

BUREAU OF ENVIRONMENT CONFERENCE REPORT

SUBJECT: Monthly SHPO-FHWA-ACOE-NHDOT Cultural Resources Meeting

DATE OF CONFERENCES: August 11, 2022

LOCATION OF CONFERENCE: Zoom Meeting

ATTENDED BY:

NHDOT

Sheila Charles
Meli Dube
Jill Edelmann
Jon Evans
Ron Kleiner
Marc Laurin
Rebecca Martin
Dzijeme Ntumi
Tobey Reynolds
Jason Tremblay
Shelley Winters

NHDHR/NHDNCR

Laura Black
David Trubey

FTA

Brandon Burns
Charles Dyer
Eric Papetti

Penobscot Nation

Tribal Historic
Preservation Officer
Chris Sockalexis

**TOWN OF
BEDFORD**

Jillian Harris

**TOWN OF
JAFFREY**

Joanne Carr

AECOM

Dan Cassedy
David Derrig
Jay Doyle
Joel Dworsky
Emily Everett

Civil Solutions

Burr Phillips

MBTA

Tess Paganelli

**NH Rail Trails
Coalition**

David Topham

GM2

Tom Levins
Jennifer Riordan

GPI

Stephen Langevin

Normandeau

William McCloy

VHB

Marty Kennedy
Bob Landry
Quinn Stuart
Peter Walker

PROJECTS/PRESENTATIONS REVIEWED THIS MONTH:

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Andover 40392, X-A004(384)

Participants: Darren Blood, Tom Levins, Jennifer Riordan, GM2: Meli Dube, Ron Kleiner, Jason Tremblay; NHDOT

Continuing consultation, following the previous December 16, 2020 Cultural Resources Agency Coordination Meeting. The proposed project will address project addresses the red listed bridge

carrying US Route 4 over the Blackwater River in the Town of Andover. Various alternatives were investigated, including rehabilitation and replacement. The need for the project is demonstrated by the deteriorated condition of the bridge. An RPR (R&C 10289) was submitted in 2018 and the project is now moving forward with alternative analysis.

Jenn Riordan (GM2) presented the project which involves the proposed replacement of the bridge that carries US Route 4 over the Blackwater River in Andover. The existing bridge is a through-plate girder, single-span structure, constructed in 1933. It has concrete abutments and wingwalls and is on the State's Red List. The project was originally to include rehabilitation of the existing bridge, but it was determined that the bridge has deteriorated to a point that repair or rehabilitation is not a feasible option. The project scope now includes bridge replacement as the preferred alternative.

The preferred alternative would include replacement of the existing bridge structure, constructing new abutments behind the existing abutments, and roadway approach work (approximately 500 feet on each end of the bridge). The bridge would be closed during construction and traffic would be detoured. Accelerated bridge construction techniques may be used to limit the duration of the bridge closure.

An Individual Inventory form was completed for the bridge, and it was determined Not Eligible in March 2019. The 30% engineering design was submitted to NHDOT in June 2022. A public hearing, if necessary, is scheduled for January 2023. The advertisement date is currently June 2024.

A Request for Project Review (RPR) was submitted in 2018. The response indicated that the project area is considered archaeologically sensitive, and a Phase IA survey may be necessary depending on the extent of ground disturbance. Individual inventory of the existing bridge was also recommended. In addition, inventory of the Green Crow property (338 and 342 Plains Road) was recommended if the project involves roadway impacts to these parcels.

Since the preferred alternative would involve impacts beyond the existing roadway, a combined Phase IA/IB survey was completed by Independent Archaeological Consulting (IAC) in July and August 2022. No evidence of archaeological features was found, and no further survey is recommended. IAC's short form report is in progress.

The only buildings near the project are at 338 and 342 Plains Road (Parcels 3 and 5), northeast of the bridge. These properties are owned by a timber and forest management company. The buildings are located on Plains Road away from US Route 4. They were built around 1940-1957. There appears to be one main building with several sheds/outbuildings.

The preferred alternative would involve a small amount of impact to Parcel 3 from vegetation clearing and fill. These impacts are located adjacent to US Route 4, away from the buildings.

