MITIGATION MEETING MINUTES FOR THE MEMORIAL BRIDGE PROJECT
[A000(911), 13678F]
December 17, 2010, 11:00-4:00
Location: NH Federal Highway Conference Room

Participants:

NHDOT:
Jill Edelmann
Bob Landry
Joyce McKay
Kevin Nyhan
Keith Cota

NHDHR
Laura Black
Peter Michaud
Beth Muzzey
Linda Wilson

FHWA
Jamie Sikora
Mary Ann Naber**
Leigh Levine

McFarland-Johnson
Vicki Chase
Gene McCarthy

Maine DOT*
Dave Gardner
Russell Charrette*

Maine SHPO
Kirk Mohoney*

Consulting Parties
Richard Candee, Portsmouth Historic Society
Ken Herrick, Albacore Park
Richard Wilder, Port of Portsmouth Maritime Museum Association (PPMMA)
Betsy Merritt, National Trust for Historic Preservation**
Rebecca Williams, National Trust for Historic Preservation
Pat Meyer, New Hampshire Preservation Alliance
Roberta Lane, National Trust for Historic Preservation**

*Participation via video conference
**Participation via phone conference

Introductions were made.

Joyce McKay asked if there were any changes to the agenda. None were suggested, and the agenda was approved as written.

Maine DOT has developed an effects matrix that addresses effects to historic resources in Maine, specific to the Memorial Bridge replacement. Russ Charrette said he would forward the matrix along.

Discussion of the DOE meeting concerning the Albacore's boundaries

The DOE committee was charged with addressing three topics related to the Albacore: the boundaries, ownership, and eligibility of Albacore Park to the National Register. The committee had determined that the boundaries of the Albacore are clear in the nomination, that the Albacore is monitored by the U.S. Navy but not owned by the Navy, and that insufficient information had

been submitted to determine eligibility of the park. The park is under 50 years of age, so it is probably not eligible, based on National Register Bulletin 20. However, the park does provide a setting for the ship. The Albacore's setting and connection to the waterfront are integral to the Albacore's eligibility as a NHL under the integrity of association

Alternatives Analysis

Gene McCarthy gave a brief review of the Alternatives Analysis. The Alternatives Analysis discusses the options that were considered in the Connections Study and provides more in-depth analysis for the No-Build, Rehabilitation, and Replacement Alternatives. The Alternatives Analysis identifies why the No-Build and the Rehabilitation Alternatives do not meet the Purpose and Need of the project. Jamie Sikora commented that some of the information presented in the Alternatives Analysis, such as lifecycle costs of the Replacement Alternative and Rehabilitation Alternative should be expanded upon in the Categorical Exclusion. Beth Muzzey clarified that the reference to 36 CFR 800 – "Protection of Historic Properties" – on page 5, should be expanded upon in future iterations of the Alternatives Analysis to include all of what the regulations encompass.

Richard Candee asked whether the "Skyline Replica" alternative was the only replacement alternative under consideration. Bob Landry said that that was his understanding. A more modern bridge may be cheaper to build but would involve longer closures because the piers would need to be replaced. Richard Candee commented that in response to a questionnaire that had been circulated, members of the public voted 13:1 in favor of a replica over a more modern bridge replacement. However, a current WMUR survey shows a tie between the two options. Richard Mohney stated that the Maine SHPO was not opposed to a more modern bridge, and that they were open to considering all options. Maine has never taken the position that the replica option was the only viable option. Mary Ann Naber asked if options are limited to building a vertical lift bridge. B. Landry responded that there were limits on what could be proposed, but that there were options with regard to the trusses for the bridge.

Beth Muzzey commented that the public was interested in creativity, and not necessarily considering the girders or trusses for the bridge. B. Muzzey further clarified that the Skyline Replica would not constitute mitigation for the loss of the bridge, but that it would reduce the adverse effect to the Portsmouth Historic District . Peter Michaud offered to forward the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings, which do not specifically address bridges, but provide guidance on appropriate new construction within an historic context. The new bridge should comply with the SOI Standards for new construction within a historic district (Standards 9 and 10). The general concern with compatibility often focuses on scale, massing, and materials.

