



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

November 13, 2023

Regulatory Division
File Number: NAE-2022-01934

NH Dept. of Transportation
Attn: Andrew O'Sullivan
7 Hazen Drive
P.O. Box 483
Concord, NH 03302
Sent by email: Andrew.Osullivan@dot.nh.gov

Dear Mr. O'Sullivan:

The U.S. Army Corps of Engineers (USACE) has reviewed your application to permanently impact 1,009 square feet of non-tidal palustrine scrub-shrub wetlands and to temporarily impact 17,607 square feet of tidal waters for the removal and replacement of the General Sullivan Bridge superstructure to create a new pedestrian and non-motorized access bridge over Little Bay. This project is located at the General Sullivan Bridge in Little Bay between Dover and Newington, New Hampshire. The work is shown on the enclosed plans titled "State of New Hampshire Department of Transportation, Town of Newington and City of Dover, on 10 sheets, and dated March 6, 2023."

Based on the information that you provided to the New Hampshire Wetlands Bureau, we verify that this work is authorized under General Permit # 8 of the enclosed September 29, 2022 federal permits known as the New Hampshire General Permits (GPs). The GPs are also available at: <https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits>.

Please review the enclosed GPs carefully, in particular the general conditions beginning on page 36, and ensure that you and all personnel performing work authorized by the GPs are fully aware of and comply with its terms and conditions. A copy of the GPs and this verification letter shall be available at the work site as required by General Condition 17. You must perform this work in compliance with the following special condition(s):

1. The permittee shall comply with the enclosed Memorandum of Agreement titled "Memorandum of Agreement Among New Hampshire Department of Transportation, Federal Highway Administration and the New Hampshire State Preservation Officer. Regarding the project known as the General Sullivan Bridge, Spaulding Turnpike Improvements Project [NH DOT Project Newington-Dover 112385, FHWA Project NHS-027-1(37)] which plans to replace the historic General Sullivan Bridge (GSB), which spans the navigational channel of Little Bay in the Town of Newington, New Hampshire and the City of Dover, New Hampshire, dated 11/10/2021." This is to avoid, minimize and/or mitigate for the adverse effect in the Adverse Effect Memo, dated 1/2/2020, that the authorized work will cause at this historic property.
2. Your authorization under this Corps permit is conditional upon your implementation and compliance with all of the Project Design Criteria (PDC's), including any justifications and/or special conditions contained in the enclosed Verification Form to NOAA's NMFW

Protected Resources Division (GARFO PRD), dated May 30, 2023, for all ESA-listed species.

3. You must complete and return the enclosed Work Start Notification Form to this office at least two weeks before the anticipated start date. You must complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work.

This authorization expires on September 29, 2027. You must commence or have under contract to commence the work authorized herein by September 29, 2027, and complete the work by September 29, 2028. If not, you must contact this office to determine the need for further authorization and we recommend you contact us *before* the work authorized herein expires. Please contact us immediately if you change the plans or construction methods for work within our jurisdiction as we must approve any changes before you undertake them. Performing work within our jurisdiction that is not specifically authorized by this determination or failing to comply with the special condition(s) provided above or all the terms and conditions of the GPs may subject you to the enforcement provisions of our regulations.

This authorization does not obviate the need to obtain other federal, state or local authorizations required by law, including those listed in the GPs. Applicants are responsible for applying for and obtaining any other approvals.

We continually strive to improve our customer service. To better serve you, we would appreciate your completing our Customer Service Survey located at <https://regulatory.ops.usace.army.mil/customer-service-survey>.

Please contact Michael Hicks of my staff at (978) 318-8157 or michael.c.hicks@usace.army.mil if you have any questions.

Sincerely,

Frank J. Del Giudice
Chief, NH & VT Section
Regulatory Division

Enclosures

cc:

Jamison S. Sikora, NH Division Environmental Program Manager, FHWA
Jamie.sikora@dot.gov

Jean Brochi, U.S. EPA, Region 1, Boston, MA; brochi.jean@epa.gov

Kaitlyn Shaw, NMFS, Gloucester, MA; kaitlyn.shaw@noaa.gov

Roosevelt Mesa, NMFS, Gloucester, MA; Roosevelt.mesa@noaa.gov

David Simmons, USFWS, New England Field Office, Concord, NH; david_simmons@fws.gov

Bureau of Ocean Energy Management, Mapping and Boundary Branch;
mapping.boundary.branch@boem.gov

Steve Pothier, Waterways Management Section, First Coast Guard District (dpw), Boston, MA;
steven.r.pothier@uscg.mil

Gary T. Croot, Bridge Management Specialist, USCG Gary.T.Croot@uscg.mil

Department of Defense Siting Clearinghouse, Attn: Steve Sample, 3400 Defense Pentagon,
Washington, DC, 20301; or osd.dod-siting-clearinghouse@mail.mil

Department of Commerce, NOAA; National Ocean Service, Nautical Data Branch; N/CS26,
Station 7331; 1315 East-West Highway; Silver Spring, MD 20910; or ocs.ndb@noaa.gov

Darlene Forst, NH DES; darlene.forst@des.nh.gov

Mary Ann Tilton, NHDES; maryann.tilton@des.nh.gov

Rumi Shrestha, NHDES; Rumi.Shrestha@des.nh.gov

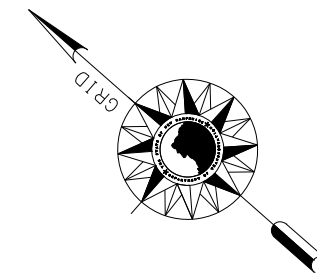
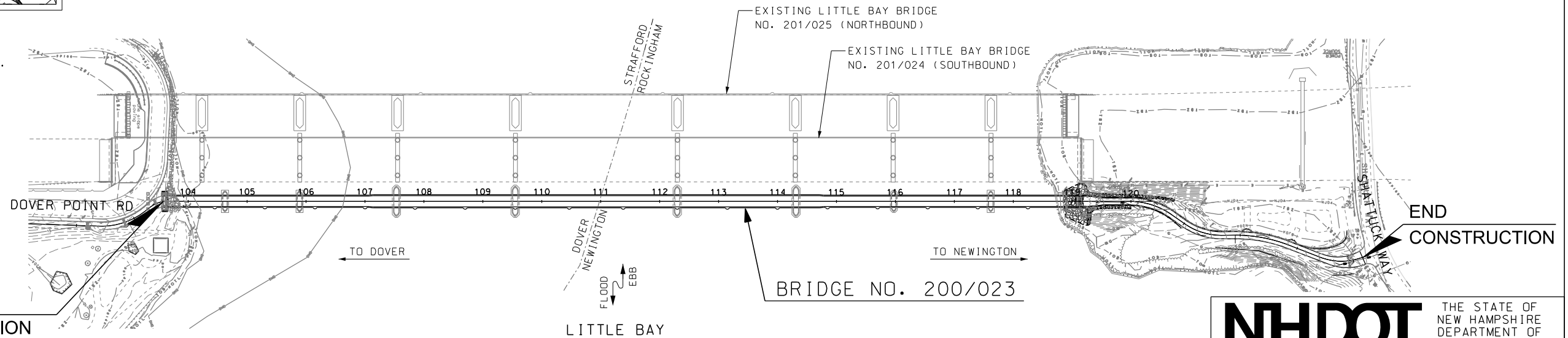
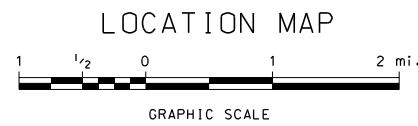
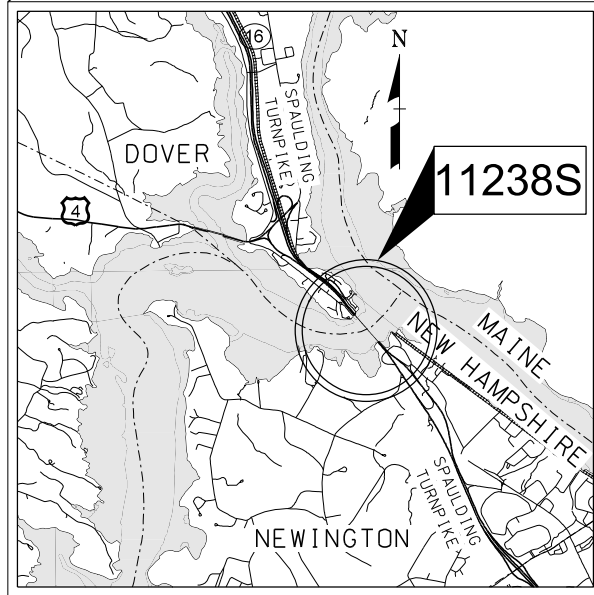
Brandy Holmes, NHDES; Brandy.L.Holmes@des.nh.gov

Jennifer E. Reczek, P.E., NHDOT; Jennifer.E.Reczek@dot.nh.gov

Marc Laurin, NHDOT; marc.g.laurin@dot.nh.gov

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
WETLAND IMPACT PLANS
NH PROJECT NO. 11238S
BRIDGE NO. 200/023
GENERAL SULLIVAN BRIDGE OVER LITTLE BAY
MULTI-USE PATH

SHEET NO.	DESCRIPTION
1	COVER SHEET
2-3	STANDARD SYMBOLS (2 SHEETS)
4	EROSION CONTROL LEGEND AND STRATEGY
5-6	EXISTING CONDITIONS PLAN (2 SHEETS)
7-8	WETLAND IMPACT PLAN (2 SHEETS)
9-10	EROSION CONTROL PLAN (2 SHEETS)



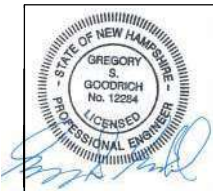
DRAWN BY: BJM
CHECKED BY: MAC
DATE: 2/2/2023



REVISED
PRELIMINARY PLANS
SUBJECT TO CHANGE
DATE 2/2/2023

PRELIMINARY PLANS
2/2/2023
ISSUED FOR PERMITTING

TOWN OF NEWINGTON & CITY OF DOVER
COUNTIES OF ROCKINGHAM & STRAFFORD
SCALE: 1" = 100'



NHDOT THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

RECOMMENDED FOR APPROVAL:

