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3 **PROGRAMMATIC AGREEMENT AMONG**
4 **THE FEDERAL HIGHWAY ADMINISTRATION,**
5 **THE FEDERAL TRANSIT ADMINISTRATION,**
6 **THE FEDERAL RAILROAD ADMINISTRATION,**
7 **THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,**
8 **THE CONNECTICUT STATE HISTORIC PRESERVATION OFFICER,**
9 **AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
10 **REGARDING THE TRANSPORTATION PROGRAMS IN CONNECTICUT**

11 **WHEREAS**, the Federal Highway Administration (FHWA), under the authority of 23U.S.C.§101 et seq.,
12 implements the Federal-aid Highway Program in the state of Connecticut by funding and approving state
13 and locally sponsored transportation projects that are administered by the Connecticut Department of
14 Transportation (CTDOT); and

15 **WHEREAS**, the Federal Railroad Administration (FRA) issues a variety of grants; and pursuant to
16 49CFR§1.81(a)(6), FRA carries out the responsibilities under Section 106 of the National Historic
17 Preservation Act of 1966 (Section 106) for rail projects for which credit assistance is provided by the U.S.
18 Department of Transportation’s Build America Bureau, which administers the U.S. Department of
19 Transportation’s credit and loan Programs; and

20 **WHEREAS**, the Federal Transit Administration (FTA), under the authority of 49 U.S.C. Chapter 53,
21 administers the Federal Transit Program in the state of Connecticut by approving the provision of Federal
22 funds for state and locally sponsored public transportation projects; and

23 **WHEREAS**, CTDOT administers transportation projects throughout the State of Connecticut (State) as
24 authorized by Title 23 U.S.C§302, 49 U.S.C.§52 and may receive financial assistance from the FHWA,
25 the FRA, and/or the FTA (herein collectively referred to as the “Federal Transportation Agencies” or
26 separately each as “Lead Federal Agency”) and

27 **WHEREAS**, CTDOT has participated in the consultation and has been invited by the Federal
28 Transportation Agencies to be a Signatory to this programmatic agreement (Agreement); and

29 **WHEREAS**, “Programs” is used in this Agreement to refer to the Federal-aid Highway Program, FRA
30 grants, Build America credit and loan program, and the Federal Transit Program collectively; and

31 **WHEREAS**, the Federal Transportation Agencies have determined that transportation projects funded
32 through the Programs are “Undertakings,” as defined in 36CFR§800.16(y) pursuant to Section 106 (54
33 U.S.C. § 306108), as amended, and codified in its implementing regulations, 36CFR§800, as amended
34 (August 5, 2004) and including any succeeding revisions to the regulations; and may have an effect on
35 Historic Properties, and

36 **WHEREAS**, the Connecticut FHWA Division Administrator, the FRA Administrator, and the FTA
37 Region 1 Regional Administrator are the Agency Official, as defined in 36CFR§800.2(a) responsible for
38 ensuring that the CTDOT projects receiving approvals or funding from their respective federal agency in
39 the state of Connecticut comply with Section 106; and

40 **WHEREAS**, the responsibilities of the Connecticut State Historic Preservation Officer (CTSHPO) under
41 Section 106 and 36CFR§800 are to advise, assist, review, and consult with the Federal Transportation
42 Agencies as they carry out their historic preservation responsibilities, and respond to Federal
43 Transportation Agencies’ requests within the timeframes detailed in 36CFR§800 unless otherwise
44 specified in this Agreement; and

45 **WHEREAS**, the Federal Transportation Agencies have determined that certain types of Undertakings,
46 would have or may have minimal potential to affect properties included in, or eligible for inclusion in, the

47 National Register of Historic Places (NRHP), hereafter referred to as “Historic Properties”, as defined in
48 36CFR§800.16(l), and have consulted on this Agreement with CTSHPO and ACHP pursuant to
49 36CFR§800.14(b)(ii) of the regulations implementing Section 106; and

50 **WHEREAS**, the Federal Transportation Agencies recognize that they have a unique legal relationship
51 with federally recognized Indian tribes as defined in 36CFR§800.16(m), (“Tribes”) set forth in the
52 Constitution of the United States, treaties, statutes, and court decisions, and therefore, consultation with
53 an Indian tribe must recognize the government-to-government relationship between the federal
54 government and Tribes; and

55 **WHEREAS**, the Federal Transportation Agencies, CTDOT, and CTSHPO acknowledge that Tribes
56 possess special expertise in assessing the NRHP eligibility of properties with tribal religious and cultural
57 significance pursuant to 36CFR§800.4(c)(1); and

58 **WHEREAS**, the FHWA has consulted with Tribes with ancestral lands in Connecticut about this
59 Agreement on behalf of the Federal Transportation Agencies, requested the Tribes’ comments, consulted
60 with FTA and FRA concerning the consultation with and comments received from the Tribes, and taken
61 into account comments received from the Tribes. The Tribes consulted include the Mohegan Tribe,
62 Mashantucket Pequot Tribal Nation, Narragansett Indian Tribe, Delaware Tribe of Indians, Delaware
63 Nation, and Stockbridge Munsee Community; and

64 **WHEREAS**, any Undertaking involving tribal lands as defined in 36CFR§800.16(x), or any Undertaking
65 that may affect a property identified by a Tribe as possessing traditional religious and cultural
66 significance, shall not be governed by this Agreement, but shall be reviewed in accordance with
67 36CFR§800; and

68 **WHEREAS**, a Memorandum of Understanding between FHWA and CTDOT sets forth the *Procedures*
69 *for Consulting with Federally-Recognized Indian Tribes for Federal-Aid Undertakings in Connecticut*;
70 and

71 **WHEREAS**, CTDOT employs cultural resources specialists and consultants who meet the Secretary of
72 Interior’s Professional Qualification Standards (Federal Register 48:44738-44739) in the fields of
73 archaeology and architectural history to carry out its cultural resource Programs and responsibilities and
74 are capable of completing the steps of the Section 106 review process on behalf of the Federal
75 Transportation Agencies; and

76 **WHEREAS**, pursuant to the consultation conducted under 36CFR§800.14(b), the Federal Transportation
77 Agencies, CTSHPO, CTDOT and ACHP (hereafter Signatory or Signatories) have developed this
78 Agreement in order to establish an efficient and effective program alternative for taking into account the
79 effects of the Programs on Historic Properties in Connecticut and for affording ACHP and the Tribes a
80 reasonable opportunity to comment on Undertakings covered by this Agreement; and

81 **WHEREAS**, the Federal Transportation Agencies have notified the public, Federal, and State agencies
82 about this Agreement, have requested their comments, and have taken any comments received into
83 account; and

84 **WHEREAS**, this Agreement supersedes the following previous Programmatic Agreement among
85 FHWA, CTSHPO, CTDOT, and ACHP: *Programmatic Agreement Among the Federal Highway*
86 *Administration, the Connecticut Department of Transportation, the Connecticut State Historic*
87 *Preservation Officer, and the Advisory Council on Historic Preservation Regarding Implementation of*
88 *Minor Transportation Projects*, corresponding amendments, dated May 4, 2018, May 1, 2023, and April
89 18, 2024 respectively; and

90 **WHEREAS**, all capitalized terms and definitions set forth herein are defined as set forth in the body of
91 this Agreement and/or within **Attachment 1** to this Agreement; and

92 **NOW, THEREFORE**, the Federal Transportation Agencies, CTSHPO, CTDOT, and ACHP agree that
93 the Programs in Connecticut shall be carried out in accordance with the following stipulations
94 (**Stipulations**) in order to take into account the effects of the Programs on Historic Properties in
95 Connecticut and that these **Stipulations** shall govern compliance of the Programs with Section 106 until
96 this Agreement expires or is terminated, whichever occurs first.

97 The **Stipulations** are organized in the following order:

- 98 I. Applicability and Scope
- 99 II. Undertakings Where Multiple Federal Agencies Have Review or Approval
100 Responsibilities
- 101 III. Responsibilities
- 102 IV. Consultation with Tribes
- 103 V. Professional Qualifications and Staffing
- 104 VI. Exempted Undertakings
- 105 VII. Project Review
- 106 VIII. Changes in Project Scope
- 107 IX. Participation of Other Consulting Parties and the Public
- 108 X. Emergencies
- 109 XI. Discoveries
- 110 XII. Treatment of Human Remains
- 111 XIII. Curation of Archaeological Collections
- 112 XIV. Annual Review, Auditing, Reporting, and Monitoring
- 113 XV. Amendment
- 114 XVI. Termination
- 115 XVII. Dispute Resolution
- 116 XVIII. Confidentiality
- 117 XIX. Duration
- 118 XX. Execution of the Agreement

119 **STIPULATIONS**

120 The Federal Transportation Agencies, with the assistance of CTDOT, shall ensure that the following
121 measures are carried out:

122 **I. APPLICABILITY AND SCOPE**

123 A. The purposes of this Agreement are:

- 124 1. for the Federal Transportation agencies to delegate certain responsibilities to CTDOT, as
125 identified in **Stipulation III** for the Programs covered by this Agreement in Connecticut
126 in Undertakings for which CTDOT is the applicant and/or project sponsor, and

127 2. is to establish an effective and efficient program alternative to Section 106 for those
128 Programs.

129 B.This Agreement sets forth the process by which the Federal Transportation Agencies, with the
130 assistance of CTDOT, will meet their responsibilities pursuant to Section 106 for Undertakings.
131 The Agreement defines the roles and responsibilities of each Signatory.

132 C.The objective of this Agreement is to make more efficient the methods by which the Federal
133 Transportation Agencies and CTDOT review individual Undertakings with the potential to affect
134 Historic Properties and to establish the process by which FHWA, FRA, FTA, CTDOT,
135 CTSHPO, and ACHP will be involved in such reviews.

136 D.Through this Agreement, the Federal Transportation Agencies authorize CTDOT to initiate,
137 and conclude, unless otherwise required by the Lead Federal Agency, consultation with
138 CTSHPO and other consulting parties for purposes of compliance with Section 106.

