EXHIBIT H

SECOND AVENUE SUBWAY PROJECT
SITE PRIORITIZATION
AND
ADDITIONAL DOCUMENTARY RESEARCH PROTOCOL

I. Purpose and Need

The *Second Avenue Phase 1A Archaeological Assessment*, dated March 2003 (herein "Phase 1A") identified areas of potential archaeological sensitivity (herein "archaeologically sensitive areas") within the Areas of Potential Effect (APEs) for archaeological resources. The archaeologically sensitive areas contain a wide range of potential archaeological resource categories, including precontact resources and historical resources. Examples of historical resources include, but are not limited to, residential, commercial, industrial, and military sites. In addition, six areas were identified as potentially sensitive due to potential for human burials.

Through the review of boring logs undertaken by a professional archaeologist retained in conjunction with MTA NYCT's Soil Borings Program (see Exhibit G, *Second Avenue Subway Project: Soil Borings Program and Archaeological Resources Protocol*, for further details), archaeologically sensitive areas identified in the Phase 1A will be further assessed and refined using indicators of subsurface conditions, such as the presence of fill and/or original historic soil layers. Areas that the boring logs identify as exhibiting archaeological sensitivity or for which findings were inconclusive will be carried forward for additional documentary analysis, as described below.

The purpose of the additional documentary analysis program is to gather more information on the archaeologically sensitive areas, including previous disturbance and historic occupation and use, to: 1) establish a list of sites that will be field tested, and 2) prioritize those sites based on their potential to yield significant information and address meaningful research issues according to Historic Properties criteria. This will be accomplished by:

1. Refining the geographic boundaries of archaeologically sensitive areas;
2. Evaluating the potential research value of each site; and
3. Assessing the feasibility of field testing archaeologically sensitive areas. This will include prioritizing sites based on site accessibility and traffic, pedestrian, and safety constraints, and identifying sites that may be tested in advance of construction and could contain a public educational component.

To accomplish the additional documentary research analysis, MTA NYCT shall adhere to the procedures of the Protocol set forth below. It is anticipated that the research described in this Protocol will be accomplished primarily during the Preliminary Engineering phase of the Second Avenue Subway project, though certain activities may continue into the Final Design phase due to further refinements to the project, the addition of new project elements, and/or changes to the project.

II. Site Prioritization and Additional Documentary Research Protocol

A. Establish Archaeological Resource Categories for Additional Archaeological Analysis

For the purposes of the additional analyses to be undertaken as part of this Protocol, the types of potential archaeological resources identified in the Phase 1A have been grouped into the following four categories:

1. Precontact Resources;
2. Historical Resources (all resource categories except 19th Century Residential and Cemeteries);
3. 19th Century Residential Resources; and
4. Cemeteries.

Distinct procedures will be employed for each of these four categories. The steps for the evaluation of each archaeological resource category are provided below.

B. Protocol for Precontact Resources

See also "Flowchart A, Precontact Resources" annexed to this Protocol.

1. Assess project effects. For each site, assess potential project effects. For sites where the project will have no effects, no further analysis will be undertaken. For sites where disturbance could occur, MTA NYCT will follow the procedures for precontact resources set forth below in II.B.2-6.

2. Evaluate the potential research value of each site.

3. Assess testing feasibility with assistance from appropriate technical experts and government agencies. For each site, assess the feasibility of gaining access to the site by considering potential testing constraints, such as traffic, pedestrians, and safety. The potential for testing with a public education component in advance of construction will also be evaluated.

4. Based on information obtained in Steps II.B.2 and II.B.3, establish a list of sites to be field tested.

5. Prioritize sites within list based on the potential of each site to yield significant information and address meaningful research issues according to Historic Properties criteria.

6. Prepare a report for submission to the New York State Historic Preservation Officer (SHPO), the Federal Transit Administration (FTA), and New York City Landmarks Preservation Commission (LPC) summarizing the results of the analyses for precontact resources.

C. Protocol for Historical Resources except 19th Century Residential and Cemeteries

See also "Flowchart B, Historical Resources except 19th Century Residential and Cemeteries" annexed to this Protocol.

1. Assess project effects. For each site, assess potential project effects. For sites where the project will have no effects, no further analysis will be undertaken. For sites where disturbance could occur, MTA NYCT will follow the procedures for historical resources set forth below in II.C.2-7.

