

## MaineDOT's Standard Operating Procedures

### For Identification of Historic Properties

As described in MaineDOT Environmental Office's Standard Operating Procedures for Section 106 of the National Historic Preservation Act process, the following procedure was followed to identify historic properties (36 CFR 800.4):

The Historic Coordinator (HC) will determine the Area of Potential Effect (APE) and then conduct an Above Ground Cultural Resource Survey or assign projects to the consultant(s) and/or the MHPC archaeological staff. The identification and evaluation of historic properties must be performed by professionals who meet the professional standards established by the Secretary of the Interior [§ 800.2(a)(1)]. The Professional Qualification Standards are published in 36 CFR 61. The HC will provide topographic maps with the APE clearly identified and a written project scope of work. The HC will enter dates into ProjEx under Schedule/Approval/Section 106 architectural survey and Section 106 archaeological survey for when the surveys were assigned and completed. The HC will also enter the name of the surveyor in the permit number section. If there is no PIN number, then the information will be filed in the CPD Non- PIN Regional e-file and archives database.

All above ground surveys will be entered into the web-based historic properties database and GIS layer by the Historic Coordinator or the consultant. All surveys and determinations of eligibility and effects will meet the requirements of the MHPC Survey Guidelines.

The following is a breakdown of responsibility for 800.4:

§800.4 (a) (1) - MaineDOT/HC

§800.4 (a) (2) - MaineDOT/HC consultant, MHPC archaeological staff, and Tribes

§800.4 (a) (3) - MaineDOT/HC

§800.4 (a) (4) - MaineDOT/HC and the lead federal agency

§800.4 (b), (c) and (d) - MaineDOT/HC, consultant, MHPC archaeological staff, and Tribes.

The Historic Coordinator, and/or consultant, and/or the MHPC archaeological staff, and/or the THPO (as appropriate) in accordance with 36 CFR § 800.4 (c) and MHPC Survey Guidelines, will evaluate and recommend whether properties within the APE are eligible for and/or listed on the National Register of Historic Places. The HC will make a final determination of eligibility for the SHPO's concurrence.

**A.** If there are no National Register eligible or listed properties within the APE, a survey report with eligibility recommendations will be supplied to the HC by the architectural consultant, and/or the MHPC archaeological staff, and/or the THPO (see MHPC Survey Guidelines for Architectural Survey Report guidelines). The report will include all properties surveyed and indicate (property by property) why they are not eligible for the National Register. The HC will make a final determination and forward the supporting documentation with a detailed cover memo and finding of **No historic properties affected** to the SHPO/THPO for concurrence. In accordance with § 800.4(d), all participating consulting parties will be notified and the documentation will be made available subject to confidentiality provisions of 800.11(c). Documentation will be in accordance with 36 CFR § 800.4(d) and § 800.11(d). All documentation will be filed in the CPD e-file and dates will be entered into ProjEx under Schedule/Approval/Section 106 SHPO concurrence. If there is no PIN number, then the information will be filed in the CPD Non- PIN Regional e-file and archives database.

i. If the SHPO/THPO does not object within 30 days of receipt of an adequately documented finding, a memo will be forwarded from the SHPO/THPO to the HC stating so. If no response is received after 30 days from the SHPO/THPO, concurrence will be assumed [see §800.4(d)(1)(i)]. This will complete Section 106. All documentation will be filed in the CPD e-file and dates will be entered into ProjEx under Schedule/Approvals/Section 106 SHPO concurrence. If there is no PIN number, then the information will be filed in the CPD Non-PIN Regional e-file and archives database.

ii. If the SHPO/THPO objects to the finding of no historic properties affected, then the HC, the lead federal agency, and/or the SHPO will follow §800.4(d)(1)(ii) by meeting to resolve the disagreement, or the lead federal agency will forward the finding and supporting documentation to the Advisory Council on Historic Preservation (ACHP) and request that the ACHP review the finding pursuant to §800.4(d)(1)(iv)(C).

