

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS HIGHWAY DEPARTMENT
INTEROFFICE MEMORANDUM

TO: John Blundo, P.E., Chief Engineer
FROM: Gregory Prendergast, Deputy Chief Engineer, Environmental
ATTN: David Anderson, P.E., Project Management Engineer, Projects
DATE: September 10, 2004
RE: Engineering Directive E-02-005 – Early Coordination under Section 106
THPO Update

As you are aware, Engineering Directive E-02-005 requires early notification of federal and state regulatory agencies and local boards and commissions in order to identify the full range of environmental concerns/issues that these organizations might have with a project at the 25% stage of the project design process. This memorandum serves to update information provided in an earlier memorandum outlining the procedures for project managers/design consultants to follow in complying with the directive as it regards cultural resources only.

Our previous memorandum, dated November 5, 2003 (copy attached), provided standard procedures for early notification of the Massachusetts Historical Commission (MHC), and early coordination with local historical commissions (LHCs) and (where appropriate) Tribal Historic Preservation Officers (THPOs) in order to identify any cultural resources concerns that these organizations might have with the project. A sample letter to be used by project managers/design consultants, an MHC/THPO address list and an annotated city/town list for tribes were included with the memorandum.

Since the distribution of the November 5, 2003 memorandum, the Wampanoag Tribe of Gay Head (Aquinnah) has formally appointed Ms. Cheryl Andrews-Maltais as its THPO and a third tribe, the Schaghticoke Tribal Nation, has been added to the list of federally recognized Native American tribes in Massachusetts. Although its reservation is located in northwestern Connecticut, the Schaghticoke Tribal Nation claims a portion of its ancestral homeland to be located within the Housatonic River drainage of western Massachusetts. Thus, the currently federally recognized Native American tribes in Massachusetts now include: the Wampanoag Tribe of Gay Head (Aquinnah); the Stockbridge-Munsee Band of Mohicans; and the Schaghticoke Tribal Nation. The federally recognized ancestral homeland of the Wampanoag Tribe includes all of the Cape and Islands and most of the mainland communities in southeastern Massachusetts (most of MassHighway District 5). The jurisdiction of the Stockbridge-Munsee Band includes only those towns and cities in the extreme western portion of District 1. The federally recognized ancestral homeland of the Schaghticoke Tribal Nation overlaps to some

degree that of the Stockbridge-Munsee, and includes those communities in the western portion of District 1.

Early contact with the MHC, LHCs and THPOs should follow the procedures outlined in the previous memorandum. The previous THPO/MHC address list has been updated to reflect the names and addresses of the new Wampanoag THPO and the Chief of the Schaghticoke Tribal Nation (copy attached). In addition, the previous annotated city/town list for the tribes has been updated to include those communities that fall within the ancestral homeland of the Schaghticoke Tribal Nation (copy attached). These lists are also on file electronically with the Environmental Section's Cultural Resources Unit (CRU). Project managers/design consultants should contact MassHighway's CRU staff to determine whether their particular project will require early coordination with a THPO.

If there are any questions, please feel free to contact John Rempelakis (ext. 7493), Stephen Roper (ext. 7492) or Geoffrey Fulgione (ext. 8253).

Atts:

- November 5, 2003 memorandum
- Updated THPO/MHC address list
- Updated annotated town/city list for tribes