2. For each site, undertake additional documentary research as applicable to determine prior disturbance, historical site occupation, and use.

3. Evaluate the potential research value of each site.

4. Assess testing feasibility with assistance from appropriate technical experts and government agencies. For each site, assess the feasibility of gaining access to the site by considering potential testing constraints, such as traffic, pedestrians, and safety. The potential for testing with a public education component in advance of construction will also be evaluated.

5. Based on information obtained in Steps II.C.2 through II.C.4, establish a list of sites to be field tested.

6. Prioritize sites within list based on the potential of each site to yield significant information and address meaningful research issues according to Historic Properties criteria.

7. Prepare a report for submission to SHPO, FTA, and LPC summarizing the results of the analyses for historical resources.

D. Protocol for 19th Century Residential Resources

The signatories to the Programmatic Agreement recognize that there are a large number of areas sensitive for 19th century historical resources and as a result, there exists the potential for research redundancy. Therefore, additional steps are proposed in the evaluation of sites containing potential 19th century residential resources to avoid research redundancy during the testing phase. See also "Flowchart C, 19th Century Residential Resources" annexed to this Protocol.

1. Assess Project effects. For each site, assess potential project effects. For sites where the project will have no effects, no further analysis will be undertaken. For sites where disturbance could occur, MTA NYCT will follow the procedures for 19th century residential resources set forth below in II.D.2-9.

2. Group and map 19th century sites according to the following time periods:

    a) Early 19th century (pre-1852);
    b) Mid 19th century (1852-1870); and
    c) Late 19th century (1871-1899).

3. Review public utility records for sewer and water hook-up dates**.** Eliminate sites that did not exist before hook-up and prioritize others according to date of construction prior to hook-up. Using the criteria defined below, sites designated as low priority will not be carried forward for further evaluation.

    a) LOW PRIORITY: structures built within 10 years of hook-up (research potential would only relate at a maximum to a 10 year span);
    b) MEDIUM PRIORITY: structures built between 10 and 20 years before hook- up; and
    c) HIGH PRIORITY: structures built 20 years or more before hook-up.

4. Review New York City Department of Buildings (NYCDOB) records for disturbance information for high and medium priority sites and for sites lacking an approximate date of construction. The signatories to the Programmatic Agreement recognize that it may not be possible to access certain data at NYCDOB, and that it is therefore likely that some assumptions will have to be made based solely on cartographic information.

5. Assess testing feasibility for high and medium priority sites with assistance from appropriate technical experts and government agencies. For any such site, assess the feasibility of gaining access to the site by considering potential testing constraints, such as traffic, pedestrians, and safety. The potential for testing with a public education component in advance of construction will also be evaluated. Eliminate sites that have a high or medium priority for research but only a low or medium rating for site accessibility.

6. For all sites that have high or medium priority for research potential and a high priority for testing feasibility, arrange sites hierarchically based on construction date so that an appropriate size sample of each age group is represented considering that age group's research potential. This would reduce research redundancy during the testing phase.

7. Based on information obtained in Steps II.D.2 through II.D.6, establish list of sites to be field tested. The final site testing list shall reflect a broad diversity of historical neighborhoods, income groups, and cultural groups.

8. For sites identified in the list described in Step II.D.7, perform additional in-depth research, such as the review of census and conveyance records, street directories, and historical photographs to stratify these sites for testing priority, based on their potential to yield significant information and address meaningful research issues according to Historic Properties criteria.

9. Prepare a report for submission to SHPO, FTA, and LPC summarizing the results of the analyses for 19th century residential resources.

E. Protocol for Cemeteries

See also "Flowchart D, Cemeteries" annexed to this Protocol.

1. Establish the appropriate descendant communities for each cemetery site and initiate contact with them.

2. Undertake intensive documentary research for each cemetery site:

   a) Research and review interment and reinterment records to establish the ethnicity, religious affiliation, and number of burials and reburials at each cemetery, to the extent possible.
   b) Research and review conveyance records to establish cemetery boundaries, to the extent possible.

3. For each cemetery, assess potential project effects to determine if the Project has the potential to disturb any human remains.

