



**Parks, Recreation,  
and Historic Preservation**

**KATHY HOCHUL**  
Governor

**ERIK KULLESEID**  
Commissioner

April 8, 2022

Mr. Charles Vandrei,  
Agency Historic Preservation Officer  
NYS Environmental Conservation  
Division of Lands and Forests  
625 Broadway  
Albany, NY 12233-4255

Re: DEC  
Robert J. Stansky Memorial Complex Project - Canisius High School - Development of 2 New  
Baseball Fields  
2885 Clinton St, West Seneca, Erie County, NY  
21PR02923

Dear Mr. Vandrei:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation, and Historic Preservation (OPRHP). We have reviewed the Addendum Phase II Mechanical Soil Stripping End of Field Letter Report (EOF) for Locus 3 of the Canisius Site (USN 02925.000562) prepared by Tetra Tech (Peltier, March 25, 2022) in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation, and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

As stated in our February 4, 2022, letter, it is OPRHP's opinion that the Phase I and Phase II investigations of Locus 1 have mitigated any adverse impacts to this locus, and no further archaeological investigations are warranted for Locus 1. Additionally, OPRHP concurred with Tetra Tech's opinion that Locus 2 of the Canisius Site has been significantly disturbed and the site's integrity and research potential have been lost. It is OPRHP's opinion that Locus 2 is a non-contributing component of the Canisius site's eligibility for the State and National Registers of Historic places (S/NRHP).

Based upon the results of the Phase II Site Examination, Locus 3 of the Canisius Site was determined by OPRHP to be eligible for the S/NRHP under Criterion D (the site has yielded, and/or is likely to yield, information important in history). An avoidance and protection area for portions of Locus 3 was recommended by Tetra Tech upon completion of their investigation. However, OPRHP, DEC, and the Indigenous Nations continued to have concerns for areas of Locus 3 outside of the Tetra Tech recommended avoidance area. As a result of these concerns, Phase II Mechanical Soil Stripping was conducted by Tetra Tech, which resulted in the identification of an additional 10 features (5 postholes, 4 thermal features, and 1 stone feature) adjacent and to the north of the avoidance area. The mechanical soil stripping program was conducted to mitigate the Adverse Impacts to the Canisius Site, Locus 3.

Due to the sensitivity of the project's Area of Potential Effects (APE), OPRHP has continuing concerns about the potential to impact Indigenous burials and significant cultural features. It is OPRHP's opinion that this project will have No Adverse Impact on cultural resources *with the condition* that the following be adopted and implemented:

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1. Fencing will remain around the Site Avoidance/Protection Area until construction is completed. The avoided area will be labeled "ENVIRONMENTALLY SENSITIVE – NO ACCESS" on all construction plans.
2. A legally binding Preservation Deed Covenant for the Canisius Site's Locus 3 Avoidance/Protection Area will be established in perpetuity and filed with the County Clerk's Office, DEC, and OPRHP within three (3) months of the date of this letter.
3. The centrally located main drainage line within the Area B baseball diamond, as outlined in yellow by OPRHP on the attached map, will be moved 75-feet to the east or west, in order to avoid/limit potential impacts to intact cultural features.
4. The 18-inch diameter fence-post footers to be erected at ~10-foot intervals around Area B's baseball field will be installed to limit disturbances to cultural resources. Installation of the fence posts is to begin at either end of the area circled in orange on the attached map because these areas were fully investigated. This will limit potential impacts to intact soils and features closest to the area in which features were identified during mechanical soil stripping.
5. Revised/updated site plan maps of the project's ground-disturbing impacts associated with Area B's baseball diamond, fencing, and drainage adjacent to Locus 3 are to be provided to OPRHP as soon as possible.
6. Landscaping cloth/soil stabilization fabric and/or orange geogrid will be used to mark the surface of intact subsoils after completion of grading in and around Locus 3 and Area B's baseball diamond to signify the presence of intact soils for future reference. These soils are not to be impacted in the future without consulting with OPRHP and DEC.
7. Archaeological and Indigenous Nation monitoring will be conducted during construction. An Archaeological Monitoring Plan will be developed and submitted to OPRHP within two (2) weeks of receipt of this letter. The Nations should minimally be given one (1) week's notice, and be provided with a daily/weekly schedule as appropriate.
8. The submission of the finalized Phase II report, including the results of the mechanical soil stripping, is to be submitted to OPRHP within six (6) months of this letter. The results of the archaeological monitoring are to be submitted to OPRHP within three (3) months of the completion of construction and monitoring.
9. The right of first refusal of all artifacts associated with this and the 2005 project should officially be offered to the involved Indigenous Nations, and OPRHP is to be kept informed of the negotiations/discussions.
10. As outlined in the Phase II and Mechanical Soils Stripping plans, the Haudenosaunee and OPRHP Human Remains Discovery Protocols are to be implemented should potential human remains be encountered during construction.

This recommendation pertains only to the Area of Potential Effects (APE) examined during the above-referenced investigation. Should the project design change, the OPRHP recommends further consultation with this office.

If you have any questions, I can be reached at [Josalyn.Ferguson@parks.ny.gov](mailto:Josalyn.Ferguson@parks.ny.gov) or 518.817.2816.

Sincerely,



Josalyn Ferguson, Ph.D.  
Scientist Archaeology

*via email only*

Attch.

c.c. CRIS Contact List

