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OFFICE OF
ENVIRONMENTAL SERVICES

March 7, 2006

Timothy M Hill, Administrator
Division of Planning, Office of Environmental Services
Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

Dear Mr. Hill:

Re: Alembic Earthwork: PIK-US 23-3.50 (PID 21802)

Thank you for providing our office with a set of project plans and additional information which we requested on February 23, 2006 as a result of public inquiries we received concerning the potential effects a proposed road improvement project may have to the Alembic Earthwork or Scioto Township Earthwork II (33PK6). A check of our office records indicated that we were neither informed of the proposed project nor that the Alembic Earthwork or Scioto Township Earthwork II (33PK6) was located at the US 23 interchange leading to the Portsmouth Gaseous Diffusion Plant. Regarding the latter, our files indicated that the earthwork was located within a gravel quarry area approximately 1000 meters south of the intersection and presumed destroyed. The information provided by Mr. Sea will allow us to update our information and accurately plot the earthwork.

It appears from the information provided by the Ohio Department of Transportation (ODOT) that the proposed project (PIK-US 23-3.50 [PID 21802]) is essentially a resurfacing, bridge maintenance and guardrail replacement project. Such project activities are deemed exempt by the ODOT and require no further review because, as provided for in 36 CFR 800.3(a)(1), these activities generally do not affect historic properties as defined in 36 CFR 800.16(l)(1). The ODOT in conjunction with the Federal Highway Administration (FHWA) can determine unilaterally if the proposed project is or is not an undertaking that has the potential to cause effects to historic properties. As indicated in ODOT's letter dated March 3, 2006, ODOT as agent for the FHWA considers the proposed project (PIK-US 23-3.50 [PID 21802]) an undertaking that will not cause effects to historic properties, thus concluding their Section 106 responsibilities.

Therefore, no further notification of our office regarding this proposed project is required unless the scope of the project changes. Any questions concerning this matter should be addressed to Thomas Grooms at (614) 298-2000, between 6 a.m. to 2 p.m. Thank you for your cooperation.

Sincerely,

Thomas C. Grooms
Archaeology Transportation Reviews Manager

TCG/ig

1004890

OHIO HISTORICAL SOCIETY

Ohio Historic Preservation Office

567 East Hudson Street, Columbus, Ohio 43211-1030 ph: 614.298.2000 fx: 614.298.2037
www.ohiohistory.org



OHIO DEPARTMENT OF TRANSPORTATION

Division of Planning, Office of Environmental Services
1980 West Broad Street, Columbus, Ohio 43223

March 3, 2006

Mark J. Epstein, Department Head
Resource Protection and Review
State Historic Preservation Office
567 East Hudson Street
Columbus, Ohio 43211

Attention: Thomas Grooms
ODOT Archaeology Review Manager

Re: PIK-US 23-3.50 (PID: 21802): Alembic Earthwork

Dear Mr. Epstein:

Enclosed please find a set of the project plans and additional information to clarify details of this project. We are providing this in response to your request of 2/23/06 for such information because of inquiries received at your office from the public. Last week ODOT-OES and ODOT District 9 received phone calls and emails from Mr. Geoffrey Sea and Ms. Cathy Southworth informing us of the "Alembic Earthwork," a site close to the project area. Both individuals are property owners in the area of the project. The subject project that ODOT is planning to construct will not impact this earthwork remnant site in any way.

The nature of the project is as follows: Improvement of 1.74 miles of US Route 23 in Pike County by removing and replacing 1 3/4 inches of the asphalt intermediate and surface courses, the remove and replace guardrail in-kind, add paved berms to the ramps at the interchange, repave ramps, provide new pavement markings, replace deck and paint structures PIK-23-0395 and PIK-23-0395SR, and repave and paint structure PIK-23-0523 left and right. All work will be conducted within the existing right-of-way of US 23; there will be no change in profile on the mainline or ramps. All four structures are continuous steel beam, type 322, which is a non-historic bridge type. Refer to the attached basic project information from ODOT's ELLIS project reporting system for more information.

Shelly & Sands Inc. was awarded the construction project on 8/22/05 and is scheduled to begin work on 3/6/06. The ODOT Construction Engineer, Jim Serry, was informed of the earthwork and will contact Shelly & Sands with instructions to protect the earthwork site area from all ancillary construction activities. Shelly & Sands will be notified of the location of the earthwork and will be told the area cannot be used for a waste or borrow area, project office location, vehicle/equipment parking, or storage area for any equipment or materials of any kind.