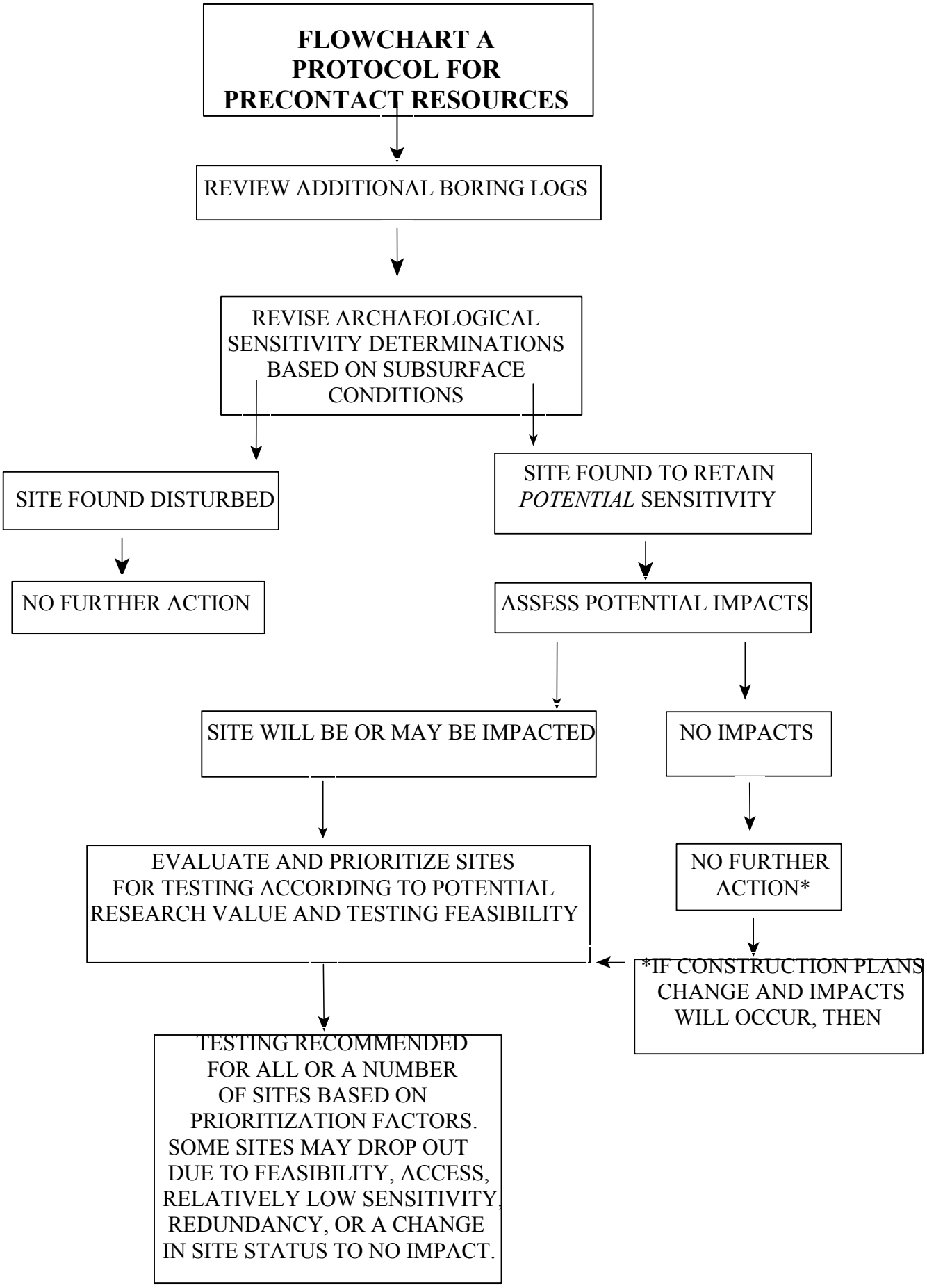
4. Assess potential testing issues for each site, such as street and sidewalk closures.

