

Coordination Plan for Agency and Public Involvement

Prepared Pursuant to SAFETEA-LU Section 6002/ 23 USC 139(g) and formally 42 USC 4332 (2)(c) and 49 USC 303, 16 USC 470 (f) and 33 USC 1344

Newington-Dover
11238
NHS-027-1(037)

Spaulding Turnpike Improvements

Supplemental Environmental Impact Statement
For the General Sullivan Bridge



U.S. Department
of Transportation
**Federal Highway
Administration**



October 18, 2017

NHDOT Project Number: 11238
Federal Project Number: NHS-027-1(037)

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ACRONYMS AND ABBREVIATIONS

ACHP	Advisory Council on Historic Preservation
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
City	City of Dover
EIS	Environmental Impact Statement
FAST Act	Fixing America's Surface Transportation Act
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
GSB	General Sullivan Bridge
MAP-21	Moving Ahead for Progress in the 21 st Century Act
MOA	Memorandum of Agreement
NEPA	National Environmental Policy Act
NHDES	New Hampshire Department of Environmental Services
NHDHR	New Hampshire Division of Historical Resources
NHDNCR	New Hampshire Department of Natural and Cultural Resources
NHDOT	New Hampshire Department of Transportation
NHPA	National Historic Preservation Act
NOI	Notice of Intent
Project	Newington-Dover 11238 Project
SROD	Supplemental Record of Decision
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users of 2005
SDEIS	Supplemental Draft Environmental Impact Statement
SEIS	Supplemental Environmental Impact Statement
SHPO	State Historic Preservation Office/Officer
SROD	Supplemental Record of Decision
SRPC	Strafford Region Planning Commission
TDM	Transportation Demand Management
TMDL	Total Maximum Daily Load
TSM	Transportation System Management
Town	Town of Newington

USACE	U.S. Army Corps of Engineers
USC	United States Code
USEPA	U.S. Environmental Protection Agency
USDOT	U.S. Department of Transportation

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1.0 PURPOSE OF THE COORDINATION PLAN

The purpose of the Coordination Plan is to facilitate and document the process by which the NHDOT will communicate information about the development of a limited scope SEIS, including an updated Section 106 consultation and a Section 4(f) Evaluation for the disposition of the General Sullivan Bridge, which is included in the Newington-Dover 11238 Project [Federal No. NHS-027-1(037)]. The Newington-Dover Project encompasses the reconstruction and widening of a 3.5-mile section of the Spaulding Turnpike highway facility (US Route 4 and NH Route 16). The Coordination Plan identifies how input from agencies and the public will be solicited and considered through a re-evaluation of alternatives for the GSB under the NEPA, Section 106, and Section 4(f), and provides an anticipated project schedule for this re-evaluation.

Under the NEPA, the FHWA was the lead federal agency for the 2007 FEIS, and as such, will remain the lead federal agency. The NHDOT will serve as joint lead agency for the project's re-evaluation of the GSB and selected alternative.

On August 17, 2017, NHDOT requested through FHWA to reopen the FEIS for a specific review of alternatives for the General Sullivan Bridge. On September 5, 2017, FHWA responded in support of NHDOT's request to re-evaluate the reasonable range of transportation alternatives associated with the GSB for maintaining access for pedestrians and bicyclists across Little Bay. FHWA determined that, in accordance with 23 CFR 771.130, a limited scope SEIS will be necessary to support the anticipated issuance of a Supplemental ROD.

Additionally, Section 6002 of SAFETEA-LU requires transportation agencies to establish a plan for coordinating public and agency participation and comment during the environmental review process for EIS projects. The Coordination Plan requirements [codified at 23 USC 139(g)] have been modified by subsequent transportation reauthorizations, specifically by MAP-21 (2012) and the FAST Act (2015).

The initial agency coordination, and the agency and public scoping process for this Project occurred during the preparation of the Environmental Impact Statement (EIS) that progressed from 2003 through 2007. Agencies and the public provided input during this period to help determine the project purpose and need, evaluate conceptual alternatives, and identify issues to be examined as part of NEPA's EIS documentation process.

The intent of this Coordination Plan is to establish the process for the SEIS that is limited to the re-evaluation of a reasonable range of alternatives for the treatment of the GSB and re-assessment of commitments under Section 106 and Section 4(f).

This Coordination Plan is organized in the following manner:

- Project Objective
- Project Information
- Agency Roles
- Public Communication
- Project Schedule

The Coordination Plan will be updated periodically to reflect changes to the project schedule and other items that may need to be revised during the course of the development of the SEIS.

2.0 PROJECT INFORMATION

The NHDOT, in cooperation with FHWA, issued the FEIS for the Newington-Dover 11238 Project in December 2007. As part of the FEIS, the GSB was to be rehabilitated as an element of the Selected Alternative. The bridge is a landmark structure due to its engineering significance and is eligible for listing in the National Register of Historic Places. The bridge provides an important bicycle/pedestrian connection across Little Bay, as well as other recreational activities, and is deemed an historic resource with protection under Federal (USDOT) law.

2.1 Project Objective

The purpose of the Newington-Dover Project is to improve transportation efficiency and reduce safety problems, while minimizing social, economic, and environmental impacts, for an approximate 3.5-mile section of the Spaulding Turnpike extending north from the Gosling Road/Pease Boulevard Interchange (Exit 1) in the Town of Newington, across the Little Bay Bridges, to a point just south of the existing Toll Plaza in the City of Dover.

The need for the Newington-Dover Project is based on the high levels of congestion on the Little Bay Bridges and along the Turnpike near and within interchange areas. Traffic conditions, coupled with numerous geometric deficiencies, contribute to driver discomfort and crashes. In addition, the Turnpike configuration does not allow for sufficient local connectivity for motorists, pedestrians, and bicyclists.

