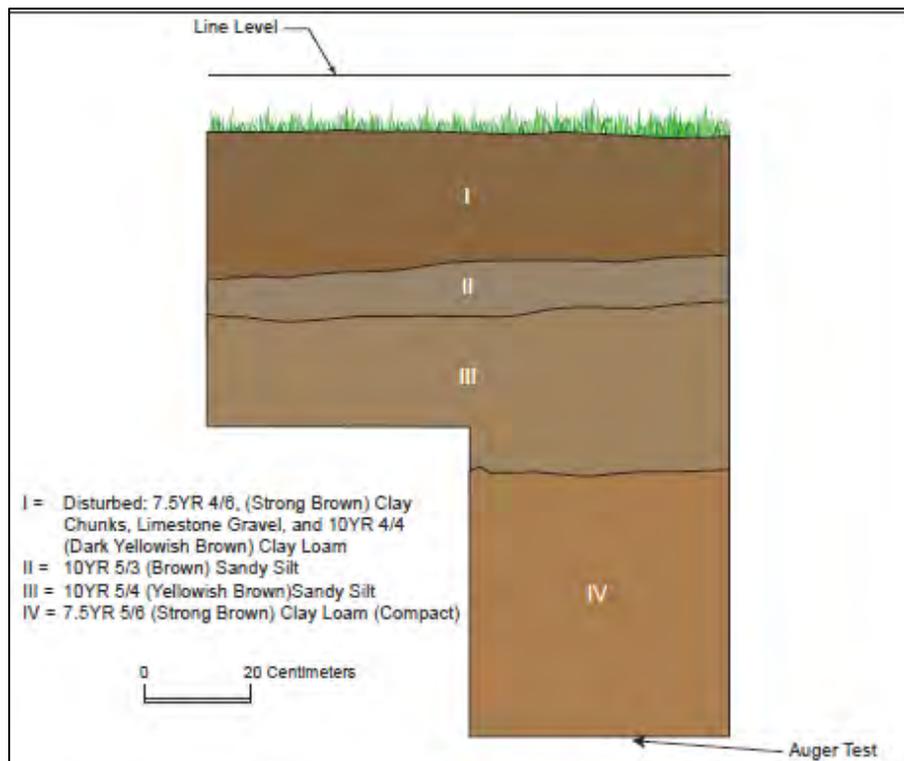
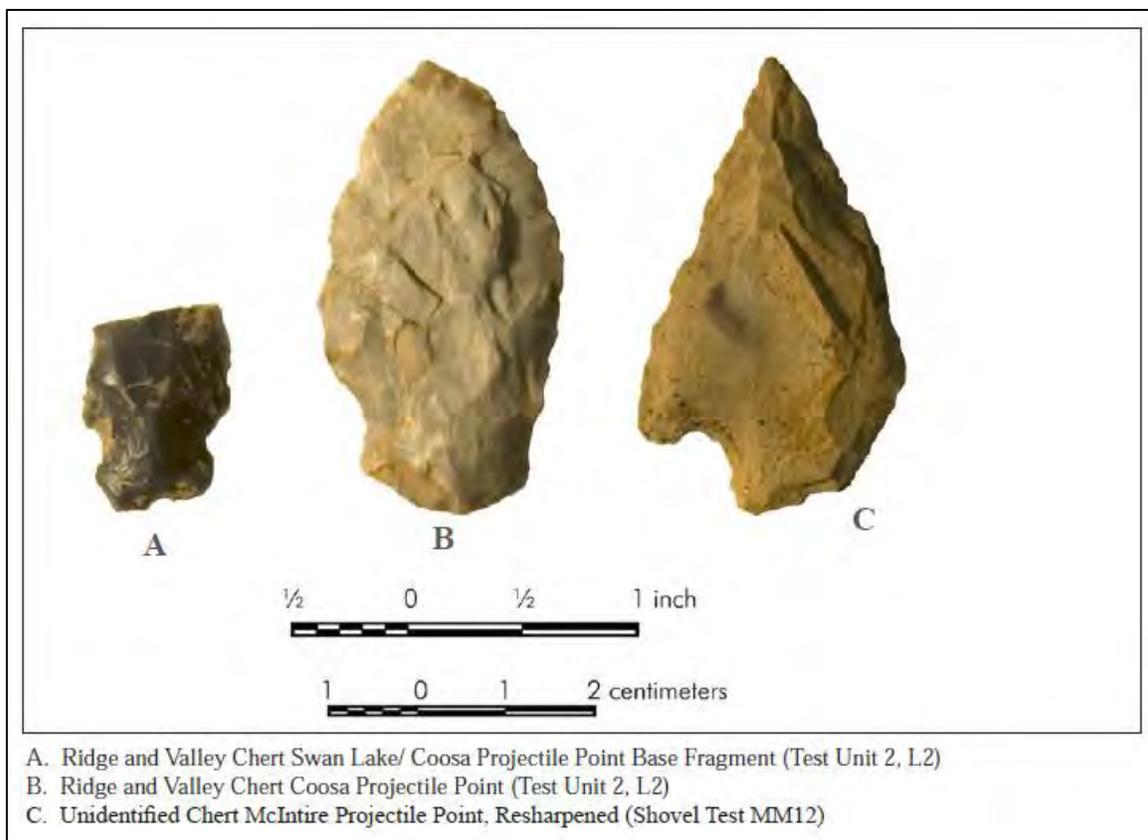


Figure 6. Soil Profile of Test Unit 2, South Wall (from Keith et al. 2013).



**Figure 7. Selected lithic artifacts from 9GO59 (from Keith et al. 2013).**

*File Copy*

NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY - NOMINATION FORM

(Type all entries - complete applicable sections)

|                   |      |
|-------------------|------|
| STATE:<br>Georgia |      |
| COUNTY:<br>Gordon |      |
| FOR NPS USE ONLY  |      |
| ENTRY NUMBER      | DATE |
|                   |      |

1. NAME

COMMON:  
New Echota

AND/OR HISTORIC:

2. LOCATION

STREET AND NUMBER:  
Highway 225

CITY OR TOWN:  
Calhoun

|                  |            |                   |             |
|------------------|------------|-------------------|-------------|
| STATE<br>Georgia | CODE<br>13 | COUNTY:<br>Gordon | CODE<br>129 |
|------------------|------------|-------------------|-------------|

3. CLASSIFICATION

| CATEGORY<br>(Check One)                                                                                                                                                               | OWNERSHIP                                                                                                                                                     | STATUS                                                                                                                                                   | ACCESSIBLE TO THE PUBLIC                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> District <input type="checkbox"/> Building<br><input type="checkbox"/> Site <input type="checkbox"/> Structure<br><input type="checkbox"/> Object | <input checked="" type="checkbox"/> Public<br><input type="checkbox"/> Private<br><input type="checkbox"/> Both                                               | Public Acquisition:<br><input type="checkbox"/> In Process<br><input type="checkbox"/> Being Considered                                                  | <input checked="" type="checkbox"/> Occupied<br><input type="checkbox"/> Unoccupied<br><input type="checkbox"/> Preservation work in progress                                   |
| PRESENT USE (Check One or More as Appropriate)                                                                                                                                        |                                                                                                                                                               |                                                                                                                                                          |                                                                                                                                                                                 |
| <input type="checkbox"/> Agricultural<br><input type="checkbox"/> Commercial<br><input type="checkbox"/> Educational<br><input type="checkbox"/> Entertainment                        | <input type="checkbox"/> Government<br><input type="checkbox"/> Industrial<br><input type="checkbox"/> Military<br><input checked="" type="checkbox"/> Museum | <input type="checkbox"/> Park<br><input type="checkbox"/> Private Residence<br><input type="checkbox"/> Religious<br><input type="checkbox"/> Scientific | <input type="checkbox"/> Transportation<br><input type="checkbox"/> Other (Specify) _____<br><input checked="" type="checkbox"/> Comments<br>State _____<br>Historic Site _____ |

4. OWNER OF PROPERTY

OWNER'S NAME:  
Georgia Historical Commission

STREET AND NUMBER:  
116 Mitchell St., S.W.