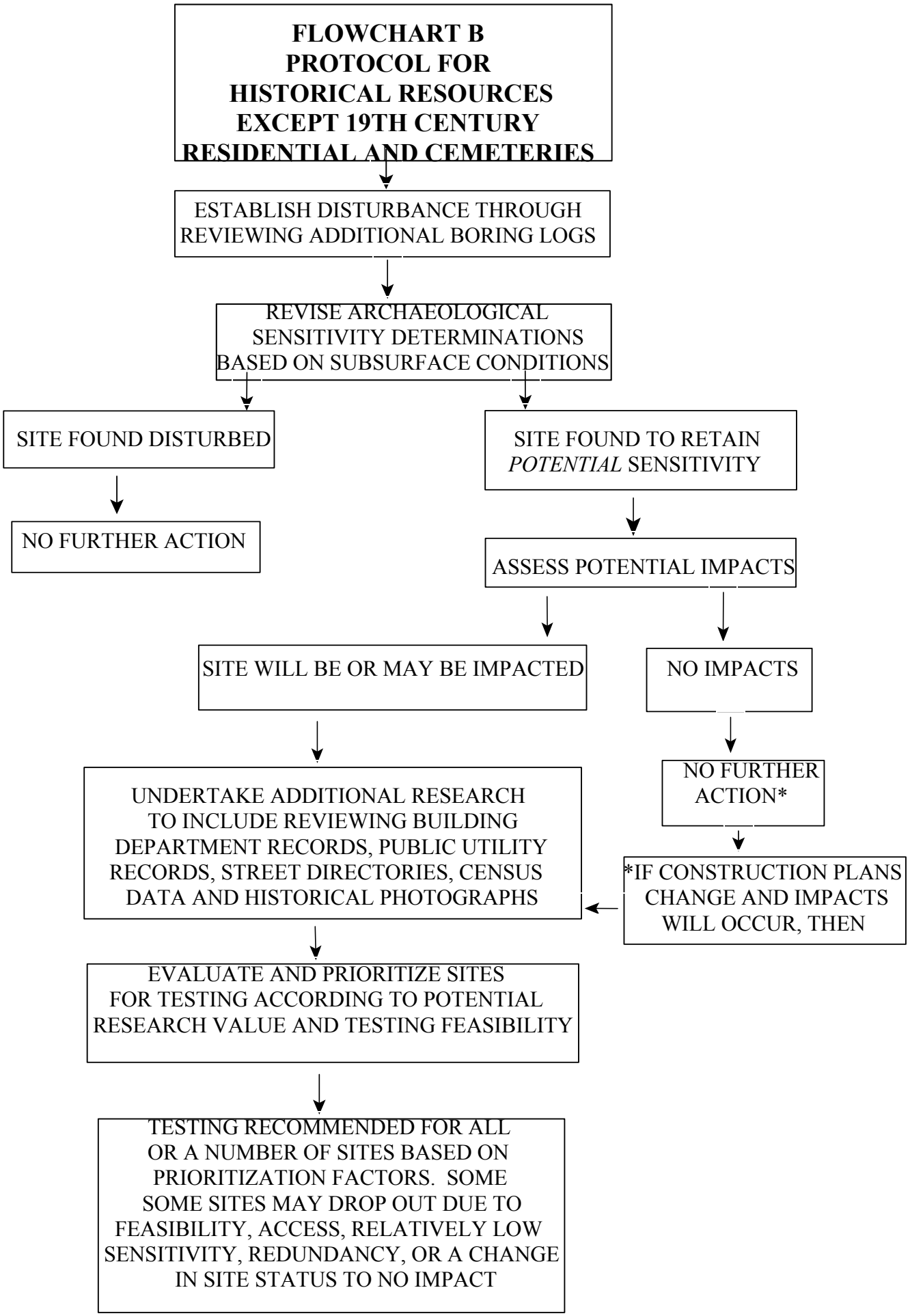
5. Establish list of sites to be field tested based on potential project effects.