139 E.Through this Agreement, the Federal Transportation Agencies, CTSHPO, and CTDOT
140 establish categories of Undertakings in **Appendices A and B**, that have minimal potential
141 to cause effects to Historic Properties and do not require review and consultation with CTSHPO
142 but that may still require tribal consultation.

143 F.For Undertakings that are not Exempted from further Section 106 review under **Appendix A**
144 **and B** or **Stipulation VI**, the Federal Transportation Agencies, CTSHPO and CTDOT establish
145 the procedures detailed in **Stipulation VII** for complying with Section 106.

146 G.At any point in the Section 106 process, the Federal Transportation Agencies may inquire
147 with CTDOT as to the status of any Undertaking and may participate directly in consultation for
148 any Undertaking at their discretion. CTDOT will process Undertakings pursuant to 36CFR§800
149 if CTSHPO, ACHP, Tribes, or the Federal Transportation Agencies so requests.

150 **II. UNDERTAKINGS WHERE MULTIPLE FEDERAL AGENCIES HAVE REVIEW**
151 **OR APPROVAL RESPONSIBILITIES**

152 A.Once funding or financial assistance is identified for Undertakings with involvement of more
153 than one of the Federal Transportation Agencies, FHWA, FRA, or FTA, as appropriate, will
154 identify themselves as the Lead Federal Agency in accordance with 36CFR§800.2(a)(2). The
155 Lead Federal Agency will serve as the Agency Official (as defined in **Attachment 1**)
156 responsible for fulfilling the Federal Transportation Agencies' collective responsibilities under
157 Section 106.

- 158 1. The Lead Federal Agency may elect to use another Federal Transportation Agency's
159 previous findings and determinations pursuant to 36CFR§800.3(b) to satisfy its Section
160 106 requirements.
- 161 2. The Lead Federal Agency electing to use existing Section 106 reviews will verify that the
162 scope of work remains unchanged from the previous Federal Transportation Agency's
163 findings and determinations and that no more than five (5) years have passed since the
164 conclusion of the previous Section 106 consultation.
- 165 3. The Lead Federal Agency is responsible for evaluating any portions of the Undertaking
166 not addressed during the previous Section 106 consultation.

167 B. Federal agencies who designate FHWA, FRA, or FTA as a Lead Federal Agency for an
168 Undertaking may fulfill their obligations under Section 106 according to 36CFR§800.2(a)(2)
169 utilizing this Agreement, provided that the Lead Federal Agency and CTDOT follow the
170 requirements of this Agreement and the agency's Undertaking does not have the potential to

171 cause effects to Historic Properties beyond those considered by the Federal Transportation
172 Agencies and CTDOT.

173 C. In the event that another federal agency that is not a party to or subject to this Agreement
174 receives an application for funding/license/permit for an Undertaking subject to this
175 Agreement, that agency may fulfill its Section 106 responsibilities by stating in writing to the
176 Federal Transportation Agencies, CTDOT, CTSHPO, and ACHP that it would like to join the
177 Agreement through amendment in accordance with **Stipulation XV**.

178 **III. RESPONSIBILITIES**

179 **A. Lead Federal Agency Responsibilities**

- 180 1. Consistent with the requirements of 36CFR§800.2(a), the Lead Federal Agency remains
181 legally responsible for ensuring that the terms of this Agreement are carried out and for
182 all findings and determinations made pursuant to this Agreement by CTDOT under the
183 authority of the Lead Federal Agency notwithstanding any other provision of this
184 Agreement, and for ensuring compliance with all other applicable federal laws and
185 statutes.
- 186 2. The Lead Federal Agency retains the responsibility for government-to-government
187 consultation with the Tribes as defined in 36CFR§800.16(f) and (m). The Lead Federal
188 Agency may ask CTDOT to assist in consultation if a Tribe agrees to alternative
189 procedures.
- 190 3. The Lead Federal Agency will notify ACHP of any findings of adverse effect and invite
191 ACHP to participate in resolving the adverse effect of an Undertaking in accordance with
192 36CFR§800.6(a)(1).
- 193 4. The Lead Federal Agency shall be responsible for resolving disputes and objections
194 pursuant to **Stipulation XVII** of this Agreement.
- 195 5. The Federal Transit Administration retains the authority for application of *Program*
196 *Comment to Exempt Consideration of Effects to Rail Properties Within Rail Rights-of-*
197 *Way* (Federal Register 84(125): 31075). FHWA and FRA delegate this responsibility to
198 CTDOT Qualified Staff.

199 **B. CTDOT Responsibilities**

- 200 1. As a condition of the award of any assistance from the Federal Transportation Agencies,
201 CTDOT, using Qualified Staff, will independently perform the work and consultation
202 described in 36CFR§§800.3–800.5 on behalf of the Federal Transportation Agencies for
203 the federally funded and/or authorized Programs in Connecticut for which CTDOT is the
204 applicant and/or project sponsor. CTDOT is not authorized to further delegate these
205 responsibilities. These responsibilities include carrying out the following requirements:
 - 206 a. Determine whether the Undertaking is a type of activity that has the potential to
207 affect Historic Properties pursuant to 36CFR§800.3(a)(1).
 - 208 b. Determine if an Undertaking is subject to any ACHP program comment or
209 exemption except for the application of the *Program Comment to Exempt*
210 *Consideration of Effects to Rail Properties Within Rail Rights-of-Way* (Federal
211 Register 84(125): 31075) for projects where FTA is the Lead Federal Agency.
 - 212 c. Solicit public comment and involvement on Undertakings pursuant to
213 36CFR§800.3(c).
 - 214 d. Identify and invite additional consulting parties to participate in the Undertaking
215 pursuant to 36CFR§800.3(f).

- 216 e. Prepare and deliver appropriate documentation for the Federal Transportation
217 Agency's consultation with Tribes pursuant to 36CFR§800.4(a).
- 218 f. Determine and document the scope of identification efforts and level of effort
219 including defining the Undertaking's area of potential effects (APE) pursuant to
220 36CFR§800.4(a) and (b). Assess the need for additional investigation to identify
221 and evaluate the NRHP eligibility of properties in an Undertaking's APE.
- 222 g. Perform archaeological or historic architectural field reconnaissance and/or
223 intensive surveys, as warranted, in conformance with the Secretary of the
224 Interior's *Standards and Guidelines for Archeology and Historic Preservation:
225 Identification* (1983, as revised in the 48FR44716) and CTSHPO's *An
226 Environmental Review Primer for Connecticut's Archaeological Resources* (as
227 amended).
- 228 a. If Qualified Staff or CTDOT's Qualified Consultants perform an
229 archaeological survey, Qualified Staff or Qualified Consultants shall
230 complete an archeological survey report and prepare CTSHPO
231 archaeological resource inventory forms, for all identified archaeological
232 sites or districts. The inventory forms will be prepared in accordance
233 with industry standards and will meet the expectations of CTSHPO.
- 234 b. If CTDOT Qualified Staff or CTDOT's Qualified Consultants conduct a
235 historic architectural survey, Qualified Staff or Qualified Consultants
236 will prepare CTSHPO inventory forms for any Historic Property in the
237 Undertaking's APE that will be affected by the Undertaking and that is
238 recommended as eligible for listing in the NRHP. The inventory forms
239 will be prepared in accordance with industry standards and will meet the
240 expectations of CTSHPO.
- 241 h. In consultation with CTSHPO, identify and evaluate properties within the APE
242 included in or eligible for listing in the NRHP pursuant to 36CFR§800.4. Qualified
243 Staff will apply the NRHP criteria in 36CFR§60.4 to properties identified within
244 the APE that CTDOT can ascertain, through research of relevant resources, have
245 not been previously evaluated to determine if such properties are NRHP eligible in
246 accordance with 36CFR§800.4(c)(1), and to the extent CTDOT concurs with the
247 finding(s) of such previous evaluations. CTDOT will document this work and share
248 their determination of eligibility with CTSHPO.
- 249 i. In consultation with the Lead Federal Agency and CTSHPO, determine whether
250 any Historic Properties may be affected by the Undertaking by applying the criteria
251 of adverse effect pursuant to 36CFR§800.5(a)(1).
- 252 j. In consultation with the Lead Federal Agency, CTSHPO, ACHP (if it has chosen to
253 participate), and any other consulting parties, address any adverse effects through
254 the development, circulation, and execution of a Memorandum of Agreement
255 (MOA) or Undertaking-specific Programmatic Agreement (PA), pursuant to
256 36CFR§800.6, as appropriate. CTDOT will provide documentation specified in
257 36CFR§800.11(e) to support the Lead Federal Agency's notice to ACHP in the
258 event of an adverse effect finding.
- 259 2. Copy the Lead Federal Agency on all correspondence sent out on its behalf.
- 260 3. Document any conditions which must be imposed on any Undertaking to reach a
261 determination of effect under this Agreement and ensure the conditions are met
262 throughout the life of the Undertaking.

- 263 4. Conduct or supervise work required to fulfill any mitigation commitments, including
264 avoidance and minimization measures required as conditions of a finding of effect related
265 to the Undertaking.
- 266 5. Review Undertaking-related contract documents to ensure inclusion of appropriate
267 provisions intended to ensure the implementation of Section 106 commitments prior to,
268 during, and after Undertaking construction.
- 269 6. Organize an annual meeting and invite the Federal Transportation Agencies, Tribes,
270 ACHP, and CTSHPO to assess the activities conducted under this Agreement and the
271 status of the Agreement.
- 272 7. Share information with CTSHPO and the Federal Transportation Agencies as they
273 develop or generate data and processes related to the identification, evaluation,
274 management, and treatment of Connecticut’s cultural resources, including technological
275 innovations and Geographic Information Systems (GIS) data.
- 276 8. Identify and invite appropriate consulting parties to participate in the Section 106
277 consultation process in accordance with 36CFR§800.2.
- 278 9. Consult with the Tribes as requested by the Lead Federal Agency, or in a manner agreed
279 upon between CTDOT, Lead Federal Agency, and Tribes.
- 280 10. Within one (1) year of the Effective Date of this Agreement, prepare a standard operating
281 procedure (SOP) document that will be utilized for implementing and reviewing projects
282 under this Agreement. The SOP will be shared with all Signatories for comment and
283 approval prior to finalization. The SOP will be incorporated into this Agreement as an
284 Attachment when final.