2.2 Project Background

This section of the Turnpike evolved from a two-lane facility when the GSB was constructed in 1935 to a median divided four-lane highway with five interchanges in a very compact and constrained area. The first Little Bay Bridge was constructed in 1966 to carry the northbound traffic while the southbound traffic remained on the GSB. The second bridge carrying northbound traffic was constructed in 1984 whereas the GSB was closed to routine motor vehicles. In 1999, the nearby Scammell Bridge over the Bellamy River was replaced. That project included improvements to the ramp system from US 4, Boston Harbor Road and Dover Point Road to the Spaulding Turnpike southbound.

Recognizing a need to study potential improvements to address safety concerns and increased congestion, State Senate Bill 152-FN-A (1990) authorized the NHDOT to conduct a study of the approximately 3.5-mile section of the Spaulding Turnpike extending north from Exit 1 (Gosling Road) in Newington and traversing the Little Bay Bridges to (but not including) the Dover Toll Plaza just north of Exit 6 in Dover. The study was initiated in 1990, but suspended in 1992 to allow completion of the Pease Surface Transportation Master Plan. In 1997, the Newington-Dover Feasibility Study was initiated to conceptually develop both a short-range plan to address existing safety deficiencies, and a range of long-term improvement alternatives to be carried forward for detailed engineering and environmental studies. The feasibility study was completed in 2000.

In 1998, the Route 16 Corridor Protection Study articulated a vision for the corridor (Portsmouth to Errol) to guide future growth and identified a number of planning principles and techniques to address the following major areas of concern: transportation, community design, travel and tourism, and land use and access management. The vision for the corridor and study findings and recommendations resulted from a cooperative effort of working groups of people, who reside and work in the corridor with support from State and regional planners. As part of the study, which underscores the linkage among transportation, economy and land use, 1997 and future (2017) year travel conditions along the corridor – including the Spaulding Turnpike – were evaluated taking into account future changes in land use and transportation improvement projects that were programmed for project development.

The Corridor Protection Study's traffic analysis indicated that while the section of Turnpike north of the Dover Toll Plaza would operate at a satisfactory level of service under future (2017) conditions, the 3.5-mile study area section of Turnpike between the Dover Toll Plaza and Exit 1 (Gosling Road) in Newington is capacity-constrained under both 1997 and 2017 future traffic conditions.

Within the framework of an EIS, the study identified, evaluated, and recommended a long-term transportation and safety solution for this area that was supported by community stakeholders to address the Project's purpose and need.

2.3 Project Description

This Newington-Dover Project involves the reconstruction and widening of an approximate 3.5-mile section of the Spaulding Turnpike beginning at the north end of the Gosling Road Interchange (Exit 1) in the Town of Newington and continuing to approximately the Dover Toll Plaza, just north of Exit 6, in the City of Dover. The Project also involves the rehabilitation and widening of the Little Bay Bridges, proposed rehabilitation of the GSB, and the reconstruction and consolidation of the interchanges within the project area (see **Figure 1**). Of the five contact breakouts shown in Figure 1, 11238L and 11238M are completed; 11238O and 11238Q are currently under construction; and 11238S (GSB) remains under design and is the focus of this limited scope SEIS action.

The GSB is the longest existing pre-1940 bridge in New Hampshire. Its continuous truss form advanced the design and construction method of its day and it is credited with an influence on future highway bridges using similar structural principles and configurations. In 1988, the bridge was determined eligible for listing in the National Register of Historic Places. The bridge is significant under Criteria A and C at a state level. Under Criterion A, the structure is significant based on function and its role in connectivity of critical transportation networks in New Hampshire. Under Criterion C, the bridge is an early example of a continuous truss highway bridge with a unique three-span deck/thru-arch/deck continuous truss design developed by Fay, Spofford and Thorndike, one of the few nationally recognized bridge engineering firms of that time. The challenges that were overcome in the construction of the bridge itself are also significant since the bridge is subjected to some of the strongest tidal currents along the eastern seaboard of this country.

2.4 GSB Re-Assessment within the SEIS and SROD

As part of the FEIS for the Newington-Dover Project, the Department's objective was to maintain pedestrian and bicycle access across the Little Bay and to accomplish this action through the rehabilitation of the GSB. 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. During this 10-year design period, the Department has continued with multiple in-depth inspections of the GSB and more recently, a comprehensive evaluation of the proposed rehabilitation.

The 82-year old bridge has been able to serve pedestrians, bicyclists, and other recreational uses for many years beyond its original design life since the Department constructed the newer Little Bay Bridges to divert vehicular turnpike traffic which allowed elimination of road salt applications from the GSB. However, the severe marine environment is rapidly deteriorating the truss, deck, and floor system resulting in a diminished load carrying capacity and restrictions to recreational access along the outer portions of the deck. The "light-weight" truss design that was heralded in its day for cost savings is comprised of thin steel plates and shapes connected with widely spaced rivets that cannot seal out moisture. These crevices and steel plies are filled with pack rust between fasteners that warp the steel and pry the rivets. As a result, these numerous truss members cannot be effectively rehabilitated without completely dismantling, cleaning, straightening, and reinforcing them with high strength bolts. These incurable defects limit the reliable service life that can be expected with a truss rehabilitation given the age and condition of all the steel.

Under the current ROD, the existing bridge deck, floor beams and deck stringers would be completely replaced. However, the current condition of the truss remains an engineering and construction challenge to meet the commitments under the Section 4(f) Evaluation, and the ROD. Over the length of the GSB, many of the bridge's truss members will require extensive repairs (e.g., gusset plates, truss elements, bottom chords) to accommodate AASHTO pedestrian design loading and vehicular loads for emergency and routine maintenance equipment access. With extensive rehabilitation measures, the service life of the investment may only be about 40 years before more aggressive measures will be necessary (i.e., replacement).

As part of the ROD, there is acknowledgement that the fate of the GSB was one of the key issues throughout the EIS process and, although NHDHR, SRPC and the City of Dover have advocated for the preservation of the GSB as part of the Selected Alternative, the Department has determined that it is reasonable to consider and evaluate other alternatives based upon the current understanding of the bridge condition.

Pursuant to CEQ and FHWA regulations, the limited scope SEIS is subject to the same distribution and public review requirements as the previously published FEIS, except that scoping is not required (23 CFR 771.130(d)). This process includes an NOI, draft SEIS, final SEIS and the SROD.