**B.** If there are National Register eligible or listed properties identified within the APE, a survey report with eligibility recommendations will be supplied to the HC by the architectural consultant, and/or the MHPC archaeological staff, and/or the THPO (see MHPC Survey Guidelines for Architectural Survey Report guidelines). The report will indicate under which National Park Service National Register Criteria (Criteria A, B, C or D) the property is eligible and which of the seven aspects of integrity (Location, Design, Setting, Materials, Workmanship, Feeling, and/or Association) the property retains to convey its significance. The HC will make a final determination of eligibility for the SHPO's concurrence. For nearly all projects, the determination of National Register boundaries will automatically default to the modern-day parcel boundaries. The need for more refined and individual assessments of boundaries beyond that will be assessed on a case-by-case basis.

i. If the SHPO/THPO objects to the finding of National Register eligibility, then the HC, the lead federal agency, and the SHPO will meet to resolve the disagreement, or the lead federal agency will forward the finding and supporting documentation to the Secretary of

the Interior (specifically the Keeper of the National Register within the U.S. Dept of Interior/National Park Service) pursuant to 36 CFR § 63 requesting a determination of eligibility. The Keeper of the National Register will respond within 45 days with a determination.

**STATE OF MAINE**  
**Memorandum**

Date: August 16, 2016

To: Kirk F. Mohny, MHPC  
From: Megan M. Hopkin, Maine DOT/ENV  
Subject: Section 106 request for concurrence  
Project: Whiting-Edmunds 18288.00  
Scope: highway reconstruction

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The Maine DOT has reviewed this project pursuant to the Maine Programmatic Agreement (PA) and Section 106 of the National Historic Preservation Act of 1966, as amended.

The project consists of reconstruction of US Route 1 beginning 0.78 of a mile north of Dodge Rd and extending northerly 1.10 miles followed by rehabilitation extending 1.61 miles to 0.49 miles south of the Whiting/Edmunds TL. Then Recon extending northerly 2.43 miles to 0.2 mile from Bridge #3171. The Federal action for this project is Federal funding. The cultural review is scheduled to be completed by October 1, 2016.

In accordance with 36 CFR Part 800.4, the following identification efforts of historic properties were made:

- 800.4(a) (1) - The Area of Potential Effect (APE) includes properties/structures adjacent to the road and within the project limits. Properties/structures adjacent to the project limits are considered to be within the APE. The APE is shown as a red polygon on the attached map.
- 800.4(a) (2) – Review of existing information consisted of researching the National Register database. The Maine Historic Preservation Commission Archaeological staff has also reviewed the undertaking.
- 800.4(a) (3) – The towns of Whiting and Edmunds were contacted via letter and asked to comment on knowledge of, or concerns with, historic properties in the area, and any issues with the undertaking’s effect on historic properties. The town was also requested to provide information regarding local historic societies or groups. The town has not replied to date
- 800.4(a) (4) – Letters obtaining project location and scope were sent to the 4 federally recognized Tribes in Maine. The Tribes have not replied to date.
- 800.4(c) – The Maine DOT conducted historic architectural surveys within the APE to determine if properties met National Register criteria. Several properties were determined eligible for the National Register as part of a proposed Historic District, and one property, Whiting Community Church, is listed on the National Register. Maine Historic Preservation Commission Archaeological staff also reviewed this undertaking and recommended ‘no archaeological properties affected’.

In accordance with 36 CFR Part 800.4(d), ***the Maine DOT has determined that no historic or prehistoric archaeological properties or historic architectural properties will be adversely affected by the undertaking.*** Please see attached supporting documentation.

In accordance with the PA and 36 CFR Part 800, please reply with your concurrence or objection to this determination within 30 days.