285 C. CTSHPO Responsibilities

- 286 1. Pursuant to Section 106 and 36CFR§800, advise, assist, review, and consult with the
287 Lead Federal Agency as they carry out their Section 106 responsibilities and respond to
288 the Federal Transportation Agencies’ requests within the time frames detailed in
289 36CFR§800 unless otherwise specified in this Agreement.
- 290 2. Share information with CTDOT and the Federal Transportation Agencies as CTSHPO
291 develops or generates data and processes related to the identification, evaluation,
292 management, and treatment of Connecticut’s cultural resources, including technological
293 innovations and GIS.

294 D. ACHP Responsibilities

- 295 1. Upon notification of findings of adverse effect and an invitation to participate in
296 resolving the adverse effect of an Undertaking in accordance with 36CFR§800.6(a)(1)
297 from the Lead Federal Agency, ACHP shall provide correspondence to the Lead Federal
298 Agency to document receipt of notifications and required filings.
- 299 2. Participate, in accordance with **Stipulation XVII**, in the resolution of disputes that may
300 occur through the implementation of this Agreement.

301 **IV. CONSULTATION WITH TRIBES**

302 A. Where formal consultation agreements with Tribes exist, CTDOT may provide general
303 coordination information to Tribes, but the Lead Federal Agency shall retain ultimate
304 responsibility for complying with all federal requirements pertaining to government-to-
305 government consultation with Tribes. Notwithstanding any other provision of this **Stipulation**
306 **IV.A**, the Lead Federal Agency shall honor the request of any Tribe for government-to-
307 government consultation regarding an Undertaking covered by this Agreement.

308 B. CTDOT shall make a reasonable and good faith effort to identify any Tribes that might attach
309 religious and cultural significance to Historic Properties in the APE of an Undertaking and the
310 Lead Federal Agency shall invite them to be consulting parties, in accordance with
311 36CFR§800.3(f)(2).

312 C. Where no formal consultation agreements with Tribes exist, CTDOT shall provide the Lead
313 Federal Agency information from which the Lead Federal Agency can initiate consultation with
314 Tribes early in the project planning process to identify cultural, confidentiality, and/or other
315 concerns and to allow adequate time for consideration.

316 D. The Lead Federal Agency shall ensure that consultation continues with Tribes throughout the
317 Section 106 consultation process whenever such Tribes express a concern about an Undertaking
318 or about Historic Properties that may be affected by an Undertaking. CTDOT will assist in such
319 consultation if requested by the Lead Federal Agency.

320 E. The Lead Federal Agency may ask CTDOT to assist in consultation if the individual Tribes
321 agree to alternative procedures as defined in 36CFR§800.14.

322 **V. PROFESSIONAL QUALIFICATIONS AND STAFFING**

323 A. CTDOT shall employ, at a minimum, two (2) full-time Qualified Staff members, including an
324 archaeologist and an architectural/structural historian who meet the SOI Professional
325 Qualifications Standards, as set forth in **Attachment 1**.

326 B. CTDOT will consult with CTSHPO in the selection of individuals to fill Qualified Staff
327 positions. To ensure appropriate consultation coordination between CTDOT and CTSHPO,
328 Section 106 review staff from both offices will meet at a frequency mutually agreed upon by
329 CTDOT and CTSHPO. CTSHPO will provide access to all relevant CTSHPO records, reports,
330 and inventories required by Qualified Staff.

331 C. If CTDOT does not maintain the employment of the two specified Qualified Staff or if
332 Qualified Staff are unable to meet their Agreement responsibilities due to extended leave or
333 other circumstances, CTDOT will notify the Federal Transportation Agencies and CTSHPO
334 within thirty (30) days of the staffing shortage. CTDOT may, in consultation with the Federal
335 Transportation Agencies and CTSHPO, appoint acting Qualified Staff who meet the Secretary of
336 the Interior’s Professional Qualifications Standards (Federal Register 48:44738-39). If the
337 vacancy is not filled with permanent Qualified Staff within one hundred and eighty (180) days of
338 the start of the staffing shortage, this Agreement will be suspended until permanent Qualified
339 Staff, are retained unless the Federal Transportation Agencies, CTDOT, and CTSHPO agree in
340 writing to an extension.

341 D. Qualified Staff may direct consultants and/or other CTDOT staff to assist in Section 106
342 work, however Qualified Staff shall remain responsible for all final determinations and findings.

343

344 **VI. EXEMPTED UNDERTAKINGS**

- 345 A. Undertakings that have no potential to cause effects to Historic Properties:
- 346 1. Projects with no potential to cause effects on Historic Properties, pursuant to
347 36CFR§800.3(a)(1) are defined as those actions that by their nature, will not result in
348 effects to Historic Properties. Notwithstanding the provisions of **Stipulation VII.B-D**, all
349 construction-related actions with a federal nexus must comply with 36CFR§800.4
350 through §800.6. Questions about applicability of 36CFR§800.3(a)(1) for FHWA and

351 FTA Undertakings should be referred to the Lead Federal Agency’s Federal Preservation
352 Officer designated pursuant to 54USC§306104. The Lead Federal Agency decision shall
353 be final and binding.

354 B. Undertakings with minimal potential to affect Historic Properties (Exempted Undertakings):

355 1. Undertakings set forth in **Appendix A** consist of actions that have minimal potential to
356 affect Historic Properties, even if there are Historic Properties present in the APE. An
357 Undertaking that has minimal potential to affect Historic Properties will not require
358 additional Section 106 review or consultation with CTSHPPO as long as the Undertaking
359 is limited to the actions specified in **Appendix A** and do not include any additional scope
360 items other than those set forth in **Appendix A**.

361 2. For Undertakings that fall within **Appendix A**, CTDOT Trained Staff will document that
362 the Undertaking is exempt from further review and maintain that documentation in its
363 project files.

364 C. CTDOT, CTSHPPO, and the Federal Transportation Agencies may petition to add or remove
365 actions to the list in **Appendix A** upon amendment to this Agreement in accordance with
366 **Stipulation XV**. Undertakings with minor potential to affect Historic Properties (Screened
367 Undertakings)

368 1. The Federal Transportation Agencies, CTDOT, and CTSHPPO have determined the
369 Undertakings listed in **Appendix B** have minimal potential to affect Historic Properties.
370 To be Exempted from further consultation, the Undertakings require internal review and
371 finding by CTDOT Qualified Staff to determine whether the Undertaking including the
372 listed actions meets all of the terms and conditions in **Appendix B**, and that no particular
373 circumstances exist that would call for additional review.

374 a. If Qualified Staff determine no additional review is required, CTDOT will
375 document their finding that the Undertaking is exempt from further review and
376 maintain that documentation in the project file.

377 b. If Qualified Staff determine that the Undertaking does not meet the requirements in
378 **Appendix B**, it shall be reviewed under the provisions of **Stipulation VII**.

379 **VII. PROJECT REVIEW**

380 For Undertakings that are not Exempted under the provisions of **Stipulation VI**, CTDOT
381 Qualified Staff will employ an approach that meets the requirements of 36CFR§§800.3–800.5
382 and may address multiple steps simultaneously.

383 A. ‘No Historic Properties Affected’ for Undertakings Subject to this Agreement.

384 Qualified Staff will issue a finding of “No Historic Properties Affected” only after conducting
385 the following steps:

386 1. If, after satisfying the requirements of 36CFR§800.3 through §800.4(c), Qualified Staff
387 determines that either there are no Historic Properties within the Undertaking’s APE, or
388 Historic Properties are present within the APE but will not be affected by the
389 Undertaking, CTDOT will issue a finding of “No Historic Properties Affected.”

390 2. During the Section 106 consultation process, CTDOT may consult with CTSHPPO, as
391 applicable, regarding the application of the 36CFR§800.4 criteria. Qualified Staff shall
392 document such consultation in the CTDOT project file. No further review under Section
393 106 is required for a finding of “No Historic Properties Affected” unless the scope of
394 work or limits change, thus requiring additional review. Any conditions or commitments
395 will be monitored by CTDOT staff.

396 B. ‘No Adverse Effect’ for Undertakings Subject to this Agreement.

397 For an Undertaking that includes Historic Properties within its APE, Qualified Staff will
398 apply the criteria of adverse effect set forth in 36CFR§800.5(a) to evaluate the effects of the
399 Undertaking on Historic Properties. Qualified Staff shall make a finding of ‘No Adverse
400 Effect’ to Historic Properties after completing the following steps, specific to each Lead
401 Federal Agency:

402 c. CTDOT shall identify and engage parties for consultation per 36CFR§800.2. If
403 Qualified Staff determine that the effects of an Undertaking are not adverse, or if
404 certain conditions are met such that there are no adverse effects or adverse effects are
405 avoided pursuant to 36CFR§800.5(b), Qualified Staff shall make a finding of No
406 Adverse Effect.

407 1. If Qualified Staff determine that the Undertaking will have No Adverse Effect on
408 Historic Properties, CTDOT will provide documentation of its determination to
409 CTSHPO, and any other consulting parties, as appropriate. CTSHPO shall review the
410 determination and provide written comments within thirty (30) days of receiving
411 CTDOT’s finding and supporting documentation as set forth in 36CFR§800.11.

412 a. If an Undertaking is modified to avoid adverse effects, CTDOT shall
413 submit such conditions to CTSHPO and other consulting parties for its
414 review and concurrence prior to making a finding of No Adverse Effect.
415 If CTSHPO does not respond within thirty (30) days, CTDOT shall
416 assume its concurrence.

