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## **Appendix E—Memorandum of Agreement**



STATE OF MICHIGAN

JENNIFER GRANHOLM  
GOVERNOR

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES  
LANSING

DR. WILLIAM ANDERSON  
DIRECTOR

December 8, 2004

SIGRID BERGLAND  
MICHIGAN DEPARTMENT OF TRANSPORTATION  
425 WEST OTTAWA  
PO BOX 30050  
LANSING MI 48909

RECEIVED JAN 10 2005

RE: ER-940325 Rehabilitation of I-94 between I-96 and east of Conner Avenue, Detroit, Wayne County (FCC)

Dear Ms. Bergland:

Under the authority of Section 106 of the National Historic Preservation Act of 1966 as amended, we have reviewed the above-referenced project. We accept the need for this project, and the proposed mitigation measures. We have signed the enclosed Memorandum of Agreement.

Please forward the agreement on to the Federal Highway Administration. Once signed, the agreement must be filed with the Advisory Council for Historic Preservation, 1100 Pennsylvania Avenue, NW, Suite 809, Washington D.C. 20004, in order to complete the Section 106 consultation process.

If you have any questions, please contact Martha MacFarlane Faes, Environmental Review Coordinator, at (517) 335-2721. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for your cooperation.

Sincerely,

Brian D. Conway  
State Historic Preservation Officer

BDC:bgg

copy: Advisory Council on Historic Preservation  
Abdelmoez Abdalla, FHWA

**MEMORANDUM OF AGREEMENT BETWEEN  
THE FEDERAL HIGHWAY ADMINISTRATION AND  
THE MICHIGAN STATE HISTORIC PRESERVATION OFFICER  
REGARDING  
THE REHABILITATION OF I-94 BETWEEN I-96 AND EAST OF CONNER AVENUE  
CITY OF DETROIT, WAYNE COUNTY, MICHIGAN  
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION  
PURSUANT TO 36 CFR PART 800.6(b)(1)**

**WHEREAS**, the Federal Highway Administration (FHWA) has determined that the Rehabilitation of I-94 between I-96 and east of Conner Avenue (Project) will have an adverse effect upon the following four historic properties (Historic Properties), which either are listed in the National Register of Historic Places (NRHP) or appear to meet the criteria for listing in the NRHP:

- Woodbridge Neighborhood Historic District, listed in the NRHP (Woodbridge District)
- I-94 Interchange with Michigan Route 10/John C. Lodge Freeway (I-94 Interchange)
- United Sound Systems Recording Studio located at 5840 Second Street (United Sound)
- Square D/Detroit Fuse and Manufacturing Company Building at 6060 Rivard (Square D)

**WHEREAS**, the FHWA has consulted with the Michigan State Historic Preservation Officer (SHPO) in accordance with Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) (the Act); and

**WHEREAS**, The Michigan Department of Transportation (MDOT), owner of the I-94 Interchange, has participated in the consultation and has been invited to concur in this Memorandum of Agreement (MOA);

**NOW, THEREFORE**, the FHWA and the SHPO agree that the Project shall be implemented in accordance with the following stipulations to take into account the effect of this Project on the Historic Properties.

**STIPULATIONS**

The FHWA shall ensure that the following stipulations are carried out:

**I. General Recordation**

MDOT will prepare photographic documentation and a historical overview of the Historic Properties according to the SHPO *Documentation Guidelines* attached hereto as **Attachment A**. MDOT shall ensure that all documentation is completed and accepted by the SHPO for deposit in the State Archives of Michigan, and any appropriate local repositories designated by the SHPO, prior to the initiation of any construction activities.

## **II. Landscaping**

MDOT shall ensure that any vacant land within the Woodbridge District boundaries impacted by the Project will be landscaped in accordance with a landscape plan designed in consultation with and approved by the SHPO, a representative staff member from the City of Detroit Historic District Commission and the property owners. MDOT will retain a historian meeting the *Secretary of the Interior's Professional Qualifications Standards* (48 FR 44738-39) and trained in historic landscape analysis and design to assist in plan development.