2.5 Permits

In addition to completing the re-evaluation under the NEPA process, the lead agencies anticipate review of the following permitting programs and previously-issued permits to determine if new permits or amendments are necessary:

- An Individual Permit under Section 404 (of the Clean Water Act) from USACE— This project has been developed following the USACE’s Highway Methodology, which integrates the permit process required under Section 404 of the Clean Water Act with the requirements of NEPA.
- A Section 401 (of the Clean Water Act) Water Quality Certificate from the New Hampshire Department of Environmental Services (NHDES) prior to issuance of the Section 404 permit.
- A Major Dredge and Fill Permit from the NHDES Wetlands Bureau for unavoidable impacts to jurisdictional wetlands and stream banks resources.
- A Shoreland Water Quality Protection Act Permit from the NHDES Shoreland Program for unavoidable impacts to buffer zones along surface water resources.
- An NOI to the USEPA for a General Permit for Construction Activity prior to commencement of construction (pursuant to the requirements of the National Pollutant Discharge Elimination System)—A Storm Water Pollution Prevention Plan consistent with the NHDOT Standard Specifications and best management practices for soil erosion and sediment control would be developed and submitted with the NOI application if necessary.
- Adherence to the NHDES Alteration of Terrain regulations (Env-Wq 1500) in accordance with NH RSA 485-A:17 and the Memorandum of Agreement between the NHDOT and NHDES related to Alteration of Terrain.
- Compliance with the USEPA 2017 NH General Permit for Stormwater Discharge from Small Municipal Separate Storm Sewer Systems (MS4 General Permit).
- A Bridge Permit from the US Coast Guard, Office of Bridge Programs, relative to construction of a new bridge or causeway or to reconstruct or modify an existing bridge or causeway across the navigable waters of the United States.

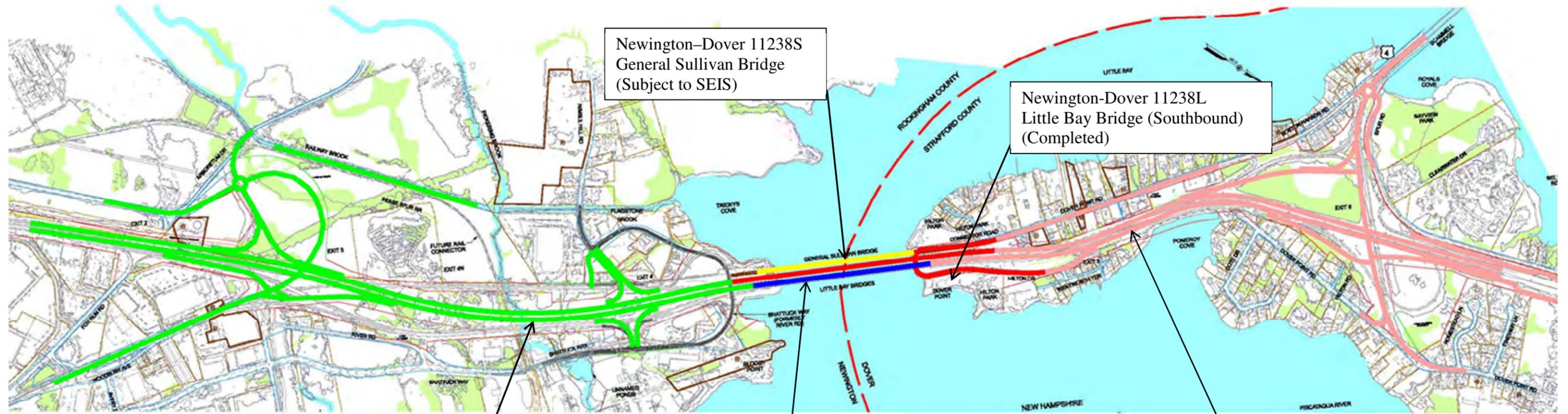


Figure 1. Selected Alternative, with Current Status

Newington-Dover 11238M
Newington Turnpike Expansion
(Completed)

Newington-Dover 11238O
Rehab of Existing Little Bay
Bridge
(Under Construction)

Newington-Dover 11238Q
Dover Turnpike
Expansion
(Under Construction)

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3.0 AGENCY ROLES

3.1 Project Initiation Letter

On August 17, 2017, NHDOT requested through formal written notice for FHWA to reopen the FEIS for a specific review of alternatives for the General Sullivan Bridge. On September 5, 2017, FHWA responded in support of the NHDOT request to re-evaluate a reasonable range of transportation alternatives associated with the GSB and maintaining access for pedestrians and bicyclists across Little Bay. (See Appendix A)

NHDOT will coordinate with FHWA on their issuance in the Federal Register for the Notice of Intent (NOI) of the preparation of the SEIS.

3.2 Memorandum of Agreement (Section 106)

The Section 106 MOA between NHDOT, FHWA (NH Division Office) and the NHDHR for the Project was submitted to the ACHP pursuant to 36 CFR Part 800.6(a) in April 2008. As a condition of the MOA, the parties recognized that the adverse effects to GSB would be minimized with the rehabilitation of the bridge (Stipulation III). This action further required the removal of the roadway and north embankment approach to the bridge, and reconfiguration of the north abutment and wing wall to accommodate the widening of Wentworth Terrace under the Little Bay Bridges. All parties agreed that the GSB would be reused use by pedestrians and bicycles, and for continued fishing recreational use. The NHDHR also agreed to the removal and replacement of the floor system and any necessary replacement of rivets with bolts. The Terms and Conditions of the MOA contain clauses for dispute resolutions, termination of agreement and amendment.

Under the Amendment section of the MOA, any party may propose to the FHWA to amend the MOA, whereupon, FHWA will consult with the other signatory parties to consider the amendment, with 36 CFR 800.6 (c)(1) governing the execution of any changes to the MOA.

