

October 4, 2023

Yvette G. Taylor
Regional Administrator
Federal Transit Administration
230 Peachtree Street NW, Suite 1400
Atlanta, Georgia 30303
Attn: J. Carrie Walker, Environmental Protection Specialist

**RE: Rehabilitate Five Points MARTA Station, Atlanta
 Fulton County, Georgia
 HP-230328-006**

Dear Dr. Taylor:

The Historic Preservation Division (HPD) has received the additional information submitted concerning the above referenced project, including the report entitled, *Historic Resources Assessment of Effects (AOE) Fulton County Metropolitan Atlanta Rapid Transit Authority (MARTA) Five Points Transformation*, prepared by WSP Environmental Consultants and dated July 21, 2023. Our comments are offered to assist the Federal Transit Administration (FTA) in complying with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

The subject project consists of rehabilitating the circa (ca.) 1979 MARTA Five Points Station located at 30 Alabama Street, SW in Atlanta, including demolishing the existing masonry station canopy and rebuilding it in a transparent, arched, timber-supported design, reconfiguring and redesigning the plaza level/area in the same general footprint to include a flex soccer field, community garden, outdoor seating, terrace, and café, enlarging the exposure of the concourse level of the station to the plaza level, demolishing existing curbs and constructing a bus loading area in a “sawtooth design” along Alabama and Forsyth Streets, adding retail vendor frontages in multiple locations throughout the interior of the station, painting murals in unknown locations, and cleaning the Eiseman façade utilizing unknown methods. It was previously determined that the MARTA Five Points Station, noted as Resource 1 in the above-referenced report, is eligible for listing in the National Register of Historic Places (NRHP), meeting NRHP Criterion Consideration G for exceptional significance under NRHP Criterion A in the areas of Community Planning and Development, Engineering, and Transportation and Criterion C in the area of Architecture, with a state level of significance, as noted in our letter dated April 27, 2023.

The current submitted information includes the above-referenced AOE report, including additional NRHP-eligibility determinations. Based on the information provided regarding eligibility and desktop research, HPD concurs that Resource 3/19 Forsyth Street SW is not eligible for listing in the NRHP. Additionally, HPD concurs that Resources 2/Atlanta Constitution Building/143 Alabama Street SW, 7/1 Peachtree Street SW, and 8/First National Bank Building/2 Peachtree Street SW are eligible for listing in the NRHP and within the proposed project’s area of potential effect (APE). Regarding Resources 4/Rich’s Department Store/41 Broad Street NW, 5/55 Peachtree Street SW, and 6/54 Peachtree Street SW, HPD finds they are within the NRHP-listed Whitehall Street Retail Historic District, which is also within the proposed project’s APE and was not noted in the report. Furthermore, HPD concurs that the NRHP-listed Underground Atlanta Historic District, noted as Resource 9 in the report, is also within the proposed project’s APE.

Regarding the assessment of effects, HPD concurs that the proposed project will have **no adverse effect** on Resources 2, 7 and 8 and the Underground Atlanta Historic District, and finds that it will have **no adverse effect** on the Whitehall Street Retail Historic District, as defined in 36 CFR Part 800.5(d)(1). Additionally, HPD concurs that the proposed project will have an **adverse effect** on the NRHP-eligible MARTA Five Points Station, as defined in 36 CFR Part 800.5(a)(2). Specifically, the demolition and incompatible redesign of character defining features of the NRHP-eligible property and the construction of incompatible new elements is not consistent with the Secretary of the Interior's *Standards for the Treatment of Historic Properties*.

HPD would like to note that this determination of an adverse effect is not the end of the Section 106 consultation process and that the process should be completed prior to commencing the project. The next step in the process is to consider options to avoid or minimize the adverse effect on historic resources associated with this project. If the scope of work (SOW) for this project can be changed so that it conforms to the Secretary's *Standards* (i.e., repair rather than replace intact historic elements, documentation of damage beyond repair, replacement component specifications, location/site changes, vegetative buffer, etc.), forward the updated SOW to HPD for review and comment. If the SOW cannot be changed, provide HPD with documentation explaining the reason(s) why the adverse effect cannot be avoided or minimized (i.e., a cost analysis, funding requirements, etc.).

If the adverse effect remains after avoidance/minimization options have been considered, please complete the following steps, as applicable to this project, to resolve the adverse effect, complete the consultation process, and continue with the project:

- Notify the Advisory Council on Historic Preservation (ACHP): the ACHP must be notified of the adverse effect determination; the federal agency should utilize the ACHP's e-notification system available here: <https://www.achp.gov/e106-email-form>; ACHP notification is separate from the ongoing Section 106 consultation with HPD on this project and can be accomplished concurrently with the next step.
- Determine Mitigation: mitigation is measures that ensure a local preservation benefit, despite the loss or damage to historic properties and can include a variety of components; in consultation with HPD and other consulting parties, the federal agency should determine appropriate mitigation measures and incorporate those measures as stipulations in a draft Memorandum of Agreement (MOA).
- Draft a MOA: a MOA is an agreement document that sets out measures to resolve the adverse effect through mitigation; the federal agency should visit the ACHP's *Guidance on Agreement Documents* webpage, found here: <https://www.achp.gov/initiatives/guidance-agreement-documents> and utilize the MOA template found therein.
- Provide the MOA Draft(s) to HPD for Review: all agreement document drafts are subject to a 30-day review period that begins upon receipt of the document; HPD recommends the agency utilize a similar 30-day period to provide responsive revisions for each draft to HPD to reduce the length of time it takes to finalize the document.

Once appropriate mitigation to resolve the adverse effect is determined, in consultation with all parties, and the MOA has been executed (signed by all parties), the project can commence provided the need for the subject property to accomplish the mitigation outlined in the MOA is complete. If the agency decides

additional discussion of the project or the provided comments is warranted, HPD is available for further technical assistance consultation.

We look forward to working with you as this project progresses. Please refer to project number **HP-230328-006** in any future correspondence regarding this project. If we may be of further assistance, please contact Olivia Kendrick, Environmental Review Historian, at Olivia.Kendrick@dca.ga.gov or (404) 486-6425.

Sincerely, ,



Jennifer Dixon, MHP, LEED Green Associate
Division Director
Deputy State Historic Preservation Officer

JAD/olk

cc: Mollie Bogle, Atlanta Regional Commission
Tracie Sanchez, DCA Regional Services, Region 3