

Jamie Sikora  
NH Division Environmental Program Manager  
Federal Highway Administration  
53 Pleasant Street, Suite 2200  
Concord, NH 03301  
Jamie.Sikora@dot.gov

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RE: October 18, 2017 Coordination Plan for Agency and Public Involvement; Supplemental Environmental Impact Statement (SEIS) for the General Sullivan Bridge

February 12, 2019 Cultural Resource Coordination meeting

Dear Mr. Sikora,

Thank you for the opportunity to comment on matters relating to the General Sullivan Bridge and Spaulding Highway expansion project in Newington and Dover.

### **1. Position of the Newington Historical Commission**

The Newington Historic District Commission favors rehabilitation of the GSB (now Alternative #1D). The GSB adds character and keeps a beautiful and historic engineering design as part of our Town's landscape. It reminds everyone that Newington is more than just a highway or something to be tarred over for future highway expansion.

The Newington Historic District Commission is also concerned that NH DOT has developed a pattern of going through the motions of Section 106 with no real intent to spend money on historic resources or the MOUs associated with them.

It is vitally important that communities be able to trust the integrity of the Section 106 and Section 4(f) processes and the entities involved. The federal laws that mandate appropriate mitigation when federal money is used for a project that adversely impacts historic resources should not be circumvented just because limited funds are desperately needed in other parts of the state for other construction projects.

### **2. Historic value of the GSB is now \$14.5 million**

The October 2008 Record of Decision stated:

- "Mitigation for the impacts to the General Sullivan Bridge will include its rehabilitation for use by pedestrians and bicyclists and its continued use for fishing.

- “... taking into account the costs that would have been required for removal of the GSB and replacement of the pedestrian, bicycle and recreational connection across Little Bay, the total net cost to the project is approximately \$10.9 million.” The \$10.9 million was approximately 4.8 percent of the total project costs, which were then \$228.7 million.

In 2008 the GSB was to be saved and the premium for doing so was \$10.9 million. This premium is the de facto historic value of the GSB bridge at that time. Although historic mitigation for other structures under the project was also necessary, saving the GSB was the primary cost for historic mitigation under the entire \$228.7 million project.

In vhb’s January 15, 2019 computations, the difference in costs between rehabilitating the GSB (\$43 million) and the preferred alternative (\$28.5 million) have risen to \$14.5 million.

If the GSB is destroyed, \$10.9 million to \$14.5 million is still on the table for historic mitigation. The State of NH has no authority (except that given to it by FHWA) for reassigning the \$14.5 million gained from destroying the GSB to other highway projects. These funds should be spent to preserve historic resources in the two towns of Dover and Newington whose landscapes and viewscapes have suffered so much under this project. This highway corridor now encompasses 3% of Newington’s total land mass and makes the town look more like the New Jersey turnpike than a small NH village of about 800 people.

### **3. Use of \$49.71 million in Federal Funds**

At the February 12<sup>th</sup> cultural resources meeting, Keith Cota argued that no Federal monies were available for the bridge project and that he could not justify using turnpike funds to rehabilitate the GSB for pedestrian use when so many other red listed bridges in New Hampshire needed attention.

The September 2017 Financial Plan Update indicates that of the \$286.5 million to be spent on the Newington-Dover project, \$49.71 million were from federal funds (see Table 5-1 and Fig. 6.1-1 Source of Newington - Dover Funding [2017 Dollars]). Clearly federal funds have been used for performing the work under the December 2007 Final Environmental Impact Statement and its 2008 Record of Decision, which encompass the *entire* 3.5-mile project including the *rehabilitation* of the GSB.

Furthermore, the September 2017 Financial Plan Update states “New Hampshire has secured special federal designations from four federal earmarks via congressional action ..... These earmarks are being provided by the Federal Highway Administration (FHWA) and directed toward the construction of *the new independent sister bridge adjacent to the existing Little Bay Bridge* and the approach roadway work, identified as Newington-Dover Contract L.” Clearly, federal funds were used in the construction of the new southbound bridge next to the GSB. Just because the only remaining funds for the entire Newington-Dover project are NH turnpike funds does not mean that no money can be spent on rehabilitating the GSB – especially since federal funds were used for constructing the new southbound bridge (Contract L).