417 b. All conditions required to avoid adverse effects shall be referenced as
418 “commitments” in the project file maintained by CTDOT and CTDOT
419 shall be responsible to ensure and document the implementation of these
420 commitments throughout the life of the Undertaking.

421 2. CTDOT shall make documentation concerning a finding of No Adverse Effect
422 available for public inspection (subject to applicable confidentiality provisions, laws, or
423 regulations) upon request. Contact information and instructions for public inspection of
424 documentation for each Undertaking shall be posted on CTDOT’s website.

425 a. After thirty (30) days of making such documentation available, if there are
426 any disputes arising from the No Adverse Effect determination, CTDOT will
427 follow the dispute resolution process in **Stipulation XVII**.

428 C. “Adverse Effect” for Undertakings Subject to this Agreement.

429 1. Undertakings that include Historic Properties within the APE that may be adversely
430 affected by the Undertaking, as assessed by applying the criteria of adverse effect set
431 forth in 36CFR§800.5(a), shall be reviewed in accordance with the procedures of
432 36CFR§800. CTDOT Qualified Staff will recommend to the Lead Federal Agency that
433 the Undertaking may have an adverse effect on Historic Properties.

434 2. If Qualified Staff recommend that an Undertaking may adversely affect a National
435 Historic Landmark, CTDOT shall notify the Lead Federal Agency and request CTSHPO,
436 ACHP, and the Secretary of the Interior participate in consultation to resolve any adverse
437 effects, as outlined in 36CFR§800.10.

438 3. CTDOT will provide an adverse effect notification for ACHP to the Lead Federal
439 Agency, which will review and transmit to ACHP. The Lead Federal Agency will notify
440 CTDOT of ACHP’s decision to participate (or not) in the Undertaking.

441 4. CTDOT will assist the Lead Federal Agency to draft, circulate, and execute an agreement
442 document to resolve the adverse effect in consultation with CTSHPO, Tribes, and
443 consulting parties.

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VIII. CHANGES IN PROJECT SCOPE

- A. When an Undertaking undergoes a Scope Change, or a new element is added to an Undertaking after Section 106 review has concluded, CTDOT, in consultation with the Lead Federal Agency, shall assess the need for additional consultation with CTSHP and other consulting parties in accordance with their respective responsibilities or rights under **Stipulation VII**.
- B. CTDOT is not required to conduct additional consultation under the following conditions:
 - 1. The APE has not changed beyond the vertical and horizontal limits of previous identification efforts; and
 - 2. The Scope Change does not change the APE or effect finding; and
 - 3. Less than three (3) years have passed since Historic Properties have been documented within the APE under the previous Section 106 determination and original construction on all Historic Properties within the APE has been completed within forty-five (45) years within this three (3) year period; and
 - 4. All Scope Change, additions, or modification is an action listed in **Appendix A**.
- C. There has been no change to ground surface visibility due to natural or manmade causes.

IX. PARTICIPATION OF OTHER CONSULTING PARTIES AND THE PUBLIC

- A. Other Consulting Parties
 - 1. Upon consultation with CTSHP, CTDOT shall identify additional consulting parties as described in 36CFR§800.3 and invite them to participate in the Undertakings covered by this Agreement. Written requests by individuals, organizations, and/or agencies to become consulting parties will be evaluated on a case-by-case basis by CTDOT and the Lead Federal Agency, and the Lead Federal Agency retains final approval or denial authority regarding requesting consulting parties.
 - 2. Consulting parties shall be identified in writing by CTDOT in consultation with the Lead Federal Agency and CTSHP pursuant to 36CFR§§800.3(c-f) and their participation in Undertakings covered under this Agreement shall be governed by 36CFR§800.3(f)(3).
 - a. Individuals and organizations with a demonstrated interest in an Undertaking shall be invited by CTDOT, in consultation with the Lead Federal Agency, to participate in the Section 106 consultation process.
 - b. Any land-managing agency whose land may be affected by an Undertaking shall be invited by CTDOT to participate in the Section 106 consultation process.
- B. Public Involvement
 - 1. CTDOT shall conduct all public involvement in planning and implementing Undertakings pursuant to 36CFR§800.2(d) and CTDOT’s current Public Involvement Procedures (**Attachment 3**). Any release of information in shall be in accordance with 36CFR§800.11(c)(1) and (3).
 - 2. For those actions that do not routinely require public review and comment (e.g., Exempted Undertakings), appropriate public involvement should be based on the specifics of the situation and commensurate with the type and location of Historic Properties, and the Undertaking’s potential impacts on them in accordance with 36CFR§800.2(d). CTDOT shall inform the Lead Federal Agency and CTSHP of any

488 and all public controversy related to the Historic Properties potentially affected by an
489 Undertaking. Historic Properties includes, but is not limited to, properties of religious
490 and/or cultural significance to Tribes. Disclosure of any and all public controversy to the
491 Lead Federal Agency and CTSHPO shall be made as soon as practicable once CTDOT is
492 aware of such public controversy.

493 **X. EMERGENCIES**

494 A. Actions to address Emergency situations can occur regardless of funding category, and
495 regardless of declarations made by federal, state, or local agencies.

496 B. If the Emergency actions could affect Historic Properties, Qualified Staff shall notify
497 CTSHPO, the Federal Transportation Agencies, Tribes, and ACHP prior to any work taking
498 place. CTSHPO, the Federal Transportation Agencies, ACHP, and any Tribe that may attach
499 religious and cultural significance to Historic Properties likely to be affected shall have seventy-
500 two (72) hours to respond with any concerns. Documentation of the notification and any
501 responses shall be placed in the project file.

502 C. For situations where the actions must be made within thirty (30) days of the occurrence of the
503 event that caused the Emergency or the declaration of the Emergency by an appropriate
504 authority, the processing of environmental documentation will happen concurrently or after the
505 fact. In these cases, CTDOT will comply with the procedures in **Stipulation X** of this
506 Agreement to the extent possible, but the reviews will likely be conducted after the Emergency
507 work is completed.

508 D. For Undertakings taking longer than thirty (30) days, CTDOT will comply with the
509 procedures set forth in **Stipulations VI and VII**, as appropriate.

510 E. Emergency Undertakings are often solely state-funded, however CTDOT will proceed in
511 accordance with this Agreement should federal funding reimbursement become available after
512 the Emergency took place.

513 **XI. DISCOVERIES**

514 A. Post-Review Discoveries

515 1. When property access is not feasible until construction or other circumstances prohibit
516 the identification of Historic Properties prior to construction and CTDOT's identification
517 efforts indicate that Historic Properties are likely to be discovered during an Undertaking,
518 CTDOT shall, in accordance with 36CFR§800.13(a), execute a formal agreement
519 between the Lead Federal Agency, and CTSHPO and the Tribes as applicable, setting
520 forth a plan for discovery of such properties, and include such agreement in the project
521 file a plan for discovery of such properties. CTDOT shall implement such plan in
522 accordance with 36CFR§§800.4 - 800.6.

523 B. Discoveries Without Prior Planning

524 1. If previously unidentified archaeological or Historic Properties, or unanticipated effects,
525 are discovered on a portion of the Undertaking after CTDOT has completed its Section
526 106 review pursuant to this Agreement, CTDOT shall immediately suspend that portion
527 of the Undertaking, in accordance with CTDOT Form 819, *The Standard Specifications*
528 *for Roads, Bridges, Facilities and Incidental Construction*, as amended (or current
529 CTDOT Form), Section 1.10.06 – Protection of Archaeological and Paleontological
530 Remains and Materials.

- 531 2. CTDOT shall notify the appropriate Lead Federal Agency as soon as is practicable, or
532 within twenty-four (24) hours, of any discovery under this **Stipulation XI**. CTDOT shall
533 ensure that no further construction occurs within 100 feet of the area of the discovery
534 until the requirements of 36CFR§800.13(b) have been satisfied, including but not limited
535 to consultation with Tribes that may attach traditional cultural and religious significance
536 to the discovered property.
- 537 3. CTDOT, in coordination with the Lead Federal Agency, will record, document, and
538 evaluate NRHP eligibility of the property and the Undertaking's effect on the property,
539 then consult with CTSHPO and Tribes and notify other consulting parties, as appropriate,
540 regarding design of a plan for avoiding, minimizing, or mitigating adverse effects on the
541 eligible property.
- 542 4. If neither CTSHPO nor a Tribe file an objection within seventy-two (72) hours of
543 CTDOT's plan for addressing the discovery, CTDOT may carry out the requirements of
544 36CFR§800.13 on behalf of the Lead Federal Agency, and is not required to notify
545 ACHP.

546 **XII. TREATMENT OF HUMAN REMAINS**

547 The Federal Transportation Agencies and CTDOT recognize the importance of providing respectful
548 consideration for burial sites, human remains, and funerary objects.

549 A. In the event that human remains are encountered, CTDOT shall immediately cease
550 construction and/or work within 100 feet of the general area of the discovery, in accordance with
551 CTDOT Form 819, *The Standard Specifications for Roads, Bridges, Facilities and Incidental*
552 *Construction*, as amended (or current CTDOT form), Section 1.10.06 – Protection of
553 Archaeological and Paleontological Remains and Materials.

554 B. CTDOT will notify the Lead Federal Agency within twenty-four (24) hours of the discovery
555 of human remains and contact the State Medical Examiner and the Connecticut Office of State
556 Archaeology, in accordance with Connecticut General Statute §10-388.

557 C. CTDOT shall undertake all practical measures to secure and protect the location from damage
558 and disturbance.

559 D. CTDOT shall not remove and shall ensure that no human remains or materials associated
560 with the remains will be collected or removed, until appropriate consultations have occurred in
561 accordance with 36CFR§800.13. CTDOT shall ensure that no further work in the area of
562 discovery proceeds until the Lead Federal Agency has determined that the requirements of
563 36CFR§800.13 have been satisfied.