CITY OR TOWN:  
Atlanta

STATE:  
Georgia

CODE:  
13

5. LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC.:  
Office of Clerk, Superior Court of Gordon County

STREET AND NUMBER:  
Gordon County Courthouse

CITY OR TOWN:  
Calhoun

STATE:  
Georgia

CODE:  
13

6. REPRESENTATION IN EXISTING SURVEYS

TITLE OF SURVEY:  
None

DATE OF SURVEY:     Federal     State     County     Local

DEPOSITORY FOR SURVEY RECORDS:

STREET AND NUMBER:

CITY OR TOWN:

STATE:

CODE:

SEE INSTRUCTIONS

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7. DESCRIPTION

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| CONDITION | (Check One)                                   |                                    |                               |                                       |                                                   |                                    |
|           | <input checked="" type="checkbox"/> Excellent | <input type="checkbox"/> Good      | <input type="checkbox"/> Fair | <input type="checkbox"/> Deteriorated | <input type="checkbox"/> Ruins                    | <input type="checkbox"/> Unexposed |
|           | (Check One)                                   |                                    |                               | (Check One)                           |                                                   |                                    |
|           | <input checked="" type="checkbox"/> Altered   | <input type="checkbox"/> Unaltered |                               | <input type="checkbox"/> Moved        | <input checked="" type="checkbox"/> Original Site |                                    |

DESCRIBE THE PRESENT AND ORIGINAL (If known) PHYSICAL APPEARANCE

The Cherokee Capital, New Echota, was a lost village until 1953. That year research culminated in the discovery of the exact site, a corn field near Calhoun, close by the confluence of the Oostanaula and Coosawattee Rivers. On a knoll overlooking the village site, a dilapidated frame house stood which later proved to be the home and mission school built in 1827 by the Reverend Samuel A. Worcester, a New Englander. In 1954 and several years thereafter, archaeological excavations determined the sites of other original buildings and uncovered objects used during the Cherokee occupation. In 1956, the site of New Echota including the ramshakled remains of the Worcester House was deeded to the Georgia Historical Commission - approximately 200 acres in all. Soon thereafter the restoration of Worcester House was begun under the direction of Henry Chandlee Forman, a well-known Maryland-based restoration architect. (Forman had previously restored another Indian period structure belonging to the Commission, Vann House, which is now on the National Register.) To execute reconstructions of the Indian governmental buildings, another architect entered the picture, Thomas G. Little, a Georgian who had been on the Williamsburg architectural staff since the late 1930's. In December 1957 Little wrote:

Knowing the tremendous responsibility placed on me, as the architect, for the reconstruction of New Echota I have conducted my research. This research has meant visiting, measuring, taking moldings and photographing every Cherokee Indian home built in the period of, or prior to, New Echota, that I possibly could. It has meant endless hours of reading everything related historically to New Echota. It has meant minute study of all excavation data and reports..... The laws of the Cherokee Council so clearly set up the sizes, materials, number of floors, etc. of the Printing Office and Court Building that there is no alternative other than to reconstruct precisely by their description.

Present Physical Appearance

New Echota today consists of the Worcester House; the reconstructed Supreme Court Building; the reconstructed Print Shop; a restored tavern moved in from another site; and a modern visitor's center. (Conflicting evidence on the original appearance of the Council House has so far prevented its reconstruction.)

The Worcester House (c.1827), a combined dwelling house and mission school, is a two-story frame structure with a two-tiered piazza and outside stairs to the second story school floor. (A central chimney quickly reminds even the most casual visitor that the Rev. Samuel Worcester was a New Englander.)

The Supreme Court Building (c.1827), as described by Cherokee Law and government inventories made after the Removal, was a two-story frame structure with a pyramid-type hipped roof. It has been reconstructed as such.

The basic configuration of the Print Shop (c.1827) was also prescribed by law and inventory. It is a one-story hewn-log building with a gable roof. A front door is entered in the gable end.

Vann's Tavern is a Cherokee built structure moved and re-erected at the site. Originally built by James Vann as a "public stop" at the Chattahoochee River crossing near Oscarville, Georgia, the large, two-story, hewn-log structure is representative of Indian-period taverns which stood in

SEE INSTRUCTIONS

NATIONAL REGISTER OF HISTORIC PLACES  
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| Georgia          |      |
| COUNTY           |      |
| Gordon           |      |
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| ENTRY NUMBER     | DATE |
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(Number all entries)

7. PHYSICAL APPEARANCE.

North Georgia in the early 19th century.

All of these buildings have been furnished with the appropriate equipment for their functions and period.

The only "non-period" building in the general restoration area is an interpretative structure in two senses. It contains exhibits which interpret the history and significance of New Echota and is itself an expressionistic architectural interpretation of the restoration project, designed to be compatible with and enhance the general configuration of the nearby older building types of the period 1825-1838. Though entirely contemporary in feeling it is a carefully calculated architectural statement about New Echota. The pitch of its roofs, the tone, the bond, and texture of its brick walls, the interior colors taken from the Commission's Cherokee period Vann House; the village cluster effect of its small enclosed spaces for exhibits and storage-all have been designed to be compatible with and express, but not dominate, the serenity and historicity of New Echota Restoration Village.

**SIGNIFICANCE**

PERIOD (Check One or More as Appropriate)

- Pre-Columbian;       16th Century       18th Century       20th Century  
 15th Century       17th Century       19th Century

SPECIFIC DATE(S) (If Applicable and Known) 1825-1838

AREAS OF SIGNIFICANCE (Check One or More as Appropriate)

- |                                                  |                                                |                                                   |                                                     |
|--------------------------------------------------|------------------------------------------------|---------------------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> Aboriginal              | <input checked="" type="checkbox"/> Education  | <input checked="" type="checkbox"/> Political     | <input type="checkbox"/> Urban Planning             |
| <input type="checkbox"/> Prehistoric             | <input type="checkbox"/> Engineering           | <input checked="" type="checkbox"/> Religion/Phi- | <input checked="" type="checkbox"/> Other (Specify) |
| <input checked="" type="checkbox"/> Historic     | <input type="checkbox"/> Industry              | losophy                                           | <u>History</u>                                      |
| <input type="checkbox"/> Agriculture             | <input type="checkbox"/> Invention             | <input type="checkbox"/> Science                  | _____                                               |
| <input checked="" type="checkbox"/> Architecture | <input checked="" type="checkbox"/> Landscape  | <input type="checkbox"/> Sculpture                | _____                                               |
| <input type="checkbox"/> Art                     | Architecture                                   | <input type="checkbox"/> Social/Human-            | _____                                               |
| <input type="checkbox"/> Commerce                | <input checked="" type="checkbox"/> Literature | itarian                                           | _____                                               |
| <input type="checkbox"/> Communications          | <input checked="" type="checkbox"/> Military   | <input type="checkbox"/> Theater                  | _____                                               |
| <input checked="" type="checkbox"/> Conservation | <input type="checkbox"/> Music                 | <input type="checkbox"/> Transportation           | _____                                               |

STATEMENT OF SIGNIFICANCE

New Echota Restoration Village tells the history of the Cherokee Nation in North Georgia during the 13 years when New Echota was the Cherokee Capital, 1825-1838. It is a little known but dramatic story which ended in the signing of a treaty which led to the Cherokee's Removal to the West and their capital's almost total disappearance. Renewed interest in the 1950's relocated the site and restoration was begun. The village consists of the Worcester House, the restored dwelling of a missionary; the reconstructed Supreme Court Building; the reconstructed Cherokee Phoenix Print Shop; a restored tavern moved in from another site; the original cemetery; and a modern visitor's center.

