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June 2, 2020

Mr. Michael F. Lynch, P.E., AIA
New York State Office of Parks,
Recreation and Historic Preservation (OPRHP)
Director, Division for Historic Preservation
Division for Historic Preservation
P.O Box 189, Waterford, New York 12188-0189

Re: 850 Route 28 LLC:
Steel and Concrete Fabrication Facility
850 Route 28, Town of Kingston, Ulster County
DEC 18PR04534.003

Dear Mr. Lynch,

The Waghkonk Rd. or Waughkonk Road, formerly the Waghkonk Trail, was a known Native American travel corridor, running from the Onteora Trail (State Rt. 28), between the Esopus Creek and Sawkill River watersheds. It's considered to have been the original footpath into the Woodstock/Zena (Waghkonk) area of Ulster County, from the Hudson River and Esopus Valley. As an ancient pathway of the Lenape Indians of the region, it must have played an important role in travel and trade. Waghkonk is listed in Alf Evers History of Woodstock, p. 55, as being "at the northern end of what we call Zena."

A portion of the Waghkonk Rd still exists, but according to historic maps, it ceased being a through road sometime between 1874 and 1903. As one of the first roads in the area, it no doubt played an important role in colonial and early American industry and commerce.

Due to this self-evident history, the Waughkonk Road and the Waghkonk Trail, and any remnant thereof, should be considered important resources of historic and cultural significance. As such, these resources are deserving of further research, documentation, protection and preservation. This important historic and prehistoric cultural resource should not be further disturbed or destroyed. Their current and former courses are now surrounded by nearly 3000 acres of protected Historic Bluestone Wild Forest, yet it's still threatened by industrial development.

The proposed 850 Rt. 28 industrial concrete fabricating facility site development plan is situated directly straddling the location of the former Waghkonk Trail and historic Waughkonk Rd., both resources of cultural significance, which could likely be found eligible for listing on the National Register of Historic Places. This significant resource is

at risk due to the inaccurate reporting of its location by an archaeologist consulted about identifying resources of historic (and pre-historic) cultural significance, Dr. Joseph Diamond of SUNY New Paltz.

Further, within 1 mile of the proposed 850 Route 28 project, there exists a perched boulder known as the Onteora Lake Stone, which has features related to observational astronomy and consistent with other known sites that exhibit such features. Other, similar “landscape archaeology” sites, consisting of stone features or constructions, may be located within and/or outside of the area of project effect (APE). A survey should be conducted to establish if such potential Native American ceremonial stone landscapes (CSL) exist within the site development property or not. The Onteora Lake Stone was first reported to Doug Mackey of NYS OPRHP in 2009 and subsequently to Nancy Herter in February 2015, included in a disc and report submitted to that office.

It should be noted that on Dec. 17th, 2014 Colgate University held the Stones and Stars Symposium, which Nancy Herter attended. This first of its kind event, hosted by Colgate Professor Anthony Aveni and U.S. Army Archaeologist Laurie Rush of Fort Drum, was held to raise awareness of CSLs in New York State, among archaeological professionals and regulatory authorities.

<https://www.colgate.edu/news/stories/professor-aveni-co-hosts-stones-and-stars-symposium>

Sensitivity to such sites is only now beginning to be recognized in our region by state and local authorities; however, descendants of the Esopus Indians may well consider the 850 Route 28 project site location and the surrounding, protected lands to be sacred. The Waghkonk Trail is strong evidence of their presence in the area in pre-contact times, contrary to Dr. Diamond's findings, and descendants of the Lenape should be given agency, consultations and consent, on what happens on their ancestral lands, which could be adversely impacted by development. There is currently an effort underway to have Native American ceremonial stone landscapes (CSL) formally recognized through a Memorandum of Understanding (MOU) between the Ulster County Legislature and Native American tribal historic preservation offices (THPO).

Further, it should also be noted that in 2006, archaeologist Dr. Joseph Diamond evaluated the California Quarry Cell Tower application before the Town of Woodstock and failed to locate any sites of historic or prehistoric significance within 1 mile of the proposed cell tower location. (Please see attached report.) Yet subsequent to that (inaccurate) finding, archaeologist and file manager Beth Wellman of the NYS Museum, did a search and did locate a site, within 1 mile of the proposed cell tower location. (Please see attached letter.)

Although Dr. Diamond's evaluation of the 850 Rt. 28 proposed project site has failed to locate any sites of historic or prehistoric significance within 1 mile, including the Waghkonk Road/Trail, we strongly urge that experts from the NYS OPRHP, the NYS Museum in Albany, and Native American Tribal Historic Preservation Offices (THPO)

should be consulted, as well, in a comprehensive effort to locate any other records that exists. Important cultural and environmental resources are at stake.

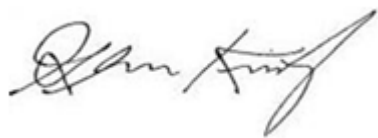
Lastly, and perhaps most importantly, every map submitted to the State Office of Historic Preservation as part of Dr. Diamond's Archaeological Investigation Report of Oct. 9th, 2019" erroneously places the location of the proposed industrial development site north and west of the location of the Waghkonk Rd. and Trail, when in fact **the development site directly straddles the historic road and pre-historic trail**. Dr. Diamond's maps inaccurately represent both the location and the scale of the proposed 850 Route 28 Project when superimposed on historical maps.

Dr. Diamond's maps are inaccurate, calling into serious question the validity of his conclusions and the over-all reliability of his report, and the liability exposure it may present.

Based on the evidence gathered, and given the facts presented here, as well as to remain consistent with a review of the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law), all regulatory bodies presiding over the decision to approve or disapprove the 850 Route 28 project, must conduct additional, independent review, commit to comprehensive and forceful due diligence in protecting our important resources of historic and cultural significance, and, in line with what is already understood about the 850 Route 28 site and its relation to the Waghkonk Rd. and Waghkonk Trail, deny permits for this inappropriate industrial development.

Thank you for your time and consideration of this important matter.

Sincerely,



Glenn Kreisberg

Woodstock, NY

List of attached documents:

- 1854 Brinks and Tilson Map
- 1875 Beers Map
- 1903 USGS Rosendale Quad
- 1903 USGS Rosendale Quad – Close-up
- 1986 Sat/Aerial Photograph
- 2003 Woodstock Cell Tower Application
- 2003 NYS Museum letter from Beth Wellman

Archaeological Investigation; J. Diamond, PhD, October 4, 2019
2020 Google Earth map of project site
1986/2020 Google Earth map of project site-side by side
Composite of maps- side by side

cc: Nancy Herter, Ph.D.

cc: Town of Kingston Planning Board