564 E. CTDOT will develop a treatment plan in consultation with the Lead Federal Agency and
565 CTSHPO within forty-eight (48) hours of the discovery or a timeline agreed upon during
566 consultation. If, in the course of consultation, CTDOT learns or determines that the human
567 remains are associated with a Historic Property of religious or cultural significance to the Tribes,
568 CTDOT and the Lead Federal Agency will consult with the Tribes prior to the development or
569 execution of a treatment plan.

570 **XIII. CURATION OF ARCHAEOLOGICAL COLLECTIONS**

571 CTDOT shall administer the curation of any significant cultural material collected during the
572 course of archaeological reconnaissance and archaeological intensive surveys on State-owned
573 land or for donated materials recovered from privately-owned land. CTDOT will transfer all

574 materials to the Office of the State Archaeologist pursuant to the ‘Memorandum of
575 Understanding between State of Connecticut, Department of Transportation and Office of State
576 Archaeology/Connecticut State Museum of Natural History,’ dated August 1, 2023, as amended,
577 or the Office of State Archaeology/Connecticut State Museum of Natural History’s successor

578 **XIV. ANNUAL REVIEW, AUDITING, REPORTING, AND MONITORING**

579 A. CTDOT, the Federal Transportation Agencies, and CTSHPO will consult as needed to review
580 implementation of the terms of this Agreement.

581 B. CTDOT will prepare and submit quarterly reports to CTSHPO and the Federal Transportation
582 Agencies, which must include:

- 583 1. Summary information on all Undertakings processed under this Agreement;
- 584 2. Copies of all exemptions and program comments applied to any Undertakings
- 585 3. Copies of all **Appendix A** findings signed by Trained Staff;
- 586 4. Copies of all **Appendix B** findings signed by Qualified Staff;
- 587 5. Copies of all determinations of NRHP eligibility signed by Qualified Staff; and
- 588 6. Copies of all documentation of Undertakings with conditional findings of effect and
589 associated commitments; and
- 590 7. Copies of all determinations of effect made under **Stipulation VII** by Qualified Staff.

591 C. CTDOT will prepare and submit annual reports to the Federal Transportation Agencies,
592 ACHP, and CTSHPO, which shall include an assessment of the effectiveness of the Agreement,
593 concerns with the Agreement, and implementation to the Agreement, if any. CTDOT may
594 include the identification of actions or categories of Undertakings that have minimal potential to
595 impact Historic Properties and may be considered for amendment to the Appendices of this
596 Agreement.

- 597 1. CTDOT will provide the Federal Transportation Agencies, ACHP, and CTSHPO with a
598 copy of this annual report by March 1 each calendar year.
- 599 2. The Federal Transportation Agencies, ACHP, and CTSHPO will review CTDOT’s
600 annual report and, if requested by any Signatory, all parties shall consult to resolve issues
601 identified in the annual report.

602 D. Federal Transportation Agencies, ACHP, and CTSHPO may monitor activities carried out
603 pursuant to this Agreement. CTDOT will cooperate with these parties in carrying out their
604 monitoring efforts.

605 E. CTDOT will organize an annual meeting with the Federal Transportation Agencies and
606 CTSHPO to discuss the status of the findings of the annual report prepared per **Stipulation**
607 **XIV.B**. The meeting will take place by April 30 of each calendar year for the duration of this
608 Agreement.

609 F. Training: As part of each year’s annual meeting described in **Stipulation XIV.E.**, CTDOT
610 will organize training session(s) with the Federal Transportation Agencies and CTSHPO.
611 Training topics could include, but is not limited to, cultural resources management, Section 106,
612 implementation procedures of this Agreement, and/or presentation of highlighted projects from
613 the preceding year. CTDOT will also provide training to staff in CTDOT’s Office of
614 Environmental Planning for the application of **Appendix A** of this Agreement. The training will
615 be required for CTDOT staff to be considered Trained Staff.

616 **XV. AMENDMENT**

617 Any Signatory to this Agreement may request that it be amended, whereupon the Signatories
618 will consult to consider such an amendment. Any resulting amendments shall be developed and
619 executed between the Signatories in the same manner as the original Agreement. Attachments to
620 this Agreement do not require a full amendment to the PA. Should a Signatory request a change
621 to an Attachment, the Signatory will notify all Signatories of the requested change, and if no
622 objection is raised in thirty (30) days, CTDOT will make the change and document it in the
623 annual report.
624

625 **XVI. TERMINATION**

626 Any Signatory to this Agreement may terminate it by providing thirty (30) calendar day notice in
627 writing to the Signatories explaining the reason for termination, provided that the Signatories will
628 consult during the period prior to termination to seek agreement on amendments and other actions
629 that would avoid termination. In the event of termination, the Federal Transportation Agencies
630 will comply with 36CFR§800 with regard to Undertakings covered by this Agreement.

631 **XVII. DISPUTE RESOLUTION**

632 A. Objections from a Signatory.

- 633 1. If any Signatory objects regarding the way the terms of this Agreement are carried out,
634 the objecting Signatory will notify in writing all other Signatories within forty-eight (48)
635 hours, The Signatories will consult to resolve the objection. The Federal Transportation
636 Agencies shall establish a reasonable timeframe commensurate with the nature of the
637 objection for such consultations.
- 638 2. If the objection—other than a determination of eligibility which shall be resolved
639 pursuant to **Stipulation XVII.C**—is resolved through consultation, the Lead Federal
640 Agency may authorize the disputed action to proceed in accordance with the terms of
641 such resolution.
- 642 3. If after initiating such consultation, the Lead Federal Agency determines that the
643 objection cannot be resolved through consultation, the Lead Federal Agency shall
644 forward all documentation relevant to the objection to ACHP and other Signatories,
645 including the Lead Federal Agency’s proposed response to the objection. Within thirty
646 (30) days after receipt of all pertinent documentation, ACHP shall exercise one of the
647 following options:
- 648 a. Advise the Lead Federal Agency that ACHP concurs in the Lead Federal Agency’s
649 proposed response to the objection, whereupon the Lead Federal Agency will
650 respond to the objection accordingly; or
 - 651 b. Provide the Lead Federal Agency with recommendations, which the Lead Federal
652 Agency shall take into account in reaching a final decision regarding its response to
653 the objection; or
 - 654 c. Notify the Lead Federal Agency that the objection will be referred for comment
655 pursuant to 36CFR§800.7(a)(4) and proceed to refer the objection and comment. In
656 this event, the Lead Federal Agency, as the Agency Official shall ensure that the
657 resulting comments are taken into account in accordance with 36CFR§800.7(c)(4).

- 658 4. If ACHP does not exercise one of the options in **Stipulation XVII.A.3** within thirty (30)
659 days after receipt of all pertinent documentation, the Lead Federal Agency may assume
660 ACHP’s concurrence in its proposed response to the objection.
- 661 5. The Lead Federal Agency shall take into account any ACHP recommendation or
662 comment, and any comments from the other Signatories, in reaching a final decision
663 regarding the objection. All Signatories shall remain responsible for all obligations under
664 this Agreement that are not the subject of the objection.
- 665 6. The Lead Federal Agency shall provide all other Signatories with a written copy of its
666 final decision regarding any objection addressed pursuant to this Section.
- 667 7. The Lead Federal Agency may authorize any action subject to objection under this
668 **Stipulation XVII** to proceed, provided the objection has been resolved in accordance
669 with the terms of this **Stipulation XVII**.

670 B. Objections from the Public or Consulting Parties.

- 671 1. At any time during implementation of this Agreement, if any member of the public, or
672 any consulting party, raises an objection in writing pertaining to such implementation to
673 any Signatory, that Signatory shall immediately notify the Lead Federal Agency. The
674 Lead Federal Agency shall immediately notify the other Signatories in writing of the
675 objection. Any Signatory may choose to comment on the objection to the Lead Federal
676 Agency. The Lead Federal Agency shall establish a reasonable timeframe for this
677 comment period. The Lead Federal Agency shall consider the objection, and in reaching
678 its decision, take all comments from the other Signatories into account. Within fifteen
679 (15) days following closure of the comment period, the Lead Federal Agency will render
680 a decision regarding the objection and respond to the objecting party. The Lead Federal
681 Agency will promptly notify the other Signatories to its decision in writing, and shall
682 include a copy of its response to the objecting party. The Lead Federal Agency’s decision
683 regarding resolution of the objection will be final. Following the issuance of its final
684 decision, the Lead Federal Agency may authorize the Undertaking subject to dispute
685 hereunder to proceed in accordance with the terms of that decision.

686 C. Objections to Determination of Eligibility

- 687 1. If any Signatory objects to a determination of eligibility, the Lead Federal Agency will
688 submit the determination to the ‘Keeper of the National Register of Historic Places’ at the
689 National Park Service for resolution in accordance with 36CFR§63.

690 **XVIII. CONFIDENTIALITY**

691 All parties to this Agreement acknowledge that information about Historic Properties, potential
692 Historic Properties, or properties considered historic for purposes of this Agreement are or may
693 be subject to the provisions of Section 304 of the National Historic Preservation Act (NHPA).
694 Section 304 allows the Federal Transportation Agencies to withhold from disclosure to the
695 public, information about the location, character, or ownership of a Historic Property if the Lead
696 Transportation Agency, in consultation with CTDOT, determines that disclosure may 1) cause a
697 significant invasion of privacy; 2) risk harm to the Historic Property; or 3) impede the use of a
698 traditional religious site by practitioners. Having so acknowledged, all parties to this Agreement
699 will ensure that all actions and documentation prescribed by this Agreement are, where
700 necessary, consistent with the requirements of Section 304 of the NHPA.