New Echota was the capital of an independent Indian nation, patterning its government on the United States and spread across present day northern Georgia into western North Carolina, eastern Tennessee and northwestern Alabama. Originally New Echota was called New Town. As early as 1819 the Council House there was the primary meeting place of the legislature. The name change occurred in 1825 when New Echota was established as the official Cherokee capital. Increased political activity demanded more facilities and in 1826 the National Council authorized the repair of the Council House and the construction of a Courthouse in which the Cherokee Supreme Court would meet to hear cases appealed from circuit and district courts throughout the Nation.

In 1827 the Reverend Samuel A. Worcester came to New Echota and established a mission school under the auspices of the American Board of Commissioners for Foreign Missions in Boston. Classes were held in an upper room of Worcester's New Echota home but soon expanded enough to require utilizing the Courthouse and Council House when those bodies were not in session. A dedicated friend of the Cherokees, Worcester worked closely with Indian leaders on one of the most significant accomplishments in Cherokee history and culture - the establishment of a national newspaper and print shop. Overseer of this accomplishment was Elias Boudinot, a New England-educated Cherokee who served as editor of the Cherokee Phoenix, the world's first Indian language newspaper. Printed in English and in the Cherokee characters devised by Sequoyah in 1821, the first edition appeared on February 21, 1828 and was issued thereafter from the Print Shop until 1834. (Sequoyah - or George Guess, or Gist - was the mixed-blood genius who made the Cherokee Nation literate almost over night by his invention of a Cherokee syllabary.)

Thus, with a national newspaper and printing office, a legislative hall, a supreme court house, a mission school and several dwellings and commercial establishments in its capital town, the Cherokee Nation possessed a unique seat of government - as compared with other Indian tribes of the past century.

SEE INSTRUCTIONS

9. MAJOR BIBLIOGRAPHICAL REFERENCES

\_\_\_\_\_, Laws of the Cherokee Nation: Adopted by the Council at Various Periods. (Tahlequah, Cherokee Nation: Cherokee Advocate Office, 1852).  
 Malone, Henry T., Cherokees of the Old South. (Athens: University of Georgia Press, 1956).  
 Mitchell, William R., Jr., "A Report on New Echota Restoration," July 1969. National Park Service, New Echota: Birthplace of the American Indian Press. Popular Study Series, 1941.  
 \_\_\_\_\_, Records of the Bureau of Indian Affairs. Valuations of Property in Cass County, Georgia, 1836.

10. GEOGRAPHICAL DATA

| LATITUDE AND LONGITUDE COORDINATES<br>DEFINING A RECTANGLE LOCATING THE PROPERTY |                         |                         | O<br>R | LATITUDE AND LONGITUDE COORDINATES<br>DEFINING THE CENTER POINT OF A PROPERTY<br>OF LESS THAN TEN ACRES |                         |  |
|----------------------------------------------------------------------------------|-------------------------|-------------------------|--------|---------------------------------------------------------------------------------------------------------|-------------------------|--|
| CORNER                                                                           | LATITUDE                | LONGITUDE               |        | LATITUDE                                                                                                | LONGITUDE               |  |
|                                                                                  | Degrees Minutes Seconds | Degrees Minutes Seconds |        | Degrees Minutes Seconds                                                                                 | Degrees Minutes Seconds |  |
| NW                                                                               | 34 ° 32 ' 33 "          | 84 ° 54 ' 35 "          |        | ° ' "                                                                                                   | ° ' "                   |  |
| NE                                                                               | 34 ° 32 ' 33 "          | 84 ° 53 ' 48 "          |        |                                                                                                         |                         |  |
| SE                                                                               | 34 ° 32 ' 10 "          | 84 ° 53 ' 48 "          |        |                                                                                                         |                         |  |
| SW                                                                               | 34 ° 32 ' 10 "          | 84 ° 54 ' 35 "          |        |                                                                                                         |                         |  |

APPROXIMATE ACREAGE OF NOMINATED PROPERTY: 200 acres

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

| STATE: | CODE | COUNTY  | CODE |
|--------|------|---------|------|
|        |      |         |      |
| STATE: | CODE | COUNTY: | CODE |
|        |      |         |      |
| STATE: | CODE | COUNTY: | CODE |
|        |      |         |      |
| STATE: | CODE | COUNTY: | CODE |
|        |      |         |      |

11. FORM PREPARED BY

NAME AND TITLE: William R. Mitchell, Jr., Director, Georgia Historic Sites Survey  
Carole Summers

ORGANIZATION: Georgia Historical Commission DATE: April 30, 1971

STREET AND NUMBER: 116 Mitchell St., S.W.

CITY OR TOWN: Atlanta STATE: Georgia CODE: 13

12. STATE LIAISON OFFICER CERTIFICATION NATIONAL REGISTER VERIFICATION

As the designated State Liaison Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service. The recommended level of significance of this nomination is:

National  State  Local

Name Mary Gregory Juwett Title State Liaison Officer Date April 30, 1971

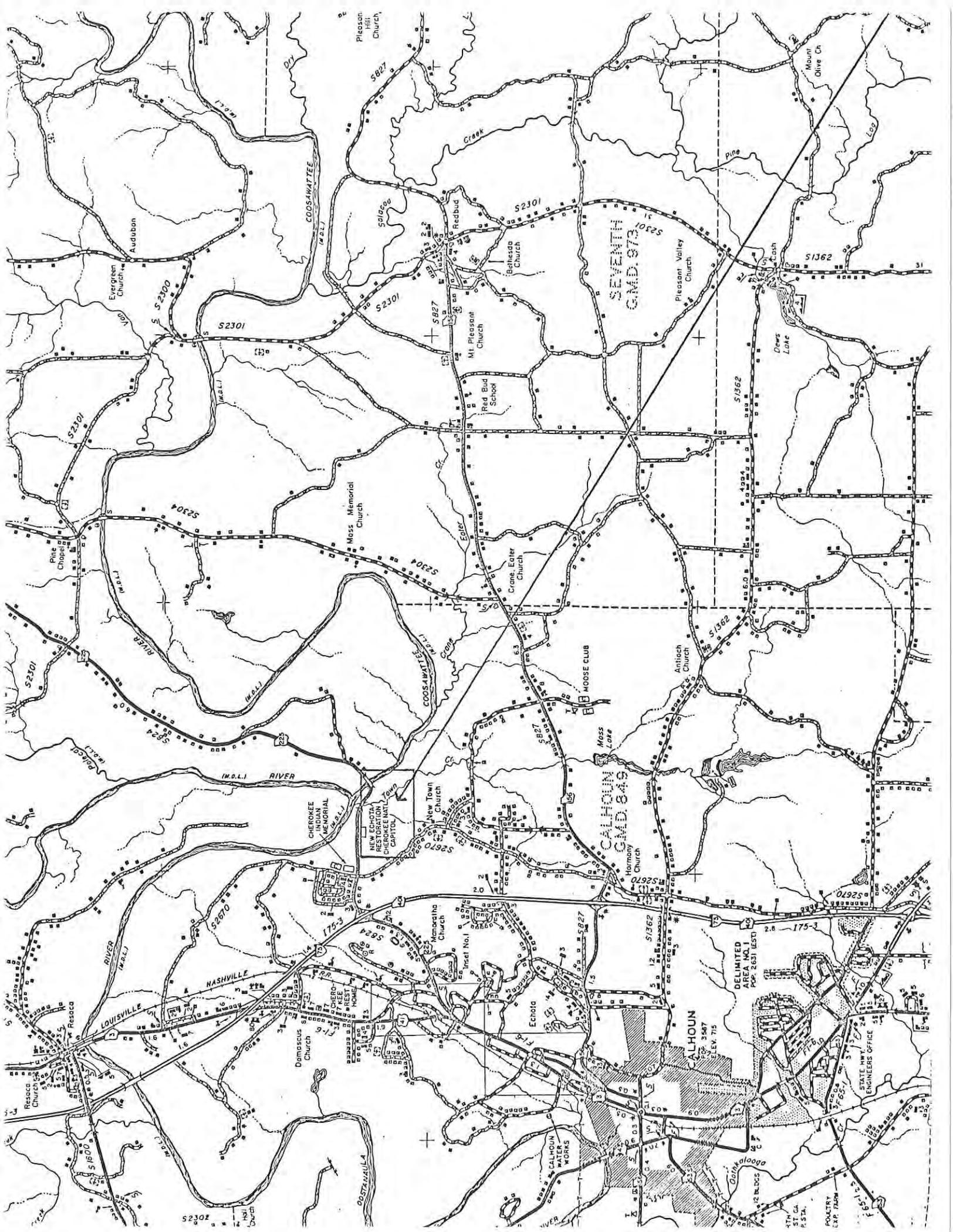
I hereby certify that this property is included in the National Register.