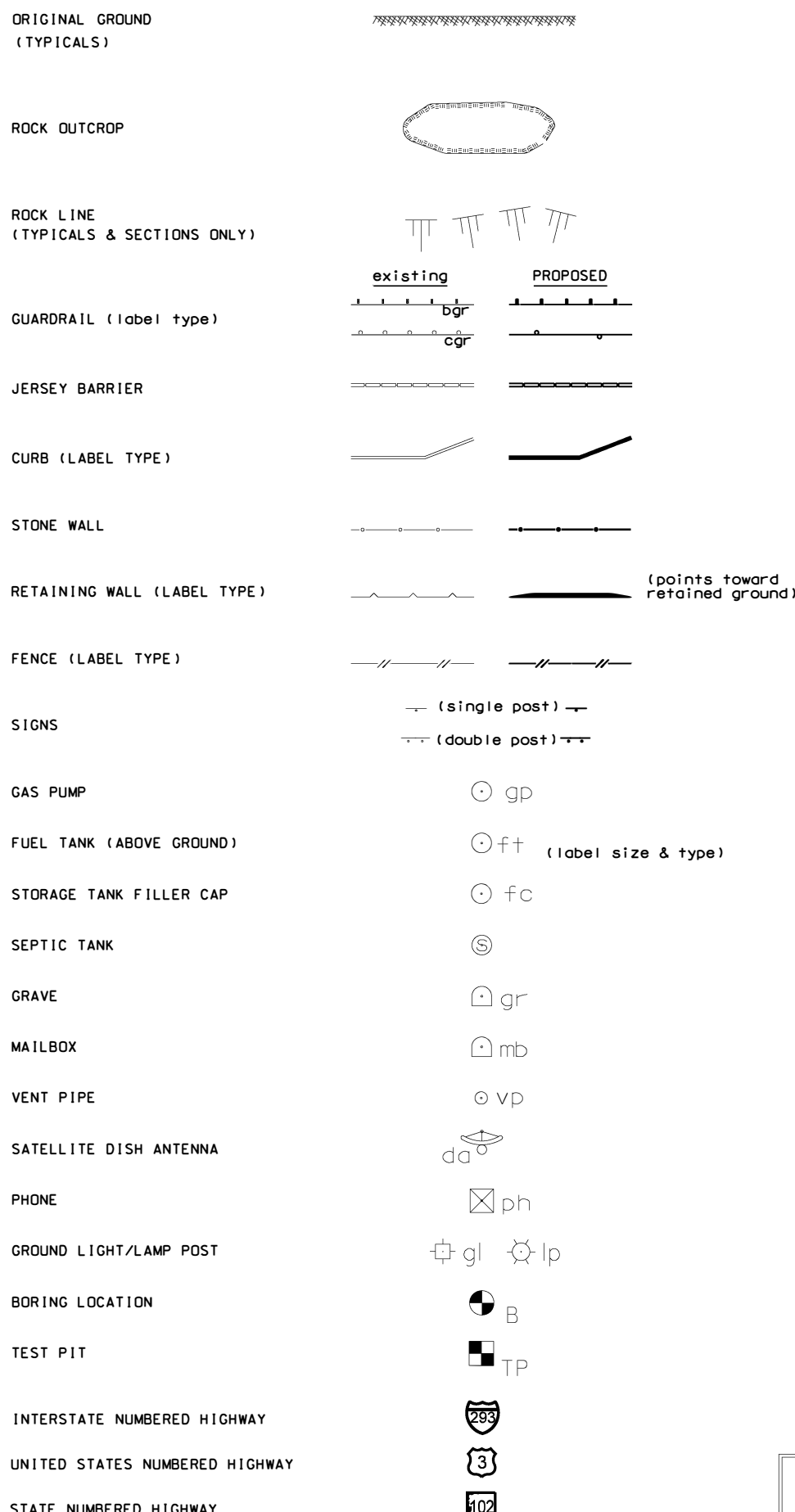
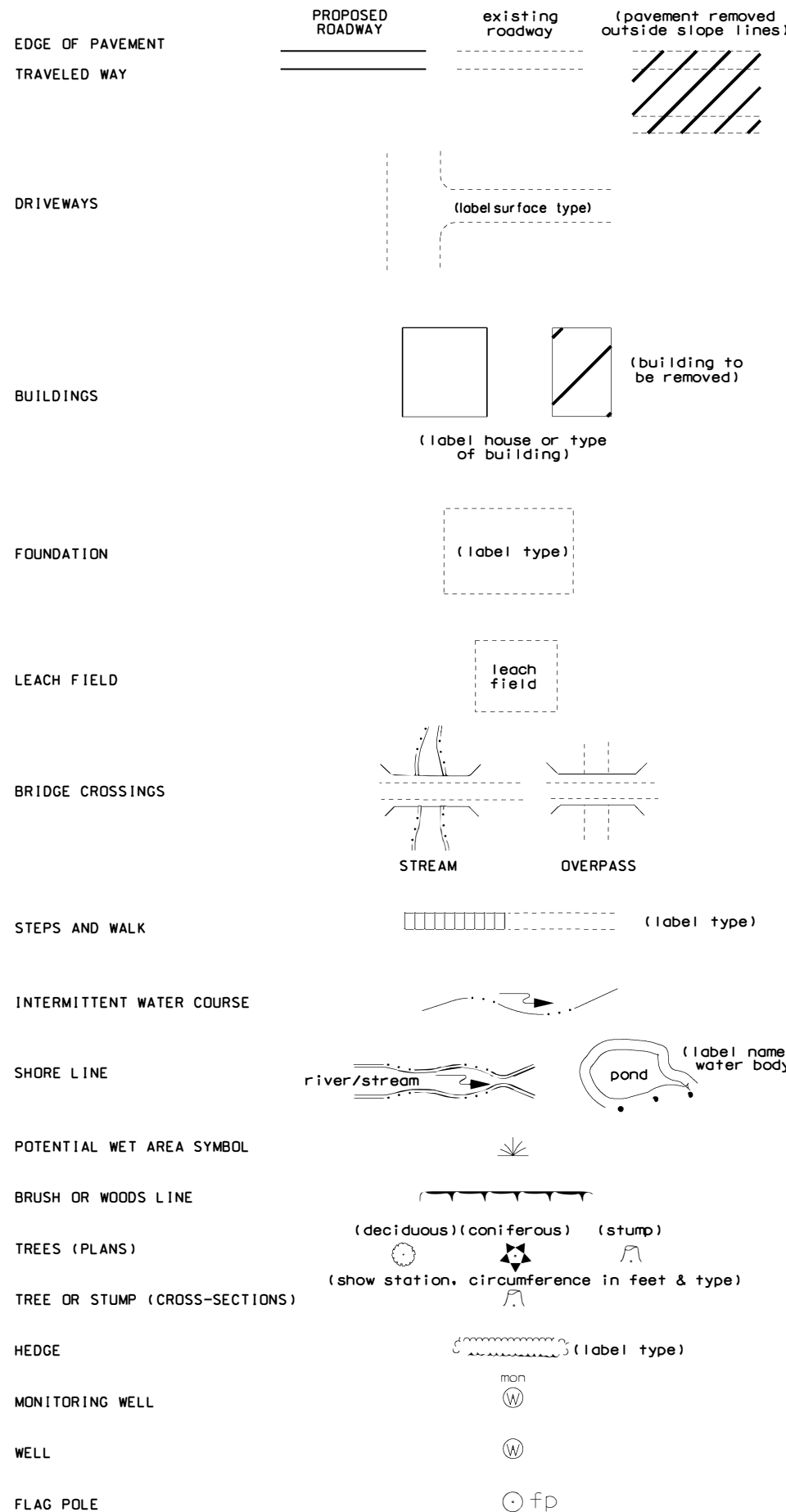
DIRECTOR OF PROJECT DEVELOPMENT DATE

APPROVED:

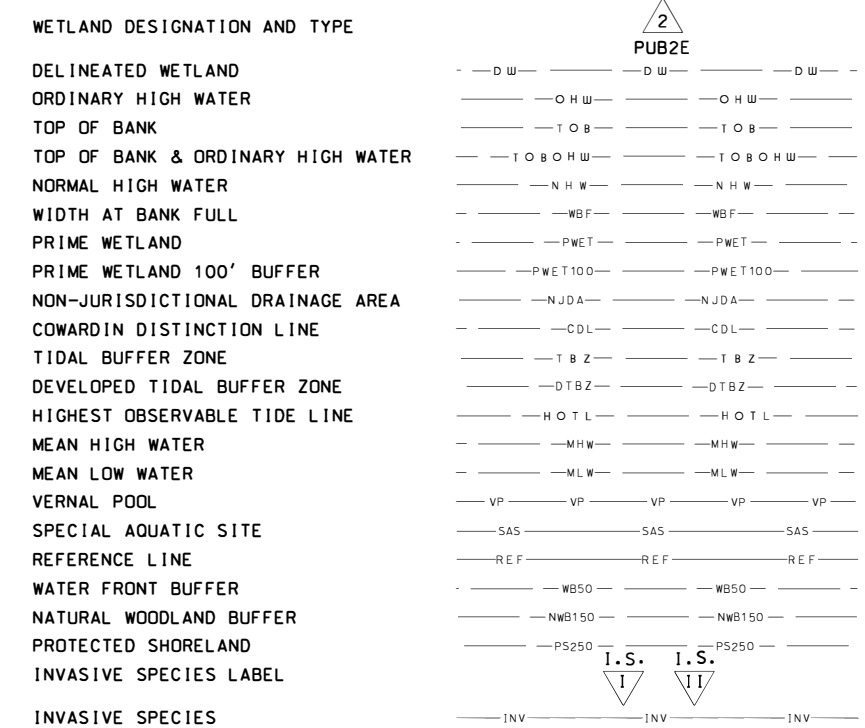
ASSISTANT COMMISSIONER AND CHIEF ENGINEER DATE

DRAWING NAME	FEDERAL PROJECT NO.	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
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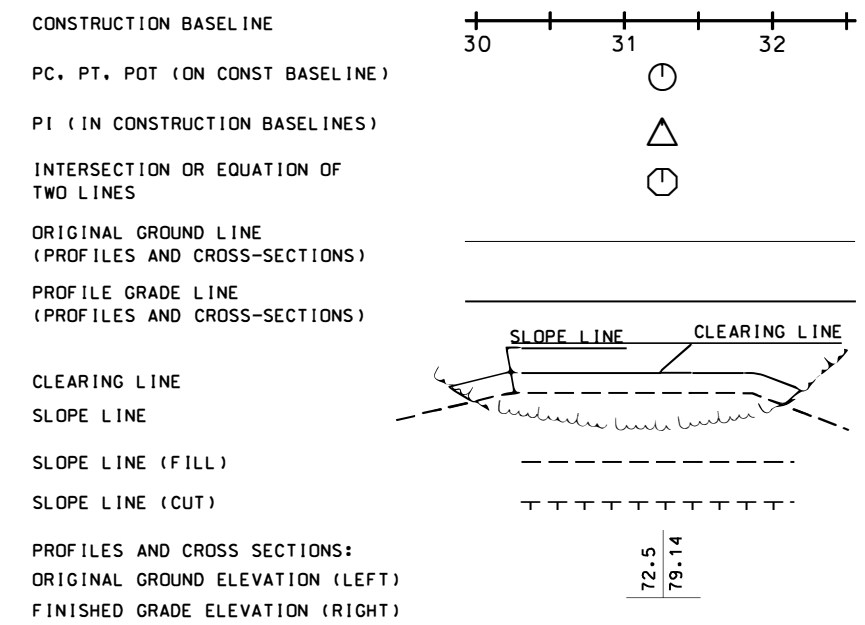
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SHORELAND - WETLAND