ODOT considers this an archaeologically sensitive area and commits to stay off of the earthwork remnant site through the life of this project. Furthermore, should ODOT ever need to work outside of the existing right-of-way in this area, the attached mapping provided by Mr. Sea will prove invaluable in addressing potential impacts to the earthwork remnant site. The usefulness of this mapping is further borne out by our recent understanding that the historical location of this earthwork in the SHPO's archives (the old archaeological site cards) had it located in the wrong place.

This earthwork remnant is located between the exit ramp from US 23 North and the Norfolk and Western Railroad tracks in the southeast quadrant of the interchange (see attached mapping). It is not listed on the National Register of Historic Places and, based on the information we have collected over the past week, it has never had a formal eligibility determination made by the SHPO or Keeper of the National Register.

We are characterizing this site as an earthwork remnant because there is no surface manifestation of it (see attached photos taken 2/24/06). A portion of the earthwork remnant may have been impacted by the construction of the US 23 ramp at this location. It is unknown if any remains of this portion of the earthwork are preserved within the roadway right-of-way under the ramp fill or if they were totally destroyed by this ramp construction in the past.

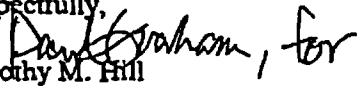
The mound in the second photo and on the site mapping provided by Mr. Sea may be the "satellite" mound that appears in the 1846 Squier and Davis map that is attached. We do not know if this mound is original or reconstructed. The mapping provided by Mr. Sea is based on data extrapolated from a 1938 aerial photograph by a professional archaeologist, Jarrod Burks, Ph.D. Conversations between your office and Dr. Burks revealed that he has not done any ground truthing there of any kind. Consequently the integrity of any below ground remnants is unknown. The photos, mapping and on site viewing reveal that the area of the earthwork has been severely impacted directly and indirectly by historical and modern development such as road construction, railroad construction, building construction, parking lot construction, etc. Nonetheless, there is ample evidence in the archaeological literature that intact portions of such sites may still exist even after having been extensively disturbed by development actions such as those just stated. This is why this agency considers the site to be an archaeologically sensitive area.

For NEPA, this project was processed under the *Programmatic Categorical Exclusion Agreement Between The Federal Highway Administration and The Ohio Department of Transportation (March 6, 2003)*. Based on the project description (attached), this undertaking meets the requirements to be classified as an "Exempt Action." These actions are classified as such due to their limited scope of work; therefore FHWA and ODOT concur that they do not require documentation. These actions meet the intent of 23 CFR 771.117(c), that some actions "...meet the criteria for Categorical Exclusions in the CEQ regulation and normally do not require any further NEPA reviews by the Administration." These are standard transportation activities that, based on ODOT's and FHWA's past experience, will not result in any significant impacts to the human or natural environment. Specifically, the subject undertaking complies with exempt activity items #1, #3, #6, #8, and #9. We have attached that page from the agreement for your convenience.

Under Section 106, pursuant with the regulation at 36 CFR Section 800.3(a)(1), FHWA, with ODOT acting on its behalf pursuant with existing delegated authority, has determined that the proposed undertaking is a type of activity that does not have the potential to cause effects on historic properties, assuming such historic properties were present. As such FHWA has no further obligations under Section 106 or this part of the regulation. The construction of this undertaking will not impair any features or attributes of the Alembic Earthwork remnant that might affect any future evaluation of its eligibility for the National Register of Historic Places. Furthermore, there will be no permanent or temporary incorporation of land or use of land from the site of the Alembic Earthwork remnant by this proposed project.

Should you have any questions or comments regarding the information provided herein, please direct them to Paul Graham, Assistant Environmental Administrator, at the address above, by telephone at 614-466-5099 or by email at Paul.Graham@dot.state.oh.us.

Respectfully,


Timothy M. Hill
Administrator

c: Adam Johnson, FHWA w/att.
Greg Manson, ODOT District 9, w/att.
Geoffrey Sea, w/att.
~~Project file w/att~~
Reading file