The meeting was then opened to questions and discussion. Laura Black (DHR) mentioned that although the buildings are on separate tax parcels, they appear to be historically related and are associated as a resource. She asked for a status update from the previous Cultural Resource meeting

in 2020, where questions regarding proposed easements, tree clearing, and impacts to driveway access and landscape features were raised. Tom Levins and Jenn Riordan (GM2) responded that the proposed impacts to Parcel 3 would involve a small amount of fill and tree clearing near US Route 4. Easements would be required for these fill slopes. No impacts to driveway access are proposed and no landscape features (stonewalls or otherwise) were noted within the Parcel 3 proposed impact areas. Sheila Charles (NHDOT) pointed out that the project plan shows a row of boulders near US Route 4, but these are beyond the impact limits.

Laura stated that the proposed easement on the potentially historic property (Parcel 3) means that potential Section 4(f) resource impacts should be discussed with FHWA (Jamie Sikora). Laura recommended discussing with Jamie to determine if inventory is required to determine if there is a 4(f)-resource and its boundary and evaluate impacts.

Regarding Section 106, Laura stated that she is less concerned about determining eligibility given the amount and location of the impact to the potentially historic property.

Jamie Sikora was not present at the meeting, so Meli Dube (NHDOT) recommended that GM2 contact him separately regarding Section 4(f) review. If a historic resource inventory is not required by FHWA, then the next step involves preparing the Section 106 Effects Memo.

Jaffrey 16307, X-A001(234)

Participants: Marty Kennedy, Bob Landry, Quinn Stuart, Pete Walker, VHB; Marc Laurin, Tobey Reynolds, NHDOT; Jo Anne Carr, Town of Jaffrey; Robert Stephenson, Consulting/Interested Parties

The intent of this meeting was to continue Section 106 consultation for the Jaffrey US Route 202/NH124 Project, specifically regarding the mitigation stipulation of interpretive panels laid out in the August 2020 Memorandum of Agreement (later amended on June 29, 2022)..

Q. Stuart opened the meeting by providing an overview of the project, mitigation stipulations, and the specifics of Stipulation 5 requiring the production of three outside interpretive panels and the topics that were provided as options for the panels.

- History, activities, and development of the Downtown Jaffrey Historic District
- The Monadnock Railroad
- History of Jaffrey Mills
- Historic and Extant Contoocook River Crossings

L. Black expressed interest in exploring the topic of the river crossings as it immediately relates to the current project and how important the river crossing is and that the Railroad, as a contributing resource to the Historic District, should be included as part of a broader topic.

D. Trubey asked if the Native American Tribes have been included in the project thus far and want to make sure they are included in the conversation regarding the panel language.

- Question asked by Q. Stuart to D. Trubey and S. Charles: How should the Team reach out to tribes?

- S. Charles said to coordinate with the NH Commission of Native American Affairs
- Q. Stuart offered to provide the narrative for the river crossing panel to the commission for review earlier than the completed draft being distributed to all the consulting parties for review

J. Carr agreed with L. Black and added:

- A recent archaeological dig near the river discovered evidence of Native American occupation
- The other topics listed in the MOA are already being discussed by the Town for the “welcome” kiosk at the intersection of Stratton and Turnpike Roads and suggested a possible “2-sided” panel. One side of the panel would be on a cultural/historic topic and the other side would be on a natural resource’s topic, and that the town would cover the natural resources topic.
- The Town already has a walking tour of significant locations throughout the Historic District and will forward the information to the Team.

J. Edlmann added that if the Town is planning a kiosk with panels that this team should think about these panels being incorporated into that project and added:

- She is agreement with a panel on the river crossings
- Asked the larger group about a panel on the historic development of downtown Jaffrey and how would that be divided?
 - Impact to Residential (primarily on the west side of the river)
 - Architecture
 - Why did the residential development occur there?
 - Who lived there?
 - Commercial/Industrial (primarily on the east side of the river)

P. Walker asked about the Jaffrey Historic District Commission’s involvement in this process as they are consulting parties.

- J. Carr said to include Ron Reed and cc her on correspondence with the commission.
- Team will continue to include Robert Stephenson as an additional consulting party.

Next Steps:

- Q. Stuart will draft a memorandum outlining the potential topics for the three panels

Jackson 40808 (no federal number)

Participants: Burr Phillips, Civil Solutions; William McCloy, Normandeau; Stephen Langevin, GPI; Lisa Mausolf, LM Preservation; Julie Atwell, Julie Hoyt, Town of Jackson; Michael Hicks, ACOE; Ron Kleiner, Jon Evans, NHDOT

Continuing consultation on the Valley Cross Road bridge over Wildcat Brook (153/066) project. This bridge currently has 1905 low Parker trusses attached to the existing bridge. The form of mitigation chosen by the Town was to reuse the trusses by refurbishing and reattaching them onto the proposed bridge superstructure.