Arguing that the federal government is not going to pay for rehabilitating the GSB and that no turnpike monies should be spent on such a project is misleading at best. This tactic undermines the whole intent of funding historic resource mitigation in highway projects that use federal funds and leads to public and stakeholder distrust in the whole section 106 and section 4(f) processes. The protection of historic resources should not be so casually tossed out the window.

#### **4. Delay in rehabilitating the General Sullivan Bridge (Contract S)**

Obviously, NH DOT left the rehabilitation of the GSB until the final stages of the Newington-Dover project. For eleven years the State spent nothing on maintenance for the GSB, it restricted access to it, and then left it to further rot in place. The August 15, 2016 Load Rating Report by vhb and HDR Engineering lists some work on sections of the sidewalk and roadway but states, “There is no record of any major repair of the structural steel.” For thirty-two years, NH DOT made no efforts to maintain the steel truss elements that are the major design and engineering features that make this bridge so historic and now argues that it is these elements that are beyond repair.

Anyone who cares for old buildings and structures knows that lack of maintenance is a recipe for disaster and a path to ultimately declaring that the structure is too far gone to be repaired in a costly manner. The question is how far can the requirements of Section 106 and Section 4(f) be bent before no one has any faith in the whole system? Clearly, something went very wrong with the mandate to save the GSB and rehabilitate it for use.

The only reason given to the public in the October 18, 2017 Coordination Plan for Agency and Public Involvement; Supplemental Environmental Impact Statement for the General Sullivan Bridge is:

“The Project construction sequence for the Newington- Dover improvements required the scheduling of the GSB rehabilitation work after the full completion of the Spaulding Turnpike roadway expansion *to allow for the potential use of the southbound shoulder on the southbound Little Bay Bridge for use as a bicyclist and pedestrian detour without loss of roadway capacity across Little Bay.*”

This sole reason is flimsy at best. There is no indication that the southbound shoulder was ever used for bicyclist and pedestrian traffic. Shuttle buses were the preferred alternative and when the GSB was closed last Fall, NH DOT again proposed shuttle buses or use of the northbound bridge.

Certainly, the public and various stakeholders deserve a much better post-mortem on what went wrong in the whole process and an analysis of what should have occurred so the GSB could be rehabilitated in a timely manner and at less cost. As things stand now, it looks like the neglect of the GSB was intentional because NH DOT thought its turnpike funds would be better spent doing some other highway/bridge projects. This standard operating procedure by NH DOT must change or every historic resource in the state will be doomed to a similar fate even when federal money is spent on those projects.

## 5. Politicized process

Shenanigans at the State level are not helpful. The state's 10-year transportation improvement plan (2019-2028) expressly forbids the use of state money to rehab the General Sullivan Bridge. It states:

“358:12 Newington-Dover. The project named Newington-Dover, project number 11238S, which includes the rehabilitation of the General Sullivan bridge, shall be amended in the scope from "rehabilitation" to "remove the superstructure of the General Sullivan bridge and provide the most cost-effective bicycle/pedestrian connection." Funding for construction shall be moved from 2019 to 2020.”

The deck has certainly been stacked against rehabilitating the GSB. However, the chronic underfunding of the State's 10-year highway infrastructure plan does not supersede NH DOT's responsibilities concerning historic resources under federal laws and regulations. The Section 4(f) and Section 106 processes are federal requirements that supersede NH state laws and rules. The lead agency under the Supplemental Environmental Impact Statement is a federal agency. The Federal Highway Administration administers Section 4(f) and must ensure that the federal requirements for historic mitigation are satisfied.

It is very important that the State is not allowed to manipulate the process and that NH DOT does not try to deliberately circumvent the requirements of federal law that mandate appropriate mitigation when federal money is used for a project that adversely impacts historic resources. It is vitally important that communities be able to trust the integrity of the process and the entities involved.

## 6. Considerations to be used in deciding among bridge alternatives

The NH DOT brought up several considerations while presenting bridge alternatives at the September 5, 2019 public meeting. The preferred alternative must be *cost effective*; it must be *prudent*, a *reasonable* choice; and it must be *feasible*, a *practical* choice.

However, it must also be worthy of *trust*.

A *cost effective*, *prudent*, *reasonable*, *feasible*, and *practical* choice that is arrived at by a flawed standard operating procedure harms not only the historic resource in question but public trust in the whole undertaking.