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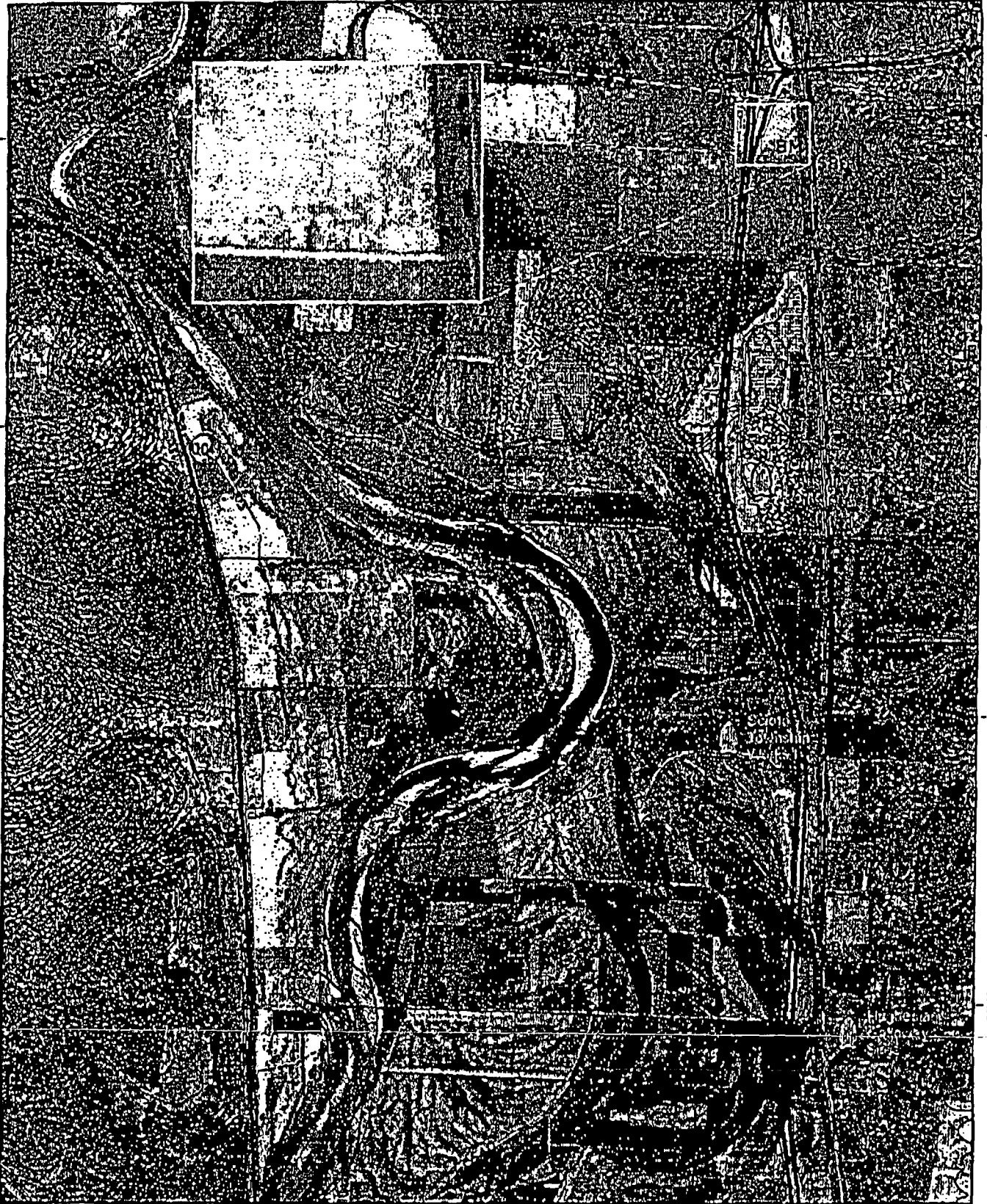
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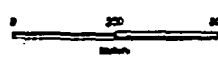
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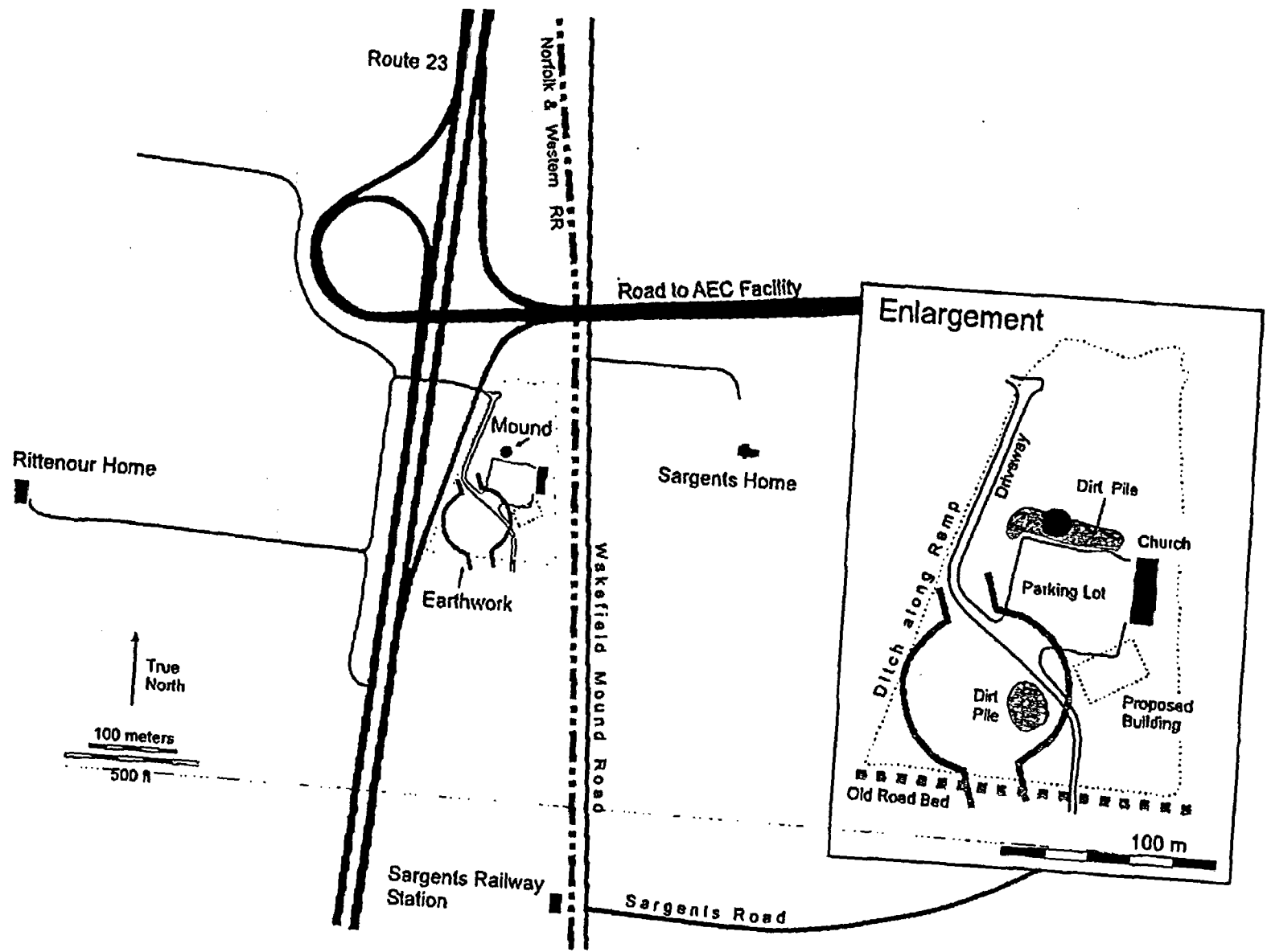
SARGENTS AREA ARCHEOLOGICAL SITES

