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*Maryland Department of Planning
Maryland Historical Trust*

*Martin O'Malley
Governor*

*Anthony G. Brown
Lt. Governor*

*Richard Eberhart Hall
Secretary*

*Matthew J. Power
Deputy Secretary*

January 10, 2012

Mr. Joseph P. DaVia
Chief, Maryland Section Northern
Regulatory Branch, Baltimore District
U.S. Army Corps of Engineers
P.O. Box 1715
Baltimore, MD 21203-1715

Re: Joint Application for the Alteration of Any Floodplain, Waterway, or Wetland
Lehigh Cement Co. \ New Windsor Quarry – 2008-65243-M22

Dear Mr. DaVia:

Thank you for contacting the Maryland Historical Trust (MHT) to request our comments about the possible effects of the above-referenced permit on historic properties. As the State Historic Preservation Office, MHT comments on all federal and state activities in Maryland pursuant to Section 106 of the National Historic Preservation Act and Sections 5A-325 and 5A-326 of the State Finance and Procurement Article. In an April 22, 2011 letter, MHT provided preliminary recommendations about cultural resource-related investigations warranted by the expansion of the New Windsor Quarry. Your recent inquiry was in regard to two related activities that may also be part of the federal undertaking - the construction of an approximately 4-mile long conveyor system between the New Windsor and Union Bridge quarries and extensive wetland mitigation activities along Haines Branch.

We are writing now to provide our recommendations about identifying historic properties that could be affected by the proposed conveyor and wetland mitigation. Once the Corps has determined the extent of its "undertaking" and identified historic properties that might be affected, then the Corps will be able to proceed with the process of assessing effects and, if necessary, considering alternatives that might avoid, minimize, or mitigate harm to historic properties.

Historic Buildings and Landscapes: The proposed conveyor line has a high potential to affect historic resources. The conveyor will be constructed within an agricultural landscape that is surrounded by an unusually dense concentration of properties that are listed in the National Register of Historic Places (National Register). To the north of the project area these listed resources include the towns of New Windsor, Linwood, and Union Bridge as well as the Appler-Englar House, Hard Lodging (an MHT easement property), and the Pipe Creek Friends Meeting House. To the south are the McKinstry's Mill Historic District, the Stoner-Saum Farm, and Hopewell. The agricultural landscape encircled by these nine National Register-listed resources is understudied but appears to have a high degree of historic integrity from the first half of the twentieth century and earlier.

Since construction of the conveyor and its supporting infrastructure will directly affect this rural landscape, we recommend that the potential district be evaluated with a Determination of Eligibility (DOE) form. Giving particular consideration to the guidance in National Register Bulletin 30, *Guidelines for Evaluating and Documenting Rural Historic Landscapes*, the historians identifying historic properties should perform preliminary field and archival research to determine the most likely boundaries of a rural historic district in the area. This may be defined by historically-relevant geography, such as a portion of the Priestland Valley or Sams Creek drainage, or by places that were historically-central

in social or commercial life, such as the agricultural area that was served by the McKinstry and Hawks Mills. Before proceeding with the form, the historians should then consult with the Maryland Inventory of Historic Properties (MIHP) Registrar to explain their proposed boundaries and obtain a MIHP number.

The completed DOE form should contain explicit discussion of the most-likely historic context(s) under which the district could be eligible, presumably regional agricultural history, and the individual properties that do and do not contribute to the integrity of the district. If the DOE process determines that the district is eligible for listing in the National Register, then the entire conveyor project will be within an identified historic property and it would not be necessary to complete additional DOE forms for individual resources within the district.

If the area discussed above is determined to not be eligible for listing in the National Register as a district, then there are individual properties in the area that would warrant evaluation with individual DOE forms. We would recommend that these properties be identified using the same process outlined in our April 22 letter for the quarry itself – solicit comments from interested parties and nearby property owners, review the MIHP for potentially-historic places that have been identified in the past but never formally evaluated, and complete a “windshield survey” of the area to identify any other potentially-affected places that might meet one or more of the National Register Criteria. Depending on the extent of the federal undertaking’s direct and indirect impacts, any or all of the following places within or adjacent to the project area might warrant evaluation as individual resources: the apparently ca. 1900 farm on Map 50, Parcel 32; the farm at 3621 Hawks Hill Road (Map 49, Parcel 118); the property recorded in the MIHP as CARR-935; the late-nineteenth or early twentieth century farm at Map 43, Parcel 62; the property recorded in the MIHP as CARR-847; the nineteenth century farm at 750 McKinstry’s Mill Road; the property recorded in the MIHP as CARR-947; and the two houses just south of the conveyor line that face Quaker Hill Road.

