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Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



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Assistant Commissioner
BUREAU OF ENVIRONMENTAL SERVICES

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NH DEPARTMENT
OF TRANSPORTATION

Newington-Dover
NHS-02719(037)
11238S
RPR 7241

Adverse Effect Memo

Pursuant to meetings and discussions on December 10, 2015; August 11, 2016; December 14, 2017; April 12, July 12, and September 13, 2018; and February 12, June 13, July 11, August 8, and October 10, 2019 and for the purpose of compliance with regulations of the National Historic Preservation Act, as amended, and the Advisory Council on Historic Preservation's *Procedures for the Protection of Historic Properties* (36 CFR 800), the NH Division of the Federal Highway Administration (FHWA) and the NH Division of Historical Resources (NHDHR) have coordinated the identification and evaluation of historic and archeological properties with plans to replace the General Sullivan Bridge superstructure in Dover and Newington, New Hampshire.

FHWA is the lead federal agency for this consultation. FHWA must approve the replacement of the General Sullivan Bridge superstructure under the National Environmental Policy Act and Section 4(f) of the US Department of Transportation Act. Additionally, FHWA funds may be applied to the construction of the proposed project.

Project Description:

The General Sullivan Bridge was determined eligible for the National Register of Historic Places (National Register) in 1988 when representatives from FHWA, NHDHR and the New Hampshire Department of Transportation (NH DOT) completed a thematic review of continuous steel truss bridges. This finding was later reinforced on an NHDHR Determination of Eligibility sheet dated January 25, 2006, that was completed for the Newington-Dover 11238 project. This project determined that there would be an adverse effect to the General Sullivan Bridge, documented in an adverse effect memo dated February 9, 2006, due to the removal of the north embankment approach and rebuilding the north abutment to allow the reconfiguration of the connector road under the Little Bay Bridges. In the Section 106 Memorandum of Agreement signed for the 11238 project, "the NH DOT agreed to rehabilitate the bridge for utilization by pedestrians and bicyclist and for its continued use for fishing," therefore resulting in a net benefit for the historic bridge. However, since the MOA was signed in 2008, inspections of the bridge conducted in 2010, 2014, and 2016 resulted in a re-evaluation of the feasibility and costs associated with the rehabilitation of the General Sullivan Bridge. Through the preparation of a Type, Span, and Location (TS&L) Study completed in 2017 and a limited-scope Supplemental EIS evaluation that is in process, NH DOT evaluated several potential alternatives to provide recreational access and connectivity between Dover and Newington over the Little Bay (Newington-Dover 11238S).

The Preferred Alternative for the 11238S Contract has been determined to be Alternative 9: Superstructure Replacement - Girder Option, which involves the complete removal and replacement of the General Sullivan Bridge superstructure. Under Alternative 9, the superstructure would be replaced with a steel girder superstructure with a structural steel frame extending from the bottom of the girders to the top of the existing piers. This alternative follows the existing General Sullivan Bridge alignment, thereby allowing the reuse of the existing repointed stone masonry piers and approaches without requiring significant modifications.

The Preferred Alternative would have a 16-foot wide multiuse path, would comply with the ADA for accessibility, and would have fencing along both sides of the new bridge deck. The new path would be 22.5 feet from the Little Bay Bridge, approximately 7.4 feet further from the Little Bay Bridge than the existing General Sullivan Bridge (at 15.1 feet).

Identification:

Above-Ground Resources

In December 2015, a Request for Project Review (RPR) was submitted to NHDHR for the Newington-Dover 11238S project. A Project Area Form was completed in November 2018 for the approximately 275-acre Area of Potential Effects (APE).¹ The APE accounted for potential impacts across a range of alternatives including possible modifications to the approaches to the General Sullivan Bridge crossing as well as the structure itself, and project components such as a temporary detour route for bicycles and pedestrians and construction staging. The visibility and setting of the General Sullivan Bridge factored into the APE for the project as well. The result is an irregularly-shaped APE, beginning approximately 600 feet north of the bridge crossing on Dover Point, and extending up to 1,500 feet west, 700 feet east, and 1,200 feet south of the crossing. Field surveys were conducted intermittently between August and December of 2018.

Multiple alternatives and elements of the proposed project were evaluated and narrowed down by the spring of 2019, when inventory forms were completed for the following properties within the APE:

- Hilton Park (DOV0150) - determined not eligible (inventory form update)
- General Sullivan Bridge (DOV0158) - determined eligible (inventory form update)
- 137 Beane Lane (NWN0246) – determined not eligible
- Bloody Point Area (NWN-BLPT) – determined not eligible

It is noted that the following properties within the APE were inventoried and evaluated during the initial Section 106 consultation process, which concluded in 2008:

- Ida M. Dame House/Linwood Lodge (DOV0090) - determined not eligible
- John E. Pinkham House (DOV0091) - determined not eligible
- 435 Dover Point Road (DOV0092) - determined not eligible
- Hilton Park (DOV0150) - determined not eligible

¹ The November 2018 Project Area Form provides an update to the original form finalized in November 2005 by Kari Laprey of Preservation Company, as part of the Section 106 evaluation and environmental planning process for the proposed Spaulding Turnpike Project in Newington and Dover, NH (Newington-Dover 11238).

