Appendix 11

PHASE IA ARCHAEOLOGICAL INVESTIGATION:

PROPOSED NEW BUFFALO BILLS STADIUM,

TOWN OF ORCHARD PARK,

ERIE COUNTY, NEW YORK

NYS OPRHP #22PR04875

NEW YORK OFFICE
2390 Clinton Street
Buffalo, NY 14227
(716) 821-1650

HEADQUARTERS
3215 Central Street
Dexter, MI 48130
(517) 788-3550

Other locations
Alexandria, VA
Columbus, OH
Gainesville, FL
Littleton, MA
Memphis, TN
Milwaukee, WI
Minneapolis, MN
Ogden, UT
Tarboro, NC
Traverse City, MI
Tempe, AZ
Tucson, AZ
West Chester, PA

Prepared for:

LaBella Associates, PC.
300 Pearl Street
Buffalo, New York 14202

Prepared by:

COMMONWEALTH HERITAGE GROUP, INC.
NY Regional Office—Buffalo
2390 Clinton Street
Buffalo, New York 14227-1735
(716) 821-1650

October 2022

PHASE IA ARCHAEOLOGICAL INVESTIGATION:

PROPOSED NEW BUFFALO BILLS STADIUM,

ONE BILLS DRIVE, TOWN OF ORCHARD PARK,

ERIE COUNTY, NEW YORK

NYS OPRHP #22PR04875

Prepared for:

LaBella Associates, PC.
300 Pearl Street
Buffalo, New York 14202

Prepared by:

Kathryn Whalen, Ph.D., RPA, Principal Investigator
Christine M. Longiaru, M.A., Architectural Historian, Historic Research
Mark A. Steinback, M.A., Project Director/Senior Historian

COMMONWEALTH HERITAGE GROUP, INC.
NY Regional Office—Buffalo
2390 Clinton Street
Buffalo, New York 14227-1735
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October 2022

Management Summary

NYS OPRHP Project Review Number: #22PR04875

Involved State and Federal Agencies: New York State Office of Parks, Recreation and Historic Preservation, and New York State Department of Environmental Conservation

Phase of Survey: Phase 1A

Location Information:
Location: One Bills Drive
Minor Civil Division: Town of Orchard Park
County: Erie

Survey Area (Metric & English): 245 acres (99 hectares)

USGS 7.5 Minute Quadrangle Maps: Orchard Park 1965

Archaeological Survey Overview
Number & Interval of Shovel Test Pits (STP): n/a

Results of Phase IA Archaeological Investigation The proposed new Bills Stadium in Orchard Park, NY will be built inside the current stadium complex. It will be located on the west side of Abbott Road in the space that is currently parking lots. Within the APE (area of potential effect) there are four map documented structures (houses and barns that appear on maps as early as 1854). These were demolished by the time of the 1973 opening of the stadium. There are also three cemeteries in the APE-two Indigenous cemeteries associated with the Ellis Site about 600 ft (183 m) due west of the APE, and the Sheldon Family Cemetery that is just north of the APE. The two Indigenous cemeteries were documented first by Houghton in 1909, and later by Parker (1920) and White (1958). They have both sustained significant damage from looters, gravel mining on the property, and the construction of the stadium and attendant infrastructure.

The western section of the APE consists of portions of the SUNY ECC South Campus. There are several areas of green space that appear to be relatively undisturbed. The areas in the Town of Orchard Park are expected to be impacted by the proposed stadium and will require testing. Most of the areas on campus within the Town of Hamburg are not going to be developed at this stage, but rather will be used for construction lay down and no disturbances are currently planned. The exception being a new entrance off of Southwestern Boulevard on the town line. No known sites or previous archaeological surveys have been conducted on this property.

We are recommending construction monitoring for the removal of the parking lots, and ground disturbances. We are recommending a standard Phase 1B shovel test pit survey at a 15 m interval on the testable areas of SUNY ECC South Campus and under the Bills Stadium parking lots, and a 7.5 m grid shovel test pit around the MDSs after the removal of the parking lot.

Number & name of historic sites identified: To be determined after a Phase 1B investigation
Number & name of Precontact sites identified: Benzinger House Ellis Village Cemetery (02921.000413) and Ellis Native American Cemetery Site (02921.000412)
Number and name of sites recommended for Phase II/Avoidance: To be determined after a Phase 1B investigation
Number of structures within project area: N/A

Report Author(s): K. Whalen, C. Longiaru, M. Steinback,

Date of Report: October 2022

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1.0 Introduction

1.1 PROJECT DESCRIPTION

Commonwealth Heritage Group, Inc. (Commonwealth) was contracted by LaBella Associates, PC., Buffalo, on behalf of OPSTAD, LLC, to prepare this Phase 1A archaeological investigation report for the proposed new Buffalo Bills Stadium in the Towns of Orchard Park and Hamburg, Erie County, New York (Figure 1). The new stadium and facilities will be constructed on existing surface parking areas on the west side of Abbot Road, opposite Highmark Stadium, and on the east and south portions of State University of New York (SUNY) Erie South Campus, which is in the Towns of Hamburg and Orchard Park (Figure 3). The new stadium location is bound by SUNY Erie South Campus to the west, Southwestern Boulevard (US Route 20) to the north, Abbott Road to the east, and Big Tree Road to the south. This area is located on the historic homelands of several Indigenous Nations, including the Seneca, Erie, Wenro, and Neutral. Project plans entail the following:

- Construction of a new 1.35-million-square-foot, 5-6 level stadium facility with minimum seating capacity of 60,000, an approximate ground- level footprint of 15 acres;
- Construction of an approximate 75,000-square-foot Auxiliary Building for the new stadium;
- Use of SUNY ECC South Campus, Town of Hamburg section as construction laydown area with trucks and equipment utilizing existing parking and some temporary utility connections;
- The dismantling of the upper stadium seating and the infilling of the 100 level seating and stadium bowl; and
- Filling, re-grading, and paving of the Highmark Stadium land to incorporate it into surface parking facilities for the new stadium complex.

The current stadium is part of a 245-acre complex owned by Erie County. For the purposes of this report this larger area will be referred to as the project area. Physical alteration of more than 185 acres of land is proposed in the project area. This smaller subset of the project area will be referred to as the area of potential effect (APE) (see Figures 2, 21, and 23). Highmark Stadium will be demolished after construction of the new stadium is completed. Existing auxiliary buildings and parking lots on the east side of Abbott Rd will remain within the new stadium complex. The one-story concrete block building on the west side of Abbott Rd in Lot 4 will be demolished. The new stadium, parking lots, and an auxiliary building is proposed on the SUNY Erie South Campus, Town of Orchard Park area only. Community College Drive will be removed to accommodate the new stadium. Other Project plans which have potential for ground disturbance include construction of new utility lines, new lighting, and changes to road network.

The purpose of the Phase IA investigation is to identify previously recorded archaeological resources that may be impacted by the proposed Project and to assess the likelihood that unrecorded resources may be present within the project area (New York Archaeological Council [NYAC] 1994). The investigation included documentary and historical map research, a site file and literature search, the examination of properties listed in the New York State and National Registers of Historic Places (S/NRHP), preparation of Indigenous and historic contexts of the project area, assessment of cultural resources sensitivity and past disturbances at the site, a walkover reconnaissance, and photographic documentation of field conditions. Photographs of the field investigation are presented in Appendix A.

The cultural resource investigation was conducted in compliance with the National Historic Preservation Act (as amended), the National Environmental Protection Act, the New York State Historic Preservation Act (§14.09 State Regulation), and the State Environmental Quality Review Act (SEQR), as well as all relevant federal and state legislation. The investigation was also conducted according to the New York Archaeological Council's Standards for Archaeological Investigations and NYSHPO guidelines. The Phase IA field reconnaissance was completed on July 12, 2022 and included field survey and photographic documentation of the setting (e.g., previous disturbances, structures, field conditions), Kathryn Whalen Ph.D., RPA, was the Principal Archaeologist. Ms. Christine Longiaru, M.A., was co-author and conducted background research, Mr. Mark Steinback, M.A., MBA, served as Project Director.

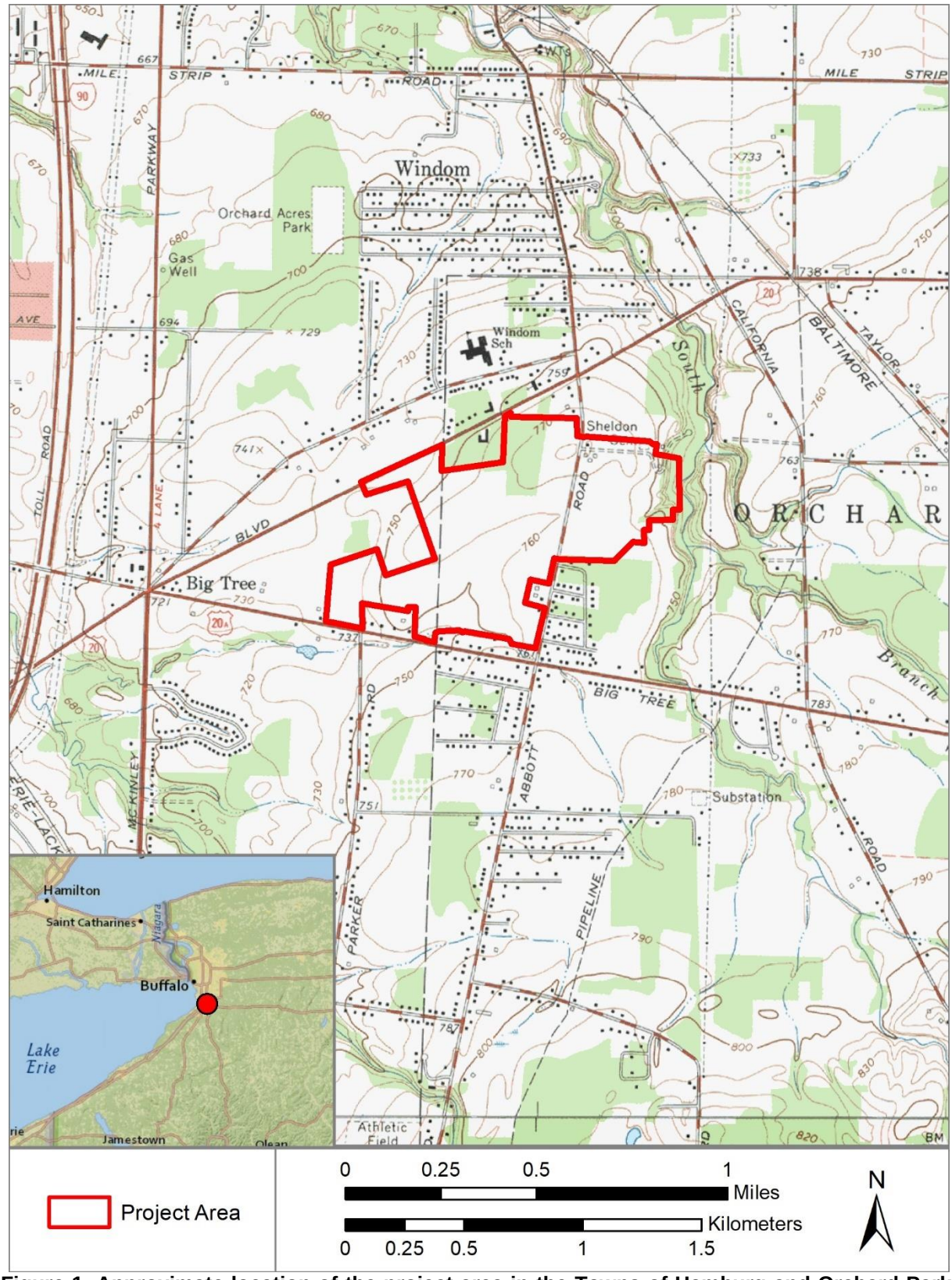

Figure 1. Approximate location of the project area in the Towns of Hamburg and Orchard Park, Erie County, New York *(USGS 1965).*

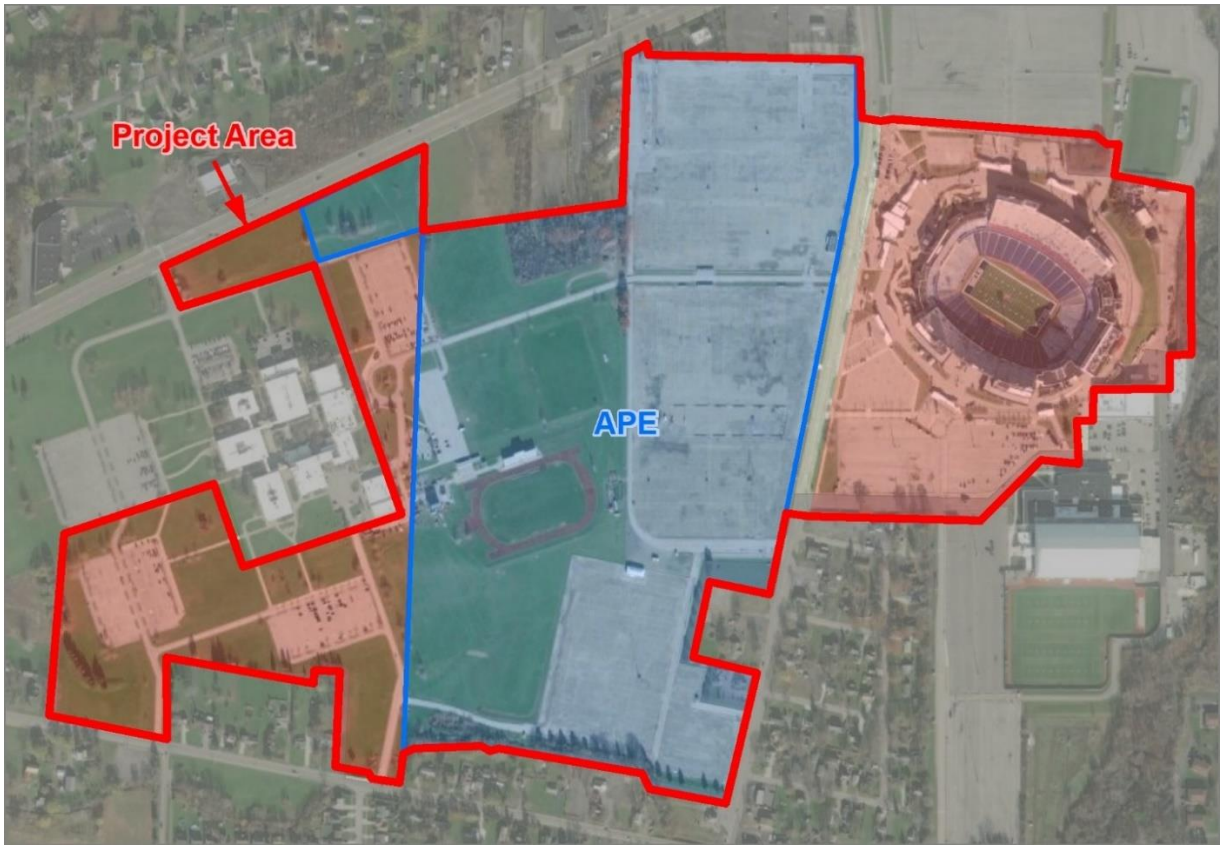

Figure 2. Location of project area and area of potential effect (APE) for the proposed Bills Stadium *(Commonwealth).*

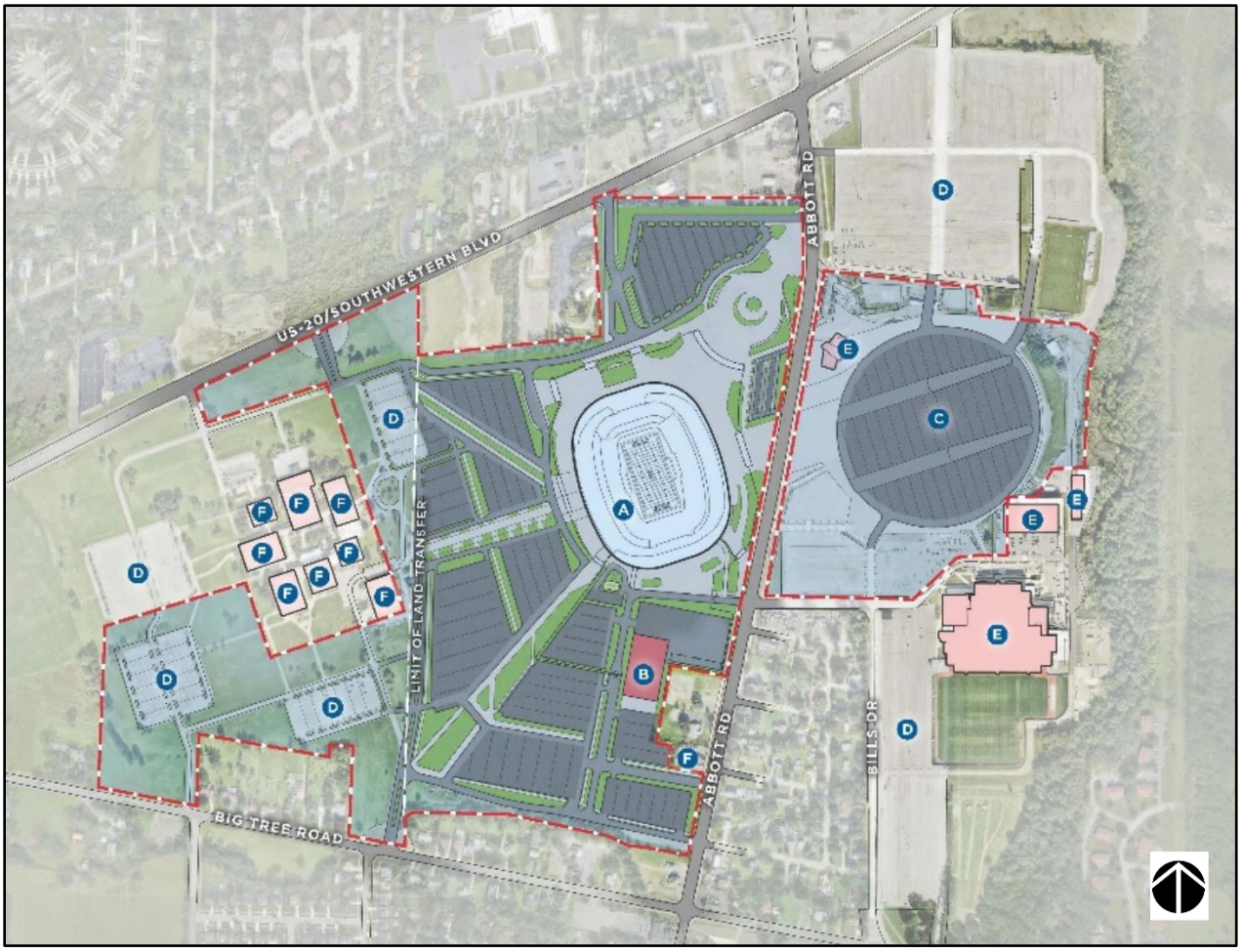

Figure 3. Concept site plan for the proposed new Buffalo Bills Stadium *(SEQRA Submission 2022).*

1.2 ENVIRONMENTAL SETTING

Topography. The project area is situated within the Erie-Ontario Lake Plain physiographic province, one of the two provinces contained within Erie County (the Allegheny Plateau is the other). The Erie-Ontario Lake Plain is a nearly level province between two and six miles wide, running along the shore of Lake Erie. The area has a topography formed from glacial lake beds, where elevations increase slowly and, in general, there is little relief (Owens et al. 1986:2). Elevation in the generally level project area ranges between approximately 750 ft to 770 ft (229 m- 235 m) (U.S. Geological Survey [USGS] 1968; see Figure 1).

Geology. In general, bedrock underlying Erie County formed in bands in an east-west orientation during the Silurian and Devonian periods with the oldest beds being in the northern part of the county. Relatively flat, the bedrock underlying Erie County tilts to the southwest at "approximately 50 feet a mile" (Owens et al 1986:2-4). Bedrock underlying the project area consists of sandstone and shale beds belonging to the Java and West Falls Group (Owens et al. 1986:3).

Soils. Soils within the project area belong to the Darien-Remsen-Angola association. These soils formed in shaly glacial till deposits at the transition from lake plain to upland plateau, and are deep and moderately deep, dominantly nearly level and gently sloping, medium textured, and somewhat poorly drained. The specific soils in the project area are detailed in Table 1 and shown on Figure 4 (Owens et al. 1986: sheet 60; Natural Resources Conservation Service [NRCS] 2016).