701 **XIX. DURATION**

702 This Agreement shall remain in effect for a period of five (5) years after the date the last party
703 executes this Agreement (Effective Date), unless extended pursuant to **Stipulation XV** of this
704 Agreement or it is terminated prior to that time pursuant to **Stipulation XVI**. CTDOT shall
705 provide written notification to the Signatories regarding extension of the Agreement at least six
706 (6) months prior to the conclusion of the five (5) year Term. If there are no objections from the
707 Signatories, the Term will be extended for an additional five (5) years by written amendment up
708 to a maximum of ten (10) total years. If any Signatory objects to extending the Agreement,
709 CTDOT will consult with the Signatories to consider amendments or other actions to avoid
710 termination.

711 **XX. EXECUTION OF THE AGREEMENT**

712 Execution and implementation of this Agreement are evidence that the Federal Transportation
713 Agencies have delegated certain Section 106 responsibilities to CTDOT, and has afforded ACHP
714 a reasonable opportunity to comment on the Program and its individual Undertakings in
715 Connecticut; that the Federal Transportation Agencies have taken into account the effects of the
716 Program and its individual Undertakings on Historic Properties, and that the Federal
717 Transportation Agencies have complied with Section 106 and 36CFR§800 for the Programs and
718 their individual Undertakings.

719
720
721 [Signatures immediately follow this paragraph]

722 **PROGRAMMATIC AGREEMENT AMONG**
723 **THE FEDERAL HIGHWAY ADMINISTRATION,**
724 **THE FEDERAL TRANSIT ADMINISTRATION,**
725 **THE FEDERAL RAILROAD ADMINISTRATION,**
726 **THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,**
727 **THE CONNECTICUT STATE HISTORIC PRESERVATION OFFICER,**
728 **AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
729 **REGARDING THE TRANSPORTATION PROGRAMS IN CONNECTICUT**
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737 **ADVISORY COUNCIL ON HISTORIC PRESERVATION**
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745 Reid Nelson
746 Executive Director

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Date

749 **PROGRAMMATIC AGREEMENT AMONG**
750 **THE FEDERAL HIGHWAY ADMINISTRATION,**
751 **THE FEDERAL TRANSIT ADMINISTRATION,**
752 **THE FEDERAL RAILROAD ADMINISTRATION,**
753 **THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,**
754 **THE CONNECTICUT STATE HISTORIC PRESERVATION OFFICER,**
755 **AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
756 **REGARDING THE TRANSPORTATION PROGRAMS IN CONNECTICUT**
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764 **FEDERAL HIGHWAY ADMINISTRATION**
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772 John McAvoy, PE
773 Division Administrator

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778 **PROGRAMMATIC AGREEMENT AMONG**
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780 **THE FEDERAL TRANSIT ADMINISTRATION,**
781 **THE FEDERAL RAILROAD ADMINISTRATION,**
782 **THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,**
783 **THE CONNECTICUT STATE HISTORIC PRESERVATION OFFICER,**
784 **AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
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793 **FEDERAL RAILROAD ADMINISTRATION**
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801 Amanda Murphy
802 Deputy Federal Preservation Officer
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805 **PROGRAMMATIC AGREEMENT AMONG**
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807 **THE FEDERAL TRANSIT ADMINISTRATION,**
808 **THE FEDERAL RAILROAD ADMINISTRATION,**
809 **THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,**
810 **THE CONNECTICUT STATE HISTORIC PRESERVATION OFFICER,**
811 **AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
812 **REGARDING THE TRANSPORTATION PROGRAMS IN CONNECTICUT**
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820 **FEDERAL TRANSIT ADMINISTRATION**
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827 Peter Butler
828 Regional Administrator
829 FTA Region 1
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_____ Date

831 **PROGRAMMATIC AGREEMENT AMONG**
832 **THE FEDERAL HIGHWAY ADMINISTRATION,**
833 **THE FEDERAL TRANSIT ADMINISTRATION,**
834 **THE FEDERAL RAILROAD ADMINISTRATION,**
835 **THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,**
836 **THE CONNECTICUT STATE HISTORIC PRESERVATION OFFICER,**
837 **AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
838 **REGARDING THE TRANSPORTATION PROGRAMS IN CONNECTICUT**
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846 **CONNECTICUT STATE HISTORIC PRESERVATION OFFICE**
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853 Jonathan Kinney
854 Connecticut State Historic Preservation Officer
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_____ Date

857 **PROGRAMMATIC AGREEMENT AMONG**
858 **THE FEDERAL HIGHWAY ADMINISTRATION,**
859 **THE FEDERAL TRANSIT ADMINISTRATION,**
860 **THE FEDERAL RAILROAD ADMINISTRATION,**
861 **THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,**
862 **THE CONNECTICUT STATE HISTORIC PRESERVATION OFFICER,**
863 **AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
864 **REGARDING THE TRANSPORTATION PROGRAMS IN CONNECTICUT**
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872 **CONNECTICUT DEPARTMENT OF TRANSPORTATION**
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879 Garrett Eucalitto
880 Commissioner
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883 **APPENDIX A**

884 **EXEMPTED UNDERTAKINGS NOT REQUIRING QUALIFIED STAFF REVIEW**

885
886
887 CTDOT, CTSHPO, and the Federal Transportation Agencies concur that the following list of activities
888 have minimal potential to affect Historic Properties provided they are limited to the activities listed below
889 and are not part of a larger Undertaking. CTDOT Trained Staff will review Undertakings to ensure that
890 the proposed exemptions are consistent with this **Appendix A**. Undertakings limited to these activities
891 shall not require Section 106 consultation with CTSHPO nor any further consideration under Section 106
892 provided that:

- 893
- 894 • The Undertaking is limited to the activities specified below; and
 - 895 • The Undertaking is not within or adjacent to a National Historic Landmark or National Park, or
896 property under the jurisdiction of the National Park Service;
 - 897 • The Undertaking has no known public controversy based on historic preservation issues; and
- 898 The Undertaking requires no permanent or temporary right-of-way action (acquisition of land easements
899 or other property rights) and activities are located within the Previously Disturbed Right-of-Way

900
901 **Federal Highway Administration Transportation Mode Actions**

902
903 Undertakings for which FHWA is the Lead Federal Agency may be Exempted from Section 106 review if
904 they meet the following:

905
906 **Maintenance / Surface Treatments of Existing Roadways / Transportation Facilities**

- 907 1. New, renewal, or reconfigurations of new highway markings along existing roadways, to include
908 small (no larger than a stop sign) reflective signage placed upon driven metal posts
- 909 2. Pothole filling, crack sealing, joint repair
- 910 3. Pavement milling or grooving, including installation of rumble strips and traffic sensors
- 911 4. Surface treatments: including pavement milling, grooving, gridding, crack repair, chip seal, high
912 friction surface treatments, rumble strips, and resurfacing treatments down to existing subbase on
913 non-historic parkways or roadways
- 914 5. Resurfacing or repair of existing ramps within the Previously Disturbed Right-of-Way
- 915 6. Resurfacing of roadways within the Previously Disturbed Right-of-Way
- 916 7. New or renewal of traffic control devices such as rumble strips, post mounted signs, pavement
917 markings, traffic sensors/detection systems (loops), snow and ice detectors, or other similar
918 features on existing ramps and roadways.

919
920 **Repair / Replacement-in-Kind of Existing Facilities**

- 921 8. Repair or in-kind replacement (essentially the same size, material, color, and texture) of curbs,
922 curbing, and sidewalks, including street furniture, highway signage, existing traffic signals, and
923 existing lighting. This exemption does not include Undertakings that require new underground
924 work.
- 925 9. In-kind replacement or relocation of existing utility poles between edge of sidewalk and roadway
926 except those that are within a State Archaeological Preserve or within fifty (50) feet of a marked
927 cemetery boundary.

928
929 **Maintenance / Repair of Non-Historic Bridges**

- 930 10. Beam end and bearing repair of bridges less than fifty (50) years old or exempt under the ACHP
- 931 Interstate Highway Exemption.
- 932 11. “SPMO” (Strip, Patch, Membrane installation on deck, and Overlay) repairs to bridges
- 933 12. Repair/replace bridge expansion joints
- 934 13. Bridge washing, cleaning, and sealing. Includes clean drainage scuppers and drainpipes, as well
- 935 as removal or vegetation to allow access for inspection team or repairs

936

Federal Transit Administration Transportation Mode Actions

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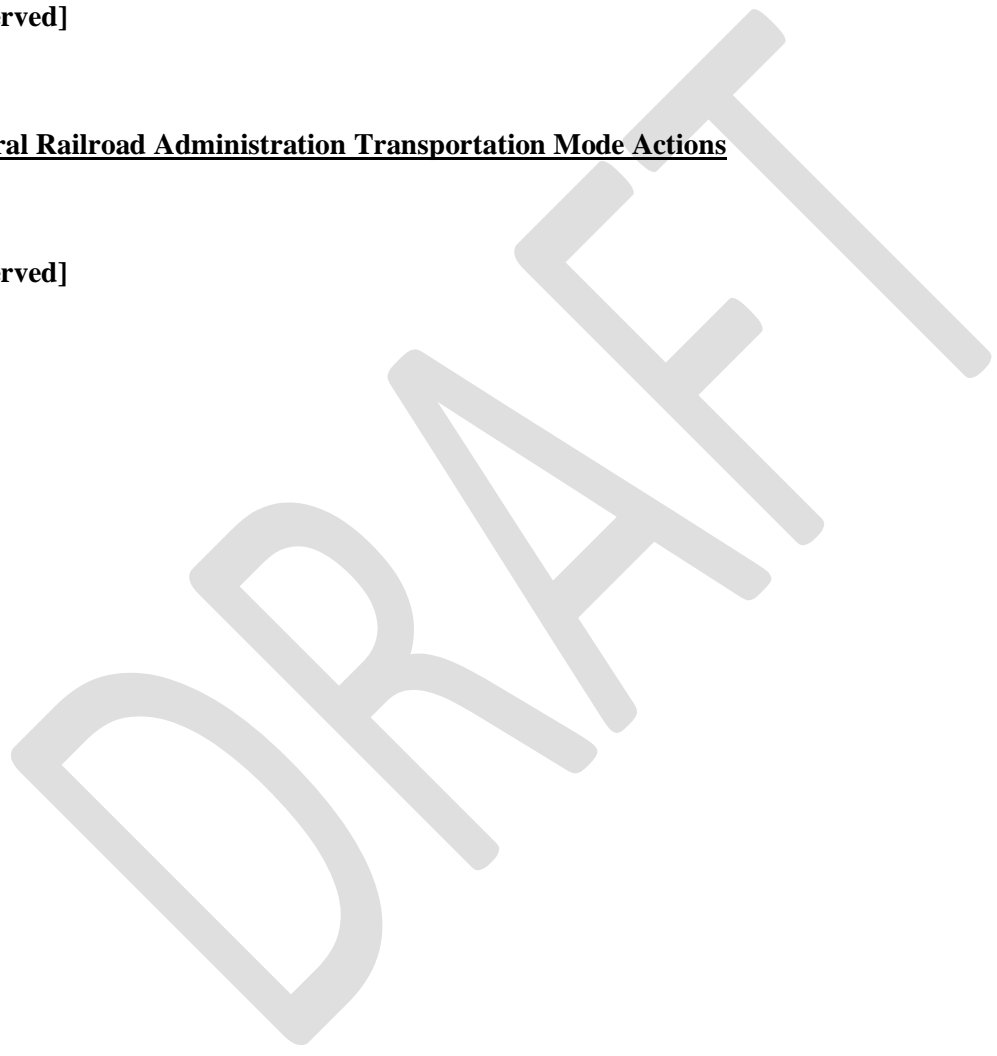
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Federal Railroad Administration Transportation Mode Actions