## 7. Life cycle cost analysis

The original 2007 Final EIS did not use life cycle costs in distinguishing between different alternatives. This element was introduced for the first time in the 2017 SEIS to support the argument for demolishing the GSB.

In Keith Cota's August 17, 2017 request to the FWHA to reopen the Section 106 and Section 4(f) processes, he argued even with extensive rehabilitation measures for the GSB, “the service

life of the investment will only be about **40 years** before more aggressive measures will be necessary (i.e., replacement).” When a 40-year period is considered, the life cycle cost for maintaining the GSB drops to about \$16.4 million, which is in the *same ballpark* as that for NH DOT’s preferred alternative (9B) once the added \$10.9 million to \$14.5 million for historic mitigation (should the GSB be destroyed) is included in the analysis.

In the SEIS, vhb’s January 15, 2019 analysis states that a rehabilitated GSB is designed to have a lifespan of more than **75 years**:

“A full blast and recoat at year 74 is recommended by KTA Tator if the structure is planned to stay in service beyond 75 years. The planned design life is 75 years; however it is anticipated that the bridge will stay in active service for several years after the planned design life while replacement decisions and new structure design are completed. Therefore, it is reasonable to account for a coating maintenance cost to keep the bridge safe service during this anticipated planning period.”

When considering a 75-year time span, it seems unreasonable that inspecting and painting a new bridge (9B) and repairing the road deck for 75 years is only going to cost \$2.78 million. This number is highly dependent on the fudge factor of subtracting \$1.78 million in residual value for this alternative, which is subjective at best for a time point 75 years away.

In a nutshell, the life cycle cost analysis is included in the SEIS to further the argument that the GSB must be destroyed and replaced with a less costly alternative. If this were to happen,

- (1) \$14.5 million becomes available to mitigate other historic resources in Newington and Dover. This is the difference between the capital costs of \$43 million to rehabilitate the GSB and the \$28.5 million alternative 9B. This amount is historic mitigation money, not money to be saved by NH DOT so it can spend its turnpike funds on other highway projects. In no case should the historic mitigation of losing the GSB be less than \$10.9 million because that amount is the historic value already agreed and decided in 2007/8.
- (2) \$28.25 million becomes savings for NH DOT due to not having to spend more money to maintain the GSB over a less costly and smaller new bridge. This is the difference between the life cycle costs of \$31 million to maintain the GSB and the \$2.75 million to maintain alternative 9B. NH DOT benefits by saving its turnpike-generated money for use on other red-listed highway projects and not the Newington-Dover project.

## **8. Retaining the GSB piers is not historic mitigation**

Keeping the GSB piers to support the 9B alternative is not historic mitigation. At the February 12<sup>th</sup> meeting, Keith Cota agreed that the piers were being kept in order to save money by not having to replace them, not due to historic mitigation from demolishing the GSB. The piers were also not being preserved for future bridge expansion uses.

## 9. Archaeological sensitive area of Hilton Park

NH DOT has proposed using the area around the Hilton Park pavilion as a construction laydown area (February 12, 2019 Cultural Resource Coordination meeting).

This area has historic and archaeological significance as the location of one of the Pinkham brickyards. Please see *Newington Neighbor*, Issue #167, June 2011 (attached) for information on the brickyards and the photo below of its proximity to the proposed laydown area and pavilion.

More information is needed to ensure that activities that take place in the proposed laydown area do not harm the value of below-ground structures.



Thank you for your consideration and opportunity to participate,

Lulu Pickering

Newington Historic District Commission  
Newington Town Historian

CC:

Laura S. Black, NH Division of Historic Resources, [Laura.Black@dncr.nh.gov](mailto:Laura.Black@dncr.nh.gov)

Sen. Martha Fuller Clark, NH Senate, [Martha.FullerClark@leg.state.nh.us](mailto:Martha.FullerClark@leg.state.nh.us)

Ted Connors, III, Selectmen, Town of Newington, [selectmen@newington.nh.us](mailto:selectmen@newington.nh.us)

Keith Cota, Project Manager, NH DOT, [Keith.Cota@dot.nh.gov](mailto:Keith.Cota@dot.nh.gov)