\_\_\_\_\_  
 Chief, Office of Archeology and Historic Preservation

ATTEST: \_\_\_\_\_  
 Keeper of The National Register

Date \_\_\_\_\_

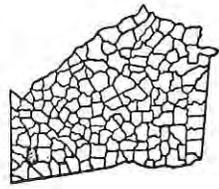
SEE INSTRUCTIONS



- LEVEE OR DIKE, WITH ROAD
- CATTLE GUARD
- HIGHWAY GRADE SEPARATION
- AIRPORTS
- MILITARY FIELD
- COMMERCIAL OR MUNICIPAL FIELD, WITH COMPLETE FACILITIES
- RUNWAYS, SHOWN IN APPROXIMATE POSITION
- COMMERCIAL MUNICIPAL FIELD, WITH COMPLETE FACILITIES
- LANDING AREA OR STRIP
- AIRWAY LIGHT BEACON
- MISCELLANEOUS MAP FEATURES
- PROMINENT ELEVATION (FEET ABOVE SEA LEVEL)
- MOUNTAIN PASS
- ARMORY
- TRIANGULATION STATION
- GATE
- LATITUDE
- LONGITUDE
- TRANSVERSE MERCATOR COORDINATES
- LEVEL OR DIKE
- UNDERGROUND TELEPHONE OR RADIO CABLE
- RADIO OR TELEVISION STATION (WITH CALL LETTERS)
- CONSERVATION AND RECREATION
- SWIMMING POOL
- SCENIC SITE
- CAMPING AREA (TENTS OR TRAILERS)
- LODGE OR CAMP, PERMANENT
- AF—ATHLETIC FIELD
- SP—SMALL STATE PARK
- AP—AMUSEMENT PARK
- CP—COMMUNICATIVE PARK
- C—COUNTRY CLUB OR GOLF COURSE
- RA—REST AREA
- FOREST RANGER STATION
- STATE WELCOME CENTER
- PICNIC GROUND
- OBSERVATION OR LOOKOUT TOWER
- FISH HATCHERY
- FAIRGROUND, RACE COURSE OR SPEEDWAY
- DRIVE-IN THEATER
- MONUMENT (SMALL HISTORIC SITE)
- NOTE: ALL VACANT CULTURE INDICATED BY OPEN SYMBOL

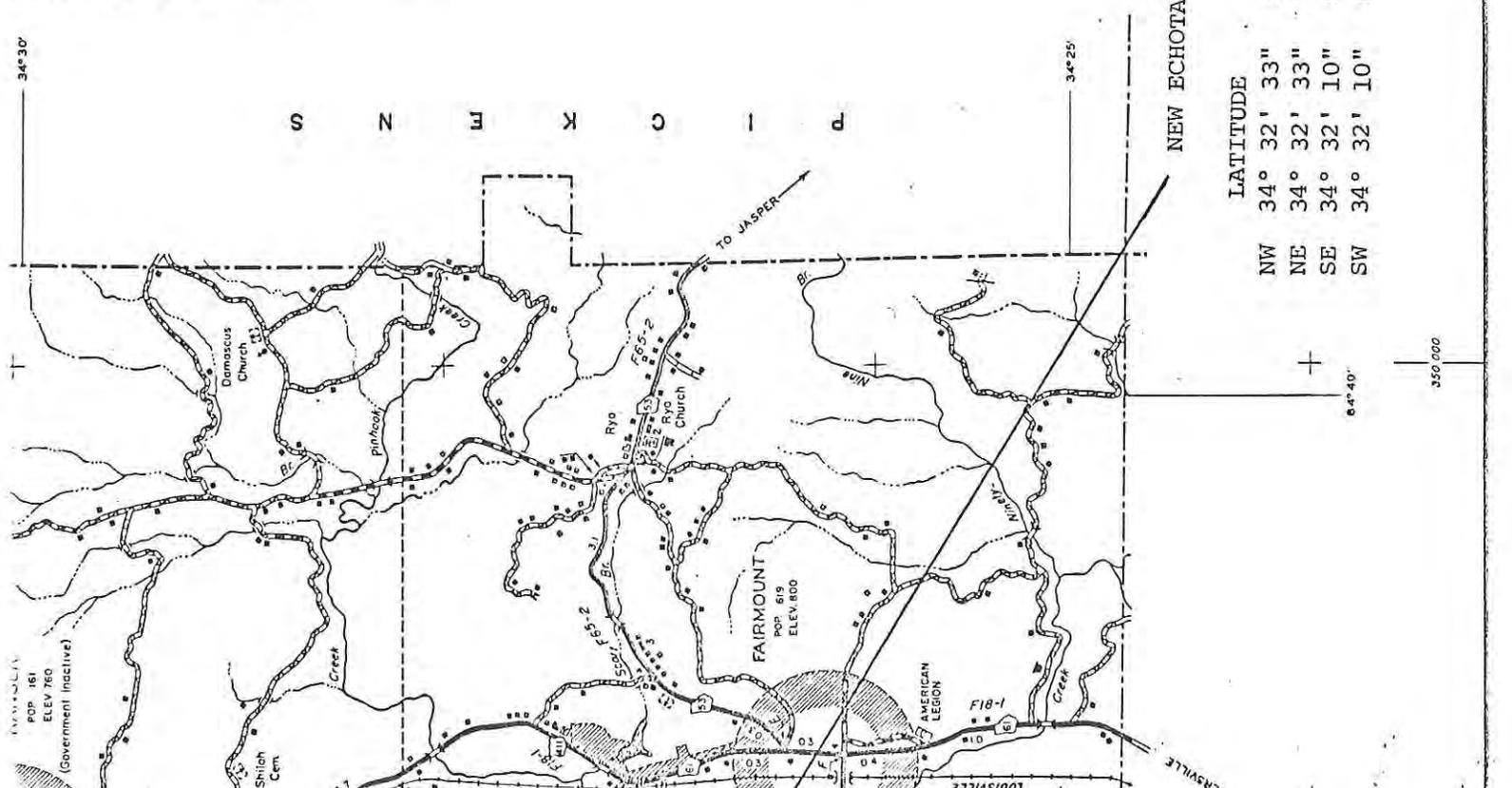
# GENERAL HIGHWAY MAP GORDON COUNTY GEORGIA

PREPARED BY THE  
STATE HIGHWAY DEPARTMENT OF GEORGIA  
DIVISION OF HIGHWAY PLANNING  
IN COOPERATION WITH  
U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION  
BUREAU OF PUBLIC ROADS



| REVISIONS: | FEATURE                          | DATE          |
|------------|----------------------------------|---------------|
|            | COMPLETE REINVENTORY             | APRIL, 1967   |
|            | FEDERAL-AID, PRIMARY & SECONDARY |               |
|            | ROUTES CORRECTED TO              | JULY 26, 1965 |
|            | SR 143, SR 83 RELOCATED, SR 333P |               |
|            | EXTENDED                         | OCT. 9, 1967  |
|            |                                  |               |
|            |                                  |               |
|            |                                  |               |
|            |                                  |               |
|            |                                  |               |

COSSA RIVER SOIL & WATER CONSERVATION DISTRICT embraces this county.



|    | LATITUDE    | LONGITUDE   |
|----|-------------|-------------|
| NW | 34° 32' 33" | 84° 54' 35" |
| NE | 34° 32' 33" | 84° 53' 48" |
| SE | 34° 32' 10" | 84° 53' 48" |
| SW | 34° 32' 10" | 84° 54' 35" |