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943 [Reserved]



944 **APPENDIX B**

945 **EXEMPTED UNDERTAKINGS REQUIRING QUALIFIED STAFF REVIEW**

946 CTDOT, CTSHPO, and the Federal Transportation Agencies concur that the following Undertakings have
947 minimal potential to cause effects to Historic Properties, but require screening by Qualified Staff prior to
948 approval. In accordance with this Agreement, Qualified Staff may determine that an Undertaking will
949 require no consultation with CTSHPO provided that:
950

- 951 • The Undertaking is limited to the activities specified below;
- 952 • The Undertaking is not within or adjacent to a National Historic Landmark or National Park, or
953 property under the jurisdiction of the National Park Service;
- 954 • The Undertaking has no known public controversy based on historic preservation issues; and
- 955 • The Undertaking requires no permanent or temporary right-of-way action (acquisition of land
956 easements or other property rights
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959 An Undertaking may not be Exempted under this **Appendix B** if Qualified Staff determine that there is a
960 reasonable potential for effects to Historic Properties due to the particular location, circumstances,
961 character, or context of a below-listed project types. In such circumstances, Qualified Staff will follow the
962 procedures established in **Stipulation VII** of this Agreement.

963 **Undertakings where the Federal Highway Administration is the Lead Federal Agency**

964 **Interstate Related Projects**

- 965 1. Interstate bridge or roadway projects (excluding air rights development) where all work occurs
966 within the Previously Disturbed Right-of-Way.
967

968 **Roadway Related Projects**

- 969 2. Reconstruction activities on the existing roadway within the Previously Disturbed Right-of-Way.
970 Reconstruction activities may include roadway restoration, roadway rehabilitation, repair,
971 replacement or resetting of existing guiderail (wood or weathering steel guardrail to be consistent
972 with that existing), widening less than one (1) full travel lane, addition of shoulders, construction
973 of cross-overs on median strips, and addition or extension of emergency turnouts.
974
- 975 3. Correcting substandard roadway geometrics and intersections, provided that such improvements
976 do not extend beyond the limits of Previously Disturbed Right-of-Way. These improvements
977 would include, but are not limited to, turn lanes, improved turning radii, channelization,
978 divisional, and refuge islands, acceleration/deceleration lanes; and installation of curbs and
979 gutters.
- 980 4. Modifications to existing sidewalks and curbs to satisfy the requirements of the Americans with
981 Disabilities Act.
- 982 5. Removal of trees by flush cutting, as part of a roadway project, except within NRHP eligible or
983 listed Parkways. Exemption does not include subsurface stump grinding or removal or installation
984 access outside the existing Previously Disturbed Right-of-Way.
- 985 6. Landscaping, including weeding; thinning; in-kind replacement of existing specimens; and
986 shallow bed preparation in areas previously landscaped within the existing right-of-way except
987 within NRHP eligible or listed Parkways.
- 988 7. Installation of new underground utilities or the replacement/repairing of existing underground
989 utilities within existing roadway footprints.

- 990 8. The in-kind replacement or relocation of existing utility poles between the edge of the sidewalk
991 and roadway except within a State Archaeological Preserve or within fifty (50) feet of a marked
992 cemetery boundary.
- 993 9. Rehabilitation, reconstruction or refurbishing of existing active at-grade railroad crossings,
994 including installation of railroad warning signs and devices, such as flashing lights and gates.
- 995 10. Construction of wetland mitigation areas in Previously Disturbed Right-of-Way.

996

997 **Bridge/Culvert Related Projects**

- 998 11. All bridge/culvert related work, up to and including replacement of bridges with a NRHP
999 eligibility determination of “Not Eligible” on file with CTDOT and CTSHPO, provided that all
1000 project related work is confined to the existing Previously Disturbed Right-of-Way.
- 1001 12. All bridge/culvert related work, up to and including replacement of steel stringer bridges (except
1002 those with documented pre-1900 construction dates) and concrete slab bridges, provided that all
1003 project related work is confined to the existing Previously Disturbed Right-of-Way.
- 1004 13. All bridge/culvert related work with an APE wholly confined to disturbed soils; and excluding
1005 stone slab culverts, stone arches, brick arches, and stone abutment bridges or culverts.
- 1006 14. All bridge/culvert related work, up to and including replacement of common concrete and steel
1007 bridges and culverts built after 1945, as defined in ACHP’s *Program Comment for Streamlining*
1008 *Section 106 Review for Actions Affecting Post-1945 Concrete and Steel Bridges* and excluding
1009 bridges identified as “exceptional” in **Attachment 2**, provided that all project related work is
1010 confined to the existing Previously Disturbed Right-of-Way.
- 1011

1012 **Roadside Safety Related Projects**

- 1013 15. Highway safety improvement activities within Previously Disturbed Right-of-Way, including
1014 installation, replacement, modification, or removal of safety appurtenances, such as impact
1015 attenuators, median glare screens, roadway delineators, guiderails, and safety barriers. These
1016 improvements may also include post-mounted countermeasures (reflectors, breakaway devices,
1017 and shielding systems), installation of panel mounted reflective object markers, installation of
1018 reflective object markers not mounted on panels, and removal of fixed objects (utility poles, non-
1019 breakaway signs, and pipe headwalls).

1020

1021 **Drainage Related Projects**

- 1022 16. Routine cleaning, maintenance, and repair of existing drainage system elements, such as catch
1023 basins, pipes, outlet protection, stormwater management, and water quality facilities and devices.
- 1024 17. Retrofitting or redesign of existing drainage system elements as long as such work occurs within
1025 the Previously Disturbed Right-of-Way.
- 1026 18. Minor safety-related improvement activities involving drainage system elements, including but
1027 not limited to, converting existing drop inlets to traversable designs; installation, replacement, or
1028 removal of pipes and headwalls; installation, replacement, and extensions of pipes; and addition
1029 of pipe end sections as long as such work occurs within the Previously Disturbed Right-of-Way.

1030

1031 **Electrical Related Projects**

- 1032 19. Traffic signal and safety improvement projects where all work occurs within Previously
1033 Disturbed Right-of-Way. Note: This would only involve existing traffic signal replacement or
1034 upgrade projects. CTDOT is not expected to conduct subsurface archaeological identification
1035 efforts for traffic signal replacement or revisions projects, provided that no acquisition of new
1036 transportation right-of-way is involved and there are no known archaeological resources in the
1037 immediate vicinity of the APE.

1038 20. Intelligent Transportation System Projects (except for NRHP eligible or listed bridges, districts,
1039 or properties), such as installation of ramp metering systems; installation of closed circuit
1040 television cameras or highway advisory radio systems, support structures; and installation of
1041 computer links to monitor and control traffic volumes throughout the roadway system.

1042 21. Any electric vehicle charging station-related work, as defined in ACHP's *Exemption from*
1043 *Historic Preservation Review for Electric Vehicle Supply Equipment*.
1044

1045 **Roadway Related Facilities Projects**

1046 22. Excluding NRHP eligible or listed parkways, maintenance and minor improvements to existing
1047 rest areas, fringe parking facilities, park and ride lots, weigh stations and other highway-related
1048 maintenance, storage, and office facility construction provided that no new right-of-way is
1049 required, and that no excavation occurs outside of previously disturbed areas. (Examples of
1050 "minor improvements" include repaving parking lots and access ramps, re-striping, installing
1051 truck-car related conveniences such as electric plug-in equipment, interstate fencing repairs,
1052 routine maintenance/repair of weight-in-motion equipment, adding lighting, picnic benches,
1053 sidewalks within previously-disturbed right-of-way)

1054 **Bicycle/Pedestrian Facility Projects**

1055 23. Projects, including Safe Routes to School program activities, that involve construction of bicycle
1056 and pedestrian lanes, paths, and facilities; and multi-use paths and facilities provided that work is
1057 confined to areas of previous ground disturbance. These projects include, but are not limited to,
1058 handicapped access ramps and ways, designations of certain highways as bike routes, painting of
1059 existing paved shoulders as bike lanes, and bikeway/pedestrian ways.
1060

1061 24. Rail-to-Trail projects provided that all disturbance activities occur within the existing railroad
1062 alignment; and the project does not require the modification or removal of existing bridges or
1063 viaducts.