## **III. Building Relocation**

One contributing building within the Woodbridge District, the residence at 5287 Hecla Street, will be removed as a result of the Project. Relocation of the house includes only the physical structure itself and not the basement, utilities, or any other object not permanently affixed to the physical structure. MDOT will implement the following measures, contingent upon the structural condition of the building, for 5287 Hecla Street in the order below:

### **A. Relocation within the Woodbridge District**

Subject to the availability of land within the Woodbridge District and the cooperation of the property owner, MDOT will make an effort to locate a vacant parcel within the boundaries of the Woodbridge District and move 5287 Hecla to the vacant parcel. MDOT will develop a relocation plan in conjunction with the property owner and the SHPO.

### **B. Marketing Plan**

Should attempts to satisfy III.A fail, MDOT will prepare a marketing plan in conjunction with the SHPO to market 5287 Hecla Street for removal from its current location and relocation to another site. Should attempts to market the house fail, MDOT will demolish the building. Prior to any demolition, MDOT will record the house in accordance with Stipulation I.

## **IV. Resource Development and Interpretation**

### **A. Research and Resource Development**

1. MDOT will compile copies of the original plans and other materials relating to the design and construction of the I-94 Interchange in addition to the Recordation under Stipulation I. MDOT will provide the SHPO, and any other repository as directed by the SHPO, with the compiled information. MDOT will ensure that the SHPO copy will meet the requirements for housing in the State Archives of Michigan.

2. In accordance with a publication and dissemination plan generated in consultation with the SHPO, MDOT will fund the development and publication of a historical context and survey of popular music-related sites in the Detroit area.

Developed in coordination with the SHPO, the study will provide a broad historic context for the importance of Detroit in the twentieth-century American popular music industry (approximately 1900 to 1975). The study will also identify extant sites associated with popular music in Detroit (including residences of performers, composers and publishers; places where the music was performed, including theaters, bars, clubs, or any other entertainment venues; and recording studios), evaluate the significance of extant sites in terms of the NRHP criteria, and place the sites within the broader context.

- a. As part of the study, a published report shall be produced that documents the historic context and provides an inventory of extant sites.
- b. MDOT shall work with the SHPO to develop and implement a plan for the publication and distribution of the study.

3. MDOT will study the feasibility of instituting a historic preservation fund for future project mitigation. No later than a year after the executed MOA, MDOT will provide a report with its findings and recommendations to the SHPO.

**B. Interpretation**

1. MDOT will produce a small-scale exhibit of the I-94 Interchange and coordinate the exhibit display with the SHPO.
2. MDOT will produce a physical and/or internet-based exhibit of the events surrounding the 1954 Square D strike and will coordinate the exhibit display with the SHPO.
3. MDOT will fund the research and production of a documentary film, in cooperation with the SHPO, which will document the history of United Sound Studios and explore the role of United Sound Studios in the Detroit recording industry.

**V. Amendment**

Any party to this MOA may propose to the other parties that it be amended, whereupon the parties will consult in accordance with 36 CFR800.6(c)(7) to consider such an amendment.

**VI. Dispute Resolution**

Should the parties to this agreement object within 30 (thirty) days to any actions proposed pursuant to this MOA, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (Council). Within 45 (forty-five) days after receipt of all pertinent documentation, the Council will either:

- A. provide the FHWA with recommendations, which the FHWA will take into account in reaching a final decision regarding the dispute; or
- B. notify the FHWA that it will comment pursuant to 36 CFR 800.7(c) and proceed to comment. Any Council comment provided in response to such a request will be taken into account by FHWA in accordance with 36 CFR 800.7(c)(4) with reference to the subject of the dispute.

Execution and implementation of this MOA and submission to the Council evidences that FHWA has afforded the Council a reasonable opportunity to comment on the Project and that the FHWA has taken into account the effects of the project on historic properties.

**FEDERAL HIGHWAY ADMINISTRATION**

By: *J. C. Firschensteiner* Date: 1/10/05  
*for* James J. Steele, Division Administrator

**MICHIGAN STATE HISTORIC PRESERVATION OFFICE**

By: *Brian D. Conway* Date: 12/8/04  
Brian Conway, State Historic Preservation Officer

Concur:

**MICHIGAN DEPARTMENT OF TRANSPORTATION**

By: *Susan Mortel* Date: 1/05/05  
Susan Mortel, Deputy Director, Bureau of Transportation Planning