Table 1. Soils within the Project Area.

Name	Soil Horizon Depth in (cm)	Color	Texture	Slope %	Drainage	Land Form
Angola silt loam (AoA, AoB)	0-9 (-23) -11 (-28) -26 (-66) -30 (-76) 30 (76)	V DK GR BR GR BR DK GR BR DK GR BR OL BR	SI LO SI LO SI CL LO SH SI LO SH	0-3, 3-8	Somewhat poorly drained	Benches, ridges, and till plains
Canadice silt loam, channery till substratum (Cb)	0-8 (0-20) -25 (-64) -38 (-97) -53 (-135) -65 (-185)	DK GR BR GR BR GR BR GR BR DK GR BR	SI LO SI CL SI CL SI CL SI CL	0-3	Poorly drained	Glacial lake basins
Darien silt loam, 0 to 3 percent slopes (DbA)	0-10 -13 (-33) -22 (-56) -34 (-86) -60 (-152)	DK GR B GR BR OL BR DK GR BR	SI LO SI LO SI CL LO SH SI CL LO	0-3	Somewhat poorly drained	Shaly glacial till deposits
Fluvaquents and Udifluvents, frequently flooded (FU)	0-5 (-13) -70 (-178)		GRV Si Lo V GRV SA	0-3	Very poorly drained	Flood plains east of Stadium near tributary
Ilion silt loam (In)	0-9 (0-23) -13 (-33) -20 (-51) -29 (-74) -60 (-152)	V DK GR LT BR GR DK GR BR V DK GR BR V DK GR BR	SI LO SI LO SI CL LO SI CL LO SH SI CL LO	0-3	Poorly drained	Till plains

Name	Soil Horizon Depth in (cm)	Color	Texture	Slope %	Drainage	Land Form
Manlius channery silt loam (MaB, MaC)	0-8 -8 (-20) -21 (-53) -31 (-79)	DK GR BR YL BR BR V DK GR BR – V DK GR	SH SI LO V SH SI LO V SH SI LO SH bedrock	3-8 8-15	Well drained	Till plains
Marilla channery silt loam, 0 to 3 percent slopes (MfA)	0-8 (-20) -18 (-46) -42 (-107 -60 (-152)	DK GR BR YL BR OL BR OL GR-DK OL GR	SH SI LO SH SI LO SH SI LO V SH SI LI	0-3	Moderately well drained	Fringe of upland plateau; few isolated areas of the lowland plain
Pits, borrow (Pt)						Found on NE side of stadium
Wayland soil complex (Wd)	0-9 (0-20) -28 (-71) -45 (-114) -55 (-140)	V DK GR BR DK GR DK GR DK GR-GR BR	SI LO SI LO SI LO SI CL LO	0-3	Poorly to very poorly	Flood plains

Color: BR = brown, DK = dark, GR = gray, LT = light, OL = olive, V = very, YL = yellow
Texture: CL = clay, LO = loam, GRV=gravelly, SA=Sand SH = shale, SI =silt, V= very

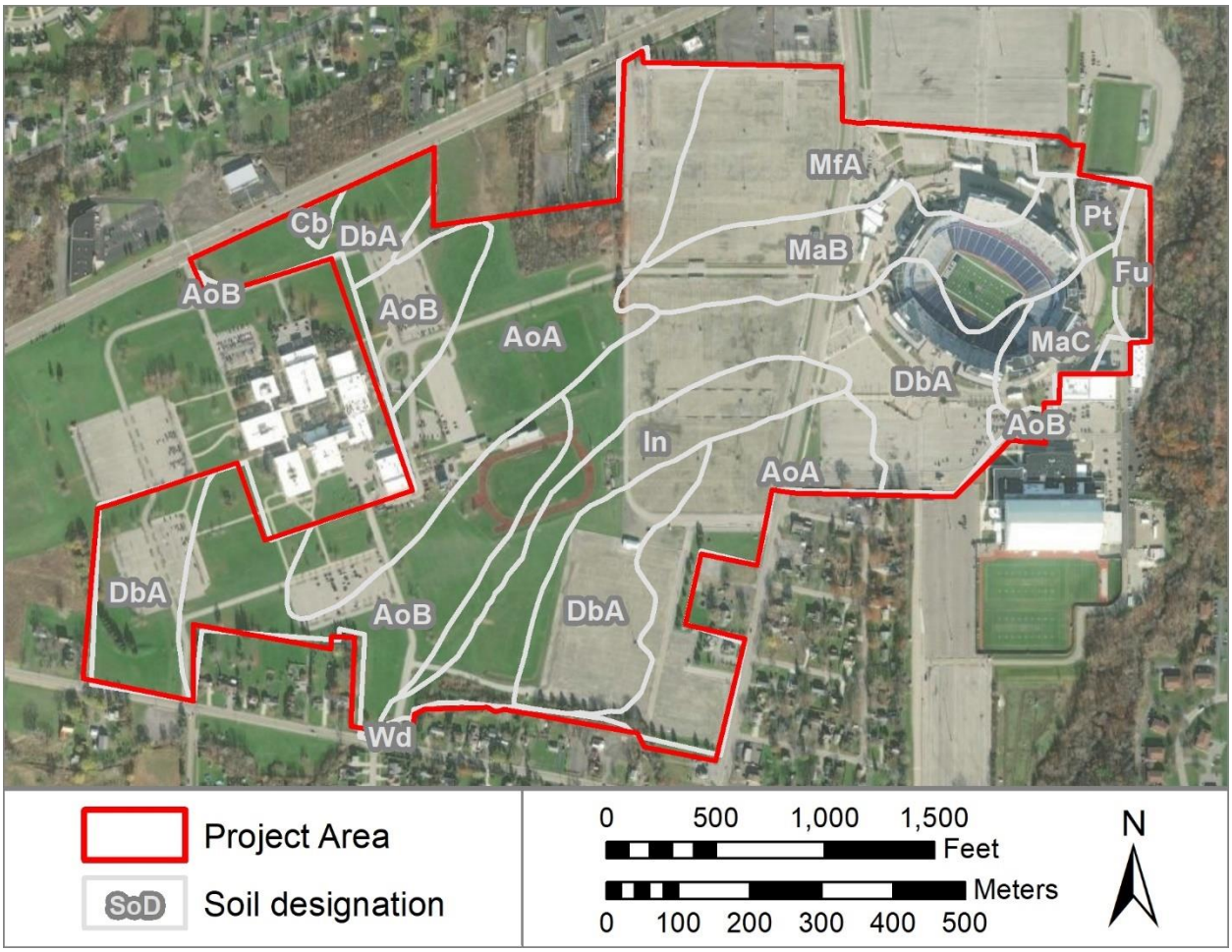

Figure 4. Soils within the approximate project area *(NRCS 2022).*

Drainage. A tributary of the South Branch of Smoke Creek parallels the east side of the project area (see Figure 1). From the confluence, Smoke Creek flows circuitously northwestward into Lake Erie, approximately five miles to the west. Historically, numerous intermittent streams and wetland areas were in the general area (USGS 1901).

Forest Zone. The western portion of Erie County within the Lake Plain province, including the project area, lies within the Elm-Red Maple-Northern Hardwood Forest zone (de Laubenfels 1966:92). This zone reflects recent conditions where poorly drained areas are widespread, the natural forest has been removed, and better drained areas have been utilized for agriculture. The climatic conditions of this zone comprise cooler summers and a shorter growing season, and the prevalence of elm and red maple is the result of human impacts to the environment (de Laubenfels 1966:95).

Vegetation. Sections of lawn are scattered around the stadium. Abbott Road has road verges with a few scattered trees. Adjacent properties in the northwest and southern areas of the project have some vegetative screening such as trees and shrub. The SUNY Erie South Campus section of the project area contains natural grass athletic fields and landscaped green spaces.

Man-made Features and Alterations.
Construction of the exiting stadium and the SUNY ECC South Campus has significantly altered the project area's former agricultural setting dating from the early 19th century through the mid-20th century (See Appendix A for photos). The current stadium complex consists of the 1973 stadium with artificial turf, a commissary building, an operations building, training center, two practice fields, and a youth football

stadium. Most of the project area consists of hardscape with over 100 acres of surface parking areas on both sides of Abbott Road (Figures 10 and 18). The new stadium location on the west side of Abbott Road includes surface parking areas (Camper Lot, Lot 3, Limousine Lot, Bus Lot 4, and Comfort Station Lot) with metal guard rails along their perimeters. Standard metal flood lights set on concrete bases are located throughout the Highmark Stadium parking lots. Community College Drive extends east-west between Lot 3 and Lot 4 project area. An existing one-story concrete block building is in the southeast corner of Lot 4 along Abbot Road. A parking lot attendant booth is in on north edge of Lot 4. A comfort station is in the southern portion of the project area.

The section of the project area on the SUNY Erie South Campus (1974) includes natural grass athletic fields, a track and field complex (West Herr Stadium), five parking areas (Campus Lots C, D, E, F, and G), and designed landscape within the south and east sections of the campus.

2.0 Phase 1A Methodology

A Phase 1A archaeological investigation is designed to identify and assess sensitivity and potential for locating archaeological resources within the project's APE. These resources include archaeological sites (Indigenous or Euro-American) and related aboveground features. The investigation consists of a background/literature search, a site file check, and a field reconnaissance of the project area. The geography and history of the region was reviewed to understand the background of the project area and provide a context for any resources that may exist within the project's APE. Archaeological and historic site files at the New York State OPRHP's online Cultural Resources Information System (CRIS) were reviewed as an initial step to determine the presence of known archaeological sites within 1.0 mile (01.6 km) of the project area. These files include data recorded at both the OPRHP and the New York State Museum (NYSM). Field reconnaissance was conducted to observe and photographically document the setting and general conditions (e.g., disturbances, drainage, sensitive terrain) of the project area.

Information collected during the Phase 1A survey (i.e., background research and field investigation) was used to assess the sensitivity of the project area for the presence of archaeological resources[1]. Areas are considered to have low archaeological sensitivity according to the following criteria:

- graded and cut areas through surrounding terrain (e.g., hills or gorges), such as those resulting from road construction
- areas that appear to have large amounts of fill
- areas previously impacted by construction of utilities, drainage ditches, streets or other obvious areas of significant earth movement
- areas including poorly drained soils and wetlands
- areas having slopes greater than 15 percent

Areas of archaeological potential and high sensitivity are identified based on the following criteria:

- undisturbed areas that are environmentally sensitive with relatively level well-drained soils or in the vicinity of potable water such as springs, streams or creeks (these characteristics typify known site locations in the region)
- known archaeological site locations within or adjacent to the project area
- *in situ* soil deposits below fill or other surface treatments
- map-documented structure (MDS) locations identified within or immediately adjacent to the project area. Particularly of interest is subsurface features such as privy (outhouses), wells, cisterns, basements, or cellars that may still exist under the surface treatments in the project area.

[1] Based on initial consultation meeting with the Seneca Nation of Indians, The Tuscarora Nation, and the Tonawanda Seneca Nation, we have learned that the Nations may have relevant information. This report will be revised with any pertinent information received from the Nations.

3.0 Historical and Documentary Review

3.1 ORAL HISTORY

The *Ögwë'ö:weh* or "Original People" is a term used by the Haudenosaunee to refer to the ancestors that first lived in the land that we now call New York State. The Haudenosaunee understanding of history is different from the economic and technological ontology created and used by archaeologists. The *Ögwë'ö:weh* developed a way of life called the *Ongwehonweka,* which was passed down through generations. Historically, colonists have questioned the relationship between the *Ögwë'ö:weh* and the Haudenosaunee and have been reluctant to ascribe humanistic traits to the archaeological findings because of the lack of scientifically provable attributes. Things like names, religious aspects, and language cannot be attributed to the items found regularly at archaeological sites of the earliest times, leading to the presentation of a very stripped-down version of history. The disassociation of modern Haudenausaunee and the *Ögwë'ö:weh* helped further colonial efforts to portray the land as empty, untouched, and unclaimed.

As a means to help remediate this erasure, an oral history of the Seneca and Tuscarora Nations is being produced. The subject of this oral history is to understand the cultural importance of the area beyond the traditional archaeological context. The following archaeological context has been edited to employ some of the concepts discussed in the preliminary oral history meetings.

3.2 ARCHAEOLOGICAL CONTEXT

The three major archaeological cultural traditions manifested in western New York State during the Indigenous era were the Paleo-Indian (*Ögwë'ö:weh)*, Preceramic (also known as the Archaic Period, but is also part of the *Ögwë'ö:weh*), and Woodland Period. These three temporal categories are based on economic, population, and technical changes found in the archaeological record. The scientifically designated boundaries of these categories can be summarized as a gradual increase in social complexity, punctuated by several important cultural and/or technological innovations. The earliest people were nomadic big-game hunters (12,000 to 8000 BC). Changing environmental conditions caused by the receding of glaciers required a change in *Ongwehonweka*; this is seen in the archaeological record as a shift in the environment to that of a temperate forest and a change in lifeways such as subsistence practices. In many areas of eastern North America, the Preceramic (8000 to 1500 BC) is followed by a Transitional period (1500 to 1000 BC) that bridges the Preceramic and the subsequent Woodland period.

The Woodland period (1000 BC to AD 1600) is marked by the development of pottery, agriculture, and burial mounds. After about 1000 BC, external influences began to have an increasingly greater effect as the area was occupied by groups that later formed the Erie and Neutral confederacies. Culturally, they shared much with groups in southern Ontario, Canada. The introduction of corn horticulture ca. AD 1000 seems to have encouraged population growth, village life, and warfare in western New York. Prior to the time of European contact Seneca hunting territory comprised an area extending from Lake Ontario to the headwaters of the smaller Finger Lakes and from the Genesee River to Cayuga Lake (Tuck 1978a; White 1961, 1978b).

Ögwë'ö:weh (Paleo-Indian Period ca. 12,000-8000 BC). Hunter-gatherer bands of the *Ögwë'ö:weh* (Paleo-Indian) culture were the first humans in New York State after the last glacial retreat approximately 14,000 years ago. As the climate gradually became more temperate, forays into the region by *Ögwë'ö:weh* likely became more extended. With specialized knowledge of the tundra and an intimate understanding of the landscape, *Ögwë'ö:weh* utilized a nomadic settlement system in which their movements followed that of game. The archaeological record suggests that *Ögwë'ö:weh* subsistence strategies emphasized hunting big-game species, many of which are extinct. These included mastodon, mammoth, great beaver, caribou, and moose-elk, along with a variety of smaller game (Funk 1972:11; Ritchie 1980; Salwen 1975). The remains of mammoths and mastodon have been found across much of the state, including areas around Lake Erie and Cattaraugus Creek; mastodon remains also were identified along the western portion of the South Branch of Eighteeenmile Creek in Erie County (Ritchie 1980:10-11).

During seasonal resource peaks, larger populations occupied strategically located habitation sites; and during

periods of scarce resources, the population dispersed, occupying small sites and rockshelters on a temporary basis. Located near the margin of extinct glacial lakes, many *Ögwë'ö:weh* sites in the Northeast are located on elevated areas "where good drainage, meaning a dry living floor, was an important consideration" (Funk 1978:18). These hills or rises also served as loci for monitoring the migratory patterns of game species. However, no *Ögwë'ö:weh* of the Paleo-Indian Period have been recovered from the Town of Orchard Park.

Ögwë'ö:weh (Preceramic Period ca. 8000-1000 BC). The *Ögwë'ö:weh* of the Preceramic period is differentiated from the *Ögwë'ö:weh* of the Paleo-Indian period by a functional shift in lithic technology, an apparent increase in population, changes in the subsistence strategy, and a less nomadic settlement system (Funk 1978; Tuck 1978b). These changes coincide with further tempering of climate and a more diversified biome (Funk 1972:10).

People began to develop woodworking tools during this period, using coarse-grained stones and river cobbles as their raw materials (Kraft 1986). Sites from these periods cluster along major rivers and marshy, swampy land as well as lowlands. Hunting, fishing, and gathering remained the principal daily activities, although greater emphasis was placed on deer and small game like birds and turtles, shellfish, nuts, and wild cereal grains. Associated with the shift in subsistence strategies was the increase in population densities, and as population increased, settlements became larger and more numerous. Bands moved seasonally or when deemed necessary by the group (Ritchie and Funk 1973).

The Late Preceramic (4000-1500 BC) is seen as the flowering of preceramic culture in the Northeast. During this period Indigenous cultures "fully adjusted to the humid Temperate Continental climate which, with its oak-chestnut-deer-turkey biome, persisted to the present day" (Ritchie and Funk 1973; Snow 1980). The increased carrying capacity of this richer and more diverse biome is reflected by an increase in the number, size, and kinds of sites documented in the archaeological record.

In New York, two contemporaneous Late Preceramic cultural traditions predominate: the Narrow Point, generally restricted to western and central New York, and the Laurentian, evident throughout all of New York. The Narrow Point tradition is recognized as the Lamoka phase. Most Lamoka sites are small, open habitation sites, although large near-permanent settlements have also been identified (Ritchie 1980; Ritchie and Funk 1973). As with other *Ögwë'ö:weh* peoples, Lamoka groups relied on hunting, fishing, and gathering. Deer and turkey were the preferred game, while in the floral group, acorns and hickory nuts were impressively evident. However, the primary orientation of the culture was toward aquatic resources caught mostly with nets.

In contrast to the Lamoka, the Laurentian tradition is characterized by a primary reliance on hunting, and is represented in this area by the Brewerton phase (3000-1720 BC). While some sites are known for the Brewerton phase, the majority of sites are small, temporary locales on streams, marshes, and springs. The emphasis on hunting is reflected by assemblages having large proportions of points and hunting gear. Fishing gear and nutting stones are also present, but not in the quantities known from Lamoka sites. Toward the end of the Preceramic period, sunflowers, chenopodium, and pigweed became an increasingly important component of the subsistence strategy and steatite or soapstone vessels were introduced (Ritchie and Funk 1973:87).

Late in the Preceramic Period (ca. 1500-1000 BC) a burial/ceremonial complex becomes apparent and ceramics were developed. The shift to pottery appears to have been preceded by the adoption of steatite or soapstone pots which made cooking and food preparation easier (Funk 1993:198; Ritchie and Funk 1973:87).

Woodland Period (1000 BC-AD 1600). The definitive characteristic of the Woodland period in New York State is the adoption of pottery technology, a development that occurred at different times from one location to another. While the previous hunting-and-gathering economy continued as a means of subsistence during Woodland times, Indigenous groups became more reliant on domesticated plants for food. Agriculture brought with it a score of new problems that required new adaptations and every aspect of Indigenous culture was transformed. With agriculture came settled village life, a general increase in population, technological changes, warfare, and a litany of social and political changes. Early and Middle Woodland

sites often contain extra-regional materials and numerous trade goods within burials, which suggest the existence of older, established widespread exchange or trade networks.

The Early Woodland period (1000-100 BC) is marked by several technological phases in New York State, including the Orient, Meadowood, Middlesex, and Bushkill. Some of these phases, such as Meadowood, are better understood than others, while some arguably may not be very important in some local sequences. The Early Woodland is marked by an increase in burial ceremonialism.

The Middle Woodland period (100 BC-AD 1000) shows continued long-distance exchange, although perhaps with varying strength at different times. In western New York, a sequence of occupation sites shows evidence of a long, Middle Woodland cultural tradition referred to as Point Peninsula (Ritchie 1980).

The Late Woodland is considered by archaeologist to be the period between AD 1000 and the time at which Indigenous people traded for or otherwise obtained European goods, the precise timing of which varied throughout the region. Several period defining developments appear to cluster around AD 1200 to 1300: the earliest evidence for longhouses and multiple household villages is from the thirteenth century AD and people added beans to their diets around AD 1300 (Hart and Brumbach 2003: 744-746; Hart 2011). In addition, Snow (2000:30) notes that groups in Central New York began surrounding their settlements with defensive palisades after AD 1200. During the later years of the Iroquois period, people in some areas began clustering their villages within the territories occupied by historically known Indigenous nations (Snow 2000:46-51). Likely in part because of the large amounts of wood consumed during the construction and maintenance of these settlements, as well as that needed for firewood, inhabitants periodically relocated their villages roughly every 10 to 20 years (Engelbrecht 2003:101-103). In several cases, researchers have reconstructed parts of the resulting sequences of settlements and produced detailed data concerning local culture change and the effects thereon of contact with Europeans (e.g., White 1961).