3.3 Coordination

NHDOT prepared this Coordination Plan to be distributed to the federal, state and local agencies. In addition, the Coordination Plan will be made available for public consumption on the SEIS section of the project's webpage on <http://www.newington-dover.com/index.html>. The Coordination Plan is intended to define the public coordination aspects, as required under the limited scope SEIS, the Revised Section 4(f) Evaluation, Section 106 of the National Historic Preservation Act, and CEQ regulations, by seeking input from federal, state, and local agencies and the concerned public.

3.4 Revised Evaluation Cooperating and Participating Agency Invitations

Cooperating and participating agencies are responsible for identifying, as early as practicable, any issues of concern regarding a project's potential environmental adjustments that could substantially delay or prevent an agency from granting a permit or other approval. According to CEQ regulations (40 CFR § 1508.5), a "cooperating agency" is any federal agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental

impact involved in a proposed project or project alternative. A state or local agency of similar qualifications or, when the effects are on lands of tribal interest, a federally recognized Native American tribe may, by agreement with the lead agency, also become a cooperating agency. CEQ also states (40 CFR § 1501.6) that an agency may request the lead agency to designate it as a cooperating agency.

“Participating agencies” are those federal, state, or local agencies or federally-recognized Tribal government organizations with an interest in the project action. While cooperating agencies are, by definition, participating agencies, not all participating agencies are cooperating agencies. As lead agency, FHWA will consider the distinctions in roles and responsibilities in deciding whether to invite an agency to serve as a cooperating/participating agency or as a participating agency.

Cooperating and participating federal, state and local agencies are also considered as consulting parties under Section 106 of the NHPA. The NHPA further expands the opportunity for other local governments, historic societies, historic commissions and property owners in the project area to participate as consulting parties. Cooperating, participating and approved consulting parties will have the opportunity to provide input at regularly scheduled monthly Cultural Resources Agency Coordination Meetings held at NHDOT. FHWA will consider requests for consulting parties and decide who meets the criteria to become a consulting party as specified under the NHPA Section 106 Consultation. For information on how to become a Section 106 consulting party, interested parties will be informed to contact Jamie Sikora, Environmental Program Manager at FHWA, NH Division Office, 53 Pleasant Street, Suite 2200, Concord, NH 03301 or email at Jamie [.Sikora@dot.gov](mailto:J.Sikora@dot.gov).

Table 3.1 summarizes the agencies that had been involved in the prior FEIS action and are anticipated to continue a role as cooperating agencies, participating agencies and consulting parties to share views, receive and review pertinent project information, offer ideas and consider possible solutions.

Table 3.1 Cooperating and Participating Agencies

Agency	Agency Type	Role	Point of Contact
U.S. Army Corps of Engineers	Federal	Cooperating	Michael Hicks
U.S. Environmental Protection Agency	Federal	Cooperating	Timothy Timmermann
National Marine Fisheries Service	Federal	Cooperating	Mike Johnson
US Coast Guard	Federal	Cooperating	C.J Bisignano
Office of Environmental Policy and Compliance, US Department of Interior	Federal	Cooperating	Andrew L. Raddant
Federal Aviation Administration	Federal	Cooperating	Richard Doucette
New Hampshire Fish and Game Department, Region 3	State	Cooperating	Cheri Patterson

Piscataqua Region Estuaries Project, University of NH	State	Participating	Rachel Rouillard
Advisory Council on Historic Preservation	Federal	Cooperating	MaryAnn Naber
New Hampshire Division of Historical Resources	State	Cooperating	Laura Black
U.S. Department of Agriculture, Natural Resources Conservation Service	Federal	Participating	Peter Whitcomb
New Hampshire Office of Energy and Planning	State	Participating	Myles Matteson
New Hampshire Department of Environmental Services	State	Participating	Tim Drew
New Hampshire Preservation Alliance	Non-Public Agency	Consulting party	Jennifer Goodman
Historic Bridge Foundation	Non-Public Agency	Consulting party	Kitty Henderson
Strafford Regional Planning Commission (SRPC)	Local	Consulting party	Cynthia Copeland
Rockingham Regional Planning Commission	Local	Consulting party	Tim Roache
City of Dover	Local	Consulting party	Michael Joyal, City Manager
Town of Newington	Local	Consulting party	Martha Roy, Town Administrator

3.5 Agency Roles and Responsibilities

3.5.1 Lead Agencies

FHWA will serve as the federal lead agency and NHDOT as the state lead agency for the SEIS.

The lead agencies have the primary responsibility for preparing the supplement to the original EIS in compliance with NEPA and other applicable laws; expediting the resolution of the environmental review process; and considering and responding to comments received from participating agencies on matters within the special expertise or jurisdiction of those agencies (23 USC 139 (c) (6)).

3.5.2 Cooperating Agencies

The roles and responsibilities of cooperating agencies include, but are not limited to, identifying and providing early input on issues of concern regarding potential environmental consequences for the evaluation of alternatives for the GSB and providing meaningful and timely input on unresolved issues. In addition, cooperating agencies will review and provide comment on the analysis of impacts of the reasonable alternatives, and the preferred alternative. Because cooperating agencies have jurisdiction by law or have special expertise, they have a higher degree of authority, responsibility, and involvement in the preparation and review of the environmental documentation than participating agencies. The cooperating agencies will be consulted throughout the environmental review process to update them and discuss areas of concern.

3.5.3 Participating Agencies

The roles and responsibilities of participating agencies include, but are not limited to, identifying and providing early input on issues of concern regarding potential environmental impacts and providing meaningful and timely input on unresolved issues. In addition, participating agencies will review and provide comment on the analysis of impacts for the reasonable alternatives, the preferred alternative, and the SEIS. Accepting a role as a participating agency does not imply that an agency supports the proposed Project, or has jurisdiction or special expertise with respect to the evaluation of the proposed changes for the Project.

If new information indicates that an agency not previously requested to be a participating agency does indeed have authority, jurisdiction, acknowledged expertise, or information relevant to the Project, then NHDOT, in consultation with FHWA, will promptly extend an invitation to that agency to be a participating agency.