TRANSVERSE MERCATOR CONFORMAL PROJECTION  
12500-FOOT GRID COMPUTED FROM  
"TRANSVERSE MERCATOR PROJECTION TABLES FOR GEORGIA"

350,000

Form 10-300  
(July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

### NATIONAL REGISTER OF HISTORIC PLACES INVENTORY - NOMINATION FORM

(Type all entries - complete applicable sections)

**STATE:** Georgia

**COUNTY:** Gordon

**FOR NPS USE ONLY**

|              |      |
|--------------|------|
| ENTRY NUMBER | DATE |
|--------------|------|

**1. NAME**

COMMON: New Echota

AND/OR HISTORIC: New Echota

**2. LOCATION**

STREET AND NUMBER: Route 225

CITY OR TOWN: Calhoun

STATE: Georgia      CODE:      COUNTY: Gordon      CODE:

**3. CLASSIFICATION**

| CATEGORY<br>(Check One)                                                                                                                                        | OWNERSHIP                                                                                                                                                     | STATUS                                                                                                                                                              | ACCESSIBLE TO THE PUBLIC                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> District<br><input checked="" type="checkbox"/> Site<br><input type="checkbox"/> Object                                               | <input checked="" type="checkbox"/> Public<br><input type="checkbox"/> Private<br><input type="checkbox"/> Both                                               | Public Acquisition:<br><input type="checkbox"/> In Process<br><input type="checkbox"/> Being Considered                                                             | <input checked="" type="checkbox"/> Occupied<br><input type="checkbox"/> Unoccupied<br><input type="checkbox"/> Preservation work in progress |
| PRESENT USE (Check One or More as Appropriate)                                                                                                                 |                                                                                                                                                               |                                                                                                                                                                     |                                                                                                                                               |
| <input type="checkbox"/> Agricultural<br><input type="checkbox"/> Commercial<br><input type="checkbox"/> Educational<br><input type="checkbox"/> Entertainment | <input type="checkbox"/> Government<br><input type="checkbox"/> Industrial<br><input type="checkbox"/> Military<br><input checked="" type="checkbox"/> Museum | <input checked="" type="checkbox"/> Park<br><input type="checkbox"/> Private Residence<br><input type="checkbox"/> Religious<br><input type="checkbox"/> Scientific | <input type="checkbox"/> Transportation<br><input type="checkbox"/> Other (Specify) _____                                                     |

Yes:  
 Restricted  
 Unrestricted  
 No

Comments: State \_\_\_\_\_  
Historic Site \_\_\_\_\_

**4. OWNER OF PROPERTY**

OWNER'S NAME: Georgia Historical Commission

STREET AND NUMBER: 116 Mitchell Street, S.W.

CITY OR TOWN: Atlanta      STATE: Georgia      CODE:

**5. LOCATION OF LEGAL DESCRIPTION**

COURTHOUSE, REGISTRY OF DEEDS, ETC.: Office of the Clerk, Superior Court of Grodon County

STREET AND NUMBER: Gordon County Courthouse

CITY OR TOWN: Calhoun      STATE: Georgia      CODE:

**6. REPRESENTATION IN EXISTING SURVEYS**

TITLE OF SURVEY:

DATE OF SURVEY:       Federal       State       County       Local

DEPOSITORY FOR SURVEY RECORDS:

STREET AND NUMBER:

CITY OR TOWN:      STATE:      CODE:

SEE INSTRUCTIONS

STATE:      COUNTY:      ENTRY NUMBER:      DATE:      FOR NPS USE ONLY

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NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY - NOMINATION FORM

(Continuation Sheet)

|                  |      |
|------------------|------|
| Georgia          |      |
| COUNTY           |      |
| Gordon           |      |
| FOR NPS USE ONLY |      |
| ENTRY NUMBER     | DATE |
|                  |      |

(Number all entries)

7. Description: (1) New Echota

Vann's Tavern is a Cherokee built structure moved and re-erected at the site. Originally built by James Vann as a "public stop" at the Chattahoochee River crossing near Oscarville, Georgia, the large two-story, hewn-log structure is representative of Indian-period taverns.

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SIGNIFICANCE

PERIOD (Check One or More as Appropriate)

- Pre-Columbian
- 15th Century
- 16th Century
- 17th Century
- 18th Century
- 19th Century
- 20th Century

SPECIFIC DATE(S) (If Applicable and Known) 1825-1838

AREAS OF SIGNIFICANCE (Check One or More as Appropriate)

- |                                              |                                                 |                                                         |                                          |
|----------------------------------------------|-------------------------------------------------|---------------------------------------------------------|------------------------------------------|
| <input type="checkbox"/> Aboriginal          | <input type="checkbox"/> Education              | <input checked="" type="checkbox"/> Political           | <input type="checkbox"/> Urban Planning  |
| <input type="checkbox"/> Prehistoric         | <input type="checkbox"/> Engineering            | <input type="checkbox"/> Religion/Philosophy            | <input type="checkbox"/> Other (Specify) |
| <input checked="" type="checkbox"/> Historic | <input type="checkbox"/> Industry               | <input type="checkbox"/> Science                        | _____                                    |
| <input type="checkbox"/> Agriculture         | <input type="checkbox"/> Invention              | <input type="checkbox"/> Sculpture                      | _____                                    |
| <input type="checkbox"/> Architecture        | <input type="checkbox"/> Landscape Architecture | <input checked="" type="checkbox"/> Social/Humanitarian | _____                                    |
| <input type="checkbox"/> Art                 | <input type="checkbox"/> Literature             | <input type="checkbox"/> Theater                        | _____                                    |
| <input type="checkbox"/> Commerce            | <input type="checkbox"/> Military               | <input type="checkbox"/> Transportation                 | _____                                    |
| <input type="checkbox"/> Communications      | <input type="checkbox"/> Music                  |                                                         | _____                                    |
| <input type="checkbox"/> Conservation        |                                                 |                                                         | _____                                    |

SEE INSTRUCTIONS

STATEMENT OF SIGNIFICANCE

The Cherokee Capital at New Echota, is a high point in the cultural transition of the Cherokee nation. It was here that their adopted anglo-American culture was institutionalized and where their cultural attributes of "civilization" were most visible. New Echota was the first truly "national" capital of the Cherokees, their having adopted a constitution in 1827 two years after the establishment of the town in 1825. The first Cherokee newspaper, The Cherokee Phoenix, utilizing the achievement of Sequoyah's syllabary, was published here in 1828. This marked the introduction of a way to literacy for the Cherokee people and helped nationalize them. New Echota was the setting for the great Supreme Court case of Worcester v. Georgia, in which Chief Justice Marshall established another precedent for the overriding authority of the Federal government. It was here in 1835 that the infamous Treaty of New Echota was signed, establishing the basic pretext for final removal of the Cherokee to the west and the launching of the tragic "Trail of Tears."

History

On November 12, 1825, the legislature of the Cherokee Nation adopted a resolution providing for the establishment of a capital, called New Echota. This new seat of government became headquarters for the independent Indian nation.

By this time the Cherokees had discarded the traditional Indian clan system of ruling a tribe, with an indefinite number of clan chiefs and town chiefs making up the tribal council. Instead, they patterned their government after that of the United States, creating a republican form of control. The nation was divided into eight districts and a legislature established to make laws and approve treaties. Four delegates from each district were elected to the lower house, the National Council. This body chose the 12 members of the upper house, the National Committee. In turn, the National Committee selected the top level officers--Principal Chief, Assistant Principal Chief, and treasurer.