The horticultural complex of corn, beans, and squash, called the Three Sisters by the Haudenosaunee in later times, are found together in some of the earliest Late Woodland sites (Ritchie and Funk 1973; Hart et al. 2003), indicating the importance of these plants for at least some early garden systems and subsistence strategies. However, the frequency with which these crops were grown together is poorly understood (Fritz 1990; Smith 1992; Kuhn and Funk 2000). The common perception is that a heavy reliance on corn horticulture was supplemented by growing beans and squash, with declining roles for hunting, fishing and gathering. Primary animal prey most likely included one or more of deer, fish, and shellfish, based on faunal evidence, site locations, and the prevalence of netsinkers and other fishing technology at some sites (Cleland 1982; Ritchie 1980; Ritchie and Funk 1973).

In western New York, White (1963) hypothesizes that the introduction of horticulture led to changes in the settlement system. According to White (1963:4), "When the production of the food resources was controlled by the group through planting, then the limits on the amount of food set by natural seasonal replenishment were overcome." Near the beginning of the period (ca. 1100), groups lived in semi-sedentary villages, occupation was seasonal, and the villages were periodically moved. Around 1570, these same groups were living, year-round, in semi-permanent sedentary settlements. Like the later Huron (Sykes 1980), these groups moved their villages every 15 to 20 years in response to changing environmental conditions and group needs. While the impetus for village movement most often cited is soil exhaustion (Sykes 1980; White 1960, 1961, 1963), other factors such as game depletion, fire wood depletion, refuse accumulation, and chronic warfare may also have been contributing factors.

Colonial Period (AD 1550-1660). Prior to the arrival of Europeans into the Niagara Frontier, three Iroquoian groups occupied the region—the Neutral, the Wenro, and the Erie. A fourth Iroquoian group, the Seneca, inhabited the areas well east of Buffalo, but would assert their power in the region's affairs beginning in the seventeenth century (White 1978a, 1978b; Abler and Tooker 1978). Located in the Niagara Peninsula of Ontario and in the western portion of present-day Niagara County and the northwestern portion of Erie County, the Neutral earned their name from their location between the Huron to the north and the Haudenosaunee to the east, and their efforts to remain non-aligned during the incessant warfare between those two groups. The Wenro occupied areas in eastern Niagara and Orleans counties, east of the Neutral near Batavia. The Kahquahs (presumably part of the Neuter or Neutral nation) were reported to have a

village at the mouth of Eighteenmile Creek during the middle of the seventeenth century. The Erie occupied parts of Erie, Chautauqua, and Cattaraugus counties south of Buffalo Creek to Sandusky, Ohio (Parker 1922:493).

The traditional homeland of the Seneca was the area between the Genesee River and Seneca Lake (Engelbrecht 2003; White 1978a:407-409, 1978b:412-413). Unlike their major competitors, the Haudenosaunee were surrounded by sedentary agricultural groups and, therefore, had no direct access to the fur resources of the interior of the continent. The Huron Confederacy geographically straddled the major transportation networks and was able to exploit their hunter-gatherer neighbors' need for agricultural commodities by trading corn and other products for furs, thereby securing the advantage of access to the vast supplies of the interior. The Haudenosaunee wars of the mid-seventeenth century were aimed at eliminating the Huron and other agricultural groups as middlemen to obtain direct access to fur supplies (White 1971; Hunt 1940).

Beginning in the last decades of the sixteenth century, the increasingly regular encounters between Europeans and Native Americans incubated a pandemic of European diseases among unprepared native populations, which decimated many Native nations. The presence of typhus, smallpox, measles, and others ravaged Native communities. In addition to the tensions introduced through simple contact with Europeans, trade has been recognized as having a major impact upon traditional Indigenous cultural patterns (Brasser 1978:83). Further, utilizing pre-existing intertribal exchange networks and relationships, changes in Indigenous cultural patterns were occurring as a result of the earliest tentative and sporadic introductions of European material culture by the French from the lower St. Lawrence valley where European fishing parties traded for furs with the local Indigenous groups (Trigger 1978:344-347). The most immediate changes were due to the introduction of European material culture, such as metal cooking vessels and muskets. Once the fur trade was established, assuring a stable supply of these goods, the manufacture of Indigenous goods rapidly changed until they were entirely replaced by European manufactured implements.

The Seneca were adamant in protecting their position as suppliers of pelts, and as the supply of animal skins diminished within their territory, they expanded into the traditional areas of other Iroquoian groups. Ultimately, Seneca expansion displaced these groups from their lands in the Niagara Frontier, beginning in 1638 with the Wenro. After the Seneca had secured the resources of the Niagara Frontier, large-scale concerted attacks by the Haudenosaunee were directed against the Huron Confederacy (dispersed by 1649), the Petun (dispersed by 1650), the Neutral Confederacy (dispersed by 1651) and, finally, the Erie Confederacy (dispersed by 1655). Thus, by the mid-seventeenth century, the Haudenosaunee or Iroquois of New York emerged as a politically, militarily, and economically united confederacy with sole access to both the land and resources surrounding the lower Great Lakes (Abler and Tooker 1978:505-507; White 1978b:414-416; Trigger 1978:354-356).

3.3 17th CENTURY TO 20TH CENTURY

The French were the first Europeans to penetrate the valley of the Niagara River and explore the shores of Lake Erie. As early as the 1620s, Jesuit missionaries and French traders were establishing contacts with the local Indigenous groups. These visits to the region, however, were infrequent until the 1660s. By the 1650s, large-scale, concerted attacks by the Haudenosaunee against their rivals in western New York had reduced the project area to a sparsely settled area, subject to hunting and resource procurement (White 1978a:407, 409; Trigger 1978:349-351, 354-355).

For almost all of the seventeenth and eighteenth centuries European activities in the Niagara Frontier involved limited religious, commercial, and military endeavors. However, the early settlement efforts by the French were focused on the mouth of the Niagara River along Lake Ontario at what are now Fort Niagara and the Village of Lewiston (Trigger 1978:349-352; Abler and Tooker 1978:505-507; Smith 1884:I:35-36).

The first Euro-American settlement in what is now Erie County did not occur until the mid-1750s when Daniel-Marie (or Chabert) de Joncaire de Clausonne established a temporary trading settlement near Buffalo Creek (referred to as “Rivière aux Chevaux” [River of Horses]) in what is now the City of Buffalo

(Houghton 1920:64-65). Joncaire's short-lived occupation at Rivière aux Chevaux was a bead in the string of military and trading installations the French had established by the middle of the eighteenth century which extended from Fort Niagara at Lake Ontario along the southern shore of Lake Erie to Presque Isle (present-day Erie, Pennsylvania) into the Ohio valley (Abler and Tooker 1978:505-507; Tooker 1978:431-432).

The French were driven from the region by the British during the French and Indian War, with most of the action in the region occurring around Niagara Falls and at Fort Niagara. After the French defeat and their loss of North American colonies, some of the western Seneca, remaining loyal to them, joined Pontiac's uprising (1763-1766), and harried British-American settlers along the frontier. With the general cessation of hostilities in western New York in 1764, the Seneca were compelled to cede to the British a four-mile swath of land along both sides of the Niagara River (Abler and Tooker 1978:507; Tooker 1978:434; Hutchins 2004).

During the American Revolution, both the British and Americans enlisted the aid of individual Haudenosaunee nations in their battles within the frontier. Although the Confederacy itself maintained an official policy of neutrality, several of the nations allied with Great Britain and several with the Americans. As part of Britain's strategy to cripple the frontier economy by disrupting agricultural activities, the British incited their Haudenosaunee allies to raid isolated American farming communities. In 1779, Major General John Sullivan led a punitive assault into the heart of Haudenosaunee country in an effort to halt these attacks against American settlers. Adopting "scorched-earth tactics," Patriot forces burned many of the Haudenosaunee out of their central New York villages, who then sought refuge at Fort Niagara (Abler and Tooker 1978:507-508; Ellis et al. 1967:115-117; Smith 1884: I:50-52). Still controlled by the British, Fort Niagara served as the center for Loyalist activities in frontier New York. By 1780, some Haudenosaunee subsequently settled along Buffalo Creek, which would later be incorporated into the Buffalo Creek reservation (Houghton 1920). The British and their Loyalist allies were expelled from the new United States after the Treaty of Paris (1783) ended the Revolutionary War, and many of them settled on the west bank of the Niagara River in what was then called Upper Canada. Despite the end of hostilities in 1783, the British refused to vacate Fort Niagara until 1796. The Haudenosaunee, abandoned in the United States by their British allies after the Treaty of Paris, were forced to make peace as separate nations with the Americans. In 1794, a treaty was signed at Canandaigua between the United States government and the Six Nations (the Pickering or Canandaigua Treaty) that defined the boundaries of Seneca lands and the reservations to the other Haudenosaunee nations (Abler and Tooker 1978:508-512; Hutchins 2004).

After Sullivan's campaign through Haudenosaunee territory and into the 1780s, what would become the Buffalo Creek reservation served as haven for refugees of Iroquoian and non-Iroquoian nations from other areas in New York and the Susquehanna region. From the mid-1790s, Buffalo Creek held a place of importance for the Haudenosaunee as the location of the Confederacy's council fire as well as its ceremonial center where sacred wampum belts were kept. Contact-period settlement at Buffalo Creek first occurred in 1780, with the arrival of the Seneca Chief Old Smoke, whom Smoke's Creek is named after (Hauptman 1999: 110; Beauchamp 1907:65). This became the first town (called Seneca Village) on the reservation and was home to other Seneca leaders such as Farmer's Brother, Red Jacket, and Young King (Hauptman 1999:110). During the late eighteenth century into the early nineteenth century, the Buffalo Creek reservation served as the setting for meetings of American and foreign diplomats who sought the assistance from the Haudenosaunee with the sensitive diplomacy among the United States and the nations of the Old Northwest Territory (Mt. Pleasant 2007:86-87). Settlements at Buffalo Creek were largely concentrated along its waterways, which included Cazenovia and Cayuga Creeks, as well as several branches of Buffalo Creek / River (Mt Pleasant 2007:61-63). In the late eighteenth century, the French traveler Duc de La Rochefoucauld-Liancourt described the lands at the future reservation as rich in animal, fish, and plant resources (Mt. Pleasant 2007:103-105).

The period following the end of the Revolution was marked by a series of convoluted transactions among New York, Massachusetts, the Haudenosaunee, and land speculators, which resulted in the division of ownership of the former Haudenosaunee lands in western New York. Indigenous title to the land in western New York was largely extinguished in 1797, although several areas were reserved for the Haudenosaunee to use and live on, including riverine reservations at Buffalo, Cattaraugus, and Tonawanda creeks, and the Allegheny and Genesee rivers. Lying on both sides of Buffalo Creek, the Buffalo reservation consisted of

130 square miles and extended east from Lake Erie. William Street, in the Town of Cheektowaga, was the reservation's approximate northern boundary until the 1840s. A line extending due west from what is now the boundary between the towns of Elma and Aurora marks what was the reservation's approximate southern boundary. This boundary is approximately midway between Big Tree Road (US Route 20A) and Milestrip Road (SR 179) (Lankes 1964; Silsby 1961; Goldman 1983:27-29). Except for a one-mile swath along the east side of the Niagara River, Western New York, including the present Erie County, was acquired by a consortium of Dutch investors referred to as the Holland Land Company in 1792-1793 (Ellis et al. 1967:152-156; Abler and Tooker 1978:507-512; Smith 1884: I:74-75, 489, 524; Houghton 1920). The current project area north of Big Tree Road is half a mile south of the Buffalo Creek Reservation (Figure 5).

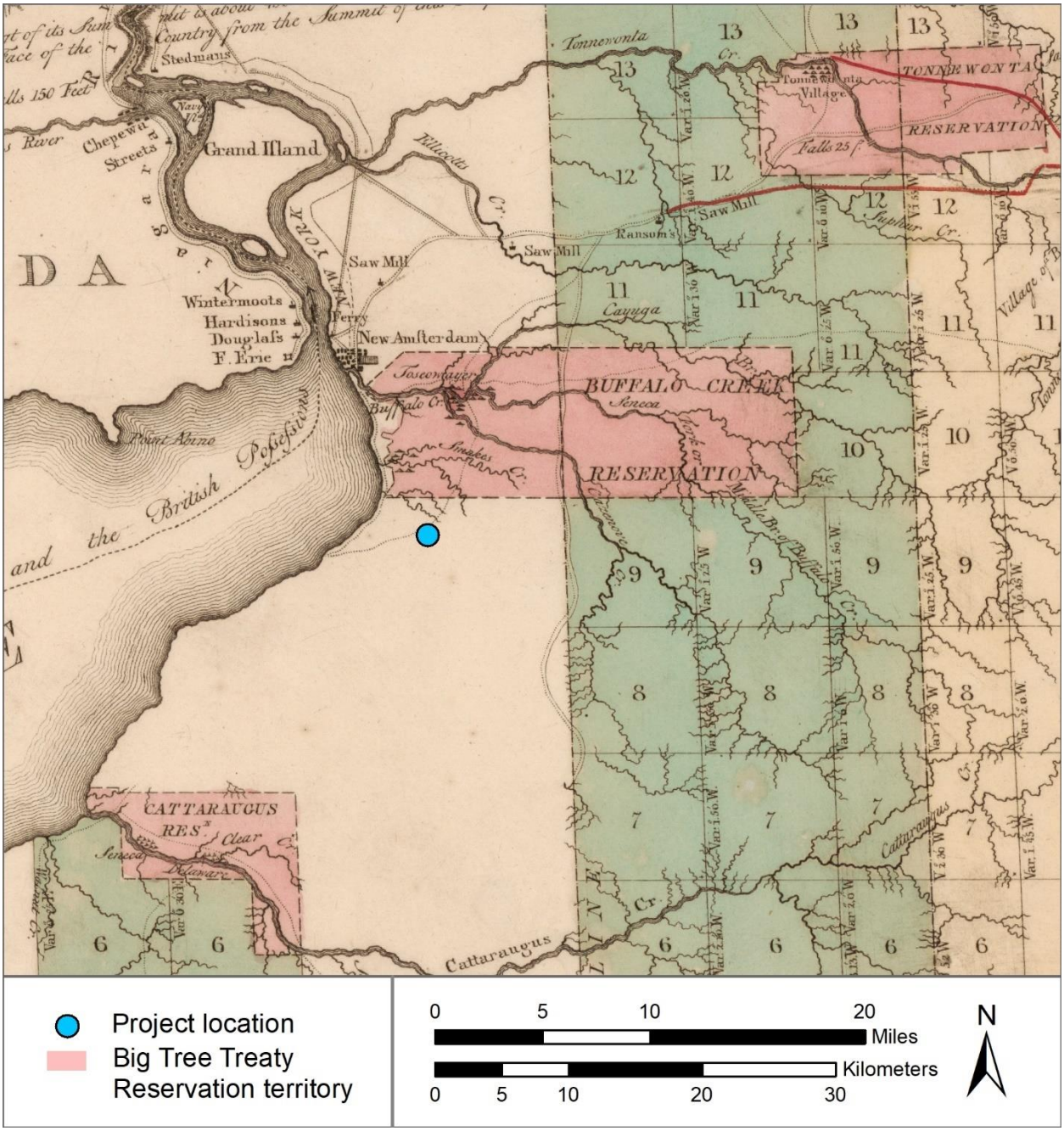

Figure 5. Approximate project location in 1800 showing distance from Buffalo Creek Reservation *(Ellicott 1800)*

Augustus Porter, pioneer of Western New York and Robert Morris's surveyor, reported that in the spring of 1795 "all that part of the state of New York, lying west of 'Phelps and Gorhams's Indian Purchase,' was still occupied by the Indians, their title to it not being yet extinguished. There was of course no road leading from Buffalo eastward, except an Indian Trail, and no settlement whatever on that trail" (Turner 1974 [1850]:372). Porter observed that four people lived in Buffalo at that time.

As a precursor to the settlement of the area, Theophilus Cazenove, agent of the company, contracted Joseph Ellicott in July 1797 to begin surveying the company's land in western New York and dividing it into townships. In 1802 all land west of the Genesee River was incorporated into Genesee County, and all land west of the Ellicott's east transit, including the project area, was subsumed under the Town of Batavia. Two years later, the Town of Batavia was divided into the towns of Batavia, Willink, Erie, and Chautauqua. Separated by Ellicott's west transit (present-day Transit Road), the towns of Erie and Willink stretched from Lake Ontario to the Pennsylvania border. The project area was within the Town of Erie, which was to the west of the Town of Willink (Beers 1880:7-8). In 1808, Niagara County was formed (consisting of what are now Erie and Niagara counties) from Genesee County. With New Amsterdam as the county seat, the new Niagara County contained three townships—Cambria, Clarence and Willink, with the project area included in the reconfigured Town of Willink, which comprised land south of the Buffalo Creek reservation (Beers 1880:20; White 1898: I:14-15; Smith 1884:I:511, 513).

Roads were also established with the surveying of townships. Two of the earliest roads in the county were Big Tree and Batavia roads. With portions opening as early as 1798, Big Tree or "Middle" Road (present-day US 20A) connected Buffalo Creek to Geneseo, running just south of the project area to Lake Erie. Officially cut by Jabez Warren in 1803, Middle Road was measured to run one mile south of the of the Buffalo Creek reservation's southern boundary. The western part of this road is known as Big Tree Road, and the eastern part is also called Quaker Road (White 1898: I:499; Smith 1884:I:86-87; Sipprell 1972). The Batavia Road connected Batavia (the location of the Holland Land Company office) to New Amsterdam along what is now Route 5.

Once townships had been surveyed and roads in the area cut, settlement and growth followed quickly. The early settlers were predominantly New Englanders (especially Vermonters) and Pennsylvanians, who entered the territory during the early 1800s along the Buffalo-Batavia Road, Big Tree Road or up Eighteenmile Creek (Sipprelli 1972:2). The first Anglo-American settler in the township was Didymus Kinny, who with his family cut a farmstead out of the heavily forested wilderness in the vicinity of Chestnut Ridge Park. He was followed by David Eddy and his Vermont siblings, Aaron and Mary. Establishing a farm in the vicinity of what is now the village of Orchard Park, Eddy would also establish the town's first tavern, erect the first sawmill on Smokes Creek and become the town's first supervisor (Baker 1990:2-3; Printy 1972:3-4; Smith 1884 I:525-527). Farther south and west, Deacon Ezekiel Smith, along with his nine children, established a settlement called Smith's Mills about the same time. The Smith brothers built a grist mill and a corn mill on Eighteenmile Creek in the present-day village of Hamburg. Known then as Smith's Mills, the village also included a tannery owned by James Husted (later, by Thomas White), a second tannery owned by Root and Bliss, a store operated by Orson Bennett, and a hotel owned by Ralph Shepard (White 1898: I:557; Smith 1884:I:511-514, 517, 558; Sipprell 1972:2-3). Other prominent early settlers included Samuel and Seth Abbott, Amos Colvin, Jacob and Joshua Potter, Obadiah Baker, Elisha Freeman, and Jacob Wright. Settlement clustered near the present-day villages of Hamburg and Orchard Park (Printy 1972:4; Sipprell 1972:2; Smith 1884: I:511-512; Beers 1880:23).

The region's growth was stunted by the War of 1812 as Western New York served as one of the primary theaters of that conflict and areas near the border with Upper Canada (the current province of Ontario) were ravaged by attacks and counter-attacks. Most of the battles in this theater were north of present project area. Along Lake Erie, the *Queen Charlotte*, a British vessel, prowled the lakeshore, sending marauders ashore to acquire food (Smith 1884:I:63-74, 126, 399, II:63-74, 573; Ellis et al. 1967:141). As expected, settlers began to trickle back after the cessation of active warfare in 1814.

As pioneers filled the Niagara Frontier, Erie County was created from Niagara County in 1821. The region received a tremendous economic boost when one terminus of the Erie Canal was located at the village of New Amsterdam (soon renamed Buffalo). Begun in 1817, the Erie Canal linked Buffalo and Lake Erie with

New York City when it opened in 1825. In the future Town of Orchard Park, many of the early settlers were Quakers, who established the town's first religious institution in 1807. Since the population of the Town of Hamburg (which at that time included all of the Town of Orchard Park) was sparse and miles of forested land separated neighbors, the township split in 1850 to facilitate more efficient government. The eastern portion became the Town of Ellicott and the western portion remained Hamburg. Two years later Ellicott renamed the Town of East Hamburg (or East Hamburgh). The project area was in the Towns of Hamburg and East Hamburg (Printy 1971:2).