3.5.4 Consulting Parties

The roles and responsibilities of a consulting party is to actively participate for the review of Section 106 National Historic Preservation Act (NHPA) through commenting on the proposed actions that affect historic resources. Individuals and organizations with a demonstrated interest in the project may participate in Section 106 review as a consulting party. Consulting parties are entitled to share points of views, ideas and consideration of possible solutions through participation at monthly Cultural Resource Agency coordination Meetings held at NHDOT and/or participation at public meetings. Consulting parties will review and provide comment on the analysis of impacts for the reasonable alternatives, the preferred alternative, and the SEIS. Accepting a role as a consulting party does not imply that the party supports the proposed Project, or has jurisdiction or special expertise with respect to the evaluation of the proposed changes for the Project.

3.6 Agency Coordination and Communication

3.6.1 Interagency Coordination / Agency Meetings

The project team has provided updates to NHDHR, local officials, and the general public on the status of the GSB or the development of alternatives regarding the EIS commitments for the GSB, on the following dates:

- Cultural Resources Agency Coordination Meetings
 - December 10, 2015
 - August 11, 2016
- Public Informational Meetings
 - May 16, 2013
 - August 6, 2014
 - August 25, 2015
 - October 25, 2016

Meeting notes from cultural resources agency coordination meetings and natural resources agency coordination meetings are published on NHDOT's website.¹ NHDOT's project team will provide periodic updates to NHDHR and the natural resource agencies at NHDOT's regularly scheduled agency coordination meetings as major milestones are reached.

A kickoff meeting for the participating agencies is expected to be held in November 2017, at which time consensus will be requested on approving the Coordination Plan. Four additional participating agency meetings are anticipated to discuss comments on draft deliverables and the overall approach to the SEIS. The following general sequencing for participating agency meetings and Public Informational Meetings are proposed (exact dates and topics to be determined):

Participating Agency Meeting #1	Consensus on Coordination Plan
First Public Informational Meeting	SEIS Objectives, draft Purpose and Need Statement, and Invitation of Consulting Parties
Participating Agency Meeting # 2	Review of the Range of Alternatives Presentation
Second Public Informational Meeting	Review of the Range of Alternatives Presentation
Participating Agency Meeting # 3	Review of the Alternatives Analysis and Identification of Preferred Alternative
Participating Agency Meeting # 4	Review of the SDEIS/Section 4(f) Evaluation, Section 106 Effects and Mitigation, Coastal Zone Consistency, and Wetlands Environmental Permits Requirements

¹ Dates for all meetings are published on NHDOT's website (cultural resources meetings: <https://www.nh.gov/dot/org/projectdevelopment/environment/units/program-management/crmeetings.htm>; natural resources meetings: <https://www.nh.gov/dot/org/projectdevelopment/environment/units/project-management/nracmeetings.htm>).

Third Public Informational Meeting

Presentation of Preferred Alternative and Draft SEIS/Section 4(f) Evaluation

Participating Agency Meeting # 5

Finalize MOA and SEIS/4(f) Evaluation

In addition to the four participating agency meetings listed above, participating technical meetings will be held to discuss and address key issues in greater depth and to allow early agency input prior to the completion of the SEIS and the revised Section 4(f) Evaluation. The scheduling of the technical working group meetings will be dependent on the availability of the interested participating agencies and the lead agencies. All the participating agencies will be invited to and aware of all technical meetings, but are not required to attend meetings focused on issues outside their jurisdiction or interest. Additional technical meetings will be held if warranted (e.g., if there are substantive technical issues that will take more time to discuss than can be reasonably accomplished in a large group meeting with all the participating agencies).

NHDOT, as lead State agency, will circulate draft meeting summaries for review and comment by all participants. Comments from cooperating or participating agencies on the draft meeting summaries will be requested within one week of the distribution of the draft by the lead agencies. The final meeting minutes and technical information will be posted to the web at:

http://www.newington-dover.com/gsb_subsite/index.html

3.6.2 Agency Review Time

The lead agencies will ask participating agencies for input on the schedule, including agency review periods, and will make every effort to maintain the time periods established for review. The review times included in the schedule are the statutory maximum of 30 days (23 USC 139(g)(2)) or longer as may be required under 40 CFR 1506.10(b),(c), and (d).

It will be the responsibility of each participating agency to inform the lead agencies if its respective agency does not have adequate resources to participate in the process and to meet the required review periods. If a participating agency notifies the lead agencies that it lacks the resources to conduct timely reviews, the lead agencies will coordinate with that agency to resolve the issue by either extending the review times or providing an alternate review process. The project team will involve participating agencies early and provide regular updates to facilitate timely document reviews.

3.6.3 Administrative Record

All agency meetings and coordination will be documented in the Administrative Record, which will contain a record of what has occurred, the decisions that were made, meeting materials and minutes, and milestones achieved. Electronic and written communications will be documented. The Administrative Record will provide a documented chronological progression of events as it relates to decisions made. The Administrative Record for the SEIS will be on line at the web site as noted in Section 3.6.1.

3.6.4 2007 FEIS Agency Comments

Agency comments received on the 2007 EIS are available on line at the NHDOT's Major Project listing through the Newington-Dover 11238 Website. The website is located at:

<http://www.newington-dover.com/index.html>

3.6.5 SDEIS and Revised Section 4(f) Evaluation Document Review

Pursuant to the Council on Environmental Quality (CEQ) and FHWA regulations, NHDOT will prepare a limited scope SEIS, including reopening Section 106 coordination and preparing a revised Section 4(f) Evaluation, specific to the reassessment of the rehabilitation of the GSB commitments. The Department will present alternatives evaluated to date and open discussions with the NHDHR (SHPO) to revise the April 4, 2008 MOA as needed. Public involvement in accordance with NEPA and Section 106 regulations will occur.

Based on the comments received, NHDOT will prepare the SDEIS and revised Section 4(f) Evaluation document for submittal to FHWA. Subsequent to FHWA approval, the SDEIS and Section 4(f) Evaluation will be made available for public and agency review. A public meeting will be conducted in accordance with NEPA requirements. All agencies and the public will have 30 calendar days to review and provide formal comments on the SDEIS and revised Section 4(f) Evaluation.