Please contact me at [megan.m.hopkin@maine.gov](mailto:megan.m.hopkin@maine.gov) or at 592-3486 if you have any questions. Thank you.

cc: CPD e-file  
enc: Architectural memo  
Archaeological memo  
Supporting Information for Finding of Effect

## **Supporting Information for Determination of Eligibility and Finding of Effect**

**Project:** Whiting-Edmunds 18288.00

**Scope:** Highway reconstruction

**Finding of Effect:** No adverse effect

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### **Detailed Scope**

The proposed project is a highway reconstruction of Route 1 beginning 0.78 of a mile north of Dodge Rd and extending northerly 1.10 miles with roadway rehabilitation extending 1.61 miles to 0.49 miles south of the Whiting/Edmunds townline followed by a section of reconstruction extending northerly 2.43 miles to 0.2 mile from Bridge #3171. . In the reconstruction sections improvements to the vertical alignment will be made. All sections will have the superelevation corrected as necessary. Improvements will also be made to drainage and clear zone. The purpose of the project is to improve safety, rideability and drainage along this corridor. Pavement is in poor condition due to inadequate drainage accommodations. The proposed design follows the Practical Design approach and follows existing horizontal and vertical alignments to the extent practicable, with the roadway box section widened as needed, and alignments adjusted as necessary in order to provide positive drainage and improve sight distance in critical areas.

### **Federal Action**

Federal funding.

### **Definition of APE**

The study area includes a portion of Route 1 and the surrounding area. The Area of Potential Effects is defined as the area in which the project may cause alterations to the visual setting or characteristics of properties in the vicinity of the project. This definition is illustrated as a red polygon on the topographic map submitted with the survey package.

### **Historic Properties**

#### **1) Whiting Rural Historic District**

##### **NR Eligible, Criteria C and possibly A**

The Whiting Rural Historic District is a small residential/agricultural district located in the heart of Whiting, Maine. It consists of four farmsteads which represent the most intact examples of 9th and 20th century farmsteads remaining in Whiting. Each farmstead retains most if not all aspects of integrity and is eligible for the National Register under Criterion C. Though, further research

may support the district’s eligibility under Criterion A as well. The district includes the following properties:

- **219 River Road, Stations 120+60-127+50 L**
- **212 River Road, Stations 124+90-134+00R**
- **201 River Road, Stations 127+50-129+90L**
- **197 River Road, Stations 129+90-134+75 L**

**2) Whiting Community Church, Stations 140+25-141+25 L**

**NR Listed, Criteria C/Criteria Consideration A**

The Whiting Community Church was determined eligible for listing on the National Register of Historic Places on March 28, 2013. It was listed on the National Register in 2014. It is a vernacular Greek Revival rural church. The church is rectangular in massing with two story sixteen-over sixteen paned windows flanking the entrance on the front facade. The door surround is constructed of pilasters with Doric capitols which support an entablature. The façade is dominated by the windows and enclosed pediment in the gable. Centered in the pediment is a half-moon with one row of banding. The side elevations feature twelve- over twelve- sash windows. Centered on the roof ridge near the front façade is an open belfry with a steeply pitched hipped roof. A weathervane is present atop the belfry. The base of the belfry features wood detailing in the panels to emphasize the classical style of the church.

The Whiting Community Church was determined eligible for listing on the National Register on March 8, 2013. It was listed under Criterion C for its significance in local architecture. It has a period of significance of 1836, which is its date of construction.

**Impacts to Properties**

**1) Whiting Rural Historic District**

**NR Eligible, Criteria C and possibly A**

- **219 River Road, Stations 120+60-127+50 L**
- **212 River Road, Stations 124+90-134+00R**
- **201 River Road, Stations 127+50-129+90L**
- **197 River Road, Stations 129+90-134+75 L**

All of the work will be completed within the existing ROW limits. This proposed scope of work for this area is rehabilitation of US Route 1 in this section of the project. The rehabilitation will

include 7” of untreated recycled pavement and 4” of new HMA. The shoulders in this section will be reconstructed to match Sections 1 and 3. The typical section for this portion of the project is two 12 ft. travel lanes with a shoulder width of 4 ft. on each side. Clearing for sight distance throughout this area has been kept to a minimum in order to reduce impacts to the historic district. No direct impacts or takes on the properties due to the project staying within the existing ROW. The rehabilitation of the roadway will cause minimal visual effects to the property; therefore, the proposed project will have **no adverse effect** on these properties or historic district.

**2) Whiting Community Church, Stations 140+25-141+25 L**

**NR