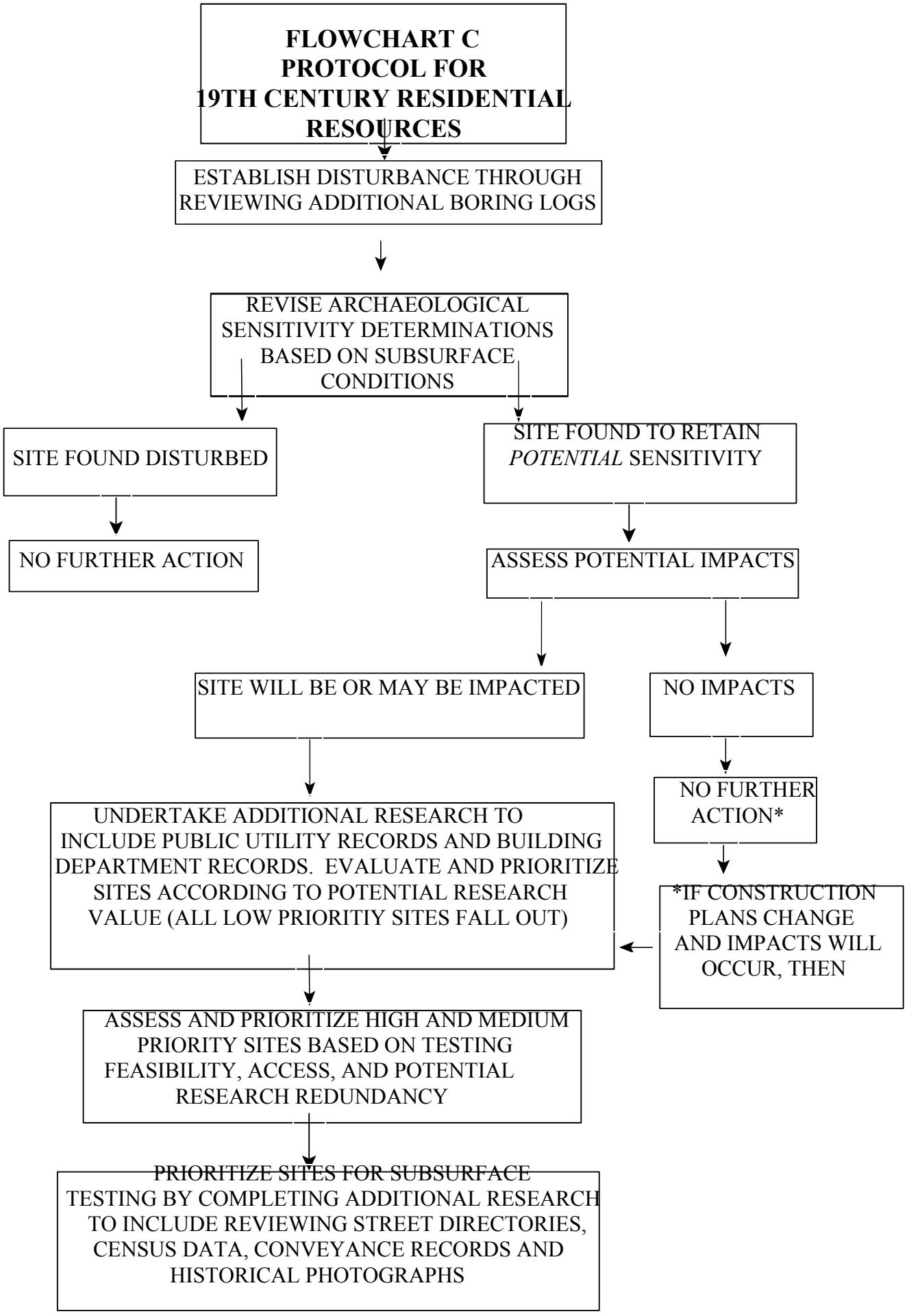
6. Prepare a report for submission to SHPO, FTA, and LPC summarizing the results of the analyses for cemeteries.