In 1826, the Ogden Land Company acquired from the Seneca, among other tracts, a mile-wide strip of land that had been the south side of the reservation. The company encouraged settlement of this land, which embraced parts of the future towns of Elma, Orchard Park, and Hamburg, as well as the project area (Smith 1884 I:524, 489). What is now Milestrip Road was laid out through the middle of the so-called "Milestrip" parcel. Between 1835 and 1842, the Seneca sold the remainder of their reservation to the Ogden Company and relocated to reservations to the south. Shortly thereafter, a group of approximately one thousand German Lutherans, called the "Community of True Inspiration" or Ebenezers, occupied the fertile farmlands between the Cazenovia and Buffalo Creeks, where they established three villages: Lower Ebenezer (present-day Ebenezer), Middle Ebenezer (present-day Gardenville), and Upper Ebenezer (present-day Blossom). Beginning in 1842, the Germans created a self-sufficient community engaged in farming, lumbering, and rural industrial activities. The area occupied by the Ebenezers was located primarily in what is now the Town of West Seneca (Eberle and Grande 1987:79; White 1898: I:376-377; Beers 1880:19). The growth of the City of Buffalo and the concomitant "worldly" temptations brought to the area by the economic vibrancy of the Erie Canal led the ascetic Ebenezers to sell their land in West Seneca and move to Iowa in the 1860s (Eberle and Grande 1987:79).

In 1855, the population of the Town of East Hamburg was 1,946 and in the Town of Hamburg it was 3,307 (Beers 1880:21,23). The project area was a primary transportation route for the surrounding rural farming community during the nineteenth century as properties within the town were parceled out to individual landowners who established farmsteads. Agricultural activities consisted mainly of dairying, cheese-making, and potato cultivation with little market gardening due to the thinness of the soils. Many farms utilized fruit trees to supplement their incomes. Ancillary agricultural businesses included canning, fruit-drying, and vinegar-making (Dunn 1972:9-10, 38). The village of East Hamburg became known as Orchard Park in 1882. Printy recounts the seemingly apocryphal story of the creation of the village's new name.

> About 1882, Donna Potter Taylor created the name Orchard Park. She is supposed to have gazed from the window of the lovely Potter residence [the Brown Funeral Home in 1972] at the vast array of orchards beautifying [her] landscape and her expression was "what a Park of Orchards." Thus the name Orchard Park was born [1972:2].

Despite the village's formal acquisition of that name in 1921, the town was not renamed Orchard Park until 1934.

By the end of the nineteenth century, commerce in the vicinity of Orchard Park, the town's largest village, consisted of several hotels, numerous stores and taverns, several cheese factories, a sawmill at Deuel's or Deul's Corner, a barrel and shingle factory at East Hamburg, and two blacksmith shops at Abbott's Corner (present-day Armor) (White 1898 I:539, 557-558; Smith 1884 I:530-531; Printy 1972:7). Two canning factories were established in the town during this time: The East Hamburg Canning Company (in 1878) and the Erie Preserving Company (in 1890). Both facilities burned down in the 1890s and were not rebuilt (Baker 1990:13-14). Significantly, the Buffalo, Rochester & Pittsburgh (BR & P, later the Baltimore & Ohio [B & O]) ran diagonally through the township beginning in 1883 and had stations in Windom and Orchard Park (Smith 1884:I:531; White 1898:I:539). In Hamburg, a station of the Buffalo & South Western Railroad was established in the small hamlet of Big Tree Corners to the west of the project area (Smith 1884 1:523).

During the last third of the nineteenth century, the importance of agriculture for the Town of Hamburg was symbolized in 1868 by the permanent invitation of the Hamburg Driving Park Association to use its land for the annual joint Erie County-Cattaraugus County Agricultural Fair (at the present-day Hamburg Fairgrounds/Buffalo Raceway) (Eberle and Grande 1987:48-49). Agriculture remained a prominent industry

for the towns well into the twentieth century with the establishment of agricultural experiment stations in the 1930s to improve the quality of both dairying herds and potatoes (Dunn 1972:212).

In the twentieth century, the so-called Southtowns (i.e., the towns of West Seneca, Hamburg, Orchard Park, the City of Lackawanna, and other nearby villages and towns) experienced tremendous growth as developments in transportation have improved access to jobs and resources for the general population. Contributing to this growth was the creation of the Buffalo, Hamburg & Orchard Park Electric Railway or trolley, which connected the area to the City of Buffalo in 1900. The line merged with other rural trolley routes to form the Buffalo Hamburg Aurora Railway in 1909. Reducing the trip to Buffalo to only one hour, the trolley facilitated the suburbanization of the Orchard Park area. The line was abandoned in favor of automobiles and buses in January 1932 after roads were widened and paved (Printy 1969:43-44, 1972:7-8; Eberle and Grande 1987:156, 215). Other public services began to improve living conditions: gas lines and water mains were laid starting in 1893, and electric street lights arrived ca. 1911. The rural sections of these towns became increasingly residential and commercial after World War II with the creation of numerous suburban developments and industrial parks. SR 20 (Transit Rd/Southwestern Blvd) was later extended through the area. Milestrip Road was extended to what is now Southwestern Blvd by the 1930s (Erie County Department of Public Works [ECDPW] 1951). Since 1965, the trends toward suburbanization in the vicinity of the project area have accelerated. These trends have been facilitated by the extension and creation of transportation routes which link the area to the City of Buffalo and other areas of the Northeast. The US 219 was constructed east of the project area, linking the southern tier with the City of Buffalo. Other routes include the Aurora Expressway (Route 400), and SR 20 and 20A.

Buffalo Bills Football Stadium. The Buffalo Bills football team played at War Memorial Stadium on the East Side of the City of Buffalo from 1960 through 1973. Built in the 1930s, the stadium known as the “The Rockpile” had become outmoded and in disrepair prompting the organization’s owner Ralph Wilson to seek a new venue for the team. Though some renovations were made to War Memorial Stadium, the team had threatened to relocate unless a new stadium was planned. Buffalo Chamber of Commerce and Erie County Legislature formed a joint committee to identify a location, what type of stadium, and cost estimate. In 1967, three sites and four types of structures were proposed from a $21 million open collegiate stadium to an $86 million-dollar domed stadium (Bagwell 2022). The three locations selected were in Hamburg, Amherst, and downtown Buffalo.

The selected project team of James & Meadows & Howard Architects of Buffalo (JMH) and Finch-Heery Architects & Engineers of Atlanta (F-H) prepared a construction feasibility report evaluating multiple locations and several possible stadium schemes. The Orchard Park location was not included in this initial report. However, a two-stadium scheme and a multi-purpose scheme were considered for a 165.7-ac site in the Southtowns in the Town of Hamburg on the east side of McKinley Parkway and on the south side of Mile Strip Expressway near the NYS Thruway (JMH and F-H 1968.:27-28). At the same time, a group known as the Responsible Dome Action Commission prepared a study for a dome stadium which appraised the economic impact on life in Erie County (Responsible Dome Action Commission 1970: n.p.).

The New York State Urban Development Corp. began drafting architectural plans and cost estimates for a proposed Erie County Football stadium in April 1971 (The News Tribune 1971). The Erie County legislature voted 15-4 to authorize the work on a site in suburban Orchard Park which had been slated for development of a county college. County officials determined the site could accommodate both a football complex and college campus. In 1971, after four years of shifting plans and controversy, a 113-acre tract of land in the Town of Orchard Park was selected as the location for a new state of the art stadium complex for the team. A groundbreaking ceremony for Erie County Stadium occurred on April 4, 1972. By November, Erie County Legislature approved a proposal to appropriate an additional $338, 546 to expedite construction on what was formally named “Rich Stadium” (Tonawanda News 1972). The stadium was scheduled to be completed by August 1, 1973. John W. Cowper Co., Inc performed the general construction work for both the stadium and the adjacent SUNY Erie South Campus (Gryta 1972).

Plans for the current stadium included a lower level at 50 feet below ground surface which entailed excavation of more than 370,000 feet of shale (The Buffalo Bills 2016). A farmhouse and barn complex (MDS 3 and 7) on the east side of Abbott Rd is visible in an early 1970s construction photograph (refer to Section

3.3 for more information on DU Pont/Benzinger House property). As originally designed, the 170-ac stadium complex could accommodate more than 15,000 automobiles and 300 buses (Baker 1973). Construction of the stadium was completed in just over 14 months (Figures 5 through 10). The Buffalo Bills played their first home game in their new venue on August 17, 1973 (The Buffalo Bills 2016).

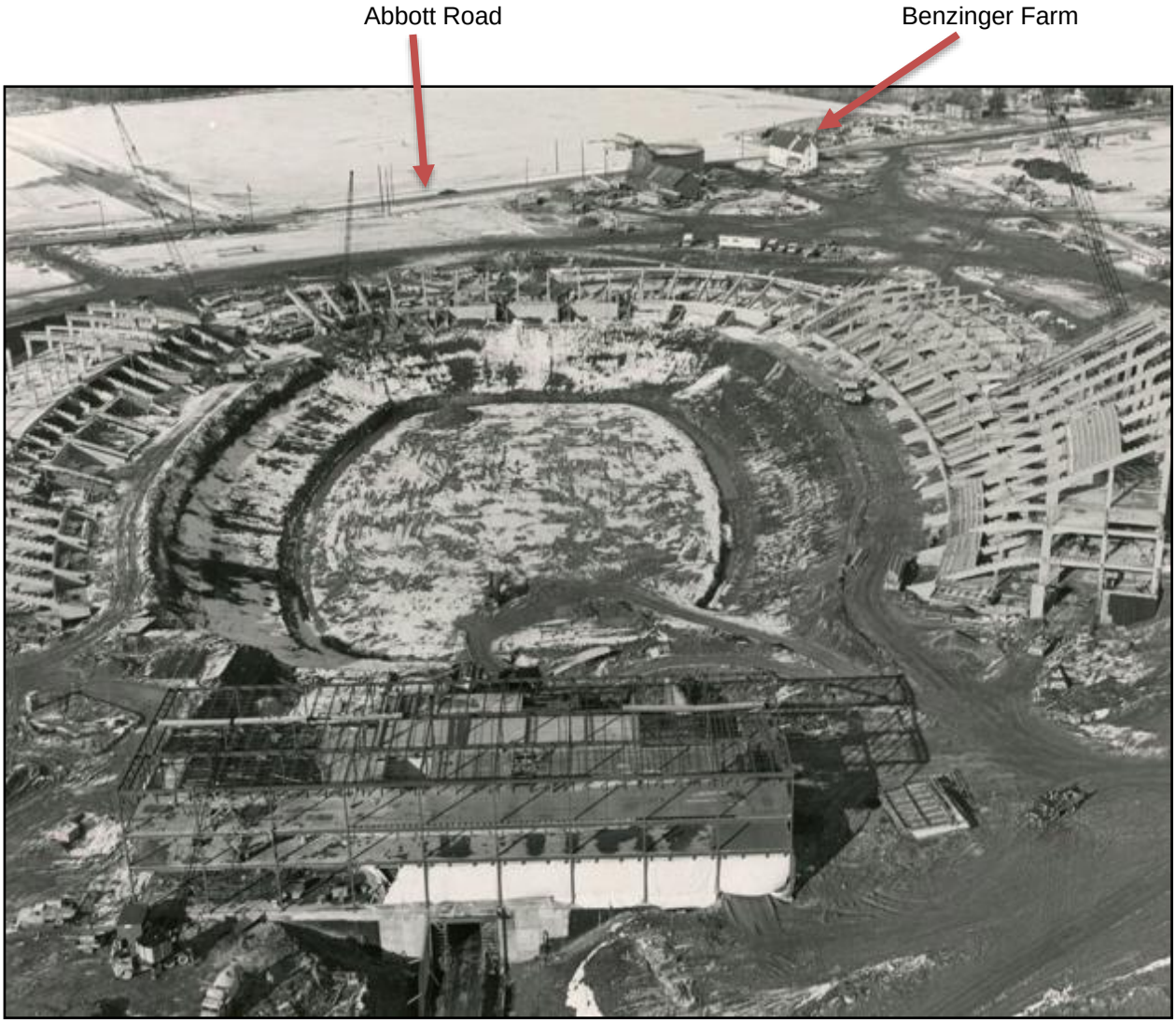

Figure 6. Erie County Stadium under construction in the early 1970s, facing northwest. Note, the farm buildings in the right background (*Courtesy of Buffalo News Archives)***.**

SUNY Erie South Campus. New York State's community college system was created after World War II when the New York Board of Regents envisioned a two-year technical community college system. The original plan involved establishing twenty-two institutions across the state with eleven in New York City and eleven in upstate New York (Shenton 1982:1). In 1946, the Board's final plan allowed for only five colleges to be founded as Institutes of Applied Arts and Sciences in New York City, White Plains, Binghamton, Utica, and Buffalo (Shenton 1982:1). The New York State Institute of Applied Arts and Sciences at Buffalo set up a temporary location at the former office building of the Pierce-Arrow Motor Car Company (1685 Elmwood Ave) in North Buffalo (Shenton 1982:2-3). The college opened in 1947 with a class of approximately 450 students (Shenton 1982:6). In 1953, the school's name changed to Erie County Technical Institute and later

to Erie Community College (in 1969).

By the mid-1950s, the college outgrew its temporary location in Buffalo. Land for a new campus site was purchased in the Town of Amherst in 1957 (North Campus). The new college campus opened three years later (Shenton 1982:31). Student enrollment increased rapidly in the early 1960s. During the expansion of North Campus in the late 1960s, plans were also going forward for the construction of the other two campuses: one in the Southtowns and the other in the City of Buffalo (Shenton 1982:52-53). Ten sites in the Southtowns (in Hamburg and Orchard Park) were inspected by the Trustees and County officials. One of the sites was the DuPont Site at Abbott Road and Southwestern Boulevard, the location of Highmark Stadium. Two locations in the Town of Hamburg were selected for final consideration, the Big Tree Site and the Howard Road Site (Shenton 1982:53). In 1969, the towns lacked a current master plan for the area surrounding the campus site, which complicated construction of a facility such as a college campus (Imbs / Douemland 1969).

The Big Tree Site was selected for the South Campus. Approximately 200 acres were purchased in the area bounded by Southwestern Blvd, Big Tree Rd and Abbott Rd. The campus location consisted of gently rolling land and a large, wooded area (Imbs 1969). Thomas Imbs Associates was selected to do the architectural work on the new campus for Southtowns Community College. His plans were approved by the Board of Trustees, State University Office Facilities, and Erie County in November 1969. Some 40 acres on Abbott Rd, in the project area, were subsequently sold back to The County for stadium parking (Shenton 1982:53). A college-owned right-of way would be laid out from the campus through the middle of the stadium parking area to Abbott Road (Shenton 1982:53-54, 62).

A 1969 master plan for the campus included an instructional core consisting of six primary buildings: library and media resource center, 400-seat auditorium, gymnasium, student center, administration building and a service building (Imbs / Douemland 1969). Athletic fields and court games were planned for the east portion of the campus. In 1971, a $1.2 million dollar contract was awarded for site preparation for South Campus which involved rough grading, roadways, the underground utilities, etc. (Shenton 1982:43,63). A six-month State freeze on capital construction delayed construction of the college (Shenton 1982:63). The new $16.8 million South Campus opened in the fall of 1974 (Gryta 1972; Shenton 1982:43). Figure 7 offers a ca.1975 view of the project area from the east edge of the campus.

Figure 7. A ca. 1975 view of the project area from SUNY Erie South Campus, facing northeast (*ECC South Campus 1975*).

3.4 DOCUMENTARY RESEARCH

Site File and Records Review. A review of the archaeological site-file database through the New York State Cultural Resource Information System (CRIS) revealed two unevaluated archaeological sites within the project area: Ellis Native American Cemetery Site (USN 02921.000412) and Benzinger House Ellis Village Cemetery (USN 02921.000413). Both sites have not been evaluated for eligibility for listing on the State/National Registers of Historic Places.

The Ellis Site is a village site that lies across the South Branch of Smokes Creek to the east of the project area. Two cemeteries are associated with the Ellis site, located on knolls within the project area. The site was first noted by Frederick Houghton in 1909:

EAST HAMBURG.

* Site No. 22. An extensive village site is situated at the junction of Smoke's Creek and a small unnamed branch, on property owned by George Ellis and Charles Diemer, east of Abbott Road and south of Benzinger Road. One of its cemeteries was on the west side of Smoke's Creek, opposite the village and another is on the Abbott Road on the crest of the hill directly west of the village, at the side of the electric railroad.

On the surface of the site triangular points, scrapers, potsherds, clay pipes and articles of bone are abundant, and effigies of the wolf have been found. There are numerous refuse heaps, some of which are still untouched. A large one was excavated by the writer and Chas. S. Little. In it were found articles of bone and antler, clay pipes, one in the shape of a snake, many triangular points and scrapers, much pottery, some scraps of sheet brass and a slender awl made of rolled sheet brass.

The first cemetery was destroyed by contractors who dug out the gravel for ballast. Many clay vessels were found but most were destroyed or lost. Some clay pipes and an iron axe were saved. The second cemetery was partly destroyed by contractors who used the gravel for ballast. Many clay vessels and all the skeletons were destroyed. Four clay kettles, some glass beads, a pipe, some chert flakes, fragments of three iron knives and some brass wire bracelets were saved by the writer.

This was probably the last site occupied by the Wenroes of the Buffalo group of sites.

This settlement is part of the Niagara Frontier Iroquois village movement sequence, as documented by Dr. Marian White in 1958 and 1959 (White 1960). Further research in the area lead to the recovery of another burial remains in 1965 by White. A brass kettle internment was found in the verge between the Benzinger's driveway and Abbott Road (See Appendix D). Trade beads and animal hair were also recorded as being part of this inhumation, but there are no notes about if any skeletal remains were recovered as well.

A University at Buffalo report provides an extensive summary of the Ellis Site (Trubowitz 1972; Appendix D). According to Trubowitz, the village cemetery was discovered when the construction of Abbott Road "destroyed much of it" (Trubowitz 1972:1). In 1972, Trubowitz reported the construction of the current stadium itself did not threaten the site, but the northern parking lot would "wipe out what little remains of the village cemetery" (Trubowitz 1972:1-2). The SUNY Buffalo Archaeological Survey unsuccessfully attempted to locate surviving burials prior to construction activities and instead had to shift to a mitigation

and monitoring methodology. Archaeological crews monitored operations during the demolition of the Benzinger farm house and the construction of the parking lots. Evidence of bone and burials were reported in early May 1972. Due to several factors, the human remains that were recovered were heavily degraded and widely scattered throughout the impacted area. Partial skeletons of at least four individuals were recovered in this two day span. Three burial contexts were uncovered, and a number of bones were excavated by a bulldozer and had no archaeological context. The first burial was an adult and was 2.2 feet below the surface. Skeletal material recovered here included portions of a skull, the first cervical vertebrae, portions of a scapula and possible tibia shaft fragments. Also in the deceased's possession was a ceramic ring pipe. The second burial was 1.17 feet below the surface and was likely an adult male. Skeletal remains recovered included the right scaphoid, portions of the mandible, and portions of the cranium. Burial 3 was found 2.0 feet below the surface and also represents an adult. The skeletal remains found include sacrum fragments, innominate, femur, tibia, talus, calcaneus, navicular, cuboid, cuneiforms, and metatarsal fragments. Other bones were found through soil disruption included left and right femur, tibia, and fibula fragments, all from adults. Due to the salvage nature of this work, no field maps were recorded (Trubowitz, personal communication).

A year later, a similar salvage operation from UB's Archaeological Survey was fielded to monitor further disturbances in the area of the Benzinger/Dupont farm. In May of 1973, the demolition of the old Benzinger/Dupont farm started with the barns and stripping of the area to grade, reported between 2 to 8 ft. below the existing surface (Sidler 1973a; Appendix D). The notes from this construction surveillance work from May and August of 1973 represents a volunteer effort to collect any human remains disturbed by the demolition of the Benzinger home (MDS 3) and barn (MDS 7). As this was before the advent of modern cultural resource management practices, and the archaeologist on site did not have any authority to stop the construction, so this was a truly salvage operation which impacted the quality of data collected (i.e. there are only rough field maps). Mr. Benzinger was managing the Du Pont farm at the time of the sale, and the home was used as the headquarters the construction crew.