- Ira F. Pinkham House/Wentworth Summer Residence (DOV0093) - determined eligible
- General Sullivan Bridge (DOV0158) - determined eligible
- 516 Shattuck Way (NWN0162) - determined not eligible
- 518 Shattuck Way (NWN0163) - determined not eligible
- Newington Railroad Depot and Toll House (NWN0168/ NR #10000187) – eligible
- Axel Johnson Conference Center, Sprague Energy Area Form (NWN-SP) – more information needed
- NWN0159 and NWN0161 – determined not eligible (both are since demolished)

The Newington Railroad Depot and Toll House was listed in the National Register in 2010. In 2012, the Ira F. Pinkham House/Wentworth Summer Residence was recorded in a state-level Historic American Building Survey report, prepared by VHB (NH State No. 626).

Based on a review pursuant to 36 CFR 800.4 and 36 CFR 67.8 of the architectural and/or historical significance of above-ground resources in the APE, three (3) properties are currently identified as listed in the National Register or eligible for listing. Inventory and National Register forms are on file at NHDHR offices in Concord, NH, and online through the NHDHR Enhanced Mapping and Management Information Tool (EMMIT), available at <https://emmit.dncr.nh.gov>.

Archaeological Sites

The 2007 FEIS identified areas of archaeological sensitivity for the Newington-Dover, I1238 project. Within Dover, the FEIS Phase IA archaeological analysis identified the western side of Hilton Park and additional developed area to the northwest (approximately 12.7 acres) as exhibiting sensitivity (*i.e.*, Area 16). This area includes an approximately 0.5 acre verified site, identified as a brickyard (27-ST-55 and 27-ST-56, *i.e.*, Area 17) within Hilton Park.

Due to the presence of sensitive areas within or adjacent to the project construction access area, a Phase IB Intensive Archaeological Investigation has been completed to further investigate the APE within Hilton Park. The Phase IB investigation identified archaeological features related to a historic brickyard. Based on this investigation, the project construction access area has been relocated to another site within Hilton Park which is not archaeologically sensitive.

Public Consultation:

Public informational meetings were held on the following dates: October 25, 2016, January 30, 2018, and September 5, 2018. During these meetings, information regarding the Section 106 process and the role of consulting parties was included in the presentation and take-home materials. As of October 8, 2019, the following consulting parties have been identified and approved by the Federal Highway Administration:

Consulting Party	Contact Information
Kitty Henderson, Executive Director Historic Bridge Foundation	P.O. Box 66245 Austin, Texas 78766 Kitty@historicbridgefoundation.com

Consulting Party	Contact Information
Nathan Holth Historic Bridges.org	2767 Eastway Drive Okemos, MI 48864 nathan@historicbridges.org
Lulu Pickering Newington Historic District Commission	339 Little Bay Road Newington, NH pickering@informagen.com
Anne Rugg, Manager CommuteSMART Seacoast	Cooperative Alliance for Seacoast Transportation 42 Summer Drive Dover, NH 03820 603-743-5777 x. 109 (office) arugg@commutesmartseacoast.org
Karen Saltus, President Seacoast Area Bicycle Riders	16 Pocahontas Road Kittery Point, ME 03905 kittervkaren@yahoo.com
Christopher G. Parker, Assistant City Manager, Director of Planning and Strategic Initiatives	City of Dover, NH 288 Central Avenue Dover, NH 03820-4169 c.parker@dover.nh.gov
Karen Anderson (Interested Party)	Newington Special Project Coordinator kanderson@townofnewingtonnh.com
Martha Roy (Interested Party)	Newington Town Administrator mroy@townofnewingtonnh.com
Senator David Watters (Interested Party)	Senate Office Legislative Office Building, Room 101-A 33 North State Street Concord, NH 03301 David.Watters@leg.state.nh.us

Determination of Effect:

General Sullivan Bridge (DOV0158)

The General Sullivan Bridge (DOV0158) is significant under Criterion A at the state level for its role in the transportation history of the Seacoast area. The bridge is nationally significant under Criterion C for its design and engineering, as an early and highly-influential example of continuous truss highway design in the United States.

