



The Department of
**Arkansas
Heritage**

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Commission

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
Cultural Center

Old State House Museum



**Arkansas Historic
Preservation Program**

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March 1, 2010

Ms. Kim Fuller
Arkansas Dept. of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

RE: Pulaski County - North Little Rock
Section 106 Review - EPA
NPDES Permit No. AR0051454; Caterpillar, Inc., North American
Motor Grader Facility
AHPP Tracking No: 71086

Dear Ms. Fuller:

My staff has reviewed a management summary of a field visit to archeological site 3PU28 by investigators from URS Corporation in connection with the above-referenced undertaking. Their work at the site clearly documents that 3PU28 has been effectively destroyed and, therefore, not eligible for inclusion in the National Register of Historic Places (NRHP). Whether that destruction resulted from recent construction conducted by Caterpillar, Inc. or is the culmination of a series of construction episodes cannot be known at this point.

While the issuance of a permit prior to completion of the Section 106 Process may constitute a foreclosure on the opportunity of the Advisory Council on Historic Preservation (ACHP) to comment (36 CFR Part 800.9(b)), there is no indication that Caterpillar was aware of this. Nor does this event constitute anticipatory demolition (36 CFR Part 800.9(c)), given Caterpillar's quick action to halt construction once they were notified of the need to investigate the site.

Therefore, we have no objection to this undertaking and find that this work should be allowed to proceed. A draft report of the fieldwork that meets current guidelines for archeological fieldwork and report writing in Arkansas should be submitted for review within six months.

Thank you for the opportunity to comment on this undertaking. If you have any questions, please contact Steve Imhoff of my staff at (501) 324-9880.

Sincerely,

Frances McSwain
Deputy State Historic Preservation Officer

cc: Dr. Ann M. Early, Arkansas Archeological Survey
Ms. Christa Haag, URS Corporation
Ms. Katina L. Stephens, Caterpillar, Inc.
Ms. Carrie V. Wilson, Quapaw Tribe of Oklahoma



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