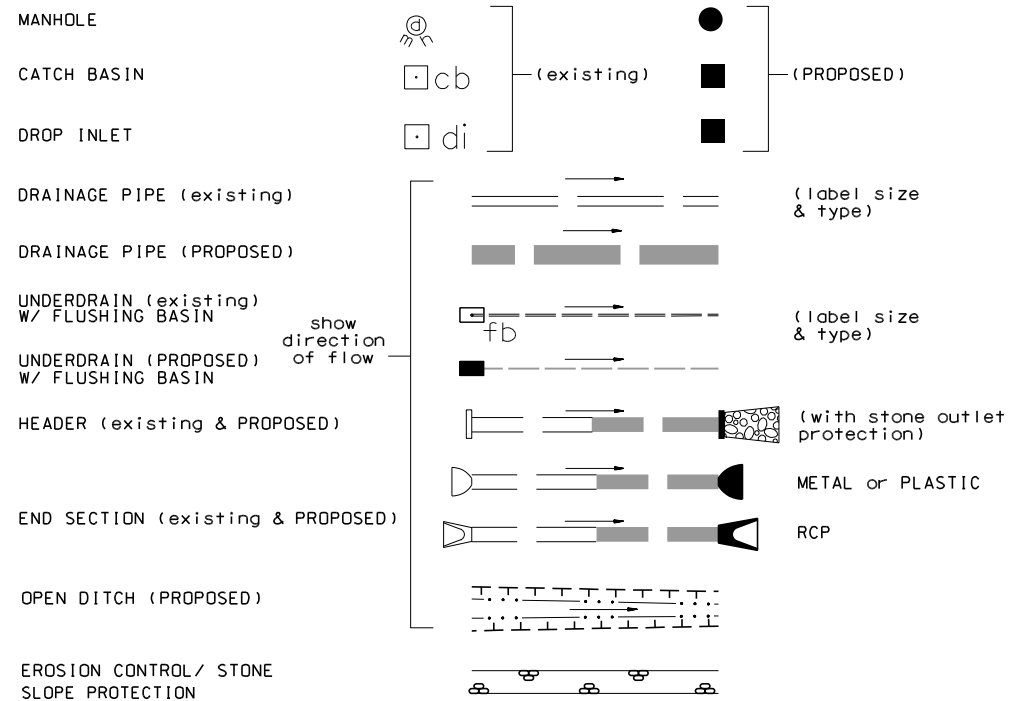
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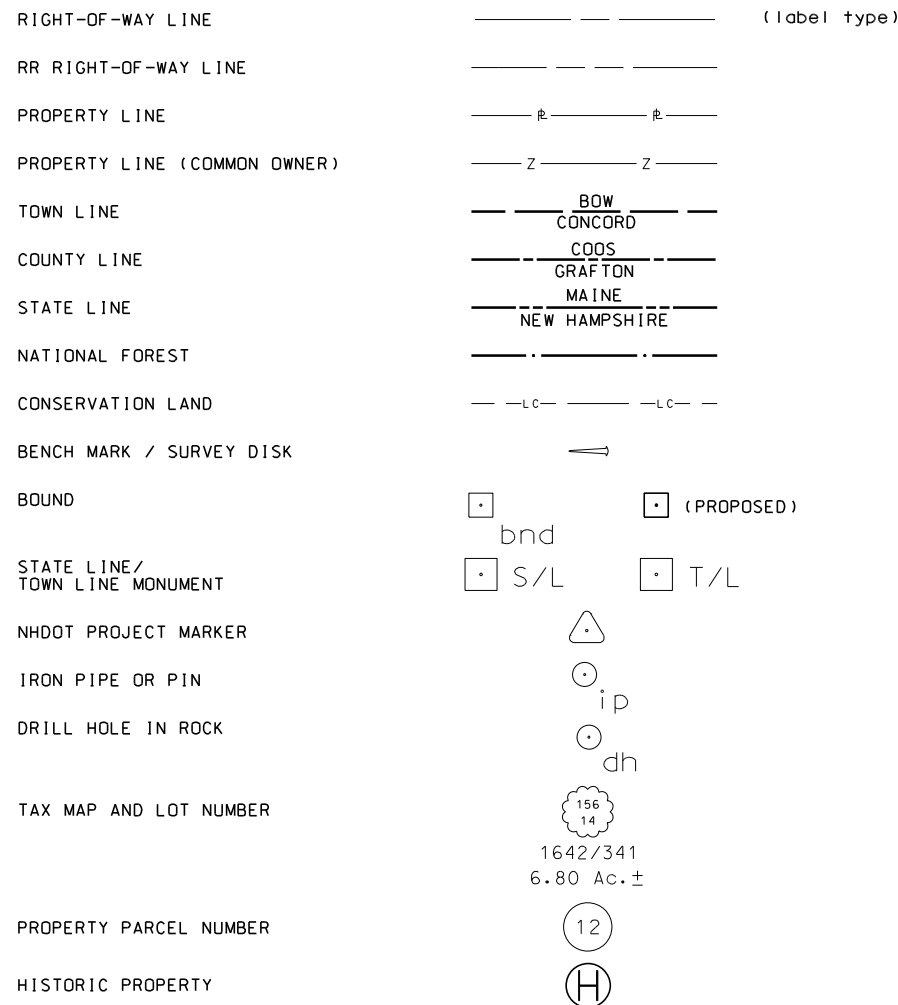
PPS&E PLANS
 SUBJECT TO CHANGE
 DATE 3/6/2023

STATE OF NEW HAMPSHIRE				
Standards				
DEPARTMENT OF TRANSPORTATION • BUREAU OF HIGHWAY DESIGN				
STANDARD SYMBOLS				
REVISION DATE	DGN	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
11-21-2014	11238S_wet+syml	11238S	2	10

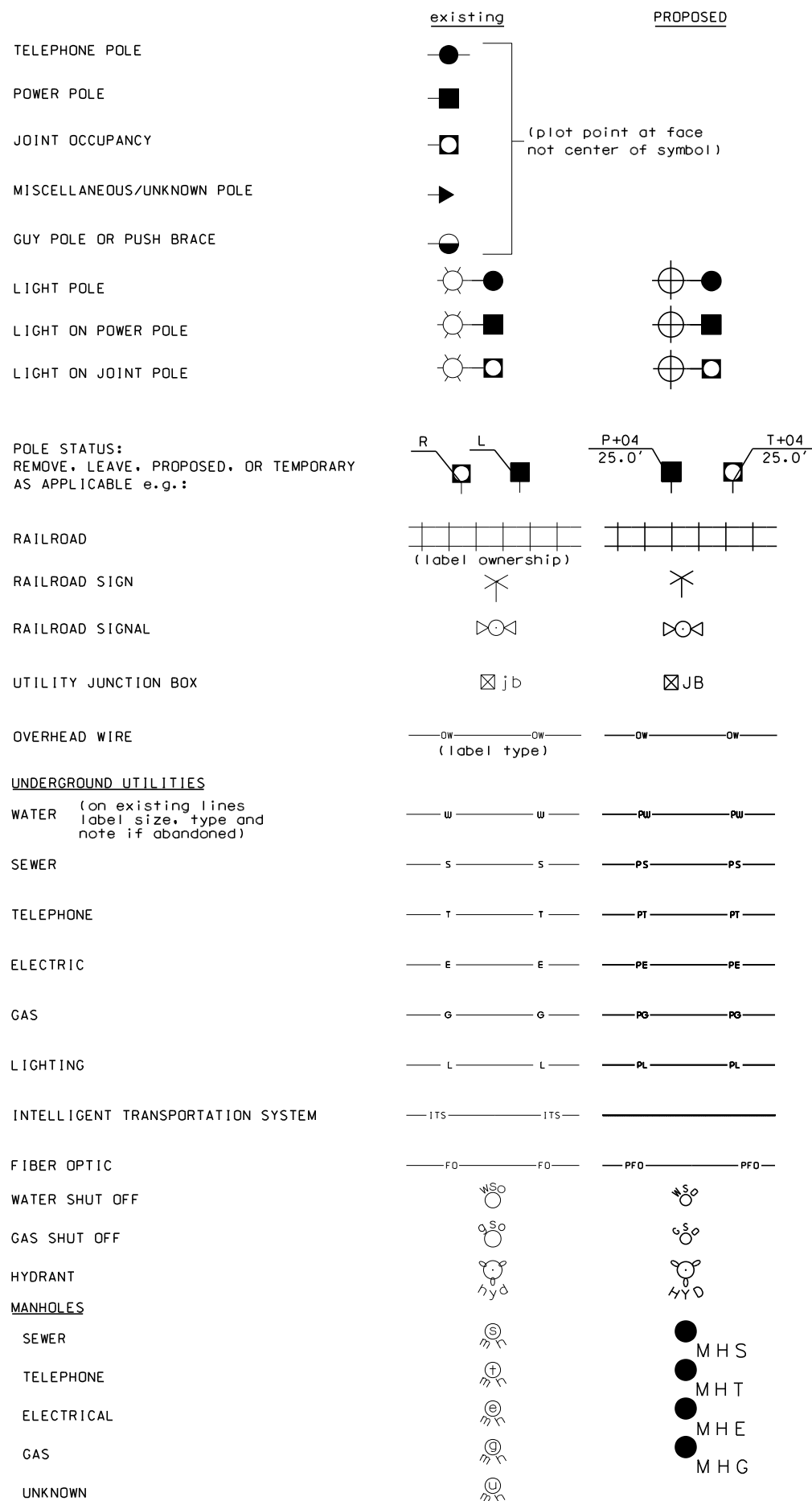
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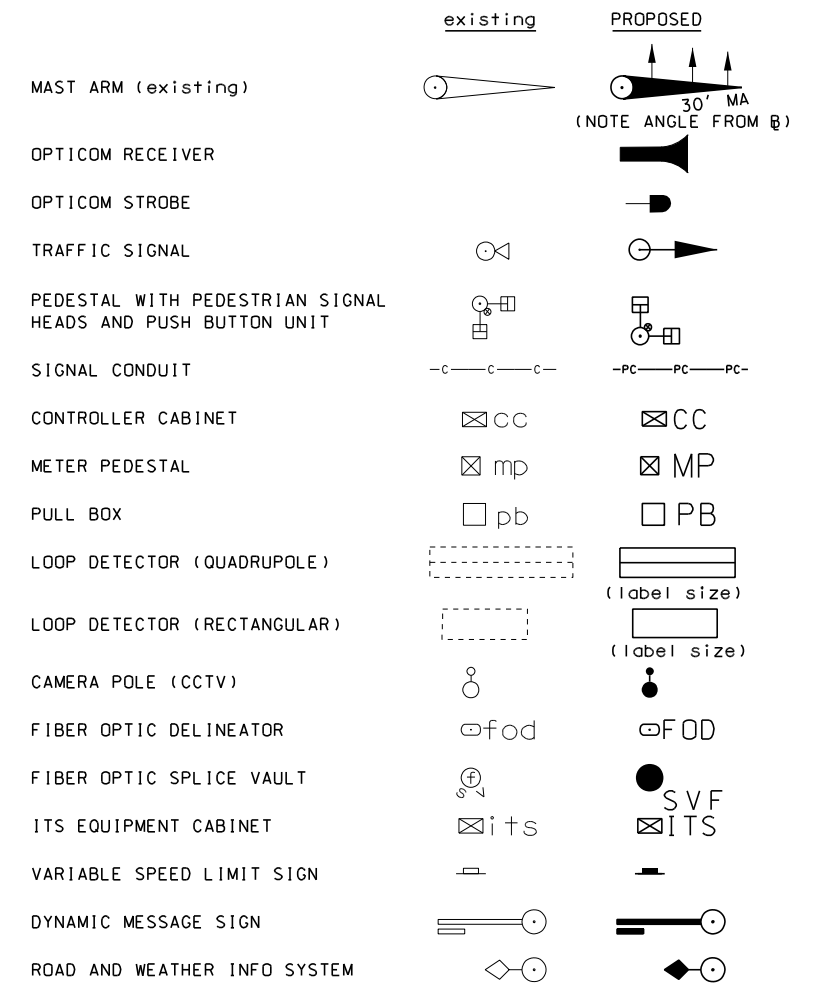
BOUNDARIES / RIGHT-OF-WAY