Showing possible ancient (Hopewell?) earthwork
not identified in Historic Registry



Shown: USGS Picton and Woodford 7.5 Minute Quadrangles
Overlaid on October 17, 1936 Aerial Photography
Universal Transverse Mercator Projection
UTM Zone 17N
North American Datum 1983

Imaged by Mr. J. E. B. Smith, Denver, CO. January 23, 1986.



EXEMPT ACTIONS

Due to the limited scope of work for certain projects and based on past experience with similar actions, FHWA and ODOT will not require documentation for the actions listed below. These actions meet the intent of 23 CFR 771.117(c), some actions "...meet the criteria for CEs in the CEQ regulation and normally do not require any further NEPA reviews by the Administration."

These projects are standard stand alone transportation activities that, based on ODOT's and FHWA's past experience, will not result in any significant impacts to the human or natural environment:

Table 1 No documentation is required for the projects listed below.

1.	Guardrail replacement where roadway ditches and backslopes will not be relocated.
2.	The replacement of traffic signals within existing ROW, (provided no work takes place within any historic districts and no likelihood of encountering contaminated materials).
3.	General pavement marking or "line painting" projects.
4.	Herbicidal spraying within existing ROW.
5.	Mowing or brush removal/trimming projects within existing ROW.
6.	The installation or maintenance of signs, pavement markings/raised pavement markers/sensors and/or replacement fencing within existing ROW.
7.	Study type projects (i.e. feasibility studies, etc.).
8.	Bridge deck overlays, bridge deck replacements, super structure replacement and other maintenance activities, including bridge painting projects provided the project doesn't involve any work within streams, rivers, scenic river corridors or historic properties.
9.	General highway maintenance, including filling potholes, crack sealing, mill and resurfacing, joint grinding/milling, shoulder reconstruction, minimal bank stabilization, etc. within existing ROW.
10.	Disposal of excess ROW parcels.
11.	Improvements to existing ODOT/County maintenance facilities.
12.	Improvements to existing rest areas and weigh stations for minor maintenance (i.e. mill and resurfacing of existing parking areas). Projects involving new ROW or major construction may require a higher level of documentation.



02/24/2006



02/24/2006