An August 1973 letter to Dr. Marian E. White of the SUNY Buffalo Archaeological Survey describes the demolition of the house at Orchard Park Stadium.[2] The stone foundation walls were removed from inside of the basement. Workers discovered an old water line, possibly cast iron, under the house. The house had two separate sewer systems, two water lines, a gas line, and French drainage with orange burg pipe. They concluded that the area of the house and barns were heavily disturbed during modern occupation of the area. In addition the installation of the driveway had uncovered eight sets of human remains, according to Benzinger. White and her team discovered one more in the early 1960s that is now represented at the Benzinger House Ellis Village Cemetery Site (02921.000413). According to Sidler, the construction of Abbott Road in the area between two known locations where Indigenous cultural materials were found along with the extensive disturbance in the living area of the farm indicated that the exact size of the cemetery will remain unknown (Sidler 1973b). Ultimately, no human remains or funerary objects were found during the 1973 construction monitoring.

In an undated letter from her papers, Dr. White notified the Director of Planning and Development for the Erie County Technical Institute of the reported historic Indigenous burial just west of Abbott Road across from Mr. Benzinger's Residence, on the "old Dupont farm."[3] She raises the concerns for the construction of the Erie County Technical Institute (what would later become Erie County Community College) would possibly further destroy the cemetery and recommends a systemic investigation of the parcel. According to White, an unnamed "amateur archaeologist" had excavated between seven and fifteen burials in the summer of 1966. White noted it was unknown whether this individual had excavated all of the burials in the cemetery or if there were any other burials remaining. She suggests further work be conducted in the area to determine the extent of the cemetery. It does not appear that any work was conducted prior to the construction of the campus.

[2] E.R. Sidler, letter to Dr. M.E. White, re: Demolition of House at Orchard Park, August 7, 1972, TS (see Ewing 2016:Appendix A)

[3] Marian E. White, letter to Director of Planning and Development for the Erie County Technical Institute, n.d., TS (see Appendix D).

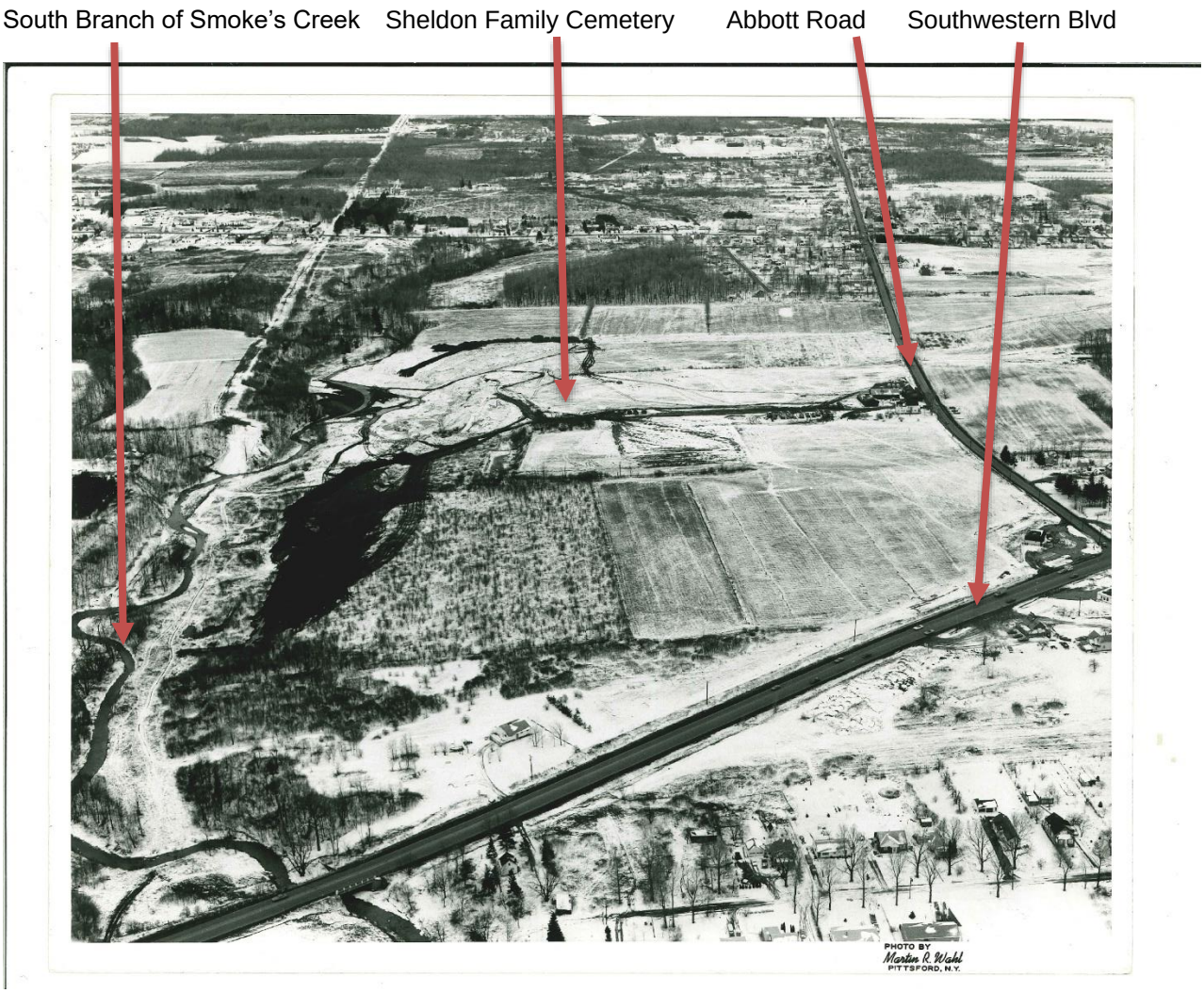

Figure 8. Aerial photograph of the Bills Stadium site prior to the 1973 construction.

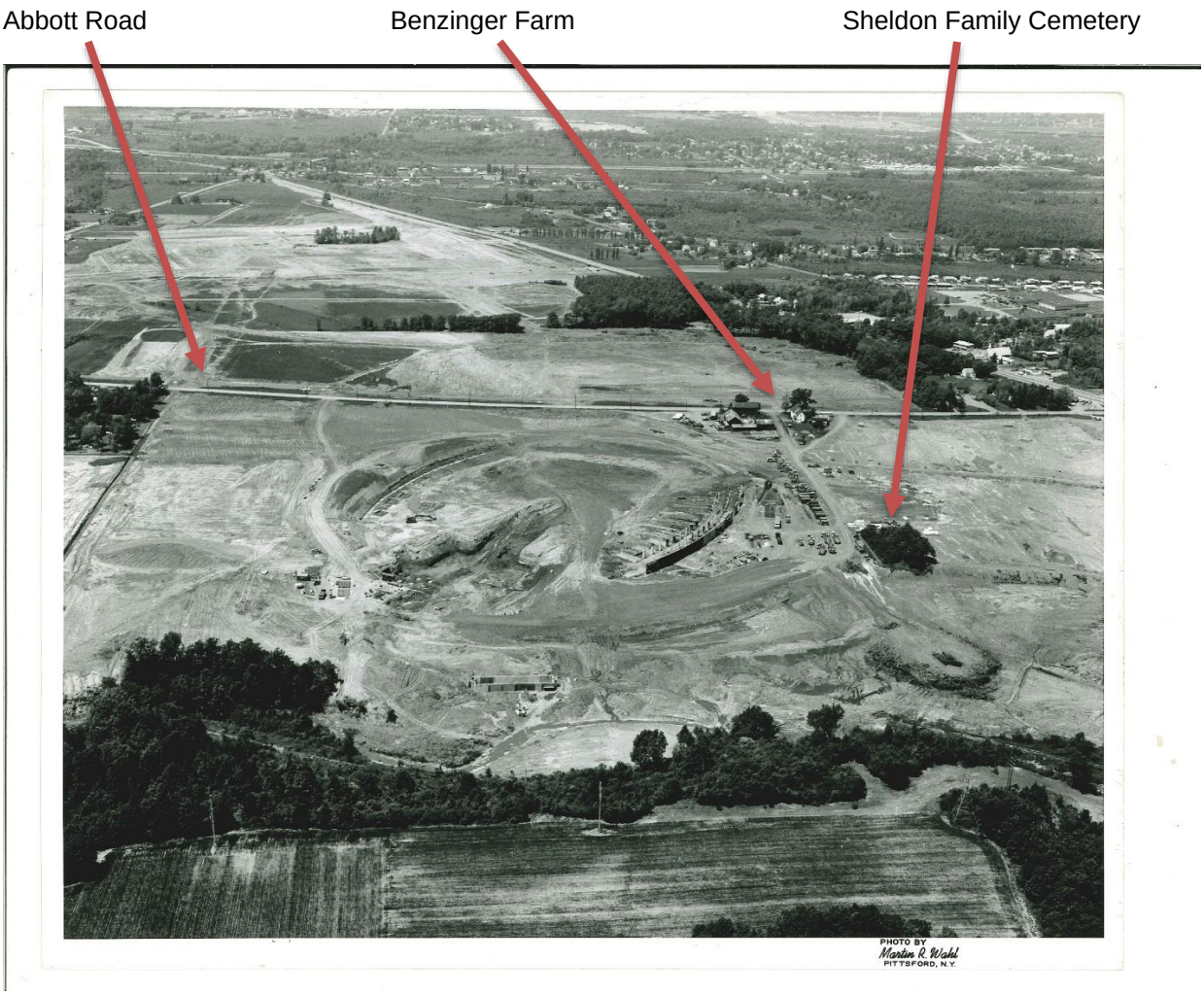

Figure 9. Image of the Bills Stadium site in the early stages of construction.

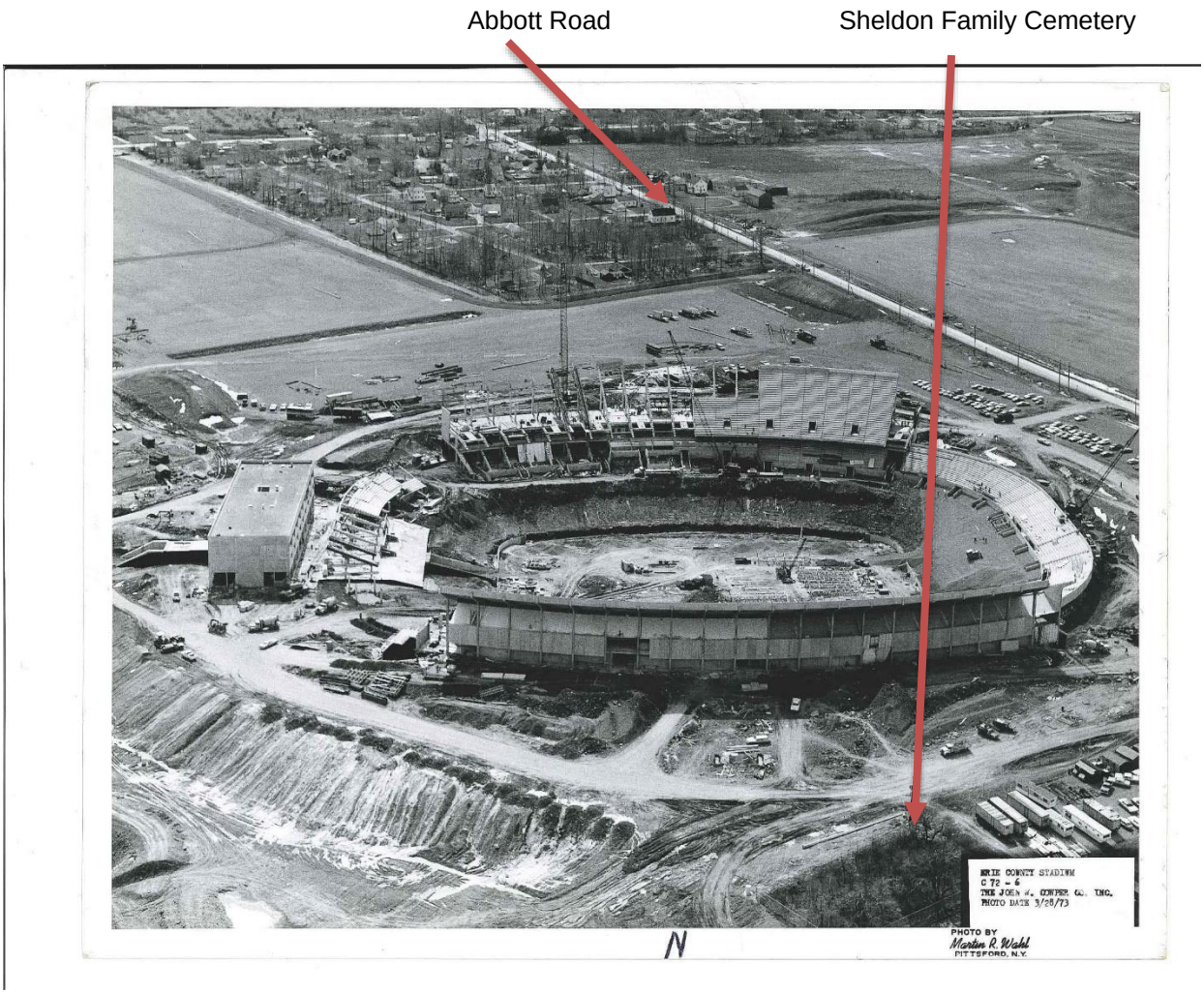

Figure 10. Bills Stadium in early 1973.

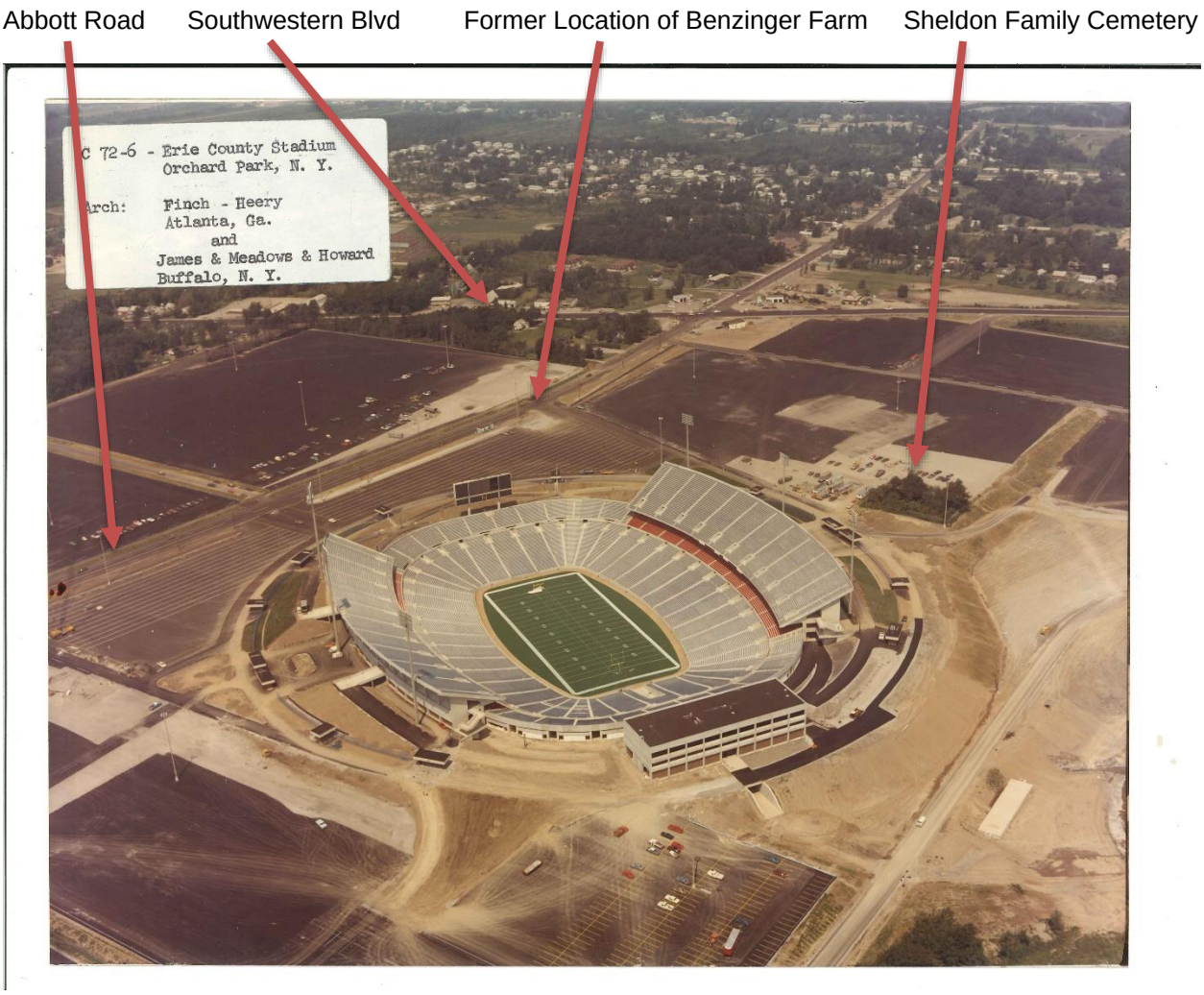

Figure 11. Image of the Bills Stadium near completion.

Eight Indigenous sites are within one mile of the project area (Table 2). Two sites, Benzinger House Ellis Village Cemetery (02921.000413) and the Ellis Native American Cemetery Site (02921.000412), are within the APE and are discussed above. Four sites that are not National Registry Eligible are the Orchard Grove Stray Finds (02921.000389), Orchard Grove Precontact Site (02921.000390), the Parker Road Site (2915.0005160), and the PCI/Parker Road-1 (02915.000447). One site, the MCI 05/326-327 Site's (02921.000243) eligibility has yet to be determined. In addition, the National Register Eligible Ellis Site (02921.000006), comprising a seventeenth- century Indigenous village and cemetery, is situated approximately 600ft (183 m) east of the project area.

Table 2. Archaeological Sites within Approximately 1.0 Mile of the Project Area.

OPRHP #	Site Name(s)	Distance to PA (ft/m)	Time Period	Site Type/ NRHP Status
02921.000413	Benzinger House Ellis Village Cemetery	In APE	Historic Niagara Frontier Iroquois Cemetery	Prehistoric with Human Remains / Undetermined
02921.000412	Ellis Native American Cemetery Site	In APE	Seventeenth century	Settlement w/ cemetery / Undetermined
02921.000243	MCI 05/326-327	200 (61)	Unidentified precontact; possible Late Woodland	Workshop / Undetermined
02921.000006	Ellis Site (a.k.a. Schultz, Deemer, Benzinger, DuPont, California Rd, Gibralter Site) Other: UB 225; RMSC Buf 004; NYSM 2104; ACP ERI-51/NYSM 3220	600 (183)	Seventeenth century	Settlement w/ cemetery ***Eligible***
02921.000389	Orchard Grove Stray Finds	600 (183)	Unidentified precontact	Isolated find / Not Eligible
02921.000390	Orchard Grove Precontact Site	680 (207)	Unidentified precontact	Camp; lithic scatter / Not Eligible
2915.0005160	Parker Road Site	2,128 (649)	Undifferentiated Precontact	Not Eligible
02915.000447	PCI/Parker Road-1	3,177 (968)	Undifferentiated Precontact small lithic scatter/camp	Not Eligible

Previous Surveys. In 2017, Panamerican Consultants, Inc. (Commonwealth) completed a Phase 1 archaeological investigation within the Highmark Stadium complex (then New Era Field) for a proposed 2.9-acre practice field adjacent to the ADPRO Sports Training Facility. Phase IB shovel testing reached sterile natural B-horizon subsoil below areas of fill. The average terminal depth of Phase 1 shovel testing was 41 cm (16.1 in) below the ground surface. Although the project location was considered highly sensitive for Indigenous archaeological sites due to the proximity of previously reported sites and the Smokes Creek drainage, the 2017 investigation did not identify any cultural resources in the 2.9-acre APE. OPRHP recommended archaeological monitoring of any final construction excavation extending below the depth of the Phase IB archaeological testing. Through consultation with OPRHP, it was decided that construction monitoring would not be necessary if additional Phase 1B testing examined the full vertical APE. Panamerican returned to extend the depth of the 21 STPs that did not surpass the vertical APE. Additional excavation required to achieve inspection of the vertical APE ranged from 5 cm to 60 cm with a mean depth of 27 cm. The mean final depth below surface needed for these 21 STPs was 68 cm. The bottom soil stratum previously identified during initial Phase 1B testing continued in each of the 21 STPs. A new stratum was encountered below this layer in four STPs. No historic or Indigenous artifacts or features were found in the APE as a result of these deeper excavations (Panamerican 2017a:19-20; Panamerican 2017b).

A review of the cultural resources surveys on file at NYSHPO as accessed through CRIS identified no other archaeological surveys in the project. Twenty previous cultural resources surveys are within 0.5 mile of project area and one other is within 0.55 mi (Table 3).