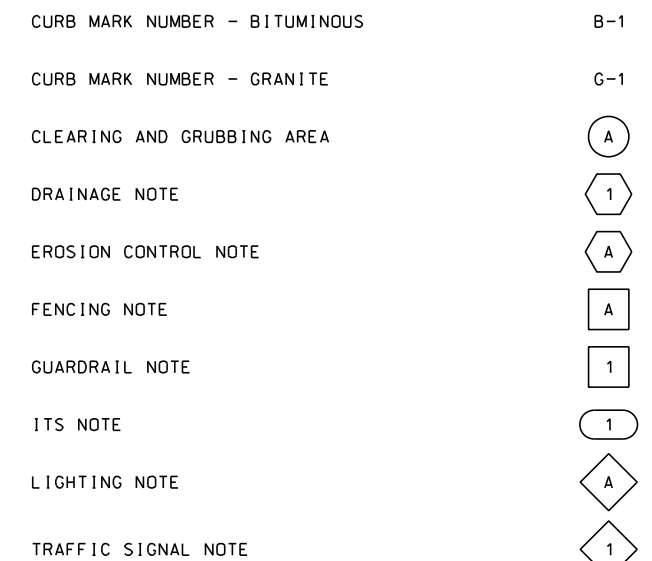
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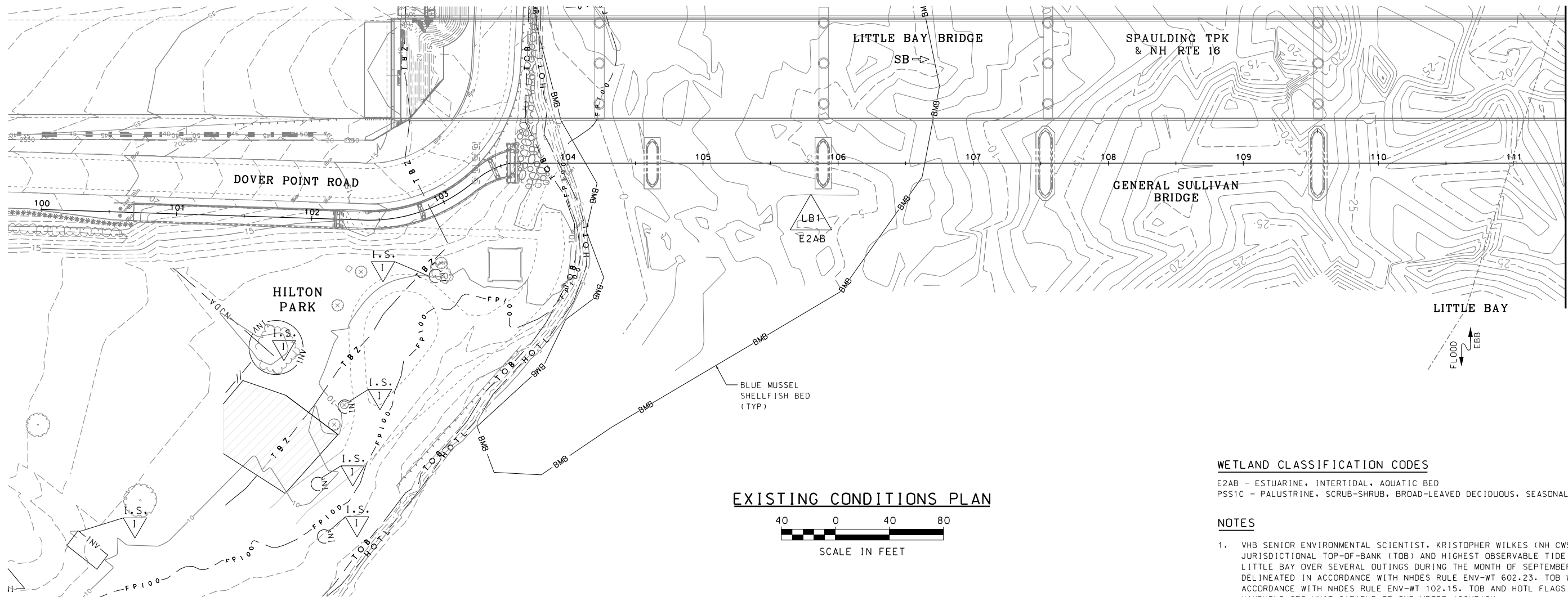
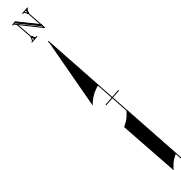


TRAFFIC SIGNALS / ITS

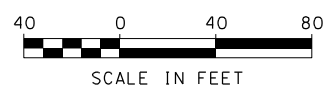


CONSTRUCTION NOTES





EXISTING CONDITIONS PLAN



WETLAND CLASSIFICATION CODES

E2AB - ESTUARINE, INTERTIDAL, AQUATIC BED
 PSS1C - PALUSTRINE, SCRUB-SHRUB, BROAD-LEAVED DECIDUOUS, SEASONALLY FLOODED

NOTES

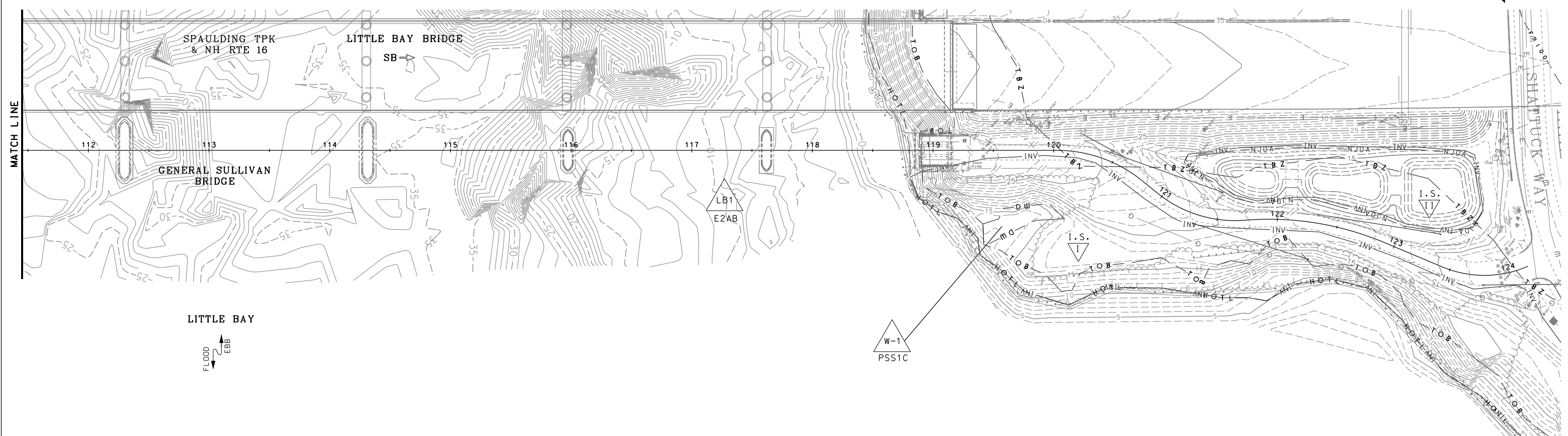
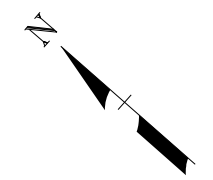
- VHB SENIOR ENVIRONMENTAL SCIENTIST, KRISTOPHER WILKES (NH CWS #288), DELINEATED THE JURISDICTIONAL TOP-OF-BANK (TOB) AND HIGHEST OBSERVABLE TIDE LINE (HOTL) ALONG LITTLE BAY OVER SEVERAL OUTINGS DURING THE MONTH OF SEPTEMBER 2022. HOTL WAS DELINEATED IN ACCORDANCE WITH NHDES RULE ENV-WT 602.23. TOB WAS DELINEATED IN ACCORDANCE WITH NHDES RULE ENV-WT 102.15. TOB AND HOTL FLAGS WERE LOCATED WITH A HANDHELD GPS UNIT CAPABLE OF SUB-METER ACCURACY.
- THE SINGLE JURISDICTIONAL WETLAND LOCATED TO THE SOUTH OF THE GENERAL SULLIVAN BRIDGE WAS PREVIOUSLY DELINEATED BY VHB IN 2019. THE BOUNDARIES OF THIS WETLAND WERE REVIEWED AND CONFIRMED BY KRISTOPHER WILKES OF VHB (NH CWS #288) IN SEPTEMBER 2022.
- WETLAND REVIEW/VERIFICATION WAS PERFORMED IN ACCORDANCE WITH THE PROCEDURES AND STANDARDS OUTLINED IN THE REGIONAL SUPPLEMENT TO THE U.S. ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0 (JANUARY 2012).
- WETLAND REVIEW/VERIFICATION ALSO RELIED UPON THE FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN THE UNITED STATES, VERSION 8.2, PUBLISHED BY THE NATURAL RESOURCE CONSERVATION SERVICE AND THE FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, VERSION 4.0, PUBLISHED BY THE NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION.
- DOMINANT WETLAND VEGETATION WAS ASSESSED USING THE NORTHCENTRAL AND NORTHEAST REGIONAL WETLAND PLANT LIST PUBLISHED BY THE U.S. ARMY CORPS OF ENGINEERS.
- WETLANDS AND SURFACE WATERS WERE CLASSIFIED USING THE USFWS METHODOLOGY CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES (COWARDIN ET AL. 1979, REVISED 1985).
- INVASIVE PLANT SPECIES (TYPE I & II) WERE MAPPED BY KRISTOPHER WILKES OF VHB IN SEPTEMBER 2022.

REVISED
 PRELIMINARY PLANS
 SUBJECT TO CHANGE
 DATE 3/6/2023



STATE OF NEW HAMPSHIRE									
DEPARTMENT OF TRANSPORTATION * BUREAU OF BRIDGE DESIGN									
TOWN NEWINGTON-DOVER			BRIDGE NO. 200/023			STATE PROJECT 11238S			
LOCATION GENERAL SULLIVAN BRIDGE OVER LITTLE BAY									
EXISTING CONDITIONS PLAN (1 OF 2)								BRIDGE SHEET	
								5 OF 10	
DESIGNED		BY		DATE		CHECKED		BY	
DRAWN		TSP		10/22		CHECKED		TSP	
QUANTITIES		BJM		10/22		CHECKED		TSP	
ISSUE DATE		REV. DATE		FEDERAL PROJECT NO.		SHEET NO.		TOTAL SHEETS	
3/6/2023		11238S_exc-permit.dgn		AS NOTED					

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EXISTING CONDITIONS PLAN



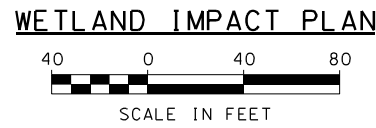
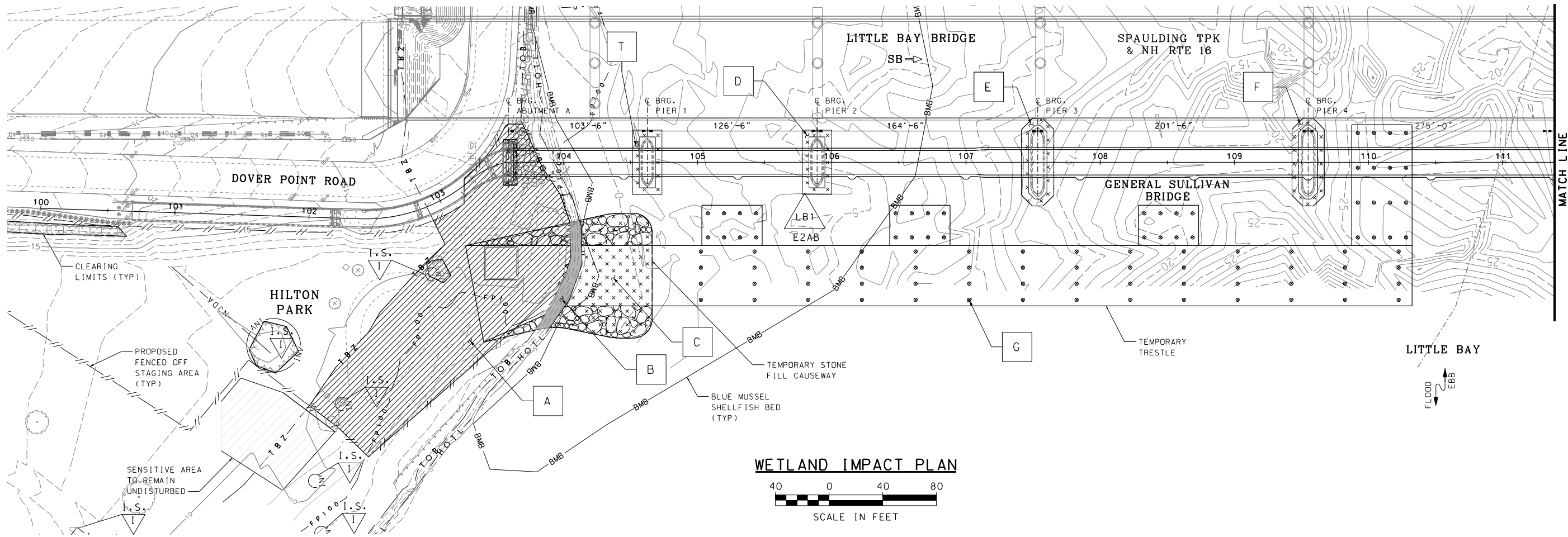
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REVISED
PRELIMINARY PLANS
SUBJECT TO CHANGE
DATE 3/6/2023