Jamie Sikora requested that the RFQ address both a Skyline Replica and a more modern approach. B. Landry said that the RFQ would not include design details – and that the RFP would have design details but would not include a modern replacement option. B. Landry said that the intent is to meet the Secretary of the Interior's Standards, and that a Skyline Replica would do so. Mary Ann Naber commented that the standards aren't necessarily clear on this issue, and that they are focused on massing and materials – as an example, the recently replaced

Crown Point bridge over southern Lake Champlain used a modern structure but still met the Secretary of the Interior's Standards.

J. Sikora asked if DHR were in agreement that the rehabilitation would not meet the purpose and need and could be dismissed. Beth Muzzey confirmed that DHR was in agreement, and hoped that the Alternatives Analysis would be expanded upon in the Categorical Exclusion. The analysis needs to clearly indicate why the rehabilitation is not prudent. Kirk Mohney concurred that the rehab would not meet the purpose and need and could be dismissed. K. Mohney asked why a rehabilitated bridge would only have a 75-year life span, and asked why it wouldn't be a full rehabilitation that would have lower long-term costs. Bob Landry explained that while the rehabilitation would be thorough, those parts that could be saved would still have a shorter life span than new materials. By retaining as much of the original fabric of the bridge as possible, some parts would wear out sooner.

Betsy Merritt asked if it was possible to develop a semi-rehab in which parts could be salvaged for reuse. Richard Candee expressed his opinion that the parts would not be appropriate for re-use, except for the memorial plaques, which were already planned to be reused and the existing piers. Bob Landry explained that the long plates of steel were relatively thin pieces that had been stitched together, and that there was significant pack rust that had developed between the layers of steel. A new bridge would use larger and thicker pieces of steel that would not be as susceptible to deterioration. There was a brief discussion about the potential for reusing parts of the bridge at another location, and Linda Wilson stated that reuse of the bridge out of context would constitute recycling, not preservation of the historic resource.

Beth Muzzey asked when the prudency argument no longer applied. When is the financial cut off point between a prudent and non-prudent replacement? Bob Landry responded that $140 million for the rehabilitation may not be sufficient. It may rise to $160 million. He stated that about 70% of the bridge would probably be replaced. Is this amount of replacement then a prudent project?

Beth Muzzey made the general comment that the goal should be to reduce the adverse effects, and that the new bridge design should take into consideration the Secretary of the Interior's Standards. B. Muzzey reiterated that the skyline replica might not be the only design that would meet the Secretary of the Interior's Standards.

Laura Black circulated some sample MOA's from other bridge replacement projects. Links to those MOA's were provided in a later email, and follow here:

Goethal's Bridge between New York and New Jersey
http://www.goethalseis.com/pdfs/100903_executedGBR_MOA.pdf

Louisville – Southern Indiana Ohio River Bridges Project
http://www.kyinbridges.com/pdfs/rod_d.pdf

Amelia Earhart Bridge Replacement

http://www.ksdot.org/PublicLib/doccontent.dll?LibraryName=PublicDocs^dt00mx38&SystemType=2&LogonId=16cbd2546ac49d39e9e46573d0f0b296&DocId=003750203

US421 Bridge Project over the Ohio River between Milton
Kentucky and Madison Indiana
http://www.miltonmadisonbridge.com/wp-content/uploads/2010/04/signed-mm-moa-2-22-10.pdf

L. Black presented a List of Mitigation Stipulations and Considerations that DHR had developed, which included ideas listed on the agenda as well as other ideas. The list is included below with a brief summary of the discussion of each idea that followed.

Proposed Mitigation

A. Mitigation measures to address loss of commercial viability of historic district during construction. Funding for heritage and historic bridge tourism? Marketing and grant assistance? Signage and wayfinding, especially for changing traffic patterns? Business planning and positioning? Replacement of parking lost during construction? Coordinating construction activities (noise/dust) during cultural events?

