



The Council for Northeast Historical Archaeology

Dr. Karen Metheny, Chair

November 17, 2013

Wesley O'Brien
New York City Mayor's Office of Environmental Coordination
100 Gold Street, 2nd Floor
New York, New York 10038

Dear Mr. O'Brien,

On behalf of the Executive Board and the members of the Council for Northeast Historical Archaeology, I wish to express our deep concern with the City Planning Commission's proposal to remove protections for archaeological and historical resources in City parks, as outlined in § 5-05(c) Type II, subsections 8 and 9. Specifically, we object to the proposal to exempt from State and City Environmental Quality Review any work related to the construction or expansion of primary, appurtenant, or accessory structures on park lands and to exempt land areas of ten or fewer acres from review associated with park-related mapping projects or acquisition efforts. Though seemingly small in size and import, and seemingly undeveloped because they are "open spaces," such parcels have the potential to contain highly significant remains from both prehistoric and historical periods.

Specifically, we draw your attention to the following points:

- Visible cultural resources (above-ground) are not the only resources that need protection. Buried archaeological sites may be threatened by the construction of new buildings and infrastructure to accommodate park visitors, no matter how "minor" that construction seems; excavations for drainage structures and utilities alone can pose a significant threat to these buried resources, as can the clearance or stripping of park lands for parking lots and structures;
- Not all cultural resources are listed or are eligible for listing on the State or National Registers because many are still buried and as yet unidentified. Park lands such as are proposed for exemption often have the greatest potential for preserved archaeological resources precisely because at some point they have been set aside for public use and thereby protected from the cutting and filling associated with urban construction. These resources must be protected through the review process;
- Earth moving and land clearance have the potential to adversely impact significant vistas and viewsheds, historical landscape features, and Revolutionary War redoubts; these above-ground cultural resources are as threatened by ground disturbance associated with earth moving and land clearance as below-ground archaeological resources, and any proposal for such activities must be subject to the review process.

More generally, the list of proposed exemptions seems to convey the belief that the construction of parking spaces, parking lots, and other such “minor” projects (e.g., projects that fall below an artificial threshold related to building footprint, gross floor area, or number of units) have a minimal construction footprint and thus a minimal impact on buried resources in an urban environment, but this is not always the case, as recent excavations in City Hall Park, Central Park, Conference House Park, Bowne House, and Van Cortlandt Park have shown. Regardless of the merits of projects such as health care facilities, or the apparently “minor” work of constructing a “drive-through” feature, all construction has the potential to disturb important cultural resources, and it is a fallacy to operate from a belief that certain types of construction are low-impact and do not necessitate the same environmental review as “major” construction proposals. The use of deliberately vague terms such as “incremental ground disturbance” is confirmation of this viewpoint, and we urge you to not only define such terms with specificity, but to reexamine the mindset that is driving these proposals.

The Council for Northeast Historical Archaeology (CNEHA) is a non-profit educational organization with over 400 members in the eastern United States and Canada. Our membership comprises professional archaeologists, historians, educators, and cultural resource specialists. The purpose of the Council is to stimulate and encourage the collection, preservation, advancement, and dissemination of knowledge gained through the study and practice of historical archaeology. Preservation and protection are of special concern to us because the Council was founded in New York State in 1966 by professional and avocational archaeologists and historians who were alarmed by the destruction and loss of historical and archaeological resources in the Northeast. The Council evolved out of an awareness of the need to preserve and protect the historical archaeological record and to share that past with others.

We are therefore compelled to express our deepest concern with the current proposal to exempt certain types of construction from State and City environmental review regulations for the sake of streamlining the review process. We urge you to reject the proposed exemptions outlined in § 5-05(c) Type II, subsections 8 and 9, and, more broadly, to uphold a process that was designed to identify and protect archaeological and above-ground cultural resources in the City.

Thank you for your time and consideration.

Sincerely,

Dr. Karen Metheny
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cc:
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NYC Landmarks Preservation Commission

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