



David A. Paterson  
Governor

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Commissioner

## New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

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19 May 2009

Mr. Christopher R. Einstein  
Clough Harbour & Associates, LLP  
3 Winners Circle  
P.O. Box 5269  
Albany, NY 12205

Re: CORPS, DEC  
Albany Landfill Expansion Project  
City of Albany, Albany County  
06PR01161

Dear Mr. Einstein:

The State Historic Preservation Office (SHPO) has reviewed the information submitted for this project. Our review has been in accordance with Section 106 of the National Historic Preservation Act and relevant implementing regulations.

SHPO has received the following additional submissions regarding this project.

1. *Avoidance Plan of the Pine Bush Precontact Site (USN 00140.004748), Albany Landfill Expansion Restorative Grading, City of Albany, Village of Colonie, and Town of Guilderland, Albany County, New York; May 2009, prepared by Hartgen Archeological Services, Inc.*
2. Full size engineering drawing showing the protected area around Site A00140.004748, Sheet Number ES.3, dated 4 May 2009, prepared by Applied Ecological Services, Inc.
3. Letter from Amy Wilson, Hartgen Archeological Services, Inc., dated 18 May 2009.

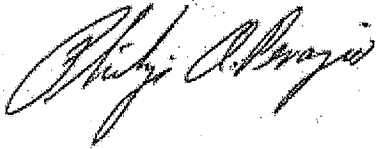
Based on these and previous submissions, SHPO recommends that the Pine Bush Precontact Site (A00140.004748), although it has not been formally evaluated, is likely to be eligible for listing on the National Register of Historic Places. As originally designed, the planned project would have had an adverse effect on this site. However, SHPO believes that the site protection measures described in the submissions listed above will eliminate the project's anticipated adverse effect via preservation in place. Therefore, SHPO recommends that the project will have **No Adverse Effect** on historic properties listed or eligible for listing on the National Register of Historic Places conditioned upon the successful execution of the proposed site protection measures.

Perazio, 19 May 2009, page 2

These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

If you have any questions please don't hesitate to contact me.

Sincerely,



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Cc: Angelo Marcuccio, DEC (via email)  
Christine Delorier, ACOE (via email)