The principal meeting place of the legislative branch of the Cherokee government was the Council House. The name New Echota honored Chota, an "old beloved town" long remembered in the tribal history. Old Chota was located in present-day eastern Tennessee. (continued)

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NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY - NOMINATION FORM

(Continuation Sheet)

|                  |      |
|------------------|------|
| COUNTY           |      |
| Gordon           |      |
| FOR NPS USE ONLY |      |
| ENTRY NUMBER     | DATE |
|                  |      |

(Number all entries)

8. Significance: (1) New Echota

A remarkable development in the Cherokee progress came in 1821, when the principal men adopted a written form of their native language. It was the invention of a mixed-blood Cherokee named Sequoyah (or George Guess, or Gist). Sequoyah, who with some 800 Cherokees had participated in the Creek War of 1813-14 on the side of the United States, succeeded after many years of experimentation in creating a syllabary for the Cherokees. The symbols in his language represent syllables. The Indians had but to memorize the characters and they were literate. Thus the Cherokees had a means of communication unique among American Indians of that time. This invention, so important to the Cherokees, was put to use at New Echota in the Print Shop, which the National Committee and Council approved in 1826. Here the Cherokees established a national press and newspaper. From the New Echota print shop the first issue of the Cherokee Phoenix appeared on February 21, 1828, printed in Cherokee and English.

Much of the cost of outfitting the Indian newspaper was paid for by the American Board of Commissioners for Foreign Missions in Boston. One of the ablest missionaries sent out by the American Board was the Reverend Samuel A. Worcester, who arrived in New Echota in 1827. He built a home near the capital, which remained standing while other New Echota buildings disappeared. This house has been renovated by the Georgia Historical Commission as part of the New Echota Restoration. An upper room in this building was used as a mission school by Mr. Worcester, but the large classes attracted to his work led him to utilize the Cherokee buildings when Council and Court were not in session.

Worcester became a famous man by having his name associated with the celebrated case of Worcester v. Georgia, establishing a major legal precedent for the power of the Federal government. In 1830, the State of Georgia passed a series of acts intended to extend state jurisdiction to Cherokee lands and, in effect confiscate the property. Worcester and his fellow missionaries counseled resistance to this move. On July 7, some of them, including Worcester were seized by the Georgia Guard, carried before a state court, tried, and convicted of violating the state law against white persons remaining in the Cherokee country without subscribing to an oath of allegiance to the state and securing a license to remain; and as punishment, were sentenced to serve four years in the penitentiary at hard labor. An appeal was taken from this judgment to the supreme court of the United States and this being a proper case for determination by that court, the wrongs perpetrated by the State of Georgia upon the Cherokee Indians were characterized and denounced. Chief Justice Marshall in one of his great opinions held that the acts of the state were unconstitutional and violated the rights of the petitioners and of the Cherokee Indians under the solemn

(continued)

(S.L.G.)

NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY - NOMINATION FORM

(Continuation Sheet)

|                  |      |
|------------------|------|
| Georgia          |      |
| COUNTY           |      |
| Gordon           |      |
| FOR NPS USE ONLY |      |
| ENTRY NUMBER     | DATE |
|                  |      |

(Number all entries)

8. Significance: (2) New Echota

treaty made with them by the United States; the conviction rendered in the State of Georgia was reversed and set aside and the missionaries were ordered released from imprisonment. However, officials of Georgia refused to obey the mandate of the supreme court and did not release Doctor Worcester for many months after the judgment of the supreme court was announced. It was said that President Jackson in commenting on the decision in favor of the rights of the Cherokee Indians remarked: "John Marshall has rendered his decision; now let him enforce it."

One of the buildings at New Echota which Worcester used for mission purposes was the Court House, which reflects the Cherokee's legal progress. In the Court House the Cherokee Supreme Court met to hear cases appealed from Cherokee circuit and district courts. Police officers for the Nation were a marshal and a ranger in each district.

Accompanying Cherokee developments in government, law, and religion was a general adoption of the American frontier economy. This Indian nation of farmers (93% of the Cherokees, according to the Federal Removal Census of 1835, were agrarian) tilled their land and lived in houses of trimmed or unhewn logs, clapboards or stone, depending on their individual circumstances. Some Indians owned Negro slaves. Several Indian dwellings were at New Echota, as were a number of stores.

Thus, with a national newspaper and printing office, a legislative hall, a supreme court house, a mission station, and several dwellings and commercial establishments in its capital town, the Cherokee Nation possessed a dramatic and unusual seat of government.

It was ironic that while the Cherokees were perfecting this borrowed national mechanism for the survival of their homeland, the people from whom they adopted that political system were actively pursuing their demise. By 1835, President Jackson ministered over 5 years of unresolved negotiations for removal of the Cherokee. The Cherokees, under the skillful leadership of John Ross consistently rejected treaty offerings. In exasperation government agents at Red Clay, Tennessee, after the rejection of the Schermerhorn treaty, in October 1835, called a meeting at New Echota. There on December 29, in the presence of a scant number of Indians, they signed an infamous treaty with a minority faction and established the pretext for removal.

(continued)

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Form 10-300e  
(July 1969)

UNIT: STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY - NOMINATION FORM**

(Continuation Sheet)

|                  |      |
|------------------|------|
| Georgia          |      |
| COUNTY           |      |
| Gordon           |      |
| FOR NPS USE ONLY |      |
| ENTRY NUMBER     | DATE |
|                  |      |

(Number all entries)

8. Significance: (3) New Echota

The expulsion of the Cherokee was inevitable with the outlaw bands set loose by this questionable document. Looting, burning, and confiscating, they quickly drove the Indians to despair. Hope was finally lost when General Winfield Scott took charge of removal, establishing his command at New Echota in 1838.

208

9. MAJOR BIBLIOGRAPHICAL REFERENCES

Files, Georgia Historical Commission, Atlanta, Georgia

Malone, Henry T., Cherokees of the Old South, Athens, Georgia, University of Georgia Press, 1956.

Foreman, Grant, Indian Removal, Norman, Oklahoma, University of Oklahoma Press, 1953.

10. GEOGRAPHICAL DATA

| LATITUDE AND LONGITUDE COORDINATES DEFINING A RECTANGLE LOCATING THE PROPERTY |                         |                         | LATITUDE AND LONGITUDE COORDINATES DEFINING THE CENTER POINT OF A PROPERTY OF LESS THAN TEN ACRES |                 |
|-------------------------------------------------------------------------------|-------------------------|-------------------------|---------------------------------------------------------------------------------------------------|-----------------|
| CORNER                                                                        | LATITUDE                | LONGITUDE               |                                                                                                   |                 |
|                                                                               | Degrees Minutes Seconds | Degrees Minutes Seconds | Degrees                                                                                           | Minutes Seconds |
| NW                                                                            | 34 ° 32 ' 33 "          | 84 ° 54 ' 35 "          |                                                                                                   |                 |
| NE                                                                            | 34 ° 32 ' 33 "          | 84 ° 53 ' 48 "          |                                                                                                   |                 |
| SE                                                                            | 34 ° 32 ' 10 "          | 84 ° 53 ' 48 "          |                                                                                                   |                 |
| SW                                                                            | 34 ° 32 ' 10 "          | 84 ° 54 ' 35 "          |                                                                                                   |                 |

APPROXIMATE ACREAGE OF NOMINATED PROPERTY: 200 acres

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

| STATE: | CODE | COUNTY | CODE |
|--------|------|--------|------|
|        |      |        |      |
|        |      |        |      |
|        |      |        |      |
|        |      |        |      |

SEE INSTRUCTIONS

11. FORM PREPARED BY:

NAME AND TITLE: Benjamin Levy, Senior Historian

ORGANIZATION: Office of Archeology and Historic Preservation, History Division, National Park Service

DATE: 3/9/73

STREET AND NUMBER: 1100 L Street, N.W.

CITY OR TOWN: Washington

STATE: D.C.

12. STATE LIAISON OFFICER CERTIFICATION

As the designated State Liaison Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service. The recommended level of significance of this nomination is:

National  State  Local

Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

NATIONAL REGISTER VERIFICATION

I hereby certify that this property is included in the National Register.