Agency and public comments received on the SDEIS and Section 4(f) Evaluation will be incorporated, as applicable, in the final documents. The Final SEIS and Section 4(f) Evaluation will be made available to the public and agencies via the project website.

3.7 Other Opportunities for Agency Involvement

Those agencies that are not “Cooperating or Participating Agencies” will also have opportunities to provide input and comment. The project team will maintain and update the database of agencies, developed as part of the initial coordination efforts, throughout the SEIS and reevaluation process for the Section 4(f). Those agencies that responded to the initial coordination and those that participated in public meetings and/or provided input/comment during the preparation of the SEIS and revised Section 4(f) Evaluation will receive notification from NHDOT of the availability of documents. Comments may be received at any point during the development of the SEIS and revised Section 4(f) Evaluation.

4.0 PUBLIC INVOLVEMENT

As required by NEPA, the lead agencies will develop and document a project-specific public involvement plan for public input within this Coordination Plan. The public involvement plan describes strategies for encouraging public input and identifies opportunities for public involvement to encourage early and ongoing involvement in the project development process.

4.1 Mailing List

A project e-mail list will be created for distribution of notices for posting of new information on the Project Website. As appropriate, persons, organizations, and agencies on this list will also receive notice of other correspondence related to the SEIS. Names of persons and organizations attending public meetings or requesting additional information will be added to the project email list throughout the project planning process. E-mailings are anticipated to include notices for the public meetings and availability of project information.

4.2 Public Meetings and Public Hearings

The lead agencies will run Public Notices in local and regional newspapers to announce the public meetings. Notices will also be distributed through the project website, mailing list, and potentially, the targeted use of fliers. In addition to posting information on the project website, the lead agencies will utilize social media outlets (e.g., NHDOT Facebook Page) to disseminate information regarding the dates, times, and locations of the public meeting.

4.3 Public Comments and Responses

Participants will be encouraged to provide comments using forms that will be available at all public meetings and online at the SEIS website. The public may provide comments in writing or electronically, and comments will be accepted at any time during the environmental review process. The lead agencies will review and incorporate all comments, as appropriate.

4.4 Notice of Availability

A notice of availability of documents for public review (i.e., Draft SEIS, Final SEIS, Supplemental ROD) and comment will be published in the local and regional papers. The notice will identify where the documents will be available for public review, how the public can provide input, and who to contact with comments or for additional information. Copies of the documents and project literature will also be available for public inspection at the NHDOT offices and on the SEIS website.

4.5 Website

The website for the Supplemental EIS is located at:

http://www.newington-dover.com/gsb_subsite/index.html.

The website is updated on an ongoing basis and includes project history, public meeting information, answers to frequently asked questions, and an opportunity to submit questions and comments.

4.6 Public Meetings

As mentioned in Section 3.6.1, a number of public meetings have already been held to update the general public on the status of the GSB rehabilitation and evaluation by NHDOT and its consultants. The NHDOT project team held a public information meeting on October 26, 2016, to provide updates on the Newington-Dover project and the draft alternatives developed for the potential treatment of the GSB. About 125 people attended the meeting.

Three additional public information meetings are anticipated. The first meeting will be for the overview of the SEIS process and alternatives being considered; second meeting will review the updated alternatives based; and the third meeting will present the preferred alternative and draft SEIS and revision of the Section 4(f) Evaluation.

A minimum of 15 days' notice will be provided prior to the public meetings, and the comment period will extend for 30 days after the public meetings. Posting of public meetings will be within a newspaper circulated within the seacoast region.

4.7 Environmental Justice/Limited English Proficiency Populations

The lead agencies will use U.S. Census data to identify populations in the project area requiring special outreach to ensure they have access to information and the opportunity to make comments regardless of their race, income, or English proficiency. The lead agencies will develop and employ proven outreach strategies if findings indicate a potential minority or low-income population or persons with limited English proficiency within the project area.

4.8 Americans with Disabilities Act

As outlined in NHDOT's Americans with Disabilities Act Title II Transition Plan, any public meeting, hearing, or comment period held by NHDOT will be accessible. NHDOT provides qualified American Sign Language interpreters upon request and will provide documents in an accessible electronic format or other alternative formats, such as large print or Braille. All public notices will contain contact information for accommodation requests (NHDOT, 2016).

5.0 PROJECT SCHEDULE

Table 5.1 summarizes the project schedule and anticipated agency review times for the components of the SEIS (including associated technical reports), the Draft SEIS, and the Final SEIS and ROD. Participating agency meetings discussed in Section 3.6.1 are also shown on the schedule. This schedule will be revised/updated as the Project moves forward and new information is revealed that may result in schedule adjustments. Additional agency coordination will be conducted, if necessary, through correspondence or regularly scheduled interagency meetings.

Table 5.1. Schedule for Participating Agency Reviews and Meetings

Project Document/Report	Comment Period	Anticipated Agency Review Begins
Coordination Plan	30 days	December 14, 2017
Revised Purpose and Need	30 days	December 14, 2017
Alternative Analysis	30 days	January 11, 2018
Draft MOA	30 days	March 8, 2018
Draft SEIS/Section 4(f) Evaluation	30 days	May 12, 2018
Public Hearing	30 days	June 12, 2018
Final MOA and SEIS/Section 4(f) Evaluation	30 days	August 12, 2018
SROD	15 days	September 20, 2018

Note: The table above indicates standard comment periods. Additional time may be provided if determined necessary by the lead agencies.

6.0 REFERENCES

NHDOT (New Hampshire Department of Transportation). 2016. Americans with Disabilities Act Title II Transition Plan. Released in August 2016. Available at:
<https://www.nh.gov/dot/org/administration/ofc/documents/nhdot-ada-transition-plan-draft1.6.pdf>.