PLOT DATE	DRAWING NAME	SHEET SCALE
3/6/2023	11238S_exc-permit2.dgn	AS NOTED

STATE OF NEW HAMPSHIRE									
DEPARTMENT OF TRANSPORTATION * BUREAU OF BRIDGE DESIGN									
TOWN NEWINGTON-DOVER			BRIDGE NO. 200/023			STATE PROJECT 11238S			
LOCATION GENERAL SULLIVAN BRIDGE OVER LITTLE BAY									
EXISTING CONDITIONS PLAN (2 OF 2)									BRIDGE SHEET
									6 OF 10
REVISIONS AFTER PROPOSAL			BY	DATE	CHECKED	BY	DATE	FILE NUMBER	
			TSP	10/22	-	TSP	10/22		
			DRAWN	BJM	10/22	CHECKED	TSP	10/22	
			QUANTITIES			CHECKED			
			ISSUE DATE		FEDERAL PROJECT NO.			SHEET NO.	TOTAL SHEETS
			REV. DATE						



WETLAND IMPACT SUMMARY										
WETLAND IDENTIFICATION	WETLAND CLASSIFICATION	WETLAND DESIGNATION	AREA IMPACTS							
			PERMANENT				TEMPORARY			
			N.H.W.B. (NON-WETLAND) BANK		N.H.W.B. & A.C.O.E. (WETLAND) BED		PALUSTRINE WETLAND		(NON-WETLAND)	
SF	LF	SF	LF	SF	SF	LF	SF	LF		
A	TBZ	-							19807	
B	BANK	-	756	85						
C	E2AB	LB1								5180 93
D	E2AB	LB1								600
E	E2AB	LB1								715
F	E2AB	LB1								715 65
G	E2AB	LB1								480
H	E2AB	LB1								710 65
I	E2AB	LB1								710
J	E2AB	LB1								536
K	E2AB	LB1								600
L	E2AB	LB1								540
M	E2AB	LB1								12427 105
N	BANK	-	1555	170						
O	PSS1C	W-1								
P	TBZ	-							19915	
Q	BANK	-	431	59						
R	TBZ	-							524	
S	TBZ	-							3973	
T	E2AB	LB1								600 48
U	BANK	-							165	
TOTAL			2742	314			1009	44384	23813	376

LEGEND

WETLAND IMPACT LOCATION

WETLAND DESIGNATION NUMBER

TYPE OF WETLAND IMPACT	SHADING/HATCHING
NEW HAMPSHIRE WETLANDS BUREAU (PERMANENT NON-WETLAND)	[Solid Grey]
NEW HAMPSHIRE WETLANDS BUREAU & ARMY CORP OF ENGINEERS (PERMANENT WETLAND)	[Cross-hatch]
TEMPORARY IMPACTS (NON-WETLAND)	[Diagonal Lines]
TEMPORARY IMPACTS (WETLAND)	[X-hatch]

WETLAND CLASSIFICATION CODES	
E2AB	ESTUARINE, INTERTIDAL, AQUATIC BED
PSS1C	PALUSTRINE, SCRUB-SHRUB, BROAD-LEAVED DECIDUOUS, SEASONALLY FLOODED

NOTE:
WETLAND IDENTIFICATION "A" REPRESENTS IMPACTS ON THE TIDAL BUFFER ZONE. WETLAND IDENTIFICATION "B" REPRESENTS IMPACTS ON THE BANK.

PERMANENT IMPACTS: 3751 SF
TEMPORARY IMPACTS: 68197 SF
TOTAL IMPACTS: 71948 SF

ARMY CORPS OF ENGINEERS
PERMANENT IMPACTS: 1009 SF
TEMPORARY IMPACTS: 23813 SF
TOTAL IMPACTS: 24822 SF

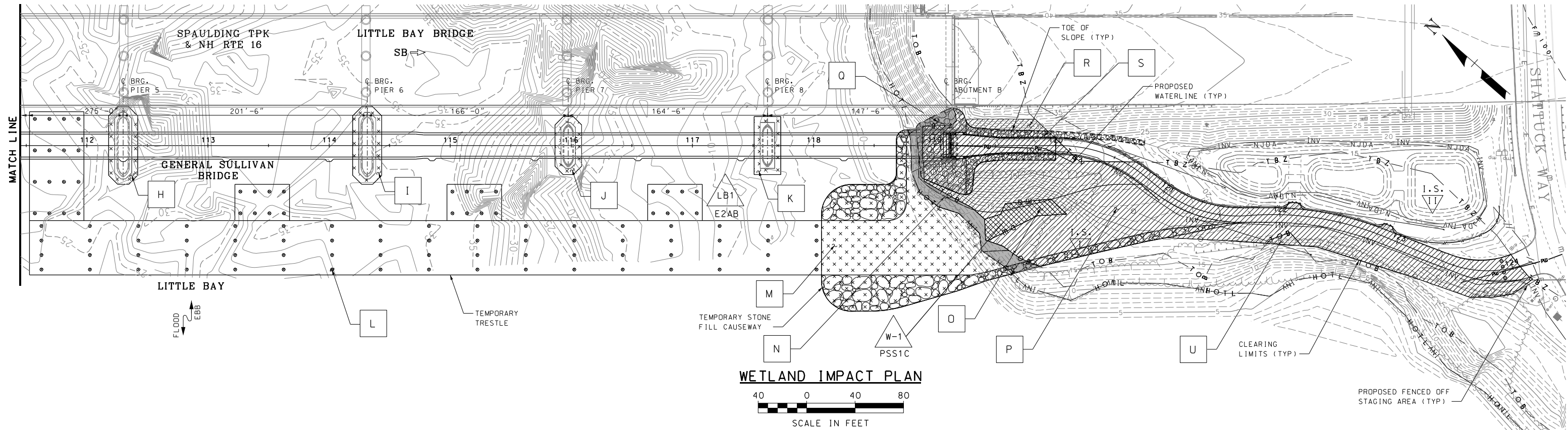
REVISED
PRELIMINARY PLANS
SUBJECT TO CHANGE
DATE 3/6/2023



PLOT DATE	DRAWING NAME	SHEET SCALE
3/6/2023	11238S_imp-permit.dgn	AS NOTED

STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION * BUREAU OF BRIDGE DESIGN									
TOWN NEWINGTON-DOVER			BRIDGE NO. 200/023			STATE PROJECT 11238S			
LOCATION GENERAL SULLIVAN BRIDGE OVER LITTLE BAY									
WETLAND IMPACT PLAN (1 OF 2)								BRIDGE SHEET	
								7 OF 10	
DESIGNED		BY		DATE		CHECKED		BY	
DRAWN		TSP		10/22		CHECKED		TSP	
QUANTITIES		BJM		10/22		CHECKED		TSP	
ISSUE DATE		FEDERAL PROJECT NO.		SHEET NO.		TOTAL SHEETS			
REV. DATE									

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WETLAND IMPACT PLAN



WETLAND IMPACT SUMMARY												
WETLAND IDENTIFICATION	WETLAND CLASSIFICATION	WETLAND DESIGNATION	AREA IMPACTS									
			PERMANENT				TEMPORARY					
			N.H.W.B. (NON-WETLAND) BANK		N.H.W.B. & A.C.O.E. (WETLAND) BED		PALUSTRINE WETLAND	(NON-WETLAND)		(WETLAND)		
			SF	LF	SF	LF	SF	SF	LF	SF	LF	
A	TBZ	-							19807			
B	BANK	-	756	85								
C	E2AB	LB1								5180	93	
D	E2AB	LB1								600		
E	E2AB	LB1								715		
F	E2AB	LB1								715	65	
G	E2AB	LB1								480		
H	E2AB	LB1								710	65	
I	E2AB	LB1								710		
J	E2AB	LB1								536		
K	E2AB	LB1								600		
L	E2AB	LB1								540		
M	E2AB	LB1								12427	105	
N	BANK	-	1555	170								
O	PSS1C	W-1					1009					
P	TBZ	-							19915			
Q	BANK	-	431	59								
R	TBZ	-							524			
S	TBZ	-							3973			
T	E2AB	LB1								600	48	
U	BANK	-							165			
TOTAL			2742	314			1009		44384	23813	376	

LEGEND

- # WETLAND IMPACT LOCATION
- # WETLAND DESIGNATION NUMBER

TYPE OF WETLAND IMPACT	SHADING/HATCHING
NEW HAMPSHIRE WETLANDS BUREAU (PERMANENT NON-WETLAND)	
NEW HAMPSHIRE WETLANDS BUREAU & ARMY CORP OF ENGINEERS (PERMANENT WETLAND)	
TEMPORARY IMPACTS (NON-WETLAND)	
TEMPORARY IMPACTS (WETLAND)	

WETLAND CLASSIFICATION CODES	
E2AB	ESTUARINE, INTERTIDAL, AQUATIC BED
PSS1C	PALUSTRINE, SCRUB-SHRUB, BROAD-LEAVED DECIDUOUS, SEASONALLY FLOODED

NOTE: WETLAND IDENTIFICATION "A" REPRESENTS IMPACTS ON THE TIDAL BUFFER ZONE. WETLAND IDENTIFICATION "B" REPRESENTS IMPACTS ON THE BANK.

PERMANENT IMPACTS: 3751 SF
 TEMPORARY IMPACTS: 68197 SF
 TOTAL IMPACTS: 71948 SF

ARMY CORPS OF ENGINEERS
 PERMANENT IMPACTS: 1009 SF
 TEMPORARY IMPACTS: 23813 SF
 TOTAL IMPACTS: 24822 SF

REVISED
 PRELIMINARY PLANS
 SUBJECT TO CHANGE
 DATE 3/6/2023



PLOT DATE	DRAWING NAME	SHEET SCALE
3/6/2023	11238S_imp-permit2.dgn	AS NOTED

STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION * BUREAU OF BRIDGE DESIGN									
TOWN NEWINGTON-DOVER			BRIDGE NO. 200/023			STATE PROJECT 11238S			
LOCATION GENERAL SULLIVAN BRIDGE OVER LITTLE BAY									
WETLAND IMPACT PLAN (2 OF 2)								BRIDGE SHEET	
REVISIONS AFTER PROPOSAL								8 OF 10	
		DESIGNED	TSP	10/22	CHECKED	-	10/22	FILE NUMBER	
		DRAWN	BJM	10/22	CHECKED	TSP	10/22		
		QUANTITIES		CHECKED					
		ISSUE DATE	FEDERAL PROJECT NO.			SHEET NO.		TOTAL SHEETS	
		REV. DATE							

**MEMORANDUM OF AGREEMENT
AMONG NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION,
FEDERAL HIGHWAY ADMINISTRATION,
and the
NEW HAMPSHIRE STATE HISTORIC PRESERVATION OFFICER**

Regarding the project known as the General Sullivan Bridge, Spaulding Turnpike Improvements Project [NHDOT Project Newington-Dover 11238S, FHWA Project NHS-027-1(37)] which plans to replace the historic General Sullivan Bridge (GSB), which spans the navigational channel of Little Bay in the Town of Newington, New Hampshire and the City of Dover, New Hampshire.

