

**MEMORANDUM OF AGREEMENT
BETWEEN
FEDERAL HIGHWAY ADMINISTRATION
GEORGIA DEPARTMENT OF TRANSPORTATION
AND
GEORGIA DEPARTMENT OF NATURAL RESOURCES, HISTORIC
PRESERVATION DIVISION
FOR
GDOT PROJECT BRST0-0052-01(012)
WALTON COUNTY, GEORGIA**

WHEREAS, the Federal Highway Administration (FHWA) has determined that Georgia Department of Transportation (GDOT) Project BRST0-0052-01(012), Walton County, Georgia, will have an effect upon one property included in the National Register of Historic Places (NRHP), and has consulted with the Georgia State Historic Preservation Officer (SHPO) and Georgia Mountains Regional Development Center pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470F); [and Section 110(f) of the same Act (16 U.S.C. 470h-2(f)] and,

WHEREAS, the proposed project would consist of the replacement of a structurally deficient bridge on SR 11 over the CSX Railroad in Social Circle, Walton County; and,

WHEREAS, one NRHP listed property was identified in the project's area of potential effects; and,

WHEREAS, an Assessment of Effects was completed on December 1, 2010 for this resource with a finding of Adverse Effect for the Social Circle Historic District; and,

WHEREAS, if GDOT Project BRST0-0052-01(012), Walton County, Georgia, is not implemented within seven (7) years of this agreement's ratification, this agreement shall be considered null and void, and the FHWA, if it chooses to continue with the undertaking, shall reconsider the terms of this agreement; and,

WHEREAS, if the SHPO should object within thirty (30) days to any plans provided for review pursuant to this Memorandum of Agreement (MOA), the FHWA shall consult with the SHPO to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall request further comments or recommendations of the Advisory Council on Historic Preservation (Council) concerning the dispute pursuant to 36 CFR Part 800. Any Council comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR Part 800 with reference only to the subject of the dispute. The FHWA's responsibility to carry out all actions under this MOA that are not the subject of the dispute will remain unchanged; and,

NOW, THEREFORE, the FHWA and the SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on the historic property.

STIPULATIONS

The FHWA will ensure the following measures are carried out:

- 1) Prior to project implementation, GDOT will ensure that representative views of the Social Circle Historic District's setting within the project area, 304 South Cherokee Road, and the setting around the bridge to be replaced will be photographed with high resolution digital photography per the National Register Photo Policy.
- 2) GDOT will ensure that Modified Texas Rail will be used in the design of the new bridge to minimize the visual effect of the bridge on the Social Circle Historic District.
- 3) GDOT will coordinate with the Historic Preservation Commission of Social Circle and sponsor an updated DNR survey for the City of Social Circle.

Execution of this MOA by the FHWA and the SHPO, its subsequent filing with the Council, and implementation of its terms, is evidence that the FHWA has afforded the Council an opportunity to comment on GDOT Project BRST0-0052-01(012), Walton County, Georgia, and its effects on historic properties, and that the FHWA has taken into account the effects of the undertaking on historic properties.

FEDERAL HIGHWAY ADMINISTRATION

BY: Kelly Mude DATE: 10/14/11
for Rodney N. Barry, P.E., Division Administrator

GEORGIA STATE HISTORIC PRESERVATION OFFICER

BY: Richard Crass DATE: 3-25-11
for Dr. David Crass, Division Director

GEORGIA DEPARTMENT OF TRANSPORTATION

BY: Glenn Bowman DATE: 3/16/11
Glenn Bowman, P.E., State Environmental Administrator