APPENDIX A: PROJECT INITIATION LETTER



Victoria F. Sheehan
Commissioner

NEWINGTON-DOVER
NHS-027-1 (37), 11238
Spaulding Turnpike / Little Bay Bridge

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Assistant Commissioner

Bureau of Highway Design
Room 200
Tel: (603) 271-2171
Fax: (603) 271-7025

August 17, 2017

Mr. Patrick Bauer
Division Administrator
Federal Highway Administration
New Hampshire Division Office
J.C. Cleveland Federal Building
53 Pleasant Street, Suite 2200
Concord, NH 03301

Attention: Jamison Sikora
Environmental Program Manager

RE: General Sullivan Bridge
Re-Evaluation of Section 4(f)

Dear Mr. Bauer:

Under the National Environmental Act (NEPA), your Division Office assisted the Department in the final approval of the 2007 Final Environmental Impact Statement/Interchange Access Requests resulting in the issuance of the October 24, 2008 Record of Decision (ROD). Within the ROD (Section L, Historic Structures, Commitment 5, Page 21) and the Section 4(f) Evaluation, the mitigation of the project's impacts to the General Sullivan Bridge (GSB) is the rehabilitation for use by pedestrians and bicyclists and its continued use for fishing. The State Historic Preservation Office has noted that this is the most historically significant bridge in the state (following the replacement of the Memorial and Sarah Mildred Long bridges in Portsmouth) and it is eligible for listing on the National Register of Historic Places. The Department has been evaluating the feasibility for the GSB rehabilitation and has come to the conclusion that rehabilitation of the structure is not a feasible or a prudent alternative, as such, the Department will re-open the Section 106 coordination and re-evaluate the Section 4(f) impacts associated with the demolition of the GSB and its replacement.

The Department's commitment to maintain pedestrian and bicycle access across the Little Bay remains unchanged and, while it was desired to accomplish this action through the rehabilitation of the GSB, the structural condition of the truss bridge is problematic. The project wide 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 the Little Bay. During this 10 year construction period, the Department has continued with multiple in-depth inspections of the GSB and more recently, a comprehensive evaluation of the rehabilitation. The 82-year old bridge has been able to serve pedestrians, bicyclists, and other recreational uses for many years beyond its original design life since the Department constructed the newer Little Bay Bridges to divert vehicular turnpike traffic and road salt applications from the GSB. However, the severe marine environment is rapidly deteriorating the truss, deck, and floor system

JOHN O. MORTON BUILDING • 7 HAZEN DRIVE • P.O. BOX 483 • CONCORD, NEW HAMPSHIRE 03302-0483
TELEPHONE: 603-271-3734 • FAX: 603-271-3914 • TDD: RELAY NH 1-800-735-2964 • INTERNET: WWW.NHDOT.COM

resulting in a diminished load carrying capacity and restrictions to recreational access along the outer portions of the deck. The "light-weight" truss design that was heralded in its day for cost savings is comprised of thin steel plates and shapes connected with widely spaced rivets that cannot seal out moisture. Today, these crevices and steel plies are filled with pack rust between fasteners that warp the steel and pry the rivets. These numerous truss members cannot be effectively rehabilitated without completely dismantling, cleaning, straightening, and reinforcing them with high strength bolts. These incurable defects limit the reliable service life that can be expected with a truss rehabilitation given the age and condition of all the steel. While it is recognized that the existing bridge deck, floor beams and deck stringers will require full replacement, the condition of the existing truss remains an engineering and construction challenge to meet the commitments under the Section 4(f) Evaluation and of the ROD. Over the length of the GSB, many of the bridge's truss members will require extensive repairs (e.g.: gusset plates, truss elements, bottom chords) to accommodate AASHTO pedestrian design loading, and vehicular loads for emergency and routine maintenance equipment access. The Department's conclusion, even with extensive rehabilitation measures, is that the service life of the investment will only be about 40 years before more aggressive measures will be necessary (i.e.: replacement).

In reviewing the capital cost for the rehabilitation as compared to other alternatives, as well as, comparing the life-cycle costs over a period of 75 years, the Department has concluded the rehabilitation alternative is not the most prudent or feasible solution for the expenditure of public funds to provide a reliable pedestrian and bicycle access way across Little Bay.

Pursuant to the Council on Environmental Quality (CEQ) and FHWA regulations, the Department will reopen Section 106 coordination and re-evaluate Section 4(f), specific to the reassessment of the rehabilitation of the GSB commitments. The Department will present alternatives evaluated to date and open discussions with NH Division of Historical Resources/NH State Historic Preservation Office to revise the Memorandum of Agreement (MOA). Public involvement in accordance with Section 106 regulations will occur. Consulting parties will be engaged and will include, but not limited to, the Strafford Regional Planning Commission (SRPC), the Town of Newington, the City of Dover, the New Hampshire Preservation Alliance and any other parties seeking consulting status. The Department intends to hold a Public Informational Meeting early this fall to present the alternatives, seek consulting parties wishing to participate and use the project's website for effective, transparent public outreach on the reevaluation process.

The Department's re-evaluation will detail reasonable alternatives under Section 106 to include, but not limited to: 1) full rehabilitation, 2) rehabilitation of the existing arched truss with superstructure replacement of the approach trusses on the existing substructure, 3) replacement of the full superstructure on the existing substructure and 4) complete substructure and superstructure replacement.

The Department looks forward to your agency's assistance in the re-evaluation of reasonable alternatives and review for a more cost-effective, long-term solution for the investment of transportation infrastructure funds to meet the Project's commitment for maintaining bicycle and pedestrian access across the Little Bay.

Sincerely,



Keith A. Cota, PE
Chief Project Manager

KAC/kac

Attachment (ROD)

cc: P. Stamnas, Director of Project Development (letter)
K. Nyhan, Administrator, Bureau of Environment
R. Landry, Administrator, Bureau of Bridge Design
D. Smith, Assistant Turnpike Administrator
J. Edelmann, Cultural Resources Manager
M. Laurin, Senior Environmental Manager

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U.S. Department
of Transportation
**Federal Highway
Administration**

New Hampshire Division

September 5, 2017

53 Pleasant Street, Suite 2200
Concord, NH 03301
(603) 228-0417

In Reply Refer To:
HDA-NH

Ms. Victoria F. Sheehan
Commissioner
New Hampshire Department of Transportation
7 Hazen Drive
Concord, NH 03302-0483

RECEIVED

SEP 07 2017

NHDOT
Highway Design

Attn: Mr. Keith Cota, Chief Project Manager

Subject: Newington-Dover 11238S - General Sullivan Bridge: Proposed Section 106 and Section 4(f) Reevaluation

Dear Commissioner Sheehan:

We have reviewed Mr. Keith Cota's August 17, 2017 letter regarding the subject project which involves the proposed rehabilitation of the General Sullivan Bridge (GSB) for continued use by pedestrians, bicyclists and for recreational fishing.