WHEREAS, the Federal Highway Administration (FHWA) plans to provide funds to the New Hampshire Department of Transportation (NHDOT) to replace the General Sullivan Bridge superstructure; and

WHEREAS, FHWA has defined the undertaking's area of potential effect (APE) as an irregularly-shaped area, beginning approximately 600 feet north of the bridge crossing on Dover Point, and extending up to 1,500 feet west, 700 feet east, and 1,200 feet south of the crossing; and

WHEREAS, the Preferred Alternative would involve the complete removal and replacement of the General Sullivan Bridge superstructure while reusing its substructure piers; and

WHEREAS, FHWA, in consultation with the New Hampshire State Historic Preservation Office (NHSHPO), has determined that the Preferred Alternative will have an Adverse Effect to the General Sullivan Bridge, which was determined eligible for the National Register of Historic Places in 1988; and

WHEREAS, FHWA has consulted with the NHDOT, the NHSHPO, and Consulting Parties pursuant to 36 CFR Part 800 of the regulations implementing Section 106 of the National Historic Preservation Act (54 USC §306108); and

WHEREAS, FHWA has consulted with several consulting parties regarding the effects of the undertaking on historic properties, including Kitty Henderson, Executive Director, Historic Bridge Foundation, Nathan Holth, HistoricBridges.org, Lulu Pickering, Newington Historic District Commission, and Christopher G. Parker, Assistant City Manager, City of Dover; and

WHEREAS, NHDOT and FHWA have met with the NHSHPO and Consulting Parties on thirteen occasions since April 2018 to evaluate potential alternatives, identify a Preferred Alternative, and identify mitigation measures; and

WHEREAS, NHDOT has coordinated with the Town of Newington, the City of Dover, and other interested parties through Public Meetings held on October 25, 2016, January 30, 2018, September 5, 2018, and at a Public Hearing on May 13, 2021; and

WHEREAS, in accordance with 36 CFR §800.6(a)(1), FHWA has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR §800.6(a)(1)(iii);

NOW, THEREFORE, FHWA, NHDOT and the NHSHPO agree that the undertaking shall be implemented in accordance with the following stipulations to mitigate the effect of the undertaking on historic properties.

I. STIPULATIONS

FHWA and NHDOT shall ensure that the following measures are carried out:

A. Marketing the General Sullivan Bridge

- i. NHDOT shall market the bridge for re-use (either in whole or in part) in compliance with 23 USC Section 144. The structure shall be marketed to the public for relocation with preservation and/or maintenance covenants as agreed to by NHDOT, NHSHPO, and FHWA. NHDOT, in consultation with NHSHPO and FHWA, shall develop a notice to include, at a minimum, the following:
 - a. A description of the structure;
 - b. Notice that the bridge is eligible for the National Register for its engineering significance;
 - c. Notice that NHDOT will transfer the structure with consideration for the offer that best protects the historic integrity of the bridge; and
 - d. Notice of the requirement that the bridge will be transferred subject to covenants regarding its preservation and maintenance for a period of ten (10) years in accordance with the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*.
- ii. The contents of the advertisements, the publications in which they appear, and the frequency of publication shall be approved by NHSHPO and FHWA. The advertising period shall last a minimum of 60 days.
- iii. If efforts to market the bridge are unsuccessful, final bid and construction documents shall be completed to specify demolition and disposal of the bridge.
- iv. If all or part of the bridge is re-used, the Public Works Administration plaque may be reused with the salvaged portion. Otherwise, the plaque shall be incorporated into an interpretive installation to note the history of the Public Works Administration in relation to the General Sullivan Bridge (see Stipulation D.i.a.iv below). If the entire bridge is not re-used, up to 200 feet of the bridge railing will be made available to the Town of Newington.

B. Documentation of the General Sullivan Bridge

- i. NHDOT shall ensure that the bridge is recorded prior to demolition or relocation, in accordance with the Historic American Engineering Record (HAER) standards.
- ii. The documentation shall be completed by a 36 CFR 61-qualified Architectural Historian.
- iii. The documentation shall follow the guidelines available at <https://www.nps.gov/hdp/standards/haerguidelines.htm>, using the version noted below or subsequent updates, whichever is more recent at the time of documentation:

- a. Report: The documentation will follow the "outline format: engineering structures" described in the HAER guidelines (updated 2017).
 - b. Photography: To follow the guidelines for the HABS/HAER/HALS programs (updated 2015). Photographs shall consist of archival, large-format black and white 4x5" photographs of the superstructure, substructure, relationship of the bridge to its setting, and engineering/aesthetic details.
 - c. Drawings: To follow the HAER drawing guidelines. Original and historic construction plans shall be included as archival copies, or photographed as archival large-format black and white 4x5" photographs.
 - d. The final HAER package shall meet the requirements for HAER documentation transmittal (updated January 2020).
- iv. A digital draft of the HAER documentation shall be submitted to NHSPO for a review and comment period of 45 days.
 - v. After addressing NHSPO comments, NHDOT shall, on behalf of FHWA, provide a draft digital copy to NPS for review and comment.
 - vi. One final copy of the completed HAER documentation shall be submitted to NPS by NHDOT. The format of the final deliverable shall be provided as requested by NPS.
 - vii. The final HAER documentation shall be produced by NHDOT for NHSPO; a single hard copy and one electronic copy will be provided. The NHSPO copy of the HAER materials shall include: large format photos and negatives, photo location maps, narrative, and high-quality photocopies of the photos.
 - viii. One archival hard copy and one electronic copy of the final documentation shall be provided to each of the City of Dover, the Town of Newington, the Newington Historical Society, and the New Hampshire Historical Society for storage at an appropriate local repository. An electronic copy shall be provided to the Portsmouth Athenaeum. An electronic copy shall be provided to additional local repositories upon request. NHDOT, in coordination with Consulting/Interested Parties, may proactively identify additional local repositories which may be interested in receiving an electronic copy of the completed HAER documentation.
 - ix. An electronic copy shall be provided to additional Consulting/Interested Parties, upon request.

C. NHDOT Bridge Inventory and Bridge Management Plan – Promotion and Accessibility

- i. NHDOT shall assist NHSPO in the integration of the finalized bridge inventory into the EMMIT online database and mapping tool, which is available by subscription. NHDOT shall also provide the finalized bridge inventory on its own website, where the inventory will be freely available to the public. To complete this stipulation:
 - a. NHDOT or their consultant shall publish the final bridge inventory as an ArcGIS map service that can be accessed directly (live) by the EMMIT application.
 - b. NHDOT or their consultant shall be responsible for updating the map service with any changes to be published such that the EMMIT application will automatically consume the latest data.
 - c. NHDOT or their consultant, in consultation with NHSPO, shall develop the following enhancements to the EMMIT application to support the integration of the final bridge inventory:

- i. The bridge inventory map service will be integrated into the EMMIT map display Data Query function, and Map Search function. The EMMIT Search Results page and Export Results function will be updated to include bridge inventory information. A View Details page will be developed for the Bridge Inventory which will display the fields for a single bridge like the existing EMMIT View Details pages.
 - ii. A single page inventory form report will be developed allowing a PDF to be generated from the View Details page for a single bridge.
 - ii. NHDOT shall ensure that promotion of the finalized bridge management plan includes a broad range of internal and external outreach to engineers, municipalities, state DOT employees, and the public, including the use of virtual platforms. NHDOT shall be responsible for three outreach and educational sessions. Possible venues include:
 - a. The American Council of Engineering Companies (ACEC) annual conference;
 - b. The New Hampshire Municipalities Association (NHMA) annual conference;
 - c. Internal training for NHDOT employees and its consultants;
 - d. Regional workshop for engineers, including representatives from other state DOTs regarding their own state's efforts to maintain historic bridges; or
 - e. Potential workshop and session partnerships with NNSHPO, and/or the New Hampshire Preservation Alliance.

D. Interpretive Program

NHDOT and/or its consultant shall develop an interpretive program centered around the historic significance of the GSB:

- i. On-Site Interpretive Panels – NHDOT shall fund and oversee four (4) interpretive panels located at or near the bridge crossing, including locations at, but not limited to: Bloody Point in Newington, Hilton Park in Dover, and/or the bridge.
 - a. The panels topics will include:
 - i. Ferries, Trains, and Automobiles Across the Little Bay: How people have crossed the Little Bay over the centuries and why the Little Bay is so challenging to cross.
 - ii. Visualizing Routes through History (for placement on the bridge): Using the unique vantage point of the bridge and its view toward Fox Point, this panel will use maps and other visuals to help readers “see” where previous crossings were located.
 - iii. Bringing Continuous Trusses to the American Highway: Celebrating how the GSB merged aesthetics and economy to create a graceful composition that provided the necessary clearance at the center while saving resources at the approaches.
 - iv. GSB as a Textbook Example: The GSB was one of four FST designs that the firm used to refine their continuous truss design. What characteristics were taken from the Lake Champlain Bridge, and what improvements/ advancements were made for the GSB?
 - v. Two panels, “Bringing Continuous Trusses to the American Highway” and “GSB as a Textbook Example” will be fabricated in duplicate and placed in multiple locations to increase the amount of mitigation that

specifically shares with the public information regarding the engineering significance of the GSB.

- vi. A Viewing Station may be used in place of one of the above-mentioned panels, if determined feasible as site planning progresses. The Viewing Station would consist of a clear etched glass panel or other suitable material displaying an image of the GSB superimposed onto the current view, for visitors to understand the location and configuration of the bridge.
- vii. If the Public Works Administration plaque is not reused as part of a bridge relocation (see Stipulation A.iv), then a fifth interpretive panel will be developed and installed to provide context for the plaque.
- b. The content will be developed by an Architectural Historian qualified under 36 CFR 61, and a professional graphic designer shall be engaged to create the design and layout of the interpretive panels and/or elements.
- c. NHSHPO shall be consulted for review and comment on the preliminary draft content of the panels as well as the draft final mockups of the panel design(s) in their entirety.
- d. After submission of the preliminary draft content and draft final panels, NHSHPO and the Consulting Parties shall have 30 days to review and comment on the draft final text/layout of the displays.
- e. NHDOT and the content developers will determine whether the incorporation of elements salvaged from the GSB as support structures for interpretive elements is feasible (not as public art).
- f. NHDOT and the content developers will determine whether the incorporation of a QR code linking to additional online content is feasible.
- ii. NHDOT shall develop an installation in collaboration with the Woodman Museum about the engineering significance of the GSB and the challenges of creating a span across the Little Bay. NHDOT will fund the creation and installation of the exhibit in its entirety; the Woodman Museum shall be responsible for future maintenance.
 - a. The installation shall include the use of salvaged materials and/or 3D modeling to demonstrate engineering concepts to the extent feasible.
 - b. The installation may include primary sources as relevant, including items from the collections of repositories such as Historic New England's archives; the Woodman Institute; the Portsmouth Athenaeum; the archives of NHDOT, and local historical organizations.
 - c. The installation will utilize the content developed for the "Bringing Continuous Trusses to the American Highway" and "GSB as a Textbook Example" panel content (see D.i.a.), with supplemental information as appropriate for the final location and objects used in the exhibit.