UB Archaeological Survey conducted a Phase 1 investigation which documented the previously unrecorded Indigenous Parker Road site (UB 4499) as part of an assemblage of widely scattered Indigenous lithic artifacts (Whalen and Lackos 2017). This 2017 investigation recovered a total of 29 Indigenous artifacts, the majority of which were chert flakes with a few bifacial tool and core fragments. Other artifacts reported included two biface fragments and a complete Meadowood cache blade, and two core fragments. Whalen and Lackos suggest the finds may represent work areas associated with the gathering and processing of resources found in localized environmental niches.

Other previous investigations did not identify many cultural resources, but did discuss the general sensitivity of the area for precontact cultural resources (see Dean et al. 2007; Ewing 2016; and Graupman and Ewing 2016).

Table 3. Previous Archaeological Investigations within one half mile (0.8 km) of the project area (OPRHP CRIS 2022)

Survey No.	Survey Title	Sites Identified
n/a	Archaeological Salvage at the Ellis Site, UB 225	Ellis Site
01SR51948	Phase IA/B Cultural Resource Management Survey of the Proposed General Dynamics Cell Tower (West Orchard Park Site #Buf 061B) in the Town Of Orchard Park, Erie County, New York (Keener 2001)	No sites reported
01SR51693	Phase I Cultural Resources Investigation For The Proposed Parker Road Development, Town Of Hamburg, Erie County, New York (Panamerican 2001)	No sites reported
01SR52052	Stage I Cultural Resource Investigation for the Orchard Park Life Care Community, Town of Orchard Park, Erie County, New York (Pierce 2001)	No sites reported
03SR54510	Archaeological and Architectural Reconnaissance Survey, PIN 5111.69.101: BIN 1015460, BIN 1015480, BIN 1015490, Rehabilitation and Widening of US Route 20 (Southwestern Boulevard) from US Route 62 (South Park Avenue) to California Road and Placement of Sidewalks from California Road to NY Route 240/277 (Orchard Park Road), Towns of Hamburg and Orchard Park, Erie County, New York	No sites reported
05SR55343	Phase I/II Cultural Resource Investigation for the Proposed Parker Road Development, Town of Hamburg, Erie County, New York (Panamerican 2005) approx.	One Site: A02915.000447 (PCI/Parker Road-1)
07SR57681	Phase I Cultural Resource Investigation Proposed Orchard Grove Development, Town of Orchard Park, Erie County, New York (Dean 2007)	Two sites reported A02921.000389 (Orchard Grove Strays) and A0291.000390 (Orchard Grove)
08SR58309	Cultural Resource Management Report: Phase I Cultural Resource Reconnaissance Survey for the Proposed Brush Mountain Park and Brush Mountain Park West Improve-ments, Town of Orchard Park, Erie County, New York (Graupman 2008)	No sites reported
09SR59125	Cultural Resource Management Report: Phase I Cultural Resource Reconnaissance Survey for the Proposed Brush	No sites reported

Survey No.	Survey Title	Sites Identified
	Mountain North Expansion, Town of Orchard Park, Erie County, New York (Graupman 2009)	
10SR59832	Phase I Cultural Resources Investigation for the Proposed 4250 McKinley Parkway Retail Development, Town of Hamburg, Erie County, New York (Panamerican 2010)	No sites reported
13SR62095	Phase I Cultural Resource Investigation for the McGard Expansion Project (3875 California Road), Town of Orchard Park, Erie County, New York (Peltier & Kagelmacher 2013)	No sites reported
16SR00008	Phase I Archaeological Survey Proposed Wireless Telecommunications Site Big Tree Road, Town of Orchard Park, Erie County, New York (Sullivan 2015)	No sites reported
16SR00596	Phase IA Cultural Resource Investigations for the Proposed Sheffer Farms Estates Project Town of Orchard Park, Erie County, New York - Revised Draft (Ewing 2016)	Ellis Site
16SR00864	Phase IB Cultural Resource Investigations for the Proposed Sheffer Farms Estates Project, Town of Orchard Park, Erie County, New York (Guapman & Ewing 2016)	No sites reported
n/a; 17PR01419	Phase 1 Archaeological Survey for the Proposed 2.9-Acre Buffalo Bills Practice Field, Town of Orchard Park, Erie County, New York (Panamerican 2017)	No sites reported
n/a; 17PR01419	Phase 1B Deeper Testing Buffalo Bills Practice Field, Town of Orchard Park, Erie County, New York. Letter Report.	No sites reported
18SR56713	Phase IA/IB Archaeological Investigations for the Big Tree Substation Expansion, Town of Orchard Park, Erie County, New York (Panamerican 2017)	No sites reported
20SR00472	Phase 1 Archaeological Reconnaissance Survey for Proposed Housing Subdivision at Parker Road and Route 20A (Whalen & Lackos 2020)	Parker Road site (UB 4499)
20SR00482	Summary of Results for archaeological monitoring for the Sheffer Farms Estates, Construction Phase I Project Area, Town of Orchard Park, Erie County, New York (Panamerican 2020)	No sites reported
21SR00274	Phase 1 Archaeological Reconnaissance Survey of a Multi-Residential Subdivision on Big Tree Road, Town of Hamburg, Erie County, New York (Whalen & Lackos 2021)	No sites reported

Consultation Projects. Two consultation projects are identified in CRIS within the Highmark Stadium complex on the east side of Abbott Road: Ralph Wilson Stadium Refurbishments, Renovations, and Improvements (13PR00330; closed project) and New Era Practice Field Renovation and Expansion: Grass field Parking Area Roadway (17PR01419; closed project). Approximately 12 consultation projects are within 0.5 mile of project area (OPRHP CRIS 2022).

National Register Listings. A review of the NYS OPRHP files as accessed through CRIS did not identify any National Register-listed properties within the project area. In March 2017, the NYS OPRHP determined Ralph Wilson Stadium (Highmark Stadium) at 1 Bills Drive (USN 02921.000369) not eligible for listing on the State and National Registers of Historic Places (Finelli 2017). The stadium was previously surveyed in 2010 as part of the *Town of Orchard Park Reconnaissance Level Survey of Historic Resources* (FoitAlbert 2012:1).

One National Register-eligible property, the Ellis Site (A02921.000006), is within 600 ft (183 m) of the project area (see Table 2).

Historical Map Analysis. Several historical maps and aerial imagery were reviewed to identify map documented structures (MDS) in and around the APE and to assess the overall land use development of the area. The approximate project area limits are overlain on the following maps: Geil 1854 (Figure 12); Stone and Stewart 1866 (Figure 13); Beers 1880 (Figure 14); The Century Map Co. 1909 (Figure 15); and historical aerial photographs of Erie County from 1926 and 1951 (ECDPW 1926 [Figure 16] and 1951 (Figure 17]). Other maps consulted included Niagara Frontier Planning Board town maps (1938a-b, 1948a-b) and USGS topographic maps (USGS 1948, 1965). MDSs discussed below are also summarized in Table 4 and Figure 20. While every effort was made to accurately depict the location of MDS there is some inherent inaccuracies to the georeferencing of historic maps. Also, the type of building depicted, and accuracy of their location differs from map to map. It is possible other buildings, such as sheds or barns, might not be fully depicted in these documents, hence the necessity of documenting houses outside the project area, but with property therein.

By the mid-19th century, three structures associated with farms were in the project area along Abbott Rd in East Hamburg (later Orchard Park) and on Big Tree Rd in Hamburg (Figure 12). Other structures were adjacent to the project and had associated land in the project area. This sparsely populated area was situated between two crossroads communities centered on Big Tree Rd at Craigs Corners (later Big Tree Corners) to the west and Potters Corners (later Orchard Park) to the east. In 1854, the two structures in the project area on the west side of Abbott Rd on Lot 39 were identified with D. Abbot [sic] (MDS 1 [north]) and A. Whitmore (MDS 2 [south]). An unidentified structure (MDS 3) was to the northeast of the Abbot [sic] property on the opposite side of the road. A sawmill operated on the creek just north of MDS 3. At the south end of the project area, a structure identified with E. Smith (MDS 4) owned property on the west side of Abbott Rd within and adjacent to the project area; MDS 4 is adjacent to the project area. On the north side of Big Tree Rd on Lot 48 in 1854, west of Abbot Road near Barker Rd: J. Roads (MDS 5) and M.W. Green (MDS 6) had associated property in the project area. The general location of the structure associated with M.W. Green is documented in the southwest section of the project area. Three other structures on Big Tree Rd and Sheldon Rd were in the vicinity of the project area. Sheldon Rd was named after the Sheldon family; a J. Sheldon owned a farm on the south side of the road in the vicinity of the project area to the northwest. The Sheldon Family Cemetery which is adjacent to the project area is not documented on the 1854 map.

By 1866, Lot 39 had been divided into two lots (Lot 39 and Lot 40) (Figure 13). The Abbott structure (MDS 1) was not documented in 1866. A.D. Ellis is associated with MDS 2 on Lot 40. The previously unidentified structure (MDS 3) on the 1854 map appears to be in the general location of a structure identified with Mrs. Ferguson on Lot 40. E.G. Smith owned MDS 4 on Lot 39. MDS locations with associated property in the project area on Big Tree Rd on Lot 47 were owned by J. Rhoades (MDS 5) and H. Chandlers (MDS 6). A structure on project area on Sheldon Rd identified with B. Lozelle.

Lot 40 had been further subdivided by 1880 (Figure 14). J. Peters owned MDS 2 and 126 acres of land spanning both sides of Abbot Rd which included most of the new and current stadium locations. MDS 3 is not depicted on the map. E.G. Smith still owned MDS 4 and 47 acres of land on Lot 39, as well as a 48-acre tract on the west side of Lot 40 and adjacent to the J. Peters property (MDS 2). The new stadium location is partially on Smith's 48-acre parcel. R. Rhoades owned the property associated with MDS 5, though a structure is not depicted on the 1880 map. The east portion of the 20-ac lot owned by J. Mann is in the project area, but the structure (MDS 6) is depicted outside of the project area to west. On south side of Sheldon Rd, E. Gold owned a structure on a 26-ac tract of land that was partially in the northwest corner of the project. A portion of the L.L. Crocker's 59-ac parcel spanning both sides of Sheldon Rd extended south into the project area.

G. Diemer owned a 41-acre parcel on the west side of the road containing MDS 2 and an outbuilding in 1909 (Figure 15). Opposite MDS 2, C. Diemer was identified with a new structure (MDS 7) and two outbuildings on 85-acres of land. J. Purdy owned a 100-acre tract of land in the center of the project area containing MDS 4 and an outbuilding; structures are adjacent to the project area. The electric railroad ran along Abott Rd through the project area by this time. On Big Tree Rd, F.L. Kleis owned a 70-acre tract farm spanning both sides of the road that included a structure and three outbuildings. It is unknown if this structure is the MD5 in 1866 or a new structure. Two of the Kleis outbuildings are depicted in the southwest

portion of the project area in 1909. E. Schwartz had acquired the parcel containing MDS 6 and one outbuilding. The two properties on Sheldon Rd with land partially in the project area both contained a structure and one outbuilding. F. Gehl is identified with the E. Gold farm and H. Struck owned a 26-ac parcel with a structure on the former L.L Crocker property.

A 1926 aerial photograph shows agricultural fields in the project area. The G. Diemer farmhouse (MDS 2) was no longer extant by this time. C. Deimer's farm (MDS 3) is documented on the existing stadium location. Sheldon Cemetery on the north side of the C. Diemer's farm path is visible on the photograph. The previously documented farms on Big Tree Road (MDS 5 and MDS 6) and on Sheldon Rd are also depicted.

The 1938 map identifies former East Hamburg as the incorporated Town of Orchard Park. This map shows parcels with only the names of property owners and total acreages. E.I Dupont owned tracts of land in the project area previously associated with the Diemer family (MDS 2 and MDS 7). The west parcel contained 40.16 ac and the east parcel consisted of 85.81 ac. Dupont also owned the 32.7-ac parcel on the east side of Abbott Road north of the existing stadium. Willard Pirdy had acquired two tracts of land partially in the project area along the Hamburg-Orchard Park municipal line. J. Purdy owned the MDS 4 property (different spelling of surname in 1938). Frank L. Kleis owned the MDS 5 parcel and the Schwartz family retained ownership of the MDS 6 property in 1938. Southwestern Boulevard is depicted for the first time. The road was constructed through the farms fronting Sheldon Rd, from east to west, which were owned by Herman Struck, Henry Struck, and William L and Sofia W. Klens.

Sheldon Cemetery is identified on the 1948 USGS map, which shows the farm on the east side of Abbot Rd with a farmhouse and three barns. A farm path extends east past the cemetery to a small cluster of structures—possibly the "explosive storage bunkers" previously noted by Ewing in 2016 (Ewing 2016:9). Mid-twentieth century residential development occurred on the east side of Abbott Road and the north side of Big Tree Road, adjacent to the project area (Figures 15 and 16). By 1951, farm buildings on Southwestern Boulevard on the future college campus were no longer extant. Twin Oak Motel was constructed in the wooded area bordering the northeast boundary of the ECC South Campus in ca. 1954 (3949 Southwestern Blvd - demolished in 2020).

Table 4. Map Documented Structures (MDS) and Property Holders in and around the Project Area

MDS	1854	1866	1880	1909	1938
1	D. Abbott – Lot 39	---	---	---	—-
2	A. Whitmore - Lot 39	A.D. Ellis – Lot 40	J. Peters - Lot 40 w/ one out-building	G. Diemer – Lot 40 w/ one out-building	E.I. Dupont Note: farmhouse not on 1948 USGS map
3	Unidentified	Mrs. Ferguson	J. Peters - no structure	---	
4	E. Smith	E.G. Smith-Lot 39	E.G. Smith – Lot 39	J. Purdy – Lot 39 w/ one outbuilding	Willard Pirdy
5	J. Roads	J. Rhoades	R. Rhodes - no structure	F.L. Kleis	Frank L. Kleis
6	M.W. Green	H. Chandlers	J. Mann	E.Schwartz	CA. Schwartz
7	---	---	---	C. Diemer -Lot 40 w/ 2 outbuildings	E.I. Dupont

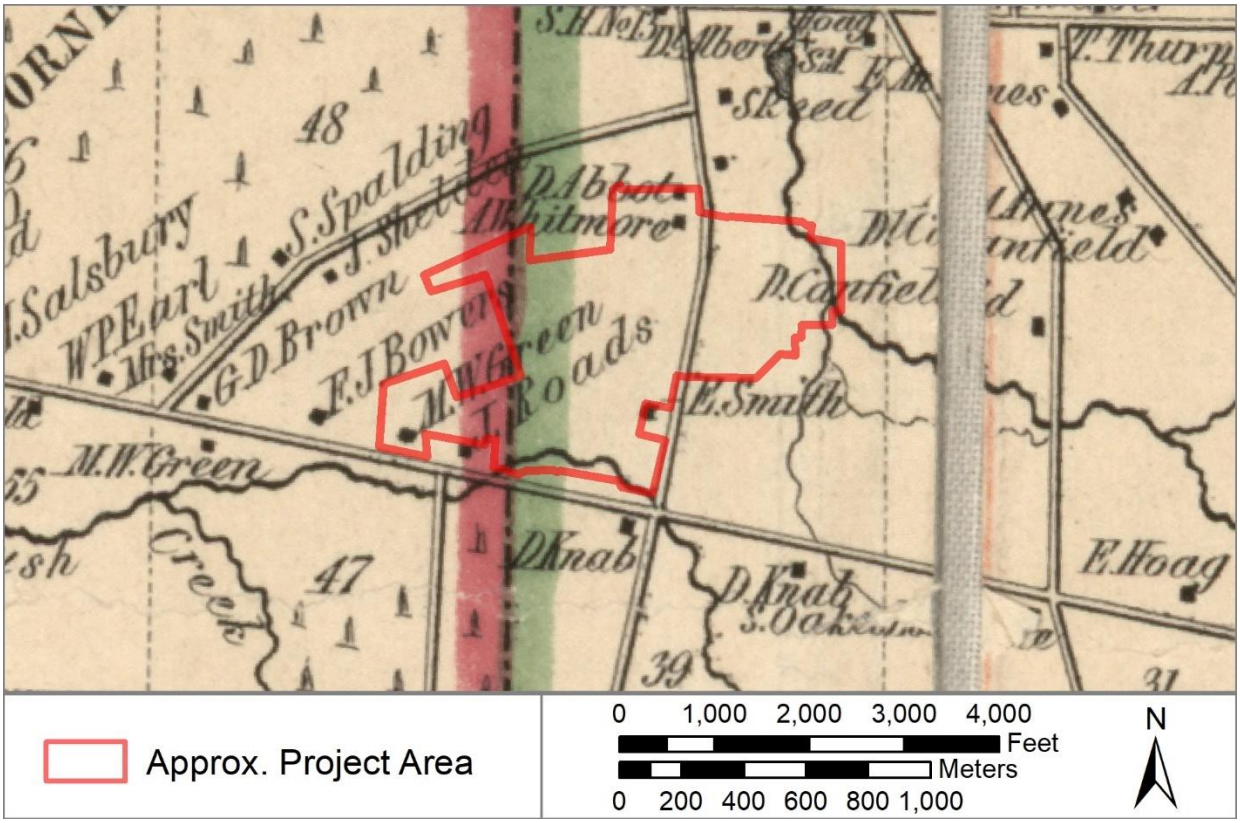

Figure 12. The approximate location of the project area in 1854 *(Geil 1854).*

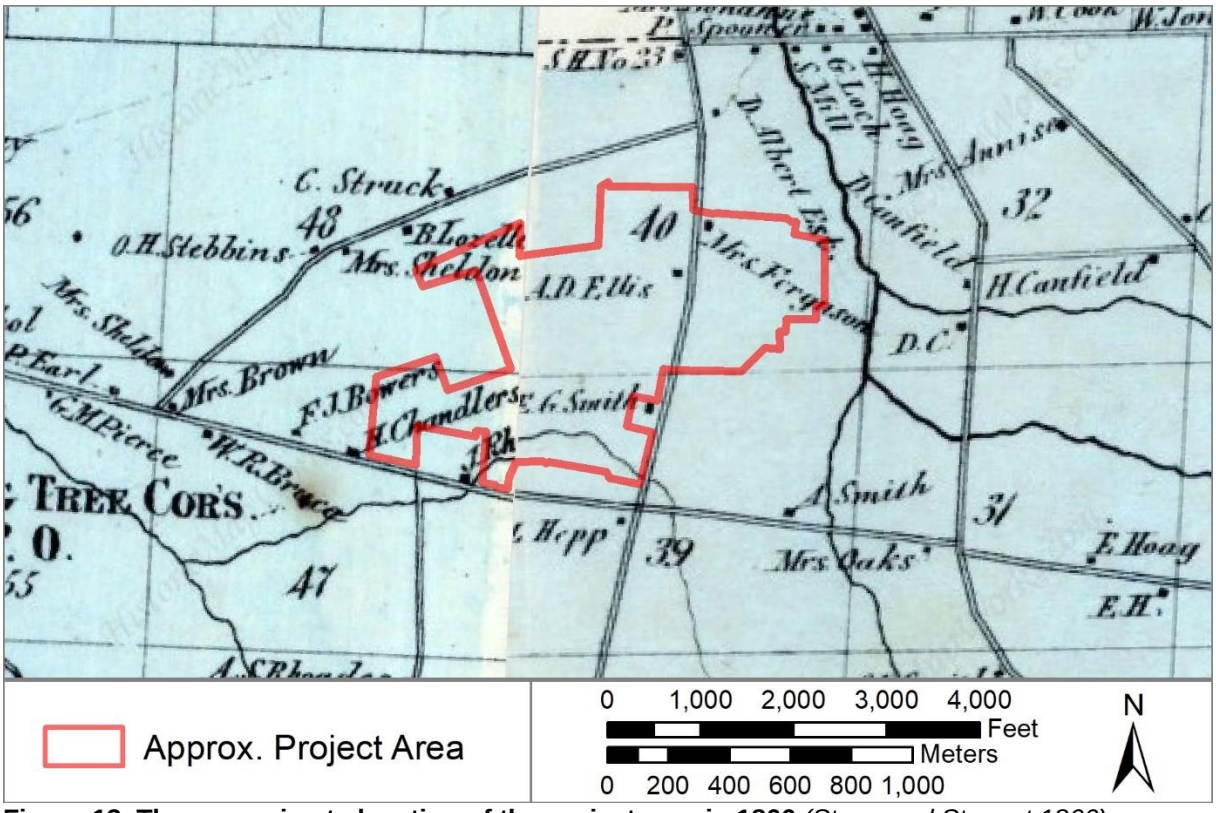

Figure 13. The approximate location of the project area in 1866 *(Stone and Stewart 1866).*