The proposed wetland mitigation activities are less likely to adversely affect historic resources than the construction of the conveyor. However, certain direct effects could diminish the characteristics that make a historically-agricultural property eligible for listing in the National Register. These would include flooding or foresting historically-open fields and pastures; changing historic circulation patterns and field divisions; and altering any buildings or significant landscape features like drainage ditches or windrows. If the federal undertaking might include any of these sorts of impacts to any of the following properties, then we would recommend that the property be evaluated with a DOE form to determine if it is eligible for listing in the National Register

- A good part of the proposed work appears to be within a 240-acre farm that is labeled “Buckey Farm” on the Envirens Inc. concept design and recorded in the MIHP F-8-095, “Stephen Haines Farmstead.” When last surveyed for the MIHP the property contained an 1850s house, a two-story frame and stone dairy with servants or slave quarters on the upper level (possibly the “super spring house” on the concept design), an agricultural complex, and presumably a wide variety of contributing landscape features.
- It appears that the proposed work may directly affect the property at 10801 Fountain School that contains a barn and late nineteenth or early twentieth century house.
- It appears that the ca. 1820 house at 10846A Clemsonville Road (Map 44; Parcel 5) has been demolished within the past few years. If this is the case, then no DOE form is necessary for the property, but we would request an explanation of the circumstances of its demolition to confirm that it was unrelated to this and any other federal or state undertakings.

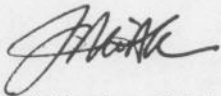
Archeology: As noted above, the proposed alignment for the conveyor line passes through an area containing several historic properties including National Register listed historic districts, an MHT easement property, and a variety of nineteenth century homes and farmsteads. MHT files also indicate that several prehistoric archeological sites area located just north of the conveyor line along Wolf Pit

Branch and Dickenson Run. Due to the proximity of these resources, we believe that the central portion of the conveyor line project area that passes through Priestland Valley along Priestland Branch has a moderate to high potential for containing archeological resources that have not yet been identified. We are therefore recommending that a Phase I archeological survey take place in all planned disturbance areas within this central portion (from the northernmost point of the alignment, located just west of McKinstry's Mill Road to the point where the conveyor line will cross Hawks Mill Road) prior to construction. We are also recommending that a Phase I archeological survey be conducted in all planned disturbance areas surrounding the Stephen Haines Farmstead (F-8-095), as we believe that archeological deposits associated with this mid-nineteenth century farmstead may still be intact. All survey work must be carried out by a qualified professional archeologist and performed in accordance with the *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994). Upon our review of the survey results, additional investigations of identified sites may be necessary.

Please note that we are also still awaiting the results of the Phase I archeological survey that we recommended for the proposed expansion of the New Windsor quarry itself (see Trust letter dated April 22, 2011).

We are writing to the Corps, the responsible federal agency under Section 106 of the National Historic Preservation Act, to request that the Corps determine the extent of federal involvement in this project, define the level of effort needed to identify historic properties that may be impacted, and continue to coordinate with MHT and other involved parties as appropriate. If you have any questions or require further information, please contact Dixie Henry (regarding archeological resources) at dhenry@mdp.state.md.us \ 410-514-7638 or Jonathan Sager (regarding historic buildings and landscapes) at jsager@mdp.state.md.us \ 410-514-7636.

Sincerely,



J. Rodney Little
Director and State Historic
Preservation Officer
Maryland Historical Trust

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cc: Tarrie Ostrofsky (COE)
Amanda Sigillito (MDE)
Bill Seiger (MDE)
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Ken Basalik (CHRS Inc.)
Warren K Rich (Rich and Henderson, P.C.)