



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

May 28, 2015

VDOT Project No.: 0095-111-259, P101
(southbound); 0095-111-270, P101
(northbound)
UPC: 101595; 105510
VDHR File No. 2014-0252
City/County: Stafford and Spotsylvania
Counties, City of Fredericksburg

Ms. Julie V. Langan, Director
ATTN: Mr. Marc Holma, Architectural Historian
Division of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Dear Ms. Langan:

As you are aware, the Virginia Department of Transportation (VDOT), along with the Federal Highway Administration (FHWA), is studying proposed improvements along an approximately three-mile section of the Interstate 95 (I-95) corridor, from the Route 3 Interchange (Exit 130) to the Route 17 Interchange (Exit 133). The proposed improvements involve construction of collector/distributor lanes in each direction, two new bridges crossing the Rappahannock River, and interchange modifications at the Route 3 and Route 17 Interchanges. On behalf of FHWA, VDOT initiated coordination of the Rappahannock River Crossing (RRC) project with your office in March 2014 pursuant to the requirements of Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulations at 36 CFR Part 800. In October 2014 we coordinated the results of VDOT's efforts to identify above-ground historic properties within the project's Area of Potential Effects (APE). The purpose of this letter is to coordinate the results of our efforts to identify archaeological historic properties within the APE.

VDOT engaged the consultant firm McCormick Taylor to conduct the historical research and Phase I and Phase II field investigations necessary to identify and assess the significance of archaeological resources within the APE for the RRC project. The results of those efforts are presented in detail in the report, *Phase I Archaeological Identification Survey and Phase II Archaeological Evaluation Investigations for the I-95 Rappahannock River Crossing Project* (May 2015), by Allison N. Brewer, Brad MacDonald, Charles A. Richmond, Steven E. Barry, Cristie L. Barry, Shannon J. Silsky, Brenda L. Weller, and Andrew Wyatt. Enclosed for filing in your department's archives are two paper copies of the report and one copy in Portable Document Format (PDF) on a compact disc. One PDF copy of the report on compact disc is also being provided to each of the other Section 106 consulting parties so that they may have the opportunity to review it and provide comment on the findings.

VDOT has defined the APE for archaeological resources as that area that would be directly and physically impacted by land-disturbing activities associated with proposed construction of the RRC project. The APE is depicted in Figure 1 (page 5) of the enclosed report. Essentially centered on existing I-95 and the intersecting primary highways, the width of the APE is variable and extends between about 115 feet to 320 feet from the edge of existing pavement.

Background research indicated that six archaeological sites previously had been identified within the project's APE. Three of these sites – 44SP0301, 44SP0528, and 44SP0529 – had previously been determined in consultation between other parties and your department to be not eligible for listing on the National Register of Historic Places (NRHP). McCormick Taylor's efforts to relocate these three sites during the present survey proved unsuccessful, and they concluded that the sites have been destroyed. VDOT's findings regarding the remaining three previously identified sites and nine new sites McCormick Taylor identified within the project's APE are as follows:

- **Sites 44SP0064 and 44SP0074, components of the Rappahannock Navigation System (DHR Inventory No. 111-0134):** Chapter 3, Section O, beginning on page 35 of McCormick Taylor's report, summarizes the complicated history of the construction of the Rappahannock Navigation System and the equally complicated history of documentation of various sections of the canal and lock system and the results of related Section 106 consultation between your department and other parties concerning the resource. The complicated history of documentation has resulted in different architectural and archaeological inventory numbers being assigned to various segments or components of the navigation system. Site 44SP0064 (111-0134-002) consists of above- and below-ground remains of a canal segment in the vicinity of the existing I-95 bridges over the Rappahannock River and extending downriver into Fredericksburg. Site 44SP0074 (111-0134-001) consists of the archaeological remains of Lock No. 1/Minor's Lock, the majority of which was removed during construction of I-95 in the 1960s. VDOT's evaluation of these two resources differs somewhat from the evaluation of our consultant. VDOT believes that both are eligible for the NRHP as contributing elements to the larger resource, the

Rappahannock Navigation System, which was determined eligible for the NRHP under Criterion A, for its importance as a major transportation system of the Antebellum Period (1830-1860) in Virginia, and Criterion C, for its engineering significance, in 2000 by the Keeper. VDOT also believes that as contributing elements both 44SP0064 and 44SP0074 have the potential to yield important archaeological information related to the engineering of the navigation system (Criterion D).