E. Newington Railroad Depot and Toll House and State-Owned Land on Bloody Point

- i. NHDOT shall support the future rehabilitation and reuse of the state-owned portion of the Newington Depot property, according to the *Secretary of the Interior's Standards for Rehabilitation*. Specifically, NHDOT shall:

- a. Engage a consultant team to prepare a building assessment and feasibility re-use study of the Newington Depot, following the NH Preservation Alliance's format, identifying extant character-defining features and potential future uses that can support the retention of these historic features. The building assessment and feasibility reuse study will include input from the Town of Newington, the Newington Historic District Commission, and the Newington Historical Society. The NNSHPO, the Town of Newington, the Newington Heritage Commission, and the Newington Historical Society will be given thirty (30) days to review the draft conditions assessment, feasibility reuse study and existing conditions site plan. An electronic copy of the final assessment shall be provided to NHDOT, NNSHPO, the Town of Newington, the Newington Historic District Commission, and the Newington Historical Society.
 - b. Develop an existing conditions site plan incorporating property boundaries, topography, wetlands, utilities, and shoreland/tidal setbacks. This plan can be used to support a land master plan/site plan for the Newington Depot property to be developed by a future owner.
 - c. Provide direct financial support for the stabilization/rehabilitation of the Newington Depot property based on the building assessment and re-use plan up to \$150,000 on a reimbursement basis. Any costs beyond this amount shall be provided by the Town of Newington or a third party (see Stipulation E.ii below).
- ii. NHDOT shall continue discussions about the feasibility of transferring ownership of the property to the Town of Newington or another public agency. If a mutual agreement is reached with the Town of Newington or another public agency, the public owner may arrange for the rehabilitation of the Depot as well as its future management and stewardship to be handled by a third party, such as through a long-term lease to a non-profit. If a mutual agreement cannot be reached within 3 months of completion of the items outlined in E.i, NHDOT shall market the property for sale at fair market value. Any transfer shall comply with the requirements of the New Hampshire Surplus Land Review Process, including all NH Revised Statutes Annotated, policies and procedures applicable to the disposal of state-owned real estate.
 - iii. The property will be conveyed with a historic preservation covenant, to be held by NNSHPO, requiring that the building will be retained in the same or better condition and that any future rehabilitation by the owner meet the Secretary of the Interior's Standards for Rehabilitation, to be overseen and approved by NNSHPO.

F. Dover Recreational Trail

- i. NHDOT shall coordinate with the City of Dover to evaluate the feasibility of constructing a link between the existing Community Trail on the former rail bed of the Newington-Dover Branch line and the GSB. The Community Trail currently ends in the vicinity of Central Avenue (NH 108) and Rutland Street and options may include a short section of shared use path within the Spaulding Turnpike right-of-way to then follow Finch, Spur and Boston Harbor Roads to the bridge. If a plan for the trail can be mutually agreed upon, NHDOT shall determine the nature and extent of support the agency can provide for the undertaking.

- ii. *The feasibility study shall develop information which highlights the history of the Newington-Dover Branch line and its connection to the history of the transportation corridor including the GSB. The study shall make recommendations on incorporating interpretive signage into the design of the recreational trail.*
 - a. Interpretive Signage – NHDOT shall fund and oversee the development of two interpretive panels to be installed along the trail. One of these panels will be based on the “Ferries, Trains, and Automobiles Across the Little Bay” panel to be created for installation at the bridge crossing (see D.i.a.1.).
 - b. In recognition that exact siting of the signage cannot be finalized during a feasibility study, NHDOT will provide high-resolution digital copies of the signage to the City of Dover to make available to the public. These files will contain production-ready content for later fabrication.
 - c. Consultation on the content of the panels shall be between NHDOT, NHSHPO, and the City of Dover.
 - d. The content will be developed by an Architectural Historian qualified under 36 CFR 61, and a professional graphic designer shall be engaged to create the design and layout of the interpretive panels and/or elements.
 - e. NHSHPO and the Dover Heritage Commission shall be consulted for review and comment on the preliminary draft content and layout of the signage as well as the draft final mockups of the signs in their entirety.
 - f. After submission of the preliminary draft and draft final signage, NHSHPO and the Dover Heritage Commission shall have 30 days to review and comment on the draft final text/layout of the displays.

II. UNANTICIPATED DISCOVERIES

The NHDOT will ensure that if additional previously unidentified architectural and / or archeological properties are discovered, which may be affected by the undertaking or known properties are affected in an unanticipated manner, it will notify FHWA and the NHSHPO. FHWA and the NHSHPO will apply the criteria of eligibility and consult pursuant to 36 CFR 800.13.

III. DURATION

This MOA will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Item VI below.

IV. MONITORING AND REPORTING

Each year following the execution of this MOA until it expires, is terminated, or stipulations completed, NHDOT shall provide all parties to this MOA a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in FHWA’s efforts to carry out the terms of this MOA.

V. DISPUTE RESOLUTION

Should any signatory to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FHWA shall consult with such party to resolve the objection. If the FHWA determines that such objection cannot be resolved, FHWA will:

- A. Forward all documentation relevant to the dispute, including FHWA's proposed resolution, to the ACHP. The ACHP shall provide FHWA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. FHWA will then proceed according to its final decision.
- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30)-day time period, FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA and provide them and the ACHP with a copy of such written response.
- C. FHWA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VI. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

VII. TERMINATION


If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation V, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, FHWA must either (a) execute a MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. FHWA shall notify the signatories as to the course of action it will pursue.

Execution of this MOA by FHWA, NHDOT and NHSPO and implementation of its terms evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

SIGNATORIES:


FEDERAL HIGHWAY ADMINISTRATION

By: **PATRICK A
BAUER**  Digitally signed by PATRICK A
BAUER
Date: 2021.11.10 13:48:02
-05'00'

Patrick A. Bauer
NH Division Administrator


Date: **11-10-2021**

NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

By: 
Nadine M. Miller
Deputy State Historic Preservation Officer

Date: **10/8/2021**

NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

By: 
Peter E. Stamnas
Director of Project Development

Date: **11/8/2021**

Appendix A. Verification Form (updated December 10, 2020)

Federal Highway Administration (FHWA) or the applicable state Department of Transportation (DOT) shall submit a signed version of this completed form, together with any project plans, maps, supporting analyses, etc., to NOAA’s National Marine Fisheries Service (NMFS), Greater Atlantic Regional Fisheries Office, Protected Resources Division (GARFO PRD) at nmfs.gar.esa.section7@noaa.gov with “FHWA GARFO NLAA Program: [Project Title or Number]” in the subject line. **Note:** project design contractors and/or consultants may assist in preparing the form, but only FHWA/DOT staff shall sign off on it on the final page.

Project Activity Type (check all that apply to the entire action):

- 1. Bridge repair, demolition, or replacement project
- 2. Culvert repair or replacement project
- 3. Dock, pier, or waterway access project (includes construction, demolition, and repairs)
- 4. Slope stabilization project

Transportation Project Information

Name of Project:			
Reinitiation (Yes/No):			
State DOT/Program:			
DOT ID Code:			
Contact Person:			
Phone:		Email:	
Project Latitude (e.g., 42.625884):			
Project Longitude (e.g., -70.646114):			
Maximum Water Depth (m)			
Anticipated Project Start Date:		Anticipated Project End Date:	
City/Town:		Water body:	
Project/Action Description and Purpose:			

ESA-listed species and/or critical habitats in the action area (Check all that apply)

<input type="checkbox"/>	Atlantic sturgeon (all DPSs)	<input type="checkbox"/>	Kemp's ridley sea turtle
<input type="checkbox"/>	Atlantic sturgeon critical habitat Indicate which DPS (GOM, NYB, Chesapeake Bay DPSs):	<input type="checkbox"/>	Loggerhead sea turtle (Northwest Atlantic DPS)
<input type="checkbox"/>	Shortnose sturgeon	<input type="checkbox"/>	Leatherback sea turtle
<input type="checkbox"/>	Atlantic salmon (GOM DPS)	<input type="checkbox"/>	North Atlantic right whale
<input type="checkbox"/>	Atlantic salmon critical habitat (GOM DPS)	<input type="checkbox"/>	North Atlantic right whale critical habitat
<input type="checkbox"/>	Green sea turtle (North Atlantic DPS)	<input type="checkbox"/>	Fin whale

* Please consult GARFO PRD's ESA Section 7 Mapper for ESA-listed species and critical habitat information for your action area at: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-species-critical-habitat-information-maps-greater>.

The following stressors are applicable to the action:

- Underwater Noise
- Impingement/Entrainment and Entanglement
- Water Quality/Turbidity
- Habitat Alteration
- Vessel Traffic

Impacts Table

Habitat Alteration		
	Permanent (acres)	Temporary (acres)
Sand (saline)		
Silt/Mud/Clay (saline)		
Hard bottom (saline)		
Submerged Aquatic Vegetation (SAV) (saline)		
Sand (freshwater)		
Silt/Mud/Clay (freshwater)		
Hard bottom (freshwater)		
Submerged Aquatic Vegetation (SAV) (freshwater)		
Total amount of habitat alteration		
In-water Construction Impacts		
	Amount in meters	
Width of water body in action area (m)		
Stressor category that extends furthest distance into water body (e.g.; underwater noise, turbidity plume)		
Maximum extent of stressor into the water body (m)		

Project Design Criteria (PDC) Checklist

FHWA/DOT shall incorporate all general PDCs and all applicable PDCs in the appropriate stressor categories. For any PDCs that are not incorporated, additional justification is required for a project to be eligible for the NLAA Program. FHWA/DOT shall check the corresponding box for each PDC that is, or will be, incorporated into the project or indicate if not applicable.

GENERAL PDCs			
Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input type="checkbox"/>	1.	Ensure all operators, employees, and contractors are aware of all FHWA environmental commitments, including these PDC, when working in areas where ESA-listed species may be present or in critical habitat.
<input type="checkbox"/>	<input type="checkbox"/>	2.	No portion of the proposed action will individually or cumulatively have an adverse effect on ESA-listed species or critical habitat.
<input type="checkbox"/>	<input type="checkbox"/>	3.	No portion of the proposed action that may affect the GOM DPS of Atlantic salmon will occur in the tidally influenced portion of rivers/streams where their presence is possible from <u>April 10 through November 7</u> . The range of the GOM DPS only occurs in Maine. Note: If the project will occur within the geographic range of the GOM DPS Atlantic salmon but their presence is not expected following the best available commercial scientific data, the work window does not need to be applied. Please attach best available information (i.e. local fisheries biologist correspondence).
<input type="checkbox"/>	<input type="checkbox"/>	4.	No portion of the proposed action that may affect shortnose or Atlantic sturgeon will occur in areas identified as spawning grounds as follows: i. Gulf of Maine: Apr 1-Aug 31 ii. Southern New England/New York Bight: Mar 15-Aug 31 iii. Chesapeake Bay: Mar 15-Jul 1 and Sep 15-Nov 1 Note: If river specific information exists that provides better or more refined time of year information, those dates may be substituted with NMFS approval.
<input type="checkbox"/>	<input type="checkbox"/>	5.	No portion of the proposed action that may affect shortnose or Atlantic sturgeon will occur in areas identified as overwintering grounds where dense aggregations are known to occur as follows: i. Gulf of Maine: Oct 15-Apr 30 ii. Southern New England/New York Bight: Nov 1-Mar 15 iii. Chesapeake Bay: Nov 1-Mar 15 Note: If river specific information exists that provides better or more refined time of year information, those dates may be substituted with NMFS approval.
<input type="checkbox"/>	<input type="checkbox"/>	6.	Within designated critical habitat for Atlantic sturgeon, no work will affect hard bottom substrate (e.g., rock, cobble, gravel, limestone, boulder, etc.) in low salinity waters (i.e., 0.0-0.5 parts per thousand) (PBF 1).
<input type="checkbox"/>	<input type="checkbox"/>	7.	Work will result in no or only temporary/short-term changes in water temperature, water flow, salinity, or dissolved oxygen levels.

Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input type="checkbox"/>	8.	If ESA-listed species are (a) likely to pass through the action area at the time of year when project activities occur; and/or (b) the project will create an obstruction to passage when in-water work is completed, then a zone of passage (~50% of water body) with appropriate habitat for ESA-listed species (e.g., depth, water velocity, etc.) must be maintained (i.e., physical or biological stressors such as turbidity and sound pressure must not create barrier to passage).
<input type="checkbox"/>	<input type="checkbox"/>	9.	The project will not adversely impact any submerged aquatic vegetation (SAV) or oyster reefs.
<input type="checkbox"/>	<input type="checkbox"/>	10.	No blasting or use of explosives will occur.
<input type="checkbox"/>	<input type="checkbox"/>	11.	No in-water work on large dams or tide gates (small dam and tide gate repairs may be permitted with prior review and approval from NMFS).