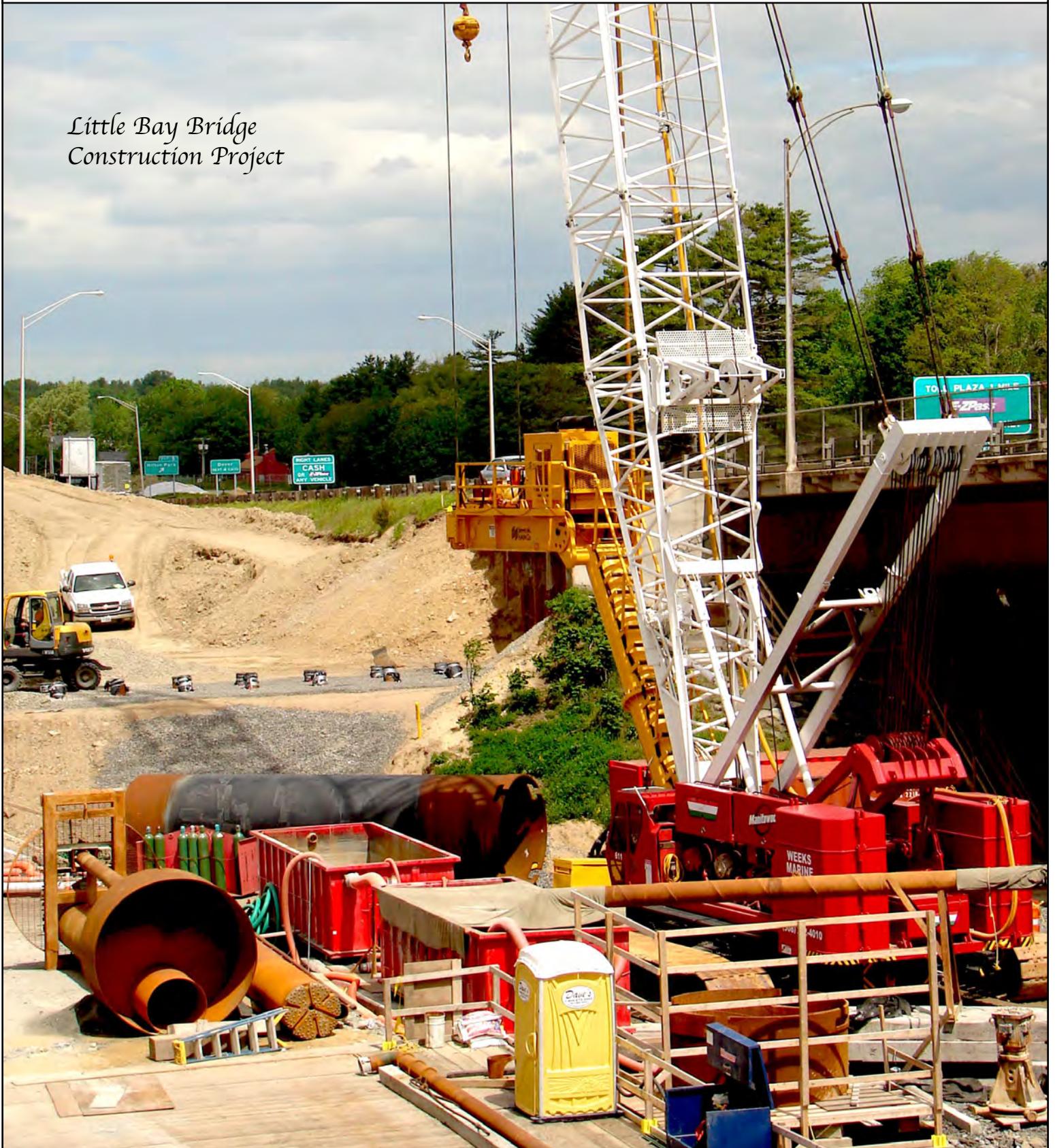
# *The Newington Neighbor*

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*Little Bay Bridge  
Construction Project*



## Richard Pinkham Brickyards, Dover Point, circa 1898



Photos from *Drowned Valley, the Piscataqua River Basin* by John Adams, 1976

For many years, the State of NH has purchased homes and property within the Spaulding turnpike corridor in anticipation of expanding the turnpike (e.g., Philip Matthews, Althea & Philip Duffey, Ron & Karen Moody).