- **Site 44SP0661:** The VDOT concurs with the recommendation of our consultant that this Pre-contact-period Native American camp and small, late 19th/20th-century trash deposit is not eligible for the NRHP under Criterion D. NRHP Criteria A, B, and C are not applicable to this resource.
- **Site 44SP0662:** This site contains a very minor, likely Pre-Contact period Native American component (5 pieces of lithic debitage) but is best characterized as a small domestic site yielding artifacts dating primarily from the mid-19th through mid-20th centuries. Only a small portion of the site extends into the project APE; the focus of the site is likely a frame dwelling, built ca. 1910, that stands outside the APE. The portion of the site outside of the APE remains unevaluated, but VDOT agrees with the recommendation of our consultant that the portion of the site within the APE does not have the potential to yield important information that could contribute to the significance and potential NRHP-eligibility of the larger deposit.
- **Site 44SP0663:** VDOT agrees with our consultant that this very light scatter of pre-contact- and historic-period artifacts is not eligible for the NRHP under Criterion D. NRHP Criteria A, B, and C are not applicable to the resource.
- **Site 44ST0079:** This site was originally identified in 1983, based on information provided by an informant. The site was described as a collection of 2-foot-high chimney remnants, presumably associated with a Civil War period military camp. McCormick Taylor's field investigation of the site identified nothing resembling this description. Rather, the only archaeological component they encountered at the site location appears to represent casual dumping dating primarily from the mid-20th century. Either the site was largely destroyed after initial recordation or it was mapped incorrectly when first recorded. VDOT agrees with our consultant that the site is not eligible for the NRHP under Criterion D. NRHP Criteria A, B, and C are not applicable to the resource.
- **Site 44ST1154:** This site contains the remains of a small Pre-contact period Native American camp in a plowed context. VDOT agrees with the recommendation of our consultant that the site is not eligible for the NRHP under Criterion D. NRHP Criteria A, B, and C and not applicable to the resource.
- **Site 44ST1155:** This site contains the remains of a Pre-contact period Native American camp within a disturbed context. The 20th-century artifacts recovered likely were deposited through casual discard. VDOT agrees with our consultant that the site is not eligible for the NRHP under Criterion D. NRHP Criteria A, B, and C are not applicable to the resource.
- **Site 44ST1159:** This site yielded Pre-contact period Native American and late 19th and 20th-century artifacts recovered primarily from mixed fill and plowzone contexts. VDOT agrees with the recommendation of our consultant that the site

is not eligible for the NRHP under Criterion D. NRHP Criteria A, B, and C are not applicable to the resource.

- **Site 44ST1160:** This site is a Civil War-period military camp, which likely is a portion of the 1862-1863 winter camp of the Third Division, Second Corps, Army of the Potomac, who were stationed near Falmouth immediately following the conclusion of the Fredericksburg campaign. An earthen berm extending across the north of the site from east to west was determined to be an expansive push pile created as a result of 20th-century strip mining on the hillcrest immediately north of the site and not a Civil War-period military earthwork. Based on the results of historical research and the recovery of a Connecticut Militia button, the site likely represents the winter camp of the 14th Connecticut Infantry. The integrity of the archaeological deposits has been severely diminished by looting activities. VDOT agrees with the recommendation of our consultant that the site is not eligible for the NRHP under Criteria A or D. NRHP Criteria B and C are not applicable to the resource.
- **Site 44ST1161:** This site is a Civil War-period military camp, which likely is a portion of the 1862-1863 winter camp of the Third Division, Second Corps, Army of the Potomac, who were stationed near Falmouth immediately following the conclusion of the Fredericksburg campaign. The integrity of the archaeological deposits has been severely diminished by looting activities. VDOT agrees with the recommendation of our consultant that the site is not eligible for the NRHP under Criteria A or D. NRHP Criteria B and C are not applicable to the resource.
- **Site 44ST1195:** This is a 19th- and 20th-century domestic site located within the southwest quadrant of the I-95/Rt.17 interchange. Demolition of the structures that former stood on the property in advance of construction of the interstate and other highway construction activities have severely diminished the integrity of the archaeological deposits. VDOT agrees with the recommendation of our consultant that the site is not eligible for the NRHP under Criterion D. NRHP Criteria A, B, and C are not applicable to the resource.