UNDERWATER NOISE PDCs			
Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input type="checkbox"/>	12.	<p>If pile driving is occurring during a time of year when ESA-listed species may be present, and the anticipated noise is above the behavioral noise threshold, a “soft start” is required to allow animals an opportunity to leave the project vicinity before sound pressure levels increase. <i>In addition to using a soft start at the beginning of the work day for pile driving, one must also be used at any time following cessation of pile driving for a period of 30 minutes or longer.</i></p> <p><u>For impact pile driving:</u> pile driving will commence with an initial set of three strikes by the hammer at 40% energy, followed by a one minute wait period, then two subsequent three-strike sets at 40% energy, with one-minute waiting periods, before initiating continuous impact driving.</p> <p><u>For vibratory pile installation:</u> pile driving will be initiated for 15 seconds at reduced energy followed by a one-minute waiting period. This sequence of 15 seconds of reduced energy driving, one-minute waiting period will be repeated two additional times, followed immediately by pile-driving at full rate and energy.</p>

Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input type="checkbox"/>	13.	<p>If the project includes non-timber piles*, please attach your calculation to this verification form showing that the noise is below the injury thresholds of ESA-listed species in the action area. The GARFO Acoustic Tool can be used as a source, should you not have other information: https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-consultation-technical-guidance-greater-atlantic.</p> <p>*Effects from timber and steel sheet piles were analyzed in the NLAA programmatic consultation, so no additional information is necessary.</p>
<input type="checkbox"/>	<input type="checkbox"/>	14.	Any new pile-supported structure must involve the installation of no more than 50 piles (below MHW).

Pile material (e.g., steel pipe, concrete)	Pile diameter/width (inches)	Number of piles	Installation method (e.g., impact hammer, vibratory start and then impact hammer to depth, drilling)

IMPINGEMENT/ENTRAINMENT AND ENTANGLEMENT PDCs			
Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input type="checkbox"/>	15.	<p>If excavating or dredging, only mechanical buckets, hydraulic cutterheads, or low volume hopper dredges (e.g., CURRITUCK, ≤300 cubic yard maximum bin capacity) may be used.</p> <p>Note: We consider excavating a smaller scale form of mechanical dredging.</p>
<input type="checkbox"/>	<input type="checkbox"/>	16.	<p>No new excavation or dredging in Atlantic sturgeon or salmon critical habitat (excavation in a prior construction footprint or maintenance dredging is permitted, but still must meet all other PDCs). New excavation or dredging outside Atlantic sturgeon or salmon critical habitat is limited to one-time events (e.g., burying a cable or utility line) and minor (≤2 acres) expansions of areas already subject to prior excavation or maintenance dredging. Locating a replacement bridge within 250 feet (centerline to centerline) of an existing bridge and excavation of sediment around bridge piers are considered work in a previous construction footprint.</p> <p>Note: We consider excavating a smaller scale form of mechanical dredging.</p>

Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input type="checkbox"/>	17.	Temporary intakes related to construction are prohibited in sturgeon and salmon spawning, rearing, or overwintering habitat during the time of year windows identified in General PDCs 3-5. If utilized outside those areas and times of year and in an area with anticipated sturgeon and salmon presence, temporary intakes must be equipped with 2-millimeter wedge wire mesh screening and must not have greater than 0.5 feet per second intake velocities, to prevent impingement or entrainment of juvenile and early life stages of these species.
<input type="checkbox"/>	<input type="checkbox"/>	18.	Work behind cofferdams, turbidity curtains, or other instruments that prevent access of animals to the project area is required when ESA-listed species are likely to be present (if presence is limited to rare, transient individuals, access control measures are not necessary). Once constructed, work inside a cofferdam at any time of year may be permitted with NMFS approval, provided the cofferdam is installed/removed outside the time-restricted period.
<input type="checkbox"/>	<input type="checkbox"/>	19.	No new permanent surface water withdrawal, water intakes, or water diversions.
<input type="checkbox"/>	<input type="checkbox"/>	20.	Turbidity control measures, including cofferdams, must be designed to not entangle or entrap ESA-listed species.
<input type="checkbox"/>	<input type="checkbox"/>	21.	Any in-water lines, ropes, or chains must be made of materials and installed in a manner to minimize or avoid the risk of entanglement by using thick, heavy, and taut lines that do not loop or entangle. Lines can be enclosed in a rigid sleeve.

WATER QUALITY/TURBIDITY PDCs			
Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input type="checkbox"/>	22.	In-water offshore disposal may only occur at designated disposal sites that have already been the subject of ESA section 7 consultation with NMFS and where a valid consultation is in place.
<input type="checkbox"/>	<input type="checkbox"/>	23.	Any temporary discharges must meet state water quality standards (e.g., no discharges of substances in concentrations that may cause acute or chronic adverse reactions, as defined by EPA water quality standards criteria).
<input type="checkbox"/>	<input type="checkbox"/>	24.	Only repair, upgrades, relocations, and improvements of existing discharge pipes or replacement in-kind are allowed; no new construction of untreated discharges.
<input type="checkbox"/>	<input type="checkbox"/>	25.	Work behind cofferdams, turbidity curtains, or other instruments to control turbidity is required when operationally feasible and ESA-listed species are likely to be present (if presence is limited to rare, transient individuals, turbidity control methods are not necessary).

HABITAT ALTERATION PDCs			
Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input type="checkbox"/>	26.	Minimize all new waterward encroachment and permanent fill.
<input type="checkbox"/>	<input type="checkbox"/>	27.	In Atlantic salmon critical habitat, stream simulation design with a minimum span of 1.2 bankfull width will be used in areas with minimal tidal influence. In tidal areas, a design that allows for unimpeded flow will be used (no delay in water entering or exiting the area upstream of the crossing).
<input type="checkbox"/>	<input type="checkbox"/>	28.	In Atlantic salmon critical habitat, no culvert end extensions, invert line culvert rehabilitation, or slipline culvert rehabilitation may occur.

VESSEL TRAFFIC PDCs			
Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input type="checkbox"/>	29.	Maintain project (i.e., construction) vessels operating within the action area to speed limits below 10 knots and dredge vessels to speeds of 4 knots maximum, while dredging.
<input type="checkbox"/>	<input type="checkbox"/>	30.	Maintain a 1,500-foot buffer between project (i.e., construction) vessels and ESA-listed whales and a 300-foot buffer between project vessels and sea turtles. This also applies to dredge vessels.
<input type="checkbox"/>	<input type="checkbox"/>	31.	The number of project (construction) vessels must be limited to the greatest extent possible, as appropriate to size and scale of project.
<input type="checkbox"/>	<input type="checkbox"/>	32.	The project must not result in the permanent net increase of commercial vessels.

Justification for NLAA Determination if not Incorporating All PDC

If the project is not in compliance with all of the general and stressor-based PDCs, but you can provide justification and/or special conditions to demonstrate why the project still meets the NLAA determination and is consistent with the aggregate effects considered in the programmatic consultation, you may still certify your project through the NLAA program using this verification form. Please identify which PDCs your project does not meet (e.g., PDC 9, PDC 15, PDC 22, etc.) and provide your rationale and justification for why the project is still eligible for the verification form. Project modifications must not result in different effects not already considered.

To demonstrate that the project is still NLAA, you must explain why the effects on ESA-listed species or critical habitat are **insignificant** (i.e., too small to be meaningfully measured or detected) or **discountable** (i.e., extremely unlikely to occur). **Please use this language in your justification.**

PDC#	Justification

FHWA/DOT Verification of Determination (To be filled out by FHWA/DOT staff only)

By submitting this Verification Form, FHWA, or the state DOT as FHWA’s designated non-federal representative, indicates that they determined that the proposed activity described above is not likely to adversely affect (NLAA) ESA-listed species or designated critical habitat under NMFS jurisdiction in accordance with the Program, and all effects (direct, indirect, interrelated, and interdependent) are either insignificant (so small they cannot meaningfully be measured, detected, or evaluated) or discountable (extremely unlikely to occur).

<input type="checkbox"/>	In accordance with the FHWA GARFO NLAA Program, we have determined that the action complies with all applicable PDCs and is not likely to adversely affect listed species.	
<input type="checkbox"/>	In accordance with the FHWA GARFO NLAA Program, we have determined that the action is not likely to adversely affect listed species per the justifications and/or special conditions provided above.	
FHWA/DOT Signature:		Date:

By providing your determination and signature, you are certifying that to the best of your knowledge the information provided in this form is accurate and based upon the best available scientific information. This form must be filled out and signed by FHWA or state DOT staff, as an officially designated non-federal representative.

GARFO PRD Concurrence (To be filled out by GARFO PRD)

After receiving the Verification Form, GARFO PRD will contact FHWA/DOT with any concerns and indicate whether GARFO PRD concurs with FHWA/DOT’s determination.

<input type="checkbox"/>	In accordance with the FHWA GARFO NLAA Program, GARFO PRD concurs with FHWA/DOT’s determination that the action complies with all applicable PDCs and is not likely to adversely affect listed species or critical habitat.	
<input type="checkbox"/>	In accordance with the FHWA GARFO NLAA Program, GARFO PRD concurs with FHWA/DOT’s determination that the action is not likely to adversely affect listed species or critical habitat per the justifications and/or special conditions provided above.	
<input type="checkbox"/>	GARFO PRD does not concur with FHWA/DOT’s determination that the action complies with the applicable PDCs (with or without justifications), and recommends an individual Section 7 consultation to be completed independent from the FHWA GARFO NLAA Program.	
GARFO PRD Signature:		Date:



**US Army Corps
of Engineers**®
New England District

WORK-START NOTIFICATION FORM
(Minimum Notice: Two weeks before work begins)

EMAIL TO: Michael Hicks michael.c.hicks@usace.army.mil
and cenae-r@usace.army.mil; or

MAIL TO: Michael Hicks
Regulatory Division
U.S. Army Corps of Engineers, New England District
696 Virginia Road
Concord, Massachusetts 01742-2751

Corps of Engineers Permit No. NAE-2023-01934 was issued to the New Hampshire Department of Transportation. This work is located in the Little Bay on the General Sullivan between Newington and Dover, New Hampshire and authorized the placement of 1,009 square feet of permanent fill in palustrine scrub-shrub wetlands and 17,607 square feet of temporary impacts to tidal waters for the removal and replacement of the General Sullivan Bridge superstructure to create a new pedestrian and non-motorized access bridge over Little Bay between Newington and Dover, New Hampshire.

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

PLEASE PRINT OR TYPE

Name of Person/Firm: _____

Business Address: _____

Phone & email: () _____ () _____

Proposed Work Dates: **Start:** _____ **Finish:** _____

Permittee/Agent Signature: _____ **Date:** _____

Printed Name: _____ **Title:** _____

Date Permit Issued: _____ **Date Permit Expires:** _____

FOR USE BY THE CORPS OF ENGINEERS

PM: _____ **Submittals Required:** _____

Inspection Recommendation: _____



**US Army Corps
of Engineers**®
New England District

COMPLIANCE CERTIFICATION FORM
(Minimum Notice: Permittee must sign and return notification
within one month of the completion of work.)

Permit Number: NAE-2023-01934 - General Sullivan Bridge

Project Manager: Michael Hicks

Name of Permittee: New Hampshire Department of Transportation

Permit Issuance Date: See Authorization Letter

Please sign this certification and return it to our office upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

* E-MAIL TO: cenae-r@usace.army.mil; or *
* * * * *
* MAIL TO: Permits and Enforcement Branch C *
* U.S. Army Corps of Engineers, New England District *
* Regulatory Division *
* 696 Virginia Road *
* Concord, Massachusetts 01742-2751 *

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

Printed Name

Date of Work Completion

() _____
Telephone Number

() _____
Telephone Number