As you know, the proposed rehabilitation of the GSB was identified as part of the Newington-Dover, 11238 Spaulding Turnpike Transportation Improvements Project's Selected Alternative and, as a specific environmental mitigation commitment, in the Project's 2007 Final Environmental Impact Statement (FEIS) and subsequent 2008 Record of Decision (ROD). The rehabilitation of the GSB was included in the Selected Alternative as it supported the Project's purpose and need of enhancing local connectivity of pedestrians and bicyclists, as well as minimizing environmental impacts to the historic GSB.

As a result of the Department's ongoing evaluation of the GSB rehabilitation during final design, the Department has come to a preliminary conclusion that the GSB rehabilitation is no longer a feasible or prudent alternative to implement. As such, the Department proposes to reopen Section 106 and Section 4(f) reviews to re-evaluate a reasonable range of transportation alternatives associated with the GSB and maintaining pedestrian and bicycle access across the Little Bay.

Based upon the information provided, FHWA supports the Department's proposal to re-evaluate a reasonable range of transportation alternatives associated with the GSB and maintaining pedestrian and bicycle access across the Little Bay. However, in accordance with 23 CFR 771.130, FHWA has determined that a supplemental Environmental Impact Statement (SEIS) will be necessary to re-evaluate any changes to the rehabilitation of the GSB, as such changes have the potential to result in significant environmental impacts that were not previously evaluated in the original EIS.

A SEIS must be developed using the same process and format as an original EIS (i.e., NOI, draft SEIS, final SEIS and SROD) except that scoping is not required.

There is no required format for a SEIS, but the SEIS should provide sufficient information to briefly describe the proposed action, the reason(s) why a supplement is being prepared and the status of project. The SEIS needs to address only those changes or new information that are the basis for preparing the supplement and were not addressed in the previous EIS. Reference to and summarizing the previous EIS is preferable to repeating unchanged, but still valid, portions of the original document. New environmental requirements which became effective since the previous EIS was prepared need to be addressed in the SEIS to the extent they apply to the portion of the project being evaluated and are relevant to the subject of the supplement.

It is FHWA's opinion that based upon the above, the supplemental EIS should be of limited scope, as it will only need to address the evaluation of the location and/or design of alternatives associated with a limited portion of the overall project and related mitigation.

In such cases of a limited scope SEIS, the preparation of a SEIS shall not necessarily:

- Prevent the granting of new approvals;
- Require the withdrawal of previous approvals; or
- Require the suspension of project activities not directly affected by the SEIS.

We look forward to working with your Department during the development of the SEIS and we are available to discuss any questions the Department might have related to the process moving forward.

Should you have any questions or concerns in the meantime please free to contact me at (603) 410-4870 or Jamie.Sikora@dot.gov.

Sincerely,


Jamison S. Sikora
Environmental Programs Manager

ecc: K. Nyhan, NHDOT
M. Laurin, NHDOT
R. Landry, NHDOT
D. Smith, NHDOT
J. Edelmann, NHDOT
P. Stamnas, NHDOT

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**APPENDIX B: INVITED COOPERATING AND PARTICIPATING
AGENCIES**

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Table B-1. Invited cooperating and participating agencies

Agency	Agency Type	Role	Response
U.S. Army Corps of Engineers	Federal	Cooperating and Participating	
U.S. Environmental Protection Agency	Federal	Cooperating and Participating	
U.S. Department of the Interior, U.S. Fish and Wildlife Service	Federal	Cooperating and Participating	
New Hampshire Department of Environmental Services	State	Cooperating and Participating	
New Hampshire Fish and Game Department	State	Cooperating and Participating	
New Hampshire Division of Historical Resources	State	Cooperating and Participating	
National Oceanic and Atmospheric Administration, National Marine Fisheries Service	Federal	Cooperating and Participating	
New Hampshire Department of Natural and Cultural Resources	State	Participating	
New Hampshire Department of Business and Economic Affairs	State	Participating	
Rockingham Planning Commission	Regional	Participating	
Strafford Regional Planning Commission	Regional	Participating	
U.S. Department of Agriculture, Natural Resource Conservation Service	Federal	Participating	
New Hampshire Office of Strategic Initiatives	State	Participating	
Rockingham County Conservation District	Regional	Participating	
Town of Newington	Local	Participating	
City of Dover	Local	Participating	
Town of Durham	Local	Participating	
Wampanoag Tribe of Gay Head-Aquinnah	Tribe (MA)	Participating	
Passamaquoddy Tribe	Tribe (ME)	Participating	
Penobscot Nation	Tribe (ME)	Participating	
Mashantucket Pequot Tribal Nation	Tribe (CT)	Participating	

Agency	Agency Type	Role	Response
Mohegan Tribal Council	Tribe (CT)	Participating	
Narragansett Indian Tribe	Tribe (RI)	Participating	
Abenaki Nation of New Hampshire	Tribe	Participating	
Cowasuck Band – Pennacook/Abenaki People	Tribe	Participating	
Koasek Abenaki of the Koas	Tribe	Participating	
Koasek Traditional Abenaki Nation	Tribe	Participating	
Nulhegan Band of the Coosuk – Abenaki Nation	Tribe	Participating	
Sovereign Abenaki Nation of Missisquoi	Tribe	Participating	
Eastern Pequot Reservation	Tribe	Participating	
Golden Hill Indian Reservation	Tribe	Participating	
Paucatuck Eastern Pequot Tribe	Tribe	Participating	
Schaghticoke Tribal Nation of Kent	Tribe	Participating	