Jill Edelmann provided a summary of the status of the Effects Memo, e106, and MOA. She submitted the reports for GPI and Normandeau review on 7/21/22. Review comments have been returned.

Stephen Langevin stated that Burr Philips (who was not in the meeting at that point) will likely ask about the wetlands permit application submission with a target date of mid-August. Jill responded that everything is on her plate now, but she is planning to submit for review soon. She added that the Advisory Council on Historic Preservation (ACHP) will need to weigh in on the project.

Following are the major points that were discussed during the meeting.

1. Mike Hicks was absent from the meeting but had made a prior request for notes.
2. Jill asked what was needed to be included with the Wetlands Permit application. Jon Evans clarified that the Effects Memo is required but the MOA is not. Jill said she expects to have the Effects Memo ready for review very soon. DHR will need to review the Effects Memo. The ACOE may not need to sign the Effects Memo even when it is Adverse, Jill will confirm that with Mike Hicks.
3. Bill summarized the requirements for his understanding: the Effects Memo needs DHR approval, maybe ACOE, and the signed Effects Memo goes with the Wetlands Permit Application. Bill added that he will need one to two weeks to assemble and submit the Wetlands Permit Application.
4. Jill reiterated that she would send out the Effects Memo to DHR and ACOE today or tomorrow so that Bill can submit the Wetlands Permit Application.
5. The e106 review period is 15 days. DHR has a 30-day review period.
6. Jill asked Laura what the logistics of the submittal are, such as paper copies and order of signatures. There will be a separate meeting to address logistics.
7. Burr joined the meeting near the end and was updated on what he had missed.

Nashua-Manchester 40818 (FTA)

Participants: Dan Cassedy, David Derrig, Jay Doyle, Joel Dworsky, Emily Everett, AECOM; Jon Evans, Rebecca Martin, Shelley Winters, NHDOT; Eric Papetti, Brandon Burns, Charles Dyer, FTA; Jillian Harris, Town of Bedford; Jonathan Golden, City of Manchester; Invited Consulting Parties including Cora Peirce, Narragansett Indian Tribal Historic Preservation Officer; Chris Sockalexis, Penobscot Nation Tribal Historic Preservation Officer; David Topham, NH Rail Trails Coalition

Consultation to discuss the Capitol Corridor Rail and Transit Study (formerly NHDOT 16317 & 63037-A). AECOM provided an update on the cultural resources associated with the APE.

The project involves the extension of MBTA commuter rail services from Lowell, MA to Manchester, NH. The project corridor is approximately 30 miles long and crosses through Lowell, Chelmsford, and Tyngsborough, MA, and Nashua, Merrimack, Bedford, and Manchester, NH. It includes 9 miles in Massachusetts and 21 miles in New Hampshire. The route follows an existing rail line that currently handles only freight. The project was formerly referred to as the Capitol Corridor Rail Project. A Federal Railroad Administration (FRA) service-level NEPA Environmental Assessment was completed in 2014. The current project involves extending MBTA commuter rail service from Lowell to Manchester. Tasks include preliminary design (30%) engineering, completion of a Federal Transit Administration (FTA) NEPA Environmental Assessment (EA), and development of a financial plan. Final design and permitting would be part of a future contract.

Jill Edlmann served as meeting facilitator and initiated the participant introductions.

Eric Papetti provided a description of the FTA process, progress to date and anticipated timeline. He noted that the previous meeting and letters to the Section 106 consulting parties had shared the current definition of the Area of Potential Effects (APE) and solicited their input and comments on the APE and on any historic properties or cultural resources of concern to them. Eric summarized that FTA had decided to move forward with the APE as presented, and the current meeting was intended to provide the parties with a summary of the known cultural resources associated with that APE, as well as to discuss next steps and additional studies needed.

Dan Cassedy, AECOM's cultural resources lead for the project, then presented maps and a verbal description of the proposed APE. He also noted how the team had applied criteria outlined in the *Program Comment to Exempt Consideration of Effects to Rail Properties within Rail Rights-of-Way* (by the Advisory Council on Historic Preservation (ACHP) in 2018). These criteria detail specific activities that are exempt from Section 106 review which should have minimal or no adverse effects on historic properties, such as maintenance, repair, and upgrades to rail properties. Applying the Program Comment to the current project, AECOM defined the APE as primarily focusing on areas around the sites of the four proposed stations and the layover facility, as well as around bridges where additional construction impacts, such as staging and laydown, may occur outside the existing ROW. Sections of the corridor that will only see activities such as ballast, tie, and rail replacement, and drainage improvements within the existing railroad right-of-way will not be further examined for historic properties.