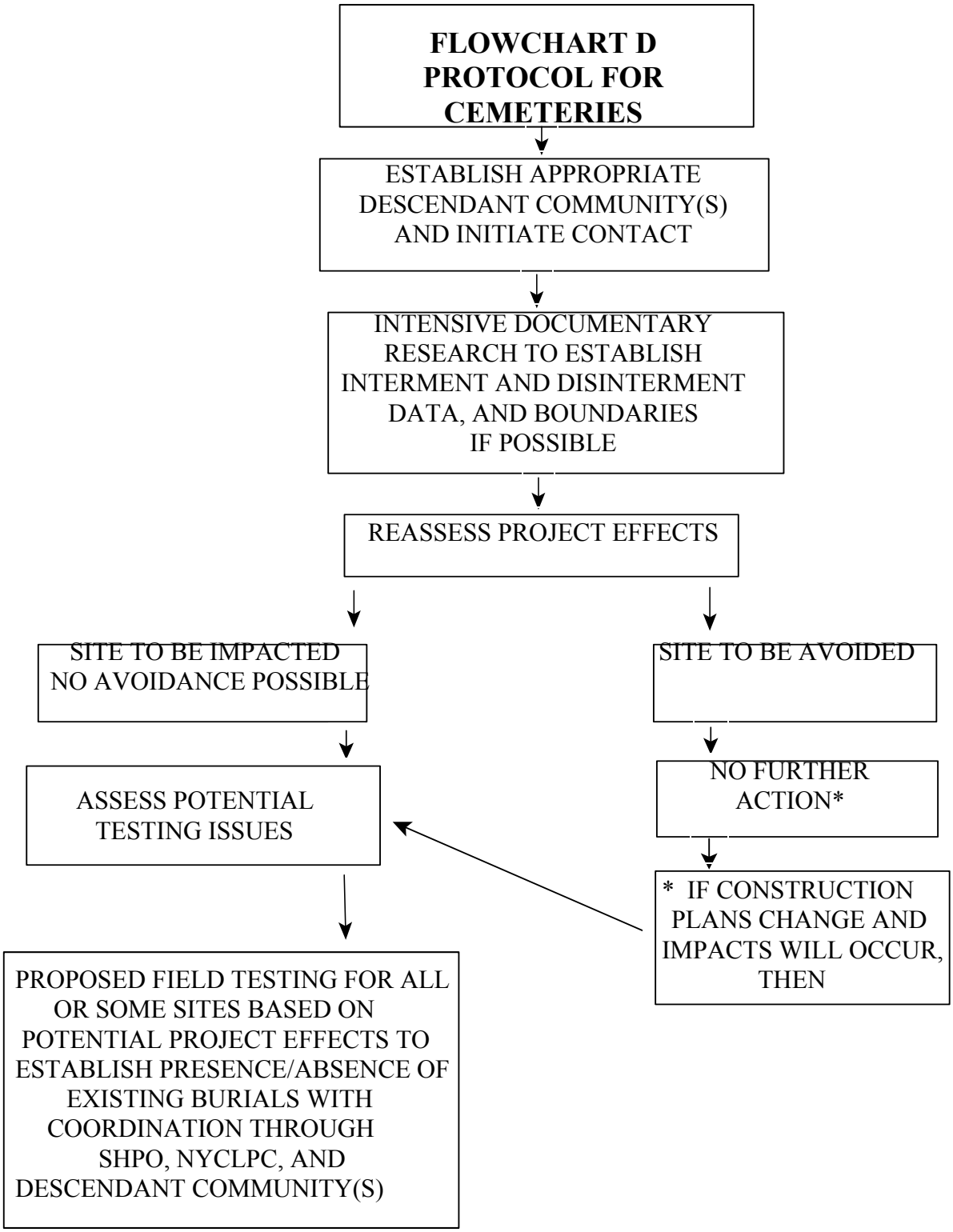
III. Reporting to SHPO, FTA and LPC

Following completion of the analyses for each archaeological resource category, MTA NYCT shall prepare reports as described in Steps II.B.6, II.C.7, II.D.9, and II.E.6 and shall submit such reports to SHPO, FTA, and LPC. ✷


FLOWCHART A
PROTOCOL FOR
PRECONTACT RESOURCES
REVIEW ADDITIONAL BORING LOGS
REVISE ARCHAEOLOGICAL SENSITIVITY DETERMINATIONS BASED ON SUBSURFACE CONDITIONS
SITE FOUND DISTURBED
NO FURTHER ACTION
SITE FOUND TO RETAIN *POTENTIAL* SENSITIVITY
ASSESS POTENTIAL IMPACTS
SITE WILL BE OR MAY BE IMPACTED
NO IMPACTS
EVALUATE AND PRIORITIZE SITES FOR TESTING ACCORDING TO POTENTIAL RESEARCH VALUE AND TESTING FEASIBILITY
NO FURTHER ACTION*
*IF CONSTRUCTION PLANS CHANGE AND IMPACTS WILL OCCUR, THEN
TESTING RECOMMENDED FOR ALL OR A NUMBER OF SITES BASED ON PRIORITIZATION FACTORS. SOME SITES MAY DROP OUT DUE TO FEASIBILITY, ACCESS, RELATIVELY LOW SENSITIVITY, REDUNDANCY, OR A CHANGE IN SITE STATUS TO NO IMPACT.