Chief, Office of Archeology and Historic Preservation

Date \_\_\_\_\_

ATTEST:

Keeper of The National Register

Date \_\_\_\_\_



# Georgia Department of Natural Resources

Lonice C. Barrett, Commissioner

## Historic Preservation Division

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer  
156 Trinity Avenue S.W., Suite 101, Atlanta, Georgia 30303  
Telephone (404) 656-2840 Fax (404) 651-8739

October 31, 2002

Harvey D. Keepler  
State Environmental/Location Administrator  
Office of Environment & Location  
Georgia Department of Transportation  
3993 Aviation Circle  
Atlanta, Georgia 30336-1593

RE: New Echota Traditional Cultural Property  
Gordon County, Georgia  
FP-020813-001

Dear Mr. Keepler:

The Historic Preservation Division (HPD) has received documentation concerning New Echota, the first capitol of the Cherokee Nation, located in present day Gordon County, Georgia. Our comments are offered to assist the Federal Highway Administration and the Georgia Department of Transportation in complying with Section 106 of the National Historic Preservation Act of 1966, as amended, in transportation planning along the SR 225 corridor in the area of New Echota State Historic Site, a National Historic Landmark listed on the National Register of Historic Places.

HPD has reviewed the report entitled "A Traditional Cultural Property Study of New Echota the First Cherokee National Capitol from 1825-1838, Gordon County, Georgia," including Appendix A, Determination of Eligibility for New Echota Traditional Cultural Property, prepared by New South Associates. Based on the information contained in this report, and on the Determination of Eligibility submitted for this property, HPD concurs with the finding that New Echota should be considered eligible for listing on the National Register of Historic Places under criteria A and D as a Traditional Cultural Property. Furthermore, HPD agrees that the proposed boundary, based on historical documentation and consultation with representatives of the three Federally recognized Cherokee tribes, appears to accurately define this property.

If we may be of further assistance, please contact Betsy Shirk, Transportation Projects Review Coordinator, at (404) 463-6687.

Sincerely,



Richard Cloues  
Deputy State Historic Preservation Officer

RC/ECS

cc: Robert M. Callan, P.E., FHWA (ATTN: David Grachen/Jennifer Giersch)  
David Gomez, Superintendent, New Echota State Historic Site  
Dan Latham, Jr., Coosa Valley RDC

## VI. Recommended TCP Status of New Echota and Proposed Boundaries

Plans for the establishment of New Echota took place at the annual fall meeting at New Town on November 12, 1825. During this meeting the Cherokee National Council decided to create circular bounds for the new Cherokee capitol town:

...beginning at the mouth of the creek, opposite the mouth of Caunasauga (sic), and up said creek to the mouth of the dry branch, on which George Hicks lives, up said branch to the point of the ridges, and thence in a circle round along said ridges, by the place occupied by Crying Wolf, thence to the river (*Laws of the Cherokee Nation* 1852:63).

According to the 1982 USGS Quadrangle map of the area (see Figure 1), the creek "opposite the mouth of" the Conasauga is called Town Creek. This creek runs diagonally in a northwesterly direction through the eastern quarter of the state-owned land. Towns Creek enters the state-owned land at its southeastern corner and empties into the Coosawattee River at the northeastern corner of the Elks Club golf course, across State Highway 225 from the state land. The "dry branch" on which George Hicks lived is called McCoy's Spring Branch on Drane's 1832 map and today cuts diagonally through the middle of the Elks Club golf course, running southwest-northeast and emptying in the Coosawattee River halfway along the club's northern boundary. The location where McCoy's Spring Branch meets "point of the ridges" is in the vicinity of the state-owned New Echota Cemetery (which includes the gravesites of Chief Pathkiller and New Echota resident Harriet Boudinot), southwest of the main state owned New Echota historic complex. The "place occupied by Crying Wolf" is not known but probably falls within the southeastern part of the state land since it is the last place mentioned prior to reference to the Conasauga River.

The generally rural landscape associated with New Echota has been minimally impacted and retains a sufficient degree of integrity to act as a mnemonic setting for the appreciation of a watershed period in Cherokee history. The construction of the golf course has not diminished the traditional cultural significance of New Echota. As explained in National Register Bulletin 38, cultural values are dynamic and can often reconcile changes to the property's landscape. The bulletin cites two examples of TCP properties—a Karuk Indian ceremonial site bisected by a highway and an African-American cemetery covered by fill and modern construction—that retain cultural significance despite a loss of integrity. Interviewed spokespeople from the three federally recognized Cherokee tribal groups unanimously agreed that New Echota constitutes a Traditional Cultural Property (TCP) regardless of any impacts to the landscape.

New Echota is recommended eligible for nomination to the National Register as a TCP under Criteria A and D. Under Criterion A, New Echota is the location of several significant events in Cherokee history within the property's period of significance, 1825-1838. As the first capitol of the Cherokee Nation, New Echota was established by the Cherokee National Council in 1825. The town served as the seat of Cherokee government where officials conducted annual meetings and wrote Cherokee laws. At an 1827 convention held at New Echota, the National Council composed the Cherokee

Constitution in 1827 and created a three-member Supreme Court. New Echota was therefore the governmental center of the Nation where important political decisions that affected all the Cherokee communities were made. Another important event in Cherokee history that occurred at New Echota was the publication of the *Cherokee Phoenix*, beginning in 1828. This newspaper helped to spread the Cherokee syllabary, developed in 1821, throughout the Cherokee Nation and was the first Native American newspaper ever to be published. New Echota is also the location of the signing of the Treaty of New Echota, a treaty that resulted in the Cherokee's forced removal from the Southeast to territory in Oklahoma and Arkansas on the "Trail of Tears" in 1838 and 1839. New Echota, and Fort Wool, the stockade built next to the town where the Cherokees were held before beginning the long walk west, therefore mark the location of the beginning of the forced 1,200-mile march that took the lives of 4,000 Cherokees. Although tragic, this event played an important role in the history of the Cherokee Nation. Its aftermath created the emergence of three federally-recognized Cherokee tribes--the United Keetoowah Band (UKB), The Cherokee Nation, and The Eastern Band of Cherokee Indians. Under Criterion D, New Echota is eligible to the National Register for the information it contains regarding Cherokee history, architecture, customs, and culture.

On December 11, 2001, a consultation meeting with representatives from the three federally recognized Cherokee tribes resulted in a round-table discussion of the proposed TCP boundaries, followed by a pedestrian tour of the site and a vehicle trip to the nearby New Echota Cemetery (Figures 17 and 18). The consultation revealed that the tribes agree that this historic town site constitutes the proposed TCP boundary. Representatives also felt that the New Echota Cemetery, a small square ground measuring approximately 60 feet by 60 feet, framed by a low stone wall, and situated approximately 900 feet south of the National Register and state-owned boundary, should be included in the proposed TCP. Modern, private residences now occupy the land between the New Echota State Historic Site and National Register Landmark boundary and the New Echota Cemetery. The New Echota Cemetery is historically and culturally significant and should be included in the proposed TCP boundary because it contains the gravesites of important figures in Cherokee history, interred while New Echota served as the Cherokee Nation capitol.

Because of the spatial separation between the park and the cemetery, the proposed TCP is a discontinuous district nomination. As a discontinuous district, the proposed TCP would include the town site, as well as the New Echota Cemetery. A discontinuous district also resolves the practical difficulties of incorporating the stretch of private residential properties between the park and the cemetery.

Figure 17  
Meeting at the New Echota Site Between Representatives of  
the Eastern Band of Cherokee Indians, United Keetoowah Band, Cherokee Nation,  
Georgia Department of Transportation, Federal Highway Administration, and  
New South Associates, December, 2001



Figure 18  
Tour of the New Echota Site, December, 2001



The proposed TCP boundaries differ from the National Register Landmark boundaries, which are the state-owned boundaries for the New Echota State Historic Site. The proposed boundaries are only for the TCP, and are not proposed as a modification of the existing National Register landmark boundaries (Figure 19). The existing National Register boundaries encompass the New Echota State Historic Site. These boundaries primarily follow geographical features and land lot boundaries. From the southeast corner of Land Lot 125, the boundary proceeds directly west for 3,183 feet to form the southern National Register boundary. When New Town Church Road is reached, the National Register boundary runs northwest, along the eastern side of the road, for 752.7 feet. The western National Register boundary then extends north/northeast 2,185 feet, crossing over Highway 225 to meet the northern boundary of Land Lot 124. The northern National Register boundary continues directly east for 2,222 feet along the northern boundaries of Land Lots 124 and 125 to the Coosawattee River. Following the western side of the river, the National Register boundary proceeds southeast for 1989 feet to the eastern boundary of Land Lot 125. From this point, the remainder of the eastern National Register boundary runs directly south for 963 feet to the point of beginning.