Of the remaining homes, the Ira F. Pinkham property on Dover Point will be the most heavily impacted by the current Little Bay Bridge construction project. This property is now only 0.8 acres with a house and barn. It is home to K9 Kaos, a dog daycare, training, and grooming business, which is in the process of moving to 6th street in Dover.

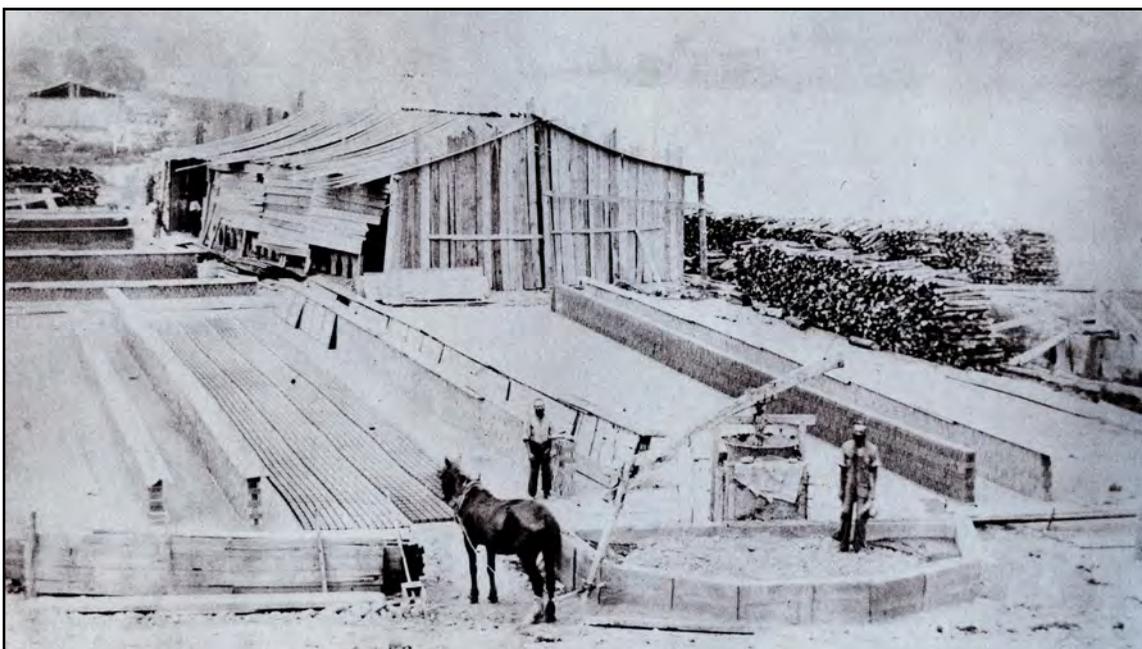
The property was eligible for listing on the National Register due to its important historic context as a brickyard on Dover Point and for its architectural significance as a mid-19th century farm complex. The house was built about 1853 and the barn about 1886.

The Little Bay Bridge construction project took a 7,350 sq. ft. permanent right of way to widen the roadway. The state took the property by eminent domain in May 2010, which resulted in the demolition of the historic Pinkham barn in 2011. The house will also be demolished. Prior to demolition, an Historic American Building Survey with photos will