In your department's response of October 27, 2014, to our coordination of the results of VDOT's efforts to identify above-ground resources on or eligible for the NRHP within the APE for the RRC project, you concurred that the Fredericksburg I Battlefield (ABPP No. VA-028; DHR Inventory No.111-5295) is the only Civil War battlefield recognized by the American Battlefield Protection Program (ABPP) in their report, *Update to the Civil War Sites Advisory Commission Report on the Nation's Civil War Battlefields* (2009), that extends into the project's APE. You also concurred that is appropriate for VDOT to assume that, for the purposes of applying section 106 to the RRC project, the ABPP's Potential National Register (PotNR) boundary is the historic property boundary for this battlefield. Our consultant's efforts to conduct systematic archaeological survey, including metal detector survey, for the RRC project did not identify any surface or subsurface battlefield-related features within the APE. While McCormick Taylor has recommended that the portion of the Fredericksburg I Battlefield within the project's APE does not contribute to the significance of the battlefield, VDOT continues to have no interest in formally redefining the battlefield's potential NRHP boundaries. As stated in our letter of October 23, 2014, however, we anticipate our findings regarding the

significance and integrity of the portion of the ABPP's PotNR boundary that extends into the APE for the RRC project will factor heavily into VDOT's eventual assessment of the effect of the proposed undertaking on the battlefield.

VDOT invites your department to indicate your concurrence with the findings conveyed in this letter by completing the signature block below and returning it to my attention. We would appreciate your response, and receipt of any comments other consulting parties may wish to provide, within thirty days of receipt of this letter. Please feel free to contact me by phone at 804-786-5369 or by email at ME.Hodges@VDOT.Virginia.gov if you have any questions about this project.

Thank you for your assistance.

Sincerely,



Mary Ellen N. Hodges
Preservation Program District Coordinator

Enclosures

- c. Ms. Kathleen Harrigan, Executive Director, Friends of the Rappahannock
- Mr. Sean Maroney, Executive Director, Historic Fredericksburg Foundation, Inc.
- Mr. John Lightner, Chief, Patawomeck Indians
- Mr. Eric Mink, Fredericksburg-Spotsylvania National Military Park
- Ms. Elizabeth Vehmeyer, American Battlefield Protection Program
- Mr. Rick MacGregor, President, Stafford County Historical Society
- Mr. Erik F. Nelson, Senior Planner, City of Fredericksburg
- Ms. Wanda Parrish, Planning Director, Spotsylvania County
- Mr. Antony J. Romanello, County Administrator, Stafford County
- Mr. Mack Frost, Federal Highway Administration
- Mr. Patrick Hughes, Virginia Department of Transportation

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The Virginia Department of Historic Resources concurs with the following findings of the Virginia Department of Transportation in regard to the Rappahannock River Crossing (RRC) project:

- The following archaeological sites are not eligible for the National Register of Historic Places (NRHP):
 - 44SP0301, 44SP0528, and 44SP0529, which have been destroyed, and
 - 44SP0661, 44SP0663, 44ST0079, 44ST1154, 44ST1155, 44ST1159, 44ST1160, 44ST1161, and 44ST1195.
- The portion of archaeological site 44SP0662 located within the Area of Potential Effects for the RRC project does not have the potential to yield important information related to the potential significance and NRHP-eligibility of the site as a whole.
- Sites 44SP0064 (111-0134-002) and 44SP0074 (111-1134-001) are eligible for the NRHP as contributing elements to the larger resource, the Rappahannock Navigation System (111-134), which was determined eligible for the NRHP under Criterion A, for its historical importance as a major transportation system of the Antebellum Period (1830-1860) in Virginia, and Criterion C, for its engineering significance, in 2000 by the Keeper. As contributing elements, both 44SP0064 and 44SP0074 also have the potential to yield important archaeological information related to the engineering associated with the navigation system (Criterion D).

Julie V. Langan, Director
Virginia Department of Historic Resources
State Historic Preservation Officer

Date