1064 **Lighting and Signing Projects**

1065 25. Excluding NRHP eligible or listed parkways, restoration, replacement, upgrading, or addition of
1066 highway lighting systems (includes under-deck, conventional, high mast and offset lighting
1067 systems) on controlled access highways. For other highways, in-kind replacement or repair of
1068 highway lighting systems (essentially the same size, material, color or texture).
1069

1070 26. Excluding NRHP eligible or listed parkways, installation or replacement of highway signs
1071 (including overhead and electronic variable message signs) on controlled access highways. For
1072 other highways, in-kind replacement or repair of highway signs (essentially the same size,
1073 material, color or texture).
1074

1075 **Miscellaneous Projects**

1076 27. Removal and disposal of any hazardous waste materials from the existing right-of-way.

1077 28. Replacement or repair of highway fencing where the location of the fencing is unchanged.

1078 29. The installation, repair, and maintenance of noise barriers within the existing roadway right-of-
1079 way or alterations to existing publicly owned buildings to provide for noise reduction.

1080 30. Emergency erosion control measures such as the emplacement of riprap or grout bags to prevent
1081 undermining or other major damage to culverts, bridges, dams, or roadways caused by flooding
1082 events.

1083 **Federal Railroad Administration Related Projects**

1084
1085

1086 All activities specified in Appendix A of ACHP's *Program Comment to Exempt Consideration of Effects*
1087 *to Rail Properties Within Rail Rights-of-Way.*

1088

1089 **Federal Transit Administration Related Projects**

1090

1091 **Installation of Passenger Amenities**

1092 31. Installation of new or replacement bus stop pads; pole(s) for signage, lighting, or utilities;
1093 benches; sidewalks; bike racks and other passenger amenities entirely within areas of previously
1094 disturbed soils.

1095 32. Repair and/or maintenance of existing shelters, signs, pads, sidewalks, lighting and other
1096 passenger amenities, including installation of ADA improvements.

1097 33. Replacement at bus stop sites of existing shelters, provided the replacements are in-kind (i.e., the
1098 same or comparable in size, appearance, and function) and they are within the horizontal and
1099 vertical footprint of the existing site.

1100 34. Enhancement of existing bus stations and stops with passenger information systems (variable
1101 message signs), lighting, ticket vending machines, and bicycle racks/lockers.

1102 35. Installation of a new bus shelter where one does not already exist. The bus shelter must be
1103 installed in an area of previously disturbed soils.

1104

1105 **Transit Signal Priority (TSP) and Transit Signal Modernization (TSM)**

1106 36. TSP projects involving the installation of TSP communication equipment (network switch, access
1107 point and traffic detection camera) on existing traffic signal poles.

1108 37. TSM projects, involving substantial replacement of signalization equipment at an already
1109 signalized intersection, which may include interconnect work, replacement of an extant
1110 controller, and installation a new controller cabinet and foundation. Scopes of work for such
1111 projects may also include: adding countdown pedestrian signals and painting existing signal
1112 poles, installation of ADA ramps and minor roadway improvements, sidewalk, curb and gutter
1113 replacement, and new signage. All work must take place in areas of previously disturbed soils.

1114

1115 **Minor Construction Activities at Existing Transit Buildings and Properties**

1116 38. Minor alterations or additions, as defined below, to existing transit-related maintenance, storage,
1117 and office facilities that are more than 45 years old. The area of work must be entirely with areas
1118 of previously disturbed soils and limited to the following activities:

1119 a. Maintenance, repair, or replacement of HVAC systems.

1120 b. Maintenance, repair, or replacement of pumps, air compressors, or fueling stations.

1121 c. Paving, painting, or striping of existing parking surfaces.

1122 d. In-kind maintenance or repair of architecturally distinctive light poles and fixtures.

1123 e. Maintenance, repair, or replacement activities that are not included elsewhere on this
1124 list and involve non-structural elements, features, systems, hardware, and fixtures in
1125 the interior or on the exterior of non-station bus transit buildings. The new equipment
1126 and infrastructure shall be minor in scale and not visually incompatible with existing
1127 infrastructure at the site. Ground-level equipment and infrastructure shall not exceed
1128 the height of existing transit buildings and equipment at the property. Roof-mounted
1129 equipment must be placed where it is not highly visible from the street. The location
1130 must be entirely within an area of previously disturbed soils.

- 1131 f. Installation of roof-mounted and/or ground-based solar panels and associated
1132 electrical infrastructure. Ground-based solar panels must be installed in areas of
1133 previously disturbed soils.
- 1134 39. Installation of new equipment and infrastructure at existing transit buildings that were constructed
1135 within the last 45 years and properties to support operations, including but not limited to: electric
1136 transformers, and associated equipment, and electric bus charging infrastructure.
1137
- 1138 40. Installation of roof-mounted and/or ground-based solar panels and associated electrical
1139 infrastructure at existing transit buildings or other transportation support facilities that were
1140 constructed more than 45 years ago where it is not visible or intrusive and does not compromise
1141 the integrity of any character-defining features as determined by an SOI-qualified architectural
1142 historian.
- 1143 41. Installation of new equipment and infrastructure at existing buildings and properties that were
1144 constructed within the last 45 years to support operations, including but not limited to: electric
1145 transformers and associated equipment and electric bus charging infrastructure, e.g. pantograph
1146 chargers, freestanding chargers, or other wall mounted chargers.

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ATTACHMENT 1

1147

1148

DEFINITIONS OF TERMS SPECIFIC TO THIS AGREEMENT

1149

This Agreement will use the definitions provided in 36CFR§800.16(a) through (z). The terms listed

1150

below either are not defined in 36CFR§800 or have specific meanings in this Agreement. These terms are

1151

capitalized in the Agreement and defined here.

Term	Definition
“Agency Official”	As defined in 36CFR§800.2(a), the Agency Officials for this Agreement are the FHWA Division Administrator, the FRA Administrator, or the FTA Regional Administrator
“Agreement”	Section 106 Programmatic Agreement between FHWA, FTA, FRA, CTDOT and ACHP Regarding Transportation Programs in Connecticut
“Area of Potential Effects (APE)”	As defined in 36CFR§800.16(d)
“Effective Date”	Date the last party executes the Agreement (Effective Date)
“Emergency” or “Emergencies”	Occurrences that require that immediate action be taken on any highway, railroad, transit system or its facilities, or other transportation infrastructure that are necessary to 1) protect the life, safety, or health of the public; 2) minimize the extent of damage to the transportation system and facilities; 3) protect remaining transportation facilities; or 4) restore essential travel
“Exempted Undertakings”	Undertakings or projects with minimal potential to affect Historic Properties
“Federal Transportation Agencies”	Collective term for FHWA, FRA, and FTA
“Historic Properties”	As defined in 36CFR§800.16(l)
“Lead Federal Agency”	Refers singly to FHWA, FRA, or FTA
“Previously Disturbed Right-of-Way”	The horizontal and vertical extent of the Right-of-way that has been demonstrably disturbed or physically impacted by prior construction or other ground-disturbing activities beyond the depth where cultural materials are likely to be present. As a result, such ROW soils are not likely to possess intact and distinct soil horizons and have minimal potential of possessing archaeological artifacts and features within their original depositional contexts. This does not include potential intact cultural soil horizons below non-historic fills
“Programs”	Collective term for FHWA’s Federal Highway Program, FRA’s various grants, and FTA’s Federal Transit Program
“Qualified Consultant”	Consultants hired to perform work on behalf of CTDOT and who meet the Secretary of the Interior’s Professional Qualifications Standards (Federal Register 48:44738-44739)
“Qualified Staff”	CTDOT full-time staff members that meet the Secretary of the Interior’s Professional Qualifications Standards (Federal Register 48:44738-44739) in the fields of archaeology, or architectural

	history.
“Scope Change”	Any deviation in design or construction that spatially expands the APE of an Undertaking, either horizontally or vertically, or potentially changes impacts to or treatment of an Historic or potentially Historic Property(ies)
“Signatories”	Collective term for Federal Transportation Agencies, CTSHPO, CTDOT, and ACHP as the Signatories of this Section 106 Programmatic Agreement
“Term”	Duration of the Agreement, commencing on the Effective Date through a period of five (5) years after the Effective Date, unless it is extended or terminated prior to that time pursuant to Stipulation XVI .
“Trained Staff”	Full-time CTDOT staff trained by Qualified Staff to apply Appendix A of this PA
“Tribes”	Federally-recognized Indian tribes with ancestral lands in Connecticut that have been consulted on this Agreement. Specifically, the Mohegan Tribe, Mashantucket Pequot Tribal Nation, Narragansett Indian Tribe, Delaware Tribe of Indians, Delaware Nation, and Stockbridge Munsee Community
“Undertaking(s)”	As defined in 36CFR§800.16(y), undertakings refers to transportation projects funded through the Programs

ATTACHMENT 2

“EXCEPTIONAL” POST-1945 CONCRETE AND STEEL BRIDGES IN CONNECTICUT

The following bridges have been identified as exceptions to the ACHP *Program Comment for Streamlining Section 106 Review for Actions Affecting Post-1945 Concrete and Steel Bridges*. As such, Undertakings that must take into consideration the potential impacts to these bridges as part of the Section 106 evaluation process.

Bridge No.	Town(s)	Location	Year Built	Description
00417	Glastonbury-Wethersfield	Route 3 over Connecticut River	1959	Steel continuous girder; 14 spans, overall length, 2,339.9'
00609	Litchfield	Route 8 over Naugatuck River	1960	Steel continuous girder; notable Route 8 bridge
00658	Hamden	Route 15 over Whitney Avenue	1946	Parkway bridge with applied ornament
00796	Wallingford	Yale Avenue over Route 15	1947	Concrete continuous beam; ornamental parkway bridge
03697	Fairfield	Brookside Drive over Mill River	1955	Concrete slab (ornamental railing)

ATTACHMENT 3

CTDOT PUBLIC INVOLVMENT PROCEDURES

<https://portal.ct.gov/dot/-/media/dot/contract-compliance/final-pip-12282020.pdf>

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