



Preserving America's Heritage

June 1, 2011

Ms. Cynthia MacLeod  
Superintendent  
National Park Service  
Independence National Historical Park  
143 S 3<sup>rd</sup> Street  
Philadelphia, PA 19106

***Ref: Proposed Rehabilitation of the Benjamin Franklin Life and Legacy Museum  
Independence National Historical Park  
Philadelphia, Pennsylvania***

Dear Ms. MacLeod:

On May 9, 2011, the Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the adverse effects of the referenced project on properties listed on and eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Pennsylvania SHPO and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the opportunity to review this undertaking. If you have any questions, please contact Katry Harris at 202-606-8520, or via email at [kharris@achp.gov](mailto:kharris@achp.gov).

Sincerely,

Raymond V. Wallace  
Historic Preservation Technician  
Office of Federal Agency Programs