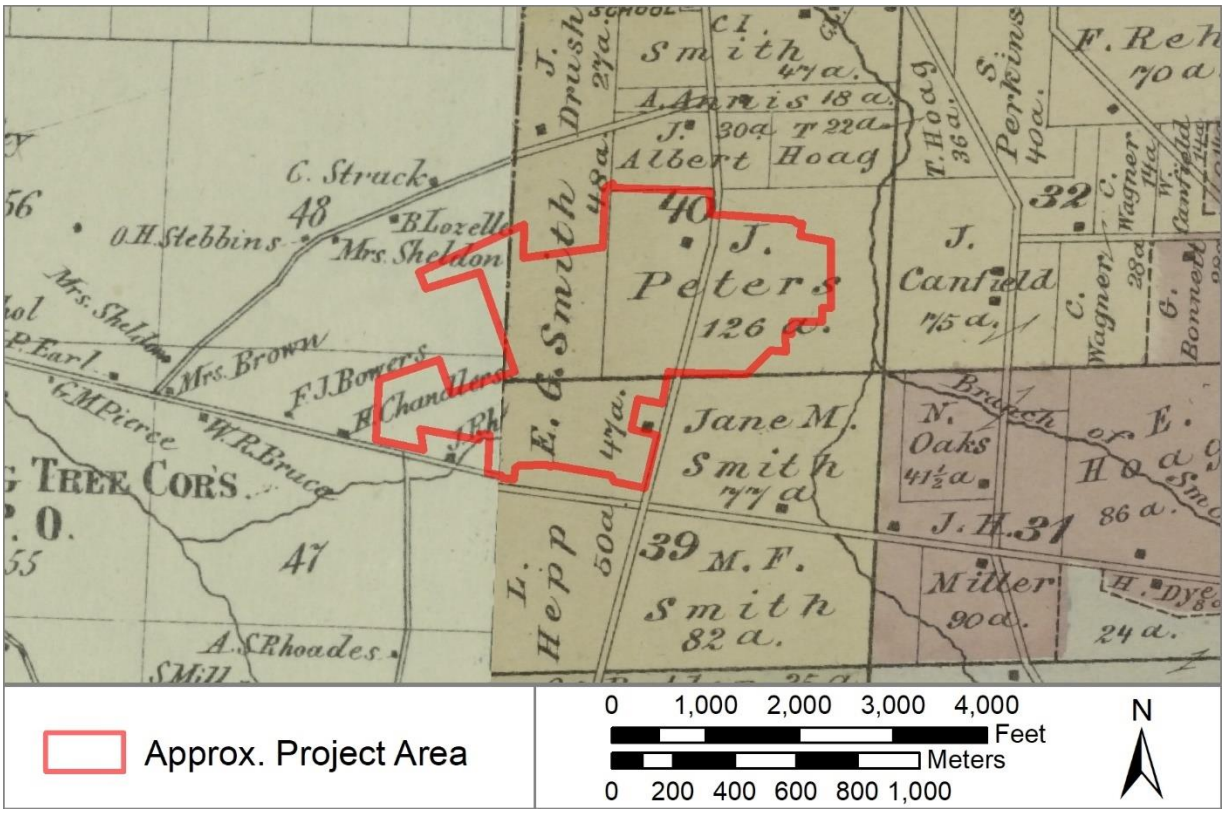

Figure 14. The approximate location of the project area in 1880 *(Beers 1880).*

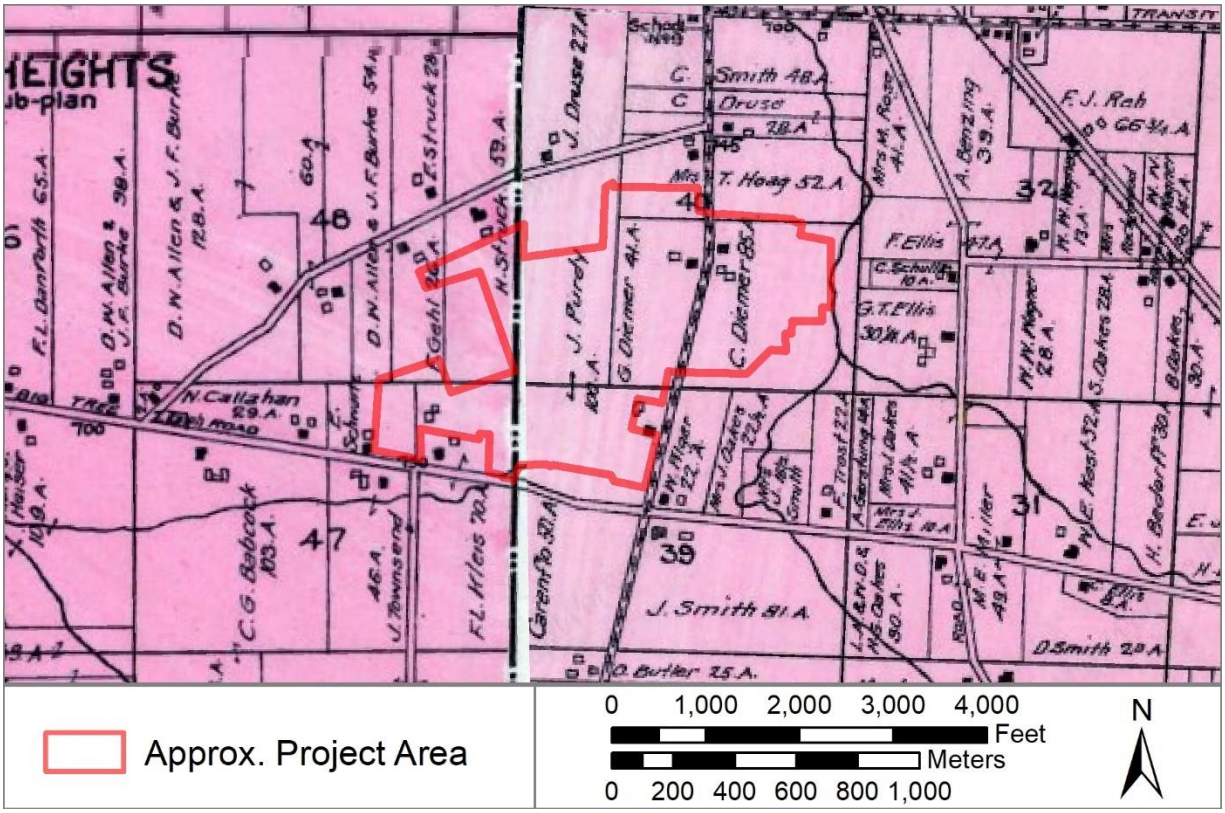

Figure 15. The approximate location of the project area in 1909 *(The Century Map Co. 1909).*

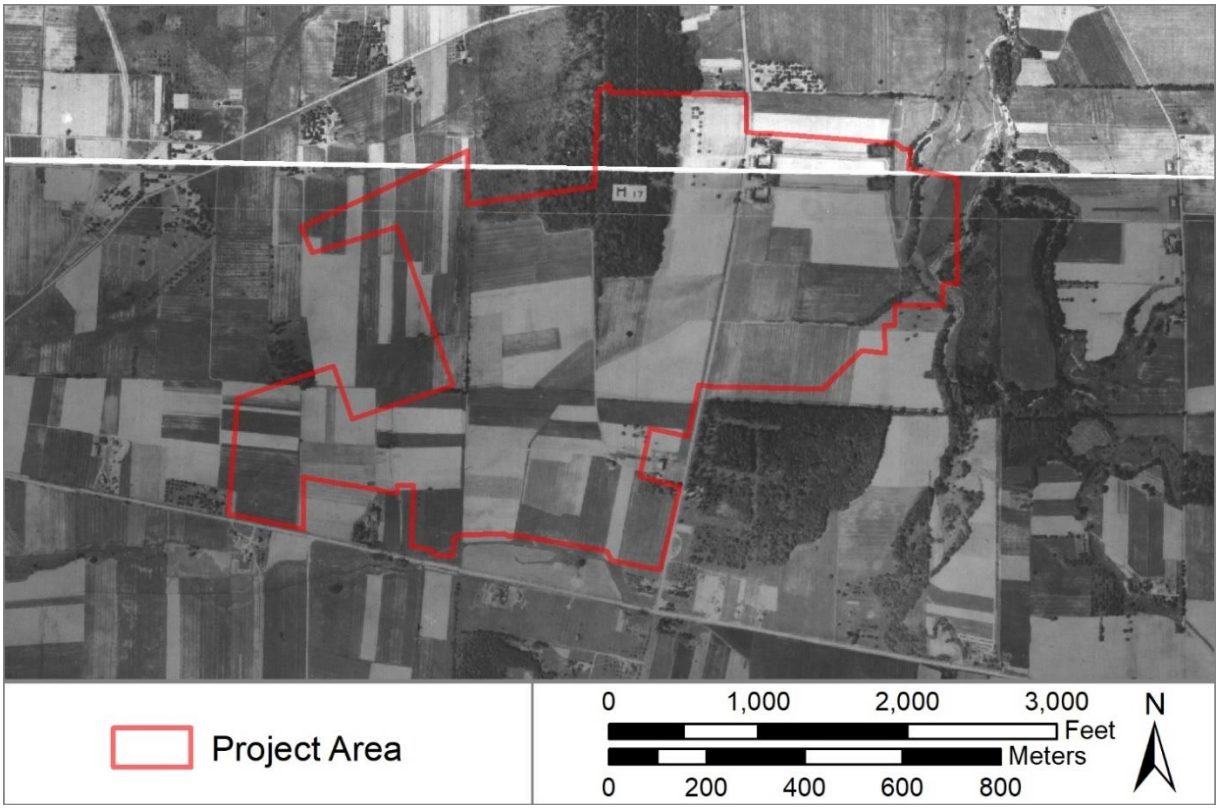

Figure 16. The approximate location of the project area in 1926 *(ECDPW 1926).*

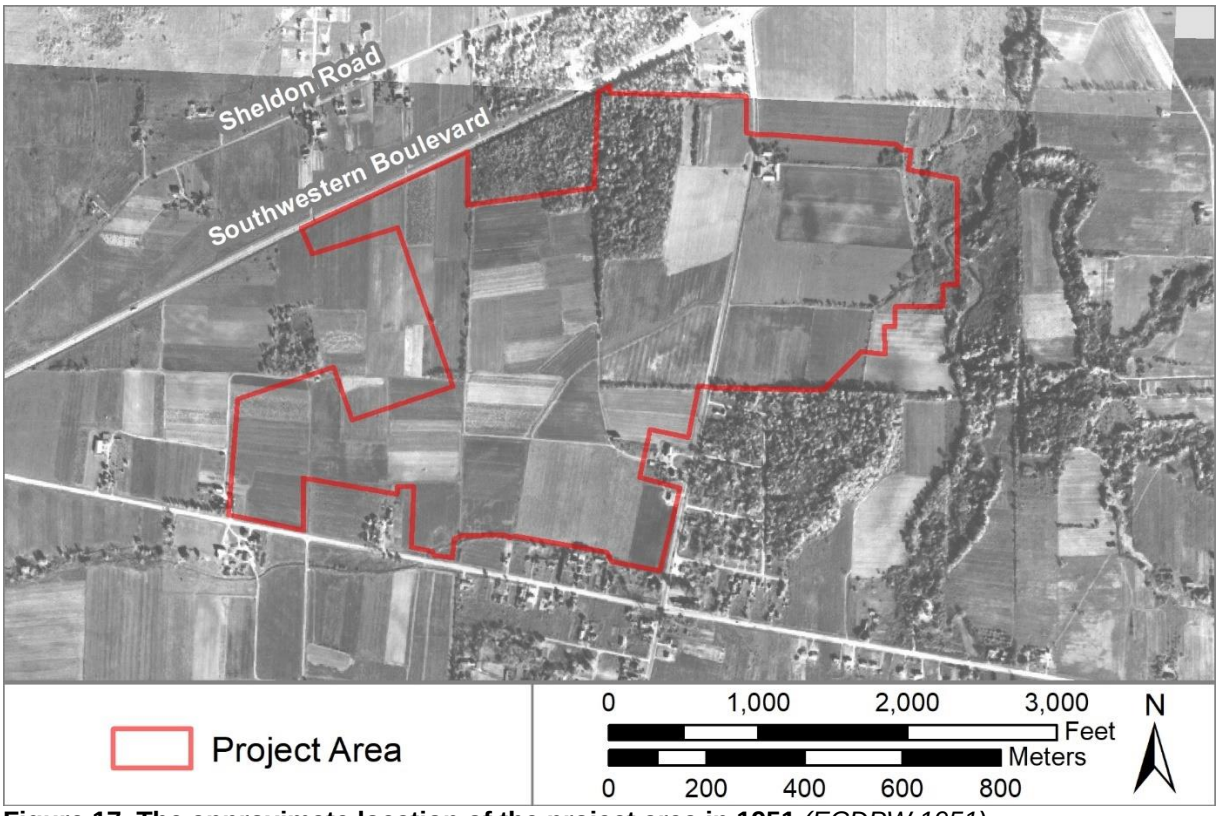

Figure 17. The approximate location of the project area in 1951 *(ECDPW 1951).*

4.0 Field Reconnaissance

A pedestrian and photographic survey was conducted on July 12, 2022, under excellent weather conditions. All proposed impacted areas were able to be inspected.

Two types of environments were encountered within the APE. There are green spaces, mostly found on the SUNY ECC campus in the western section. This area has had some disturbances in the form of landscaping, parking lots, building and utilities. A track and soccer field are part of the green space, as is West Herr Stadium, a concession stand, utilities, and fencing. The other environment is the extensively developed Bills stadium area to the east. This includes large areas of hardscaping, several buildings with and without substructures, and extensive underground utility infrastructure.

Adjacent properties. Sheldon Cemetery is a private cemetery adjacent to the northern section of the project area. The cemetery measures 82.44 ft by 140.15. During the photographic survey it was noted that a groundhog had burrowed into project area from the cemetery (moving north to south) and had disturbed some human remains. In consultation with the NYSHPO it was decided to collect the remains, reinter them, and repair the damage done by the rodent. This was done the week of their discovery. The presences of bioturbated human remains leads to the question of if the modern fence line encompasses all burials historically associated with the cemetery. It also suggests that the human remains are shallowly buried on the premises or are in disturbed areas and have become dispersed in shallow deposits.

Figure 18. Sheldon Family Cemetery marker, facing east *(Commonwealth).*

Three parcels are adjacent to the north side of the project area near the new stadium site on Parking Lot 4: a ca. 1925 single-family residence at 3904 Abbott Rd; a ca. 1920 two-family residence at 3879 Southwestern Blvd; and commercial building at 3905 Southwestern Blvd. A ca. 1961 commercial property at 3923 Southwestern Blvd. is adjacent to the west side of the Lot 4 and the north boundary of the SUNY ECC South Campus. A modern medical office at 4180 Abbott Rd is adjacent to the southeast section of the

project area. ECC South owns the parcel at 4196 Abbott Road which contains a group of buildings. Residential properties on Big Tree Rd are adjacent to the south boundary of the project area.

Map Documented Structures. Four map documented structures used to stand within the project area, two within the APE and two outside the current disturbance areas. All four were demolished prior to the opening of the current stadium complex (Figure 20). Contemporary photographs and notes taken during the archaeological monitoring of that these structures were thoroughly demolished. These notes also suggest that a large amount of earth was moved around the site to level the areas for the parking lots and to dig out the foundation for the stadium. Other ground disturbing episodes in the project area include improvements made in the 1990s and upgrades in 2013 (see Appendix C).

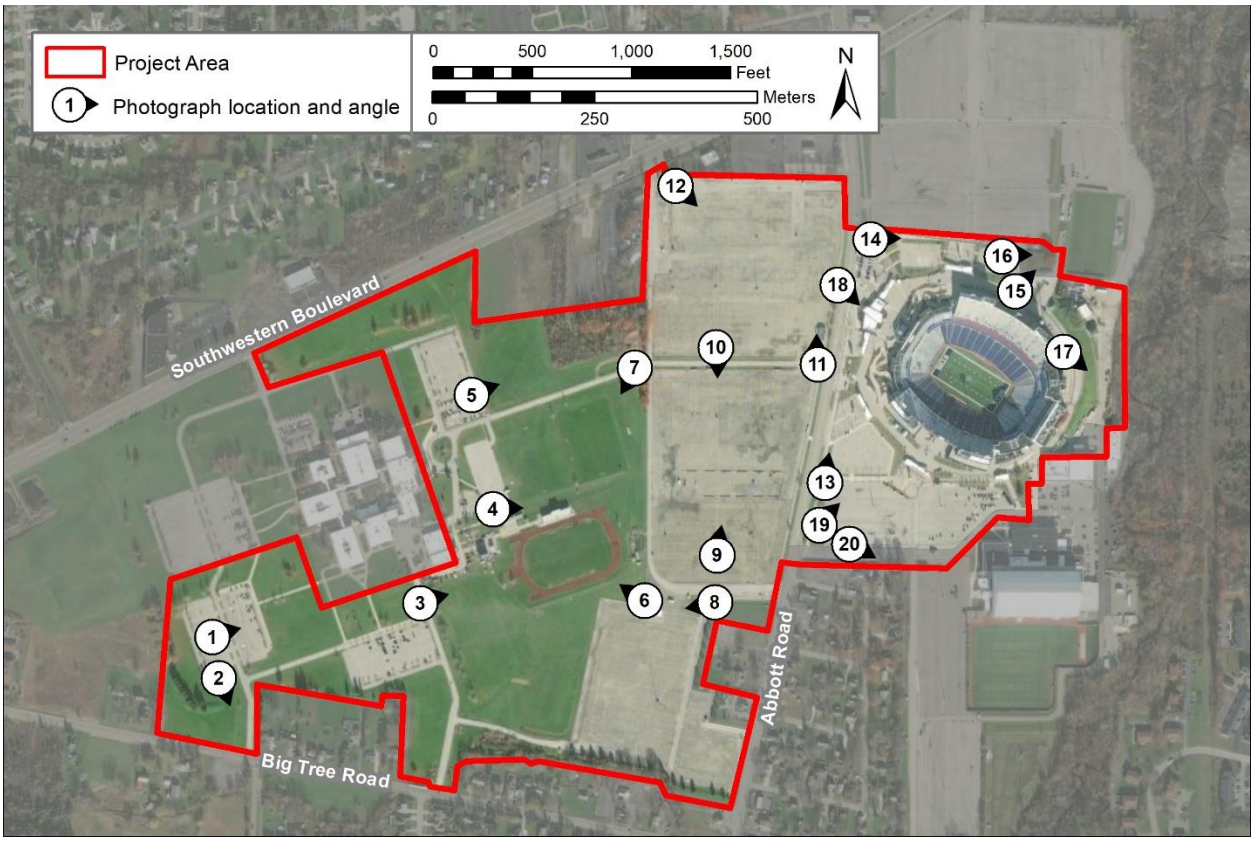

Figure 19. Locations of buildings and photograph angles in the project area *(NYS GIS Clearinghouse, 2022).*

In 2013 improvements were made around the perimeter of the current stadium, including the construction of the Bills Team Store. This construction (see Figure 21) received a “no impacts” memo from OPRHP as part of the SEQR process (Appendix C).