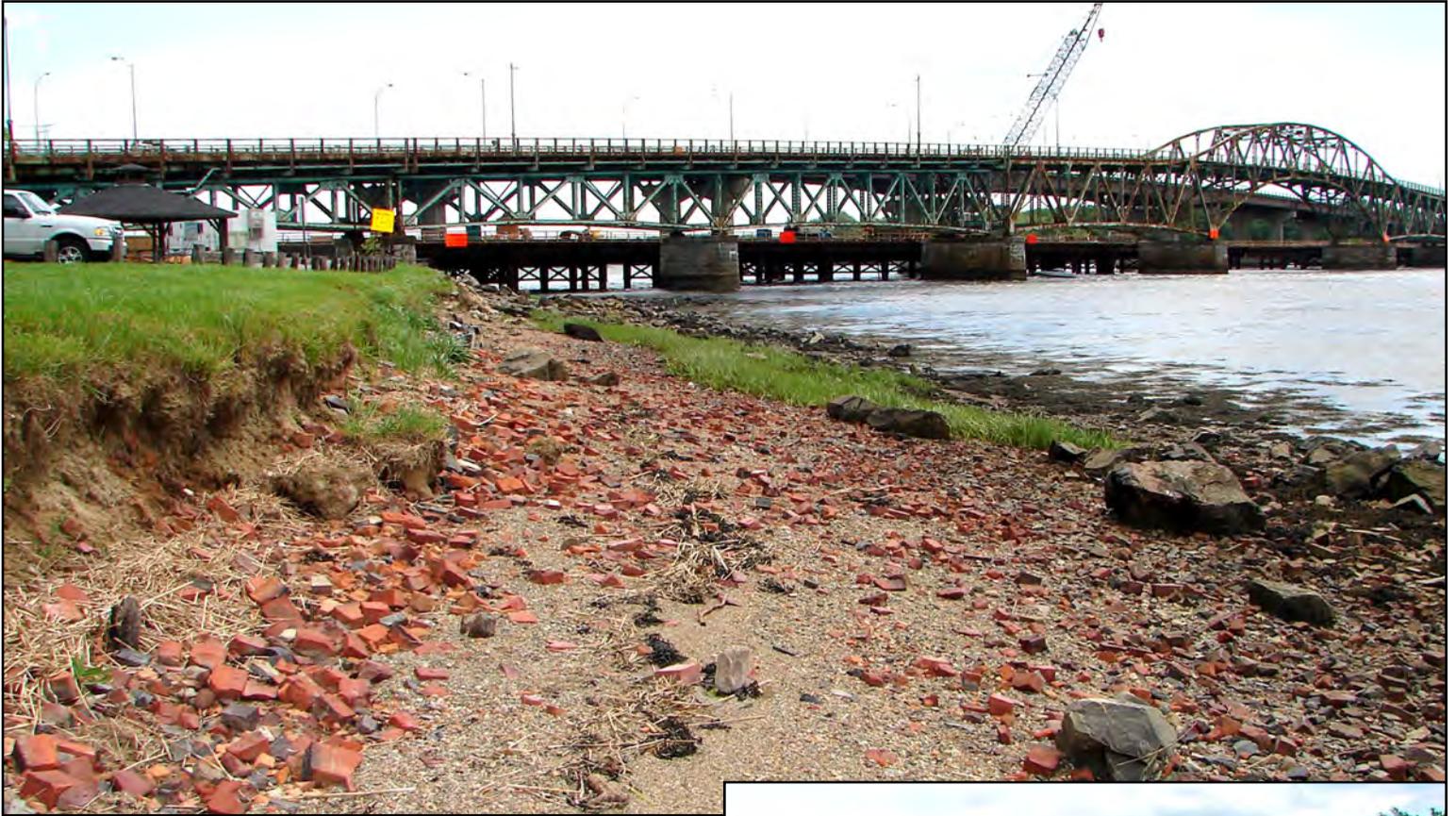
be completed to document the history of the structure.

According to Richard Pickham (*Drowned Valley, the Piscataqua River Basin*), four generations of his family made brick at this location until all the clay was used up. Brickmaking began with a flat rigged plow drawn by a horse to cut the blue clay along the waterfront. The clay was then dumped into a tug mill with a big can (bottom photo), along with water and sand. The horse walked around the can to grind and mix the material, which was then pressed into brick molds. The made bricks were dried on the ground for a day and were then stacked about 4 feet high in cord word style so they could dry another week. The bricks were then stacked in a kiln and dried by a wood fire for 10 days.

In August 1886, the *Dover Enquirer* reported that Ira F. and John E. Pinkham had sold over one million bricks that season to Frank Jones of Portsmouth. Brickyards also operated in Eliot, Stratham, and Newington. Gundalows carried the bricks downriver and schooners took them to Portland and Boston.



## Site of the Rickard Pinkham Brickyards, Dover Point, 2011



With storms in recent years, the high tide and waves have eroded the shoreline revealing the location of the Pinkham brickyards. The pink bricks along the shoreline at Hilton Park can easily be seen from the General Sullivan Bridge. According to Richard Pinkham, the state just covered over the old brickyard with gravel and top soil when Hilton Park was created (see photo below).

In Newington, the town history reports that bricks were made as early as the late 1700s and early 1800s at Brackett's, Pickering's, Furber's, and Frink's shores. Cyrus Frink had brickyards at Hogstye and Welshman's coves. Newington bricks were used in local chimneys and to help rebuild downtown Portsmouth after the great fire of 1813.