Heritage tourism provides a large economic base for both Kittery and Portsmouth. It would be important to market the area during construction. It was suggested that a position be created to market the businesses, examine the placement of signage systems, replace the loss of parking, coordinate cultural activities as part of the marketing strategy, and provide interpretive materials for the bridge and surrounding area. The strategy would be to make visitors welcome to the community and make it as accessible as possible. It was suggested that DOT contact Nancy Tomah to develop such a program. DHR requested that some public participation in addressing the impact on heritage tourism occur.

In Maine, some of these coordination goals are already being accommodated in Kittery. There was discussion of funding a part time public liaison that could coordinate efforts for accommodating local businesses during construction. Construction activities are typically timed to not conflict with cultural events (would be an environmental commitment). L. Wilson asked if there would be a secure viewing area for the public. Prescott Park was discussed as a location where interpretive signage could be on display. R. Candee offered that there were several sites where this could be done, and further suggested that there could be a webcam and or time-lapse photography that would be placed on State websites or YouTube.

R. Candee asked if the HSR documentation had been completed. Joyce McKay responded that all documentation was complete . and 30 copies had been circulated.

B. Professional development opportunities for region's engineering community on historic bridges

B. Muzzey suggested that there could be training for NH engineers related to historic preservation, such as maintenance BMPs for historic bridges, case studies, etc. For example, a

bridge engineer from Wisconsin specializing in preservation of rivets could be brought in for training. CEUs could be offered for such trainings. There is a national conference sponsored by the National Center for Preservation Technology & Training (NCPTT), and it was suggested that New Hampshire (or Maine) could host the conference. It was discussed that short of hosting the conference, attendance at webinars or other short-term training would also be helpful.

Bob Landry offered that the bridge would be a draw for engineering interest. R. Candee suggested that the bridge would be a spectacle, especially when the new bridge is floated in. It was noted that on average, businesses lose approximately 30% of their business when the bridge is closed, and R. Candee would like to see some incentive to get people into the downtown. The idea of a staff person to coordinate "heritage tourism" was again raised.

C. Establishment of a historic bridge engineer position at NHDOT to assist with future historic bridge projects, the bridge preservation plan and other previous mitigation commitments.

Bob Landry noted that creating a new position at NHDOT would be difficult given current state budget cutbacks. Beth Muzzey said that such a position would not necessarily have to be a new hire, that it could be incorporated into an existing position. The historic bridge specialist could receive training at the annual ACEC conference. B. Landry offered that there are positions in NHDOT Bridge Design that might be suited.

D. Public outreach and education on the history and significance of the Memorial Bridge for the Maine and New Hampshire communities.
-- Documentary. Curriculum. Book.

The prospect of having the construction professionally filmed and placed on websites was discussed. Other forms of publications and educational materials were also suggested.

E. National Register nomination for Portsmouth Historic District. Other community preservation goals.

R. Candee noted that any such nomination would have to be in line with community goals, and that presently, the stated goal is not to nominate the Historic District to the National Register. B. Muzzey agreed. DHR was willing to discuss the benefits of nomination with the city.

F. Design of web- and GIS-based database of historic properties in New Hampshire for use by cultural resources consultants and agencies working under Section 106 and 4(f). Complementary with the National Park Service's digitization project for NH National Register properties, NH GRANIT and data currently in DHR's Historic Properties Database.

There has been no research on funding implications for such a database, and perhaps a more realistic goal would be the development of a template or other early stages of database development. There was also concern about the maintenance of such a website.

G. Albacore: re-routing connector route to lessen intrusion on waterfront setting and association.

There was discussion about rerouting the Bypass Connector Road through another part of the park or around it. The Connector Road currently runs between the ship and the waterfront. It acts as a barrier to the water front. If the waterfront connection was lost permanently, a dry dock or waterfront location could be recreated elsewhere. According to K. Herrick, currently the ship is in bad shape, and needs to be sandblasted and recoated. There was discussion of the permanence of the Connector Road. Bob Landry said that the road was temporary unless the City of Portsmouth wanted to take over the road and make it permanent. Beth Muzzey stated that if the Connector Road became permanent, it would be an impact to a National Historic Landmark, (the Albacore) and require Section 106 review. Mitigation for the Connector Road would have to be above and beyond the taking compensation for the land on which the road sits.