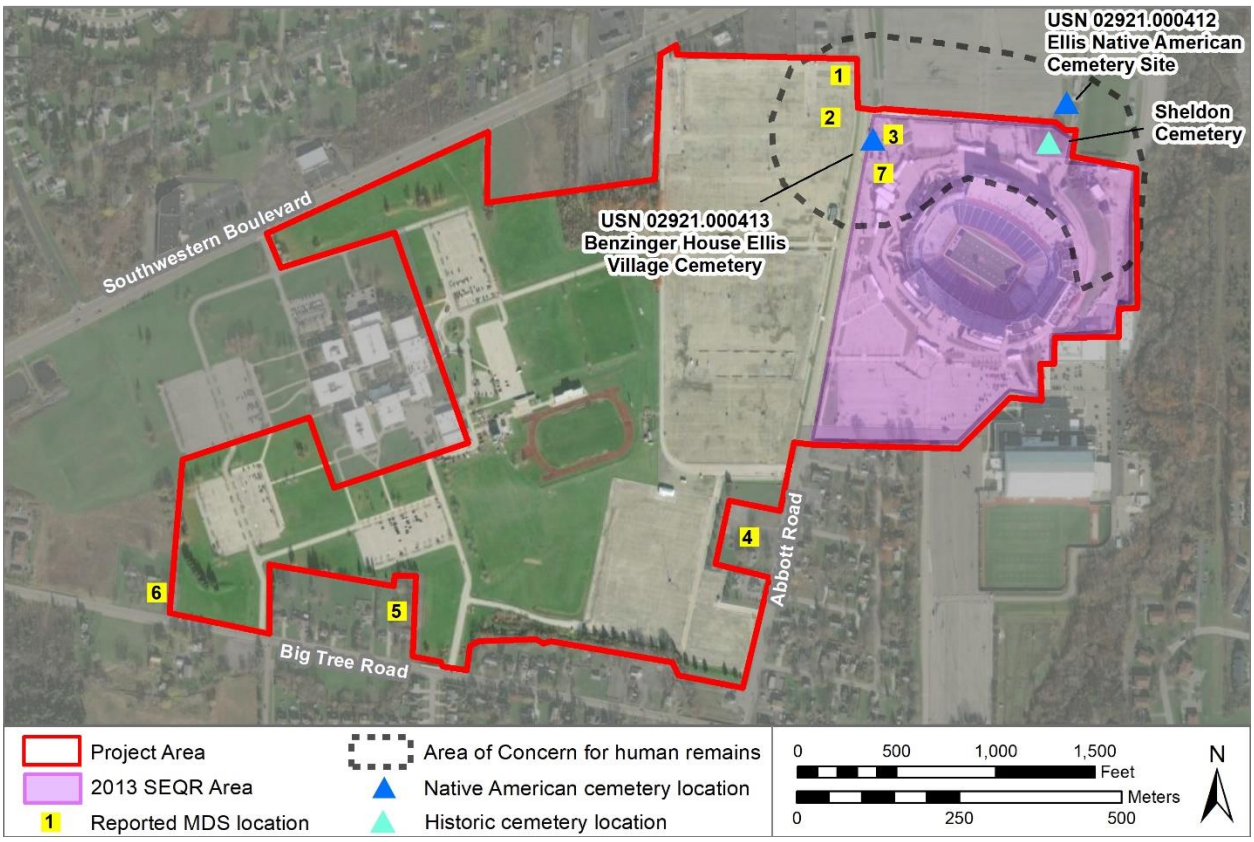

Figure 20. Location of archaeologically sensitive sites and structures within and around the current project area. This map contains sensitive information and is not for public release *(NYS GIS Clearinghouse, 2022).*

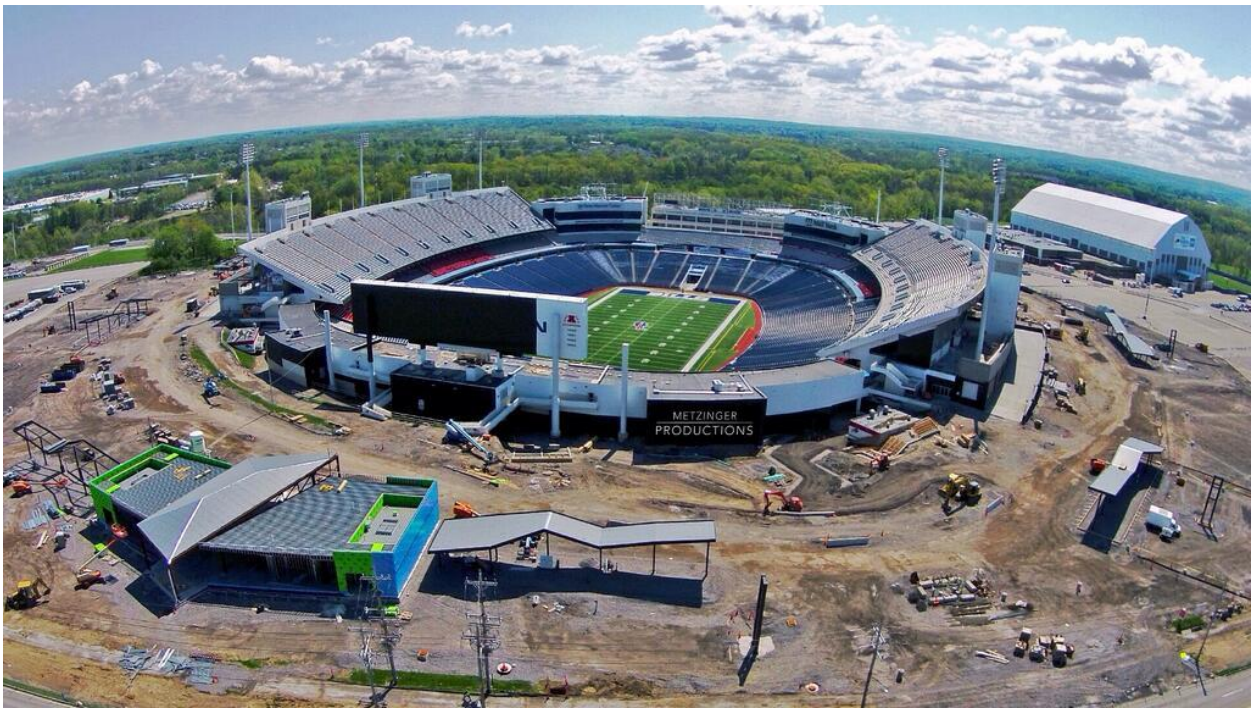

Figure 21. 2013 improvements to the current stadium locale *(Curtesy of Legends, Inc.).*

5.0 Recommendations

The results of the Phase 1A investigation for the new Bills Stadium indicate that parts of the project area have the potential to contain Indigenous and Euro-American archaeological resources. Known archaeological resources in the area are summarized below. The PA is in close proximity to the South Branch of Smoke's Creek, and is in an environment likely to have other, currently unidentified sites. Landscapes like this are likely to have small, older settlements, or could have workshops or other short used spaces associated with the Ellis Site across the creek. Other archaeological sites like that are in the area, so a formal survey of the APE is recommended.

Portions of the APE overlap with two cemeteries related to the Ellis Village site, an Erie settlement dating around 1600 A.D. on the east side of the South Branch of Smokes Creek. The location of the cemeteries was first documented by Houghton in 1909, though they had been known to artifact collectors well before this. Dr. Houghton notes that, though there were still grave goods and human remains in the area at the time of his writing, there had been considerable destruction of the cemeteries by the gravel mining. He observed that, for both locations, "many clay vessels and skeletons were destroyed" by contractors. Later work in the 1960s by Dr. Marian E. White of the University at Buffalo also indicated that the cemeteries were disturbed, but that grave goods were still *in situ* in some locations. The construction of the original stadium and parking lots in the 1970s also uncovered human remains, though they were not complete skeletons due to the nature of the salvage works. Archaeological monitoring during the 1970s construction indicated that much of the area around the cemeteries had been disturbed. Other episodes of documented destruction include the construction of Abbott Road, which is reported to have wide ranging negative effects on the cemeteries, and the construction of MDSs 3 and 7 (The Benzinger house, barn, and the driveway).

The project area also contains part of the Euro-American Sheldon Family Cemetery, which at least partially overlaps the Ellis Native American Cemetery Site. According to the local landmark plaque within the cemetery, the first recorded burial is from 1832. The most recent stone year is 1924. The recent groundhog disturbance in the fence line indicates that human remains are shallowly buried and potentially outside the modern boundary.

Other potential known cultural resources in the APE include two map documented structures, some dating to the first half of the nineteenth century. While these were demolished prior to the opening of the Bills Stadium, the condition of their extant remains is unknown. Features such as wells, outhouses, basements, and cellars have the potential to persist in the subsurface.

Deconstruction of the current Highmark Stadium will entail the demolition of the upper decks of the structure. The lower seating and the stadium playing field are below the grade of planned demolition activities. The stadium bowl will be infilled with concrete rubble and imported fill. The cement skin of the stadium will be perforated for water drainage. Then the area will be graded for its eventual use as a parking area for the new stadium.

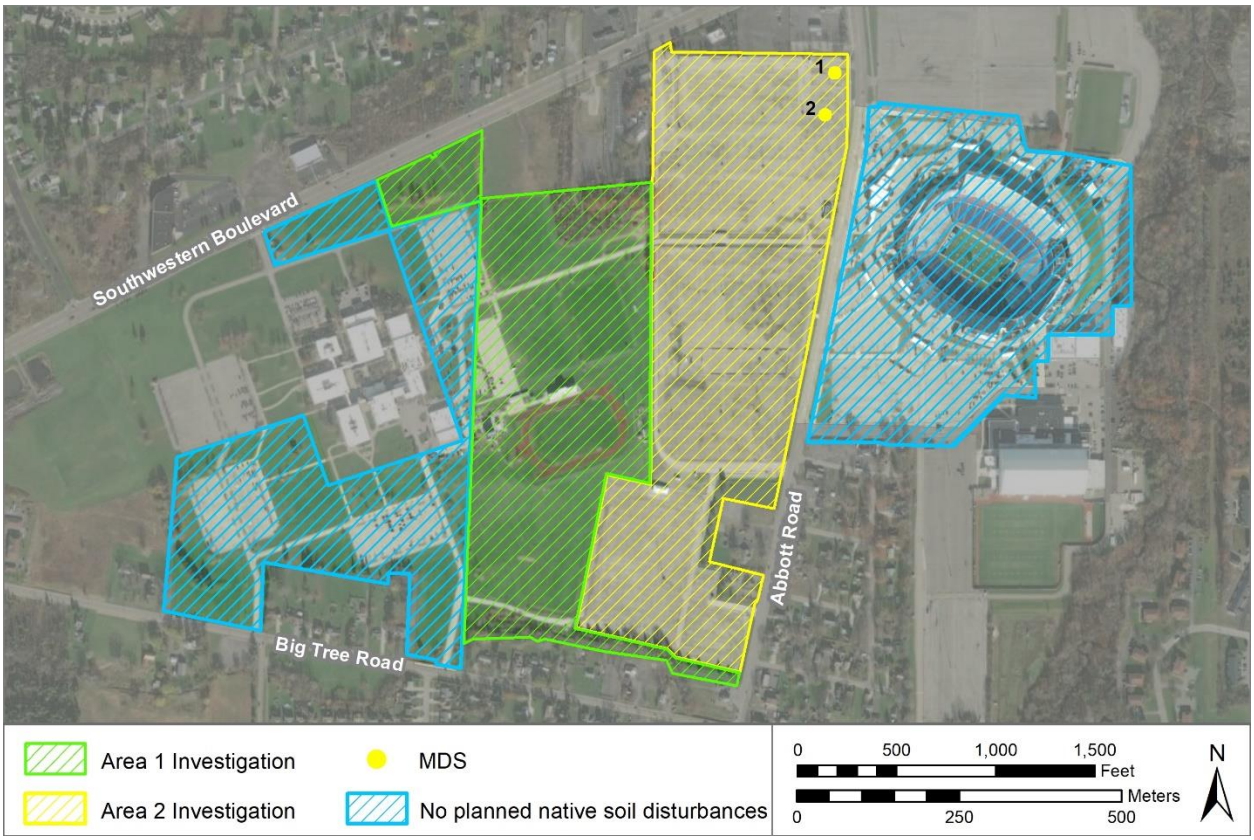

Figure 22. Summary of the areas of archaeological work proposed within the APE. *(NYS GIS Clearinghouse, 2022).*

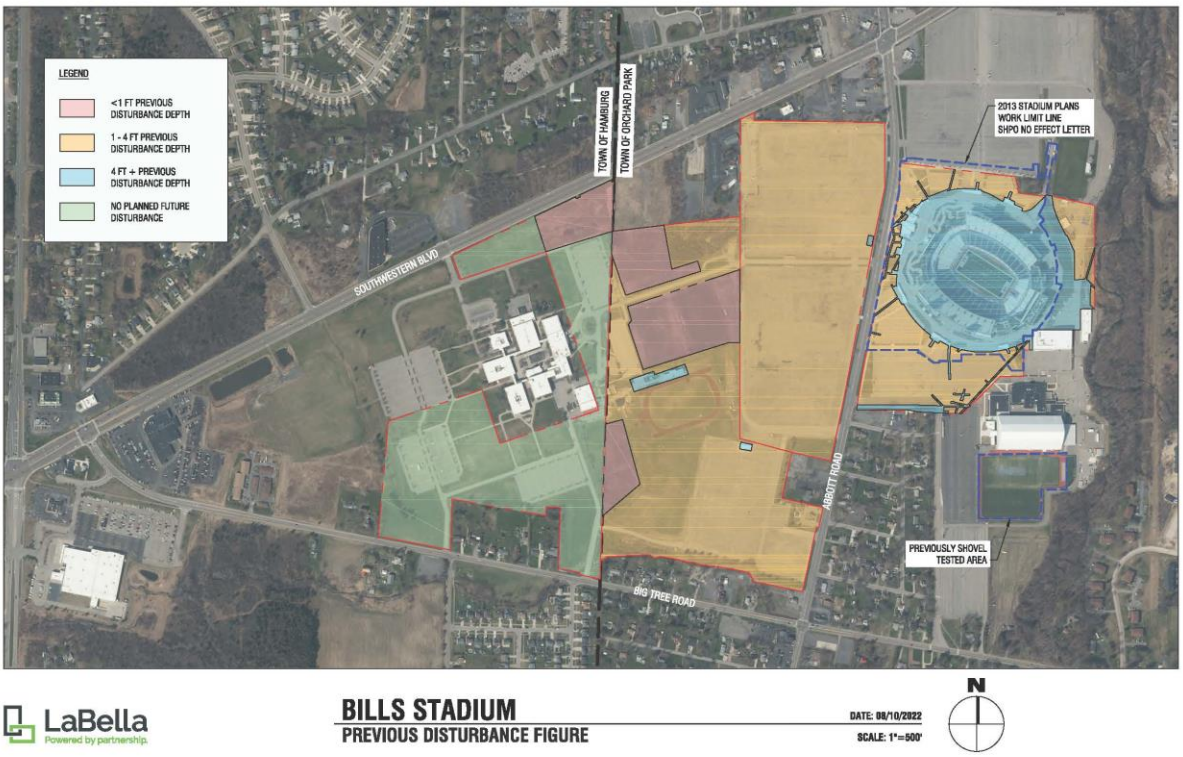

Figure 23. Summary of the previous ground disturbance within the project area *(LaBella, Inc.)*

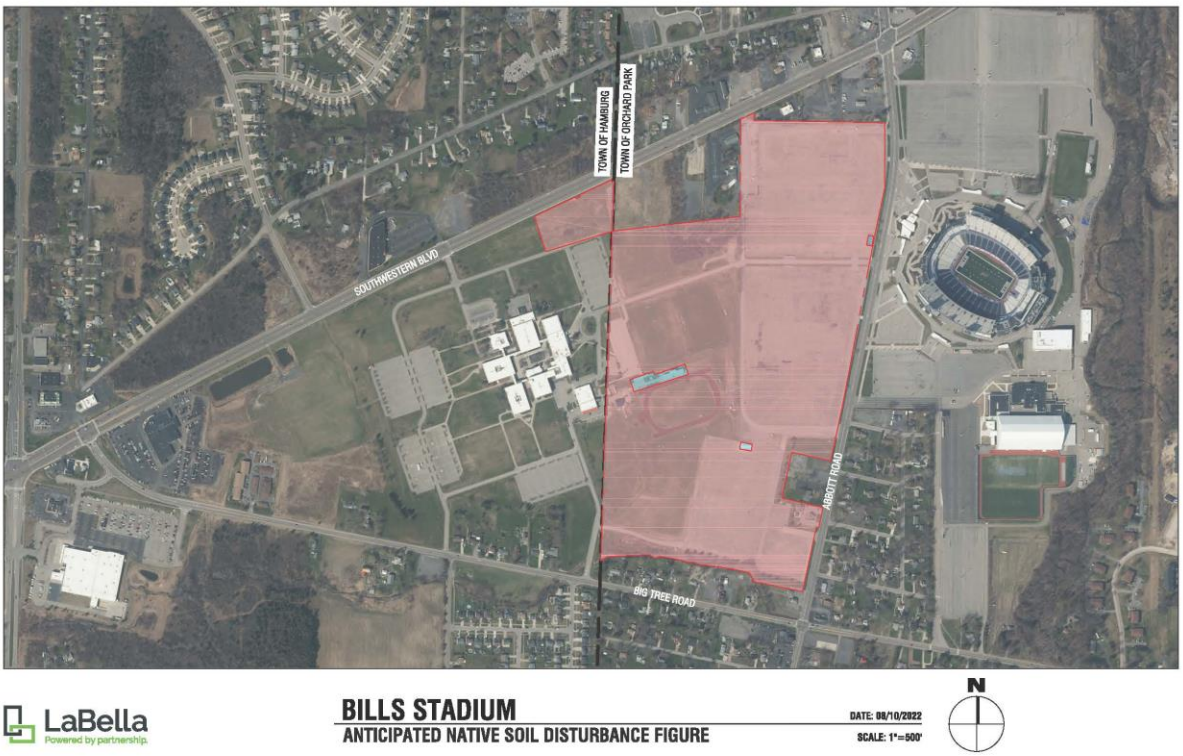

Figure 24. Summary of the planned native soil disturbance within the APE *(LaBella, Inc.)*

Parts of the APE have the potential to contain Euro-American and Indigenous archaeological resources and human burials. It is important to balance the sensitivity of the known sites with the documented disturbances from previous development. The soil disturbances in portions of the project area could have affected the integrity of the Indigenous inhumations and other archaeological deposits and resulted in displacement thereof. To address whether archaeological resources are present and the degree to which they may have been affected by the construction of the stadium and its surrounding facilities, we recommend a Phase 1B investigation for the APE that includes two areas and additional documentary research. Area 1 will be conducted first and Area 2 is dependent on the construction schedule. We are recommending the following further work:

Area 1:

1. Prior to construction of the new stadium, a shovel test pit survey at 15-meter intervals across the APE on SUNY ECC South Campus (Figure 22, Area 1). These locations are in archaeologically-sensitive terrain, have not been previously investigated, and have not been disturbed to a degree that would affect any archaeological resources that are present.

Area 2:

1. Prior to shovel testing in the north eastern section of Area 2, evaluate the benefits of conducting a survey utilizing non or limited soil disturbing methodologies like ground penetrating radar or soil coring. The results of these will be minimally invasive surveys could potentially be compared to lot specific topographic maps generated in the 1960s representing the ground surface prior to the construction of ECC South Campus and the Bill's Stadium. This could help create a better picture of the movement of soils throughout the development process.
2. A shovel test pit survey to be conducted after the removal of gravel parking lots west of Abbott Road at 7.5 meter intervals around the MDS locations shown on Figure 22. The extent of that investigation will determined in the Phase 1B work scope. This will be used to determine if any associated archaeological resources are still present and their integrity.
3. Archaeological monitoring during construction in the location current of parking lots and the known areas of human burials by a 36 CFR 61-qualified archaeologist (Figure 22, Area 2). The archaeologist will have the authority to halt excavation activities if human remains are encountered, and to implement the project's human remains discovery protocol. Human remains should always be treated with respect, even if they have been displaced or damaged.
4. Construction monitoring along any new utility corridors after the removal of hardscaping and archaeological monitoring for any further ground disturbances in and near the known areas of human burials by a 36 CFR 61-qualified archaeologist. The archaeologist will have the authority to halt excavation activities if human remains are encountered, and to implement the project's human remains discovery protocol. Human remains should always be treated with respect, even if they have been displaced or damaged.

Documentary:

5. Prior to field work, the development of a project specific protocol for discovery of human remains to be used during all ground disturbing activities in the project area. The protocol should be drafted in consultation with involved Nations and the NYSHPO and will likely be consistent with NYSHPO and Haudenosaunee procedures (attached in Appendix B).
6. Establishment of a 50-foot sensitivity zone around the Sheldon Family Cemetery, a step that would minimize the possibility that burials in the cemetery would be affected during the project's construction. Protecting the cemetery would have the additional benefit of also protecting any Indigenous burials present there.
7. Further documentary research in the Phase 1B to see if there are local level maps or plans showing the horizontal extent of the Sheldon Family cemetery and its use.

These recommendations are preliminary and will likely be refined during the consultation with NYSHPO, interested Indigenous Nations, and other participating agencies and entities. Commonwealth also welcomes any interested Nations to have representation during the field investigations and is committed to communication with the Nations throughout this process.

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