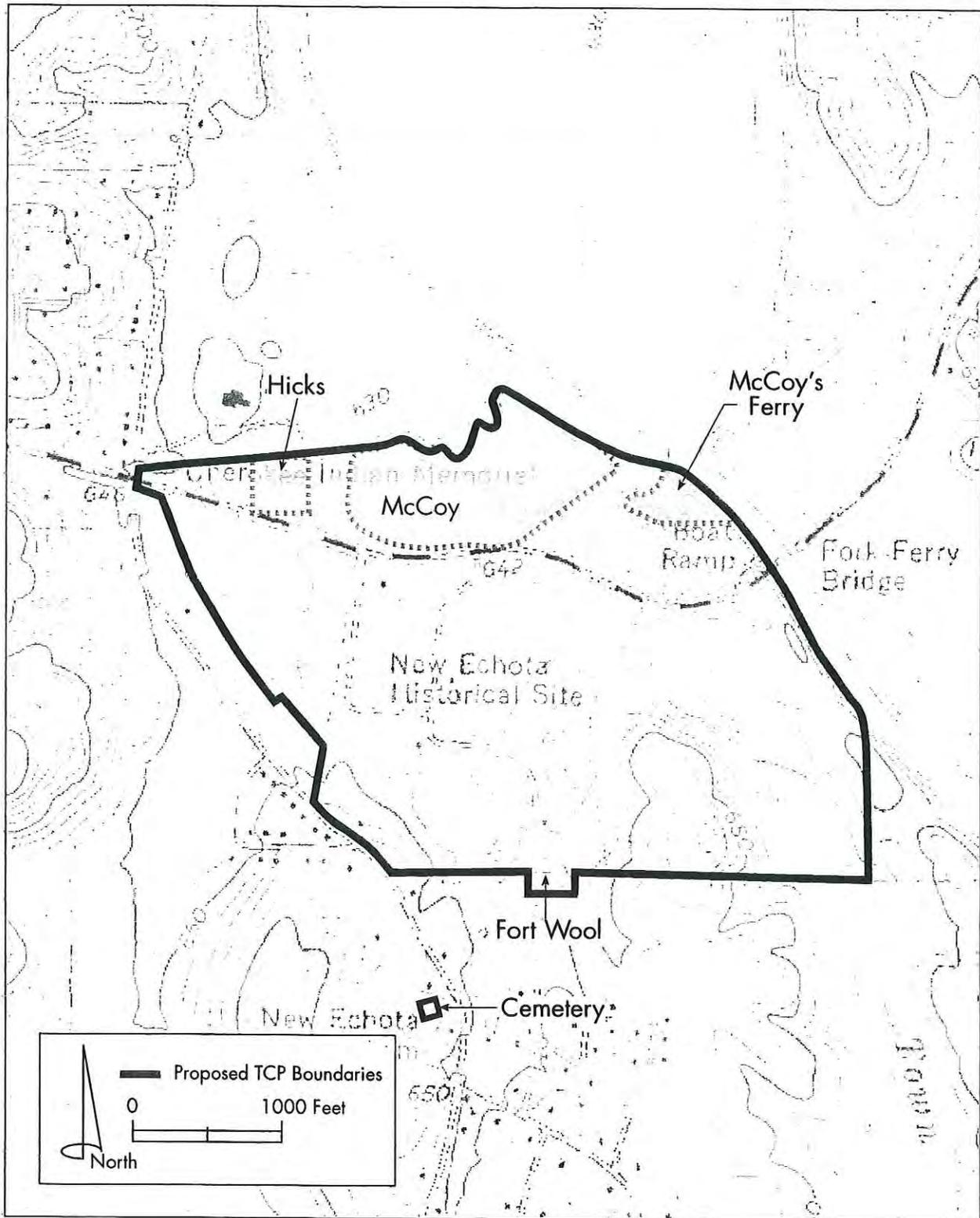
When recorded on the National Register of Historic Places in 1971, the boundaries of New Echota were limited to the state owned lands, and hence in essence were the park boundaries. While these boundaries encompass the core of the town site, the Cherokee, in discussions about the boundaries of the TCP, stated that the TCP boundaries should include as much of the historic town site as possible. The significance of New Echota to the Cherokee as a TCP lies in its place and the association with events which occurred in this place with Cherokee identity. Thus for the Cherokee, points which can be associated with the town are included in its memory and are part of the TCP. The maps in Figure 19 and Figure 20 show a graphic representation of the proposed TCP boundary for New Echota as well as its relationship to the existing National Register boundary.

An accurate estimate of New Echota's historic limits could not be obtained, mainly due to the absence of any contemporary 1825 map indicating the actual boundary. Nevertheless, the verbal description of the town, quoted previously, together with the 1832 Drane map (see Figure 5), archaeological evidence (see Figure 10), and consultation with representatives from the federally recognized Cherokee tribes, allow for a fairly reliable reconstruction of the original town boundary. Together, the evidence indicates that the six main buildings within the center of New Echota, plus the surrounding residences of Hicks, McCoy, Rogers, and Worcester, and the New Echota Cemetery fall within the New Echota area as delineated by the Cherokee National Council in 1825. The TCP boundaries were thus drawn to incorporate the historically and culturally significant sites of Fort Wool and the Hicks and McCoy properties. The proposed TCP boundary also includes of a "triangle" of lots west of the historic site, south of Highway 225 and east of Newtown Church Road. These lots were historically part of New Echota.



Figure 19. Proposed TCP Boundaries, New Echota Site

Figure 20  
TCP Boundaries Recorded on the USGS Calhoun North Quad



In terms of modern landmarks, the northern boundary of the proposed TCP starts at the Coosawattee River and closely follows the tree-lined creek that runs in a southwesterly direction through the golf course, north of the property currently leased out by the state. Judging from Drane's map, the former Hicks property is probably located west of the currently known limits of 9Go59 and north of the creek. The Hicks property is likely sandwiched between the southeastern corner of a golf course parking lot and Highway 225 and located on a highly modified and disturbed landform. In order to include the Hicks property within the proposed boundary, it is necessary to draw a line heading west/southwest from the point where the creek bends southward. The proposed boundary proceeds across the golf course to the intersection of Highway 225 and Newtown Church Road. This intersection marks the southwestern corner of the Elks Club golf course. From here the proposed boundary proceeds to the southeast, following along the rear (east) boundaries of a line of modern houses along the east side of New Town Church Road. The proposed boundary runs along the properties containing these houses to meet the west boundary of the state and National Register land. The proposed TCP boundary joins the existing National Register and state boundary and follows them south/southwest to Newtown Church Road. The boundaries continue as one along the east side of the road to the southern boundary of Land Lot 124, proceeding east until the location of Fort Wool Stockade is reached. At this point, the proposed TCP boundary skirts around to the south of the stockade site, then rejoins the National Register and state boundary, continuing east to the Coosawattee River. The proposed TCP boundary follows the river northwest back to the beginning point of the tree-lined creek within the Elks Club golf course that lies beyond the National Register boundary and currently leased-out state property. The New Echota Cemetery is located south of the southwest corner of this boundary as a discontinuous element.

New Echota was the site of some of the most important events in Cherokee history, as well as home to historically important Cherokees. Representatives of all three federal tribes recognize the town as an important aspect of their identity, and all agreed that it should be recognized as a TCP. The proposed boundaries incorporate much of the location of the historic town and include all of the known reference points in that town. They thus contain and reflect New Echota in its meaning to the Cherokee.