Removal of the bridge superstructure for the project essentially negates its significance under Criteria A and C. As the most visible and recognizable element of the General Sullivan Bridge, the superstructure embodies the engineering advances and aesthetics that define the bridge's contribution to the development of the national highway network. Although recent modifications to the north and south approaches and north abutment make those features non-contributing, they have not drastically affected the integrity and significance of the bridge as a whole. The replacement of the historic bridge will result in the physical loss of an early, nationally-significant example of its engineering design; dwindling of the bridge type in New Hampshire and nationally; and the loss of this major link in the transportation network of the region, whose evolution is intertwined with the history of the region itself.

Newington Railroad Depot and Toll House (NWN0168)

The Newington Railroad Depot and Toll House (NWN0618) is listed in the National Register as significant at the local level, under Criteria A and C. It is a well-preserved example of a relatively rare property type, combining the functions of railroad station, toll house and residence for the stationmaster/bridge tender/toll taker.

Although the Period of Significance of the Depot officially ends in 1934 when the General Sullivan Bridge was constructed, they are both extant evidence of the evolution of a regional transportation network, demonstrating a transitioning period of the network in the 1930s. They have existed on the landscape simultaneously for over seven decades. The bridge crossing is located approximately 1400 feet from the resource's National Register boundary and is set on the far side of multiple bridge structures constructed over the last fifty-plus years. The historic center span peeks up over the modern spans and the proposed girder bridge will not. Although the last remnant of visual connection between the Depot and the General Sullivan Bridge will be removed by this project, for the most part the visual link between the two resources was previously severed by the twentieth-century construction of new bridge structures. The full impact of the current loss related to the transportation network is directly borne by the 1934 bridge.

Ira F. Pinkham House/Wentworth Summer Residence (DOV0093)

The property is eligible for listing in the National Register under Criteria A and C, for its associations with Dover Point's former brick-making industry and the 20th century development of Dover Point as a seasonal destination. A contributing barn was demolished on the property in 2012, as a result of the I1238 project undertaking.

Removal of the General Sullivan Bridge superstructure under the Preferred Alternative will have no effect on this historic property. There will be no physical impacts to this property, and the distance (approximately 2,000 feet) is great enough to preclude a visual relationship to the bridge crossing. The spans of the bridge to be replaced through this undertaking are located around a slight curve in the road, which along with tree obstructions and distance, helps to block views of the project area. The plans for the Preferred Alternative do not require roadwork at or near the bridge crossing approaches.

Applying the criteria of effect at 36 CFR 800.5(a)(2), we have determined that the project will result in an Adverse Effect to the General Sullivan Bridge; No Adverse Effect for the Newington Railroad Depot and Toll House; and No Historic Properties Affected for the Ira F. Pinkham House/Wentworth Summer Residence.

Archaeology

As noted above, the Phase IB Intensive Archaeological Investigation identified an archaeologically sensitive area of Hilton Park. Preliminary construction plans have been developed to avoid the site.

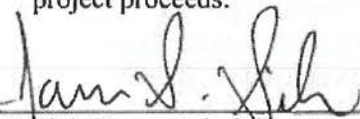
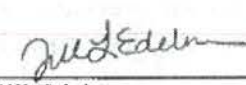
The result of identification and evaluation for the proposed I1238S Contract is a finding of *Adverse Effect*.

Mitigation Measures:


Appropriate mitigation will be determined in consultation with FHWA, NHDHR, Dover and Newington municipalities and the consulting parties. Mitigation will be recorded in a Memorandum of Agreement.

Section 4(f) (to be completed by FHWA)	There Will Be:	<input type="checkbox"/> No 4(f);	<input checked="" type="checkbox"/> Programmatic 4(f);	<input type="checkbox"/> Full 4 (f); or
	<input type="checkbox"/> A finding of <i>de minimis</i> 4(f) impact as stated: In addition, with NHDHR concurrence of no adverse effect for the above undertaking, and in accordance with 23 CFR 774.3, FHWA intends to, and by signature below, does make a finding of <i>de minimis</i> impact. NHDHR's signature represents concurrence with both the no adverse effect determination and the <i>de minimis</i> findings. Parties to the Section 106 process have been consulted and their concerns have been taken into account. Therefore, the requirements of Section 4(f) have been satisfied.			

In accordance with the Advisory Council's regulations, consultation will continue, as appropriate, as this project proceeds.

for  Patrick Bauer, Administrator Federal Highway Administrator	12/31/2019 Date	 Jill Edelman Cultural Resources Manager	12/27/2019 Date
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Concurred with by the NH State Historic Preservation Officer:


 Benjamin Wilson
 State Historic Preservation Officer
 NH Division of Historical Resources

1/2/2020
 Date

cc: Jamie Sikora, FHWA Keith Cota, NHDOT Peter Walker, VHB
 Marika Labash, NHDHR Marc Laurin, NHDOT