FLOWCHART B
PROTOCOL FOR
HISTORICAL RESOURCES
EXCEPT 19TH CENTURY
RESIDENTIAL AND CEMETERIES
ESTABLISH DISTURBANCE THROUGH REVIEWING ADDITIONAL BORING LOGS
REVISE ARCHAEOLOGICAL SENSITIVITY DETERMINATIONS BASED ON SUBSURFACE CONDITIONS
SITE FOUND DISTURBED
NO FURTHER ACTION
SITE FOUND TO RETAIN *POTENTIAL* SENSITIVITY
ASSESS POTENTIAL IMPACTS
SITE WILL BE OR MAY BE IMPACTED
NO IMPACTS
UNDERTAKE ADDITIONAL RESEARCH TO INCLUDE REVIEWING BUILDING DEPARTMENT RECORDS, PUBLIC UTILITY RECORDS, STREET DIRECTORIES, CENSUS DATA AND HISTORICAL PHOTOGRAPHS
NO FURTHER ACTION*
*IF CONSTRUCTION PLANS CHANGE AND IMPACTS WILL OCCUR, THEN
EVALUATE AND PRIORITIZE SITES FOR TESTING ACCORDING TO POTENTIAL RESEARCH VALUE AND TESTING FEASIBILITY
TESTING RECOMMENDED FOR ALL OR A NUMBER OF SITES BASED ON PRIORITIZATION FACTORS. SOME SOME SITES MAY DROP OUT DUE TO FEASIBILITY, ACCESS, RELATIVELY LOW SENSITIVITY, REDUNDANCY, OR A CHANGE IN SITE STATUS TO NO IMPACT


FLOWCHART C
PROTOCOL FOR
19TH CENTURY RESIDENTIAL
RESOURCES
ESTABLISH DISTURBANCE THROUGH REVIEWING ADDITIONAL BORING LOGS
REVISE ARCHAEOLOGICAL SENSITIVITY DETERMINATIONS BASED ON SUBSURFACE CONDITIONS
SITE FOUND DISTURBED
NO FURTHER ACTION
SITE FOUND TO RETAIN *POTENTIAL* SENSITIVITY
ASSESS POTENTIAL IMPACTS
SITE WILL BE OR MAY BE IMPACTED
NO IMPACTS
NO FURTHER ACTION*
*IF CONSTRUCTION PLANS CHANGE AND IMPACTS WILL OCCUR, THEN
UNDERTAKE ADDITIONAL RESEARCH TO INCLUDE PUBLIC UTILITY RECORDS AND BUILDING DEPARTMENT RECORDS. EVALUATE AND PRIORITIZE SITES ACCORDING TO POTENTIAL RESEARCH VALUE (ALL LOW PRIORITIY SITES FALL OUT)
ASSESS AND PRIORITIZE HIGH AND MEDIUM PRIORITY SITES BASED ON TESTING FEASIBILITY, ACCESS, AND POTENTIAL RESEARCH REDUNDANCY
PRIORITIZE SITES FOR SUBSURFACE TESTING BY COMPLETING ADDITIONAL RESEARCH TO INCLUDE REVIEWING STREET DIRECTORIES, CENSUS DATA, CONVEYANCE RECORDS AND HISTORICAL PHOTOGRAPHS


FLOWCHART D
PROTOCOL FOR
CEMETERIES
ESTABLISH APPROPRIATE
DESCENDANT COMMUNITY(S)
AND INITIATE CONTACT
INTENSIVE DOCUMENTARY
RESEARCH TO ESTABLISH
INTERMENT AND DISINTERMENT
DATA, AND BOUNDARIES
IF POSSIBLE
REASSESS PROJECT EFFECTS
SITE TO BE IMPACTED
NO AVOIDANCE POSSIBLE
SITE TO BE AVOIDED
ASSESS POTENTIAL
TESTING ISSUES
NO FURTHER
ACTION*
* IF CONSTRUCTION
PLANS CHANGE AND
IMPACTS WILL OCCUR,
THEN
PROPOSED FIELD TESTING FOR ALL
OR SOME SITES BASED ON
POTENTIAL PROJECT EFFECTS TO
ESTABLISH PRESENCE/ABSENCE OF
EXISTING BURIALS WITH
COORDINATION THROUGH
SHPO, NYCLPC, AND
DESCENDANT COMMUNITY(S)