Bob Landry indicated that this discussion did not have anything to do with the Memorial Bridge. B. Muzzey pointed out that when the Connector Road was built, there was no Section 106 review. The Connector Road provides access to the SML Bridge for travelers during reconstruction of the Memorial Bridge, and the Connections Study identifies the use of the Connector Road as part of the detour that would be used. Keith Cota added that the Department could look into relocation as part of this project, with the understanding that the Connector Road is not a permanent fixture with the Memorial Bridge project. It was thought that the road might go behind the park.

H. Conservation and installation of the existing plaques on the bridge

The bronze plaques would undergo conservation. The existing plaques will need to be modified, as the brackets are designed for the existing bridge, and the new bridge will be wider. It was suggested that the Design Build team could be required to hire a metals conservator. It was noted that the specifications for conserving the plaques had already been developed.

I. Installation of interpretive panel in Prescott Park

This was already designed during the previous permitting round. It is available for viewing on the NHDOT website. The language on the sign may need to be revisited.

J. Modern dedication sign that puts other bridge plaques in context

It was discussed previously that signs would be placed on the bridge portals informing the public of the replica bridge.

K. Monitoring in Portsmouth Historic District and adjacent to NHL's during the construction of the bridge and adjacent roadways

The DHR requested vibration monitoring for buildings in the vicinity of the bridge. There was particular concern expressed about the murals in the Warner House that is very close to the bridge.

L. Review of project design at 30% (preliminary design), 60%, 90%, and the final design

The RFQ will have to spell out review times, but cannot be too restrictive due to the Design-Build process. Some of the other MOAs did have stipulations similar to this.

M. Archaeological investigations

This was included in the earlier MOA. An agreement had been drafted to hire an archaeologist to monitor the construction. The original bridge construction in 1923 may have buried historic building remains associated with the waterfront as well as Native American resources.

N. Bridge documentation: Completed as Historic Structures Report. Status of report?

-- Including conservation of historic photos, slides and original films of Memorial's construction and dedication as a high quality master negative film for distribution and public access.

-- Given Memorial's national significance, contact Library of Congress to ask whether documentation should be submitted.

Documentation of the bridge has been completed as a historic structures report. It was also suggested that an environmental photography reviewer create a documentary combining the old 1920's videos with footage shot in 2010/2011 of the removal of the old structure and installation of the new bridge.

O. Reporting administration clause, tracking compliance with mitigation stipulations.

The MOA will have a reporting clause.

P. Marketing for relocation?

A brief discussion of relocation potential was discussed. Given the degree of deterioration, it seems unlikely that the bridge would be reusable.

Betsy Merritt asked if it would be appropriate to try to revise inspection protocols, because it seemed that there had been an element of surprise in the recent Memorial Bridge inspection, necessitating the replacement rather than the rehabilitation of the bridge. B. Landry said that there was no surprise, the bridge had been red-listed for many years, and has been the victim of long-term deferred maintenance and lack of funding. J. Sikora indicated that FHWA had recently updated the inspection protocols and created a maintenance program. L. Wilson reiterated that what had happened to the Memorial Bridge demonstrated why New Hampshire needs a bridge preservation plan. Bob Landry said that the new bridge would receive more than the usual schedule of maintenance because of the electrical components.

Representatives from Maine were asked if they had any special stipulations they wanted to include. Kirk Mohney said they had none at this time but would follow up with their requests.

Next Steps

The previous MOA still needs to be terminated. J. Sikora will coordinate that. The next meeting will be held on January 20, mitigation will be discussed further.

NHDOT will draft an Effects Memo, which will not discuss mitigation as has been the practice in the past.

MJ will continue with the Categorical Exclusion and 4(f) Evaluation.

NHDOT has been investigating an in lieu fee for historical resource effects but there is no program in effect at this point. Betsy Merritt said she would investigate other states to see if an in-lieu fee program was in effect anywhere else.