Historic Architecture: In New Hampshire, the project APE intersects with four historic properties that have already been determined to be eligible for the National Register of Historic Places (NRHP). The north end of the APE briefly intersects the southeastern edge of the Amoskeag

Millyard Historic District, and the southern portion of the overall corridor (from E. Hollis Street in Nashua southward) is coterminous with the alignment of the Nashua and Lowell Railroad historic district. In Merrimack, the APE associated with a project bridge location intersects the Merrimack Wastewater Treatment Facility (Mast Road), and another bridge APE location intersects the Nashua Gas Light property.

Background research and a field reconnaissance also found that there are 23 additional resources over 50 years of age within the APE that have not been previously surveyed or formally evaluated, including 14 buildings in the vicinity of the rail line and nine bridges that carry the rail line over the Merrimack River and its tributaries. These will require additional assessment as project plans and APE are refined.

In Massachusetts, background research determined that there are three (NRHP)-listed resources that intersect the APE, including the Lowell Locks and Canals Historic District, the Lowell National Historic Park, and Middlesex Canal Historic and Archaeological District.

In addition, background research and the field visit determined that there are six bridges and a culvert along the line that have been included in the Massachusetts state inventory and are likely associated with the Nashua and Lowell Railroad. The project APE also intersects the eastern edge of the Tyngsborough Center Historic District, which is included in the MHC inventory but not formally evaluated for NRHP status. These resources will require additional assessment as project plans are refined.

Archaeology: In general, the overall corridor has a high sensitivity for containing archaeological sites due to the proximity to the Merrimack River, which has been used as a major transportation and settlement corridor for thousands of years.

In New Hampshire, state records document the presence of five previously recorded archaeological sites within the APE (three precontact and two postcontact), all within the general area of the proposed MHT-Bedford Station on the west side of the river. Current data from previous surveys suggests that all of these sites will require additional investigation to determine if they are NRHP-eligible. In addition, the rail corridor in NH crosses or abuts the general location of six additional previously recorded precontact archaeological sites. There is currently no APE designated for these site locations because all project work is currently proposed to be limited to the existing rail ROW and track bed fill. If future plans required excavation deeper than the existing track bed or outside of it, archaeological investigations would be required in those areas to determine if these sites still survive underneath or next to the rail line. Archaeological survey may also be required in the APE associated with the nine bridges along the corridor in New Hampshire, depending on whether final construction plans will include ground disturbing activities outside of the existing ROW.

In Massachusetts, there are no previously identified archeological sites within the APE as currently defined. There is one recorded site that is crossed by a portion of the rail corridor that is not within the APE, and as with similar sites in NH, if future plans required excavation deeper than the existing track bed or next to it, archaeological investigations would be required in this. Archaeological survey may also be required in the APE associated with the six bridges along the corridor in Massachusetts, depending on whether construction plans will include ground disturbing activities outside of the existing ROW.

Eric Papetti asked for comments or questions information that was shared by AECOM.

Laura Black noted that even if individual bridges are not NRHP-eligible, they might contribute in aggregate to the overall historic significance of a district resource. She also noted that previously inventoried resources may still require updates of the DHR inventory forms, depending on the age and quality of the original documentation.

Dave Trubey asked about how the mapping of archaeological site boundaries had been done, noting that many of the sites were from old collectors' reports and site forms rather than modern surveys. Joel Dworsky explained how he had gone into archival data from aerial photography, historic maps, and original site sketches to try to provide a best fit of the old site boundary information onto the modern landscape.

A general discussion then ensued concerning when additional studies might be completed, what the scope of those might be, and how completion of that work could be ensured by coordination of the Section 106 process and the NEPA EA process. Because of the uncertainties associated with the timing of project funding, design, and construction, it will be necessary to phase the identification, evaluation, and assessment of these resources as provided for 36 CFR 800.4(b)(2) and to include commitments to complete those studies in the NEPA documentation. It was agreed that AECOM would prepare potential wording of environmental commitments for review by the FTA and then distribution to the consulting parties for comments.

Eric Papetti closed the meeting by again requesting that consulting parties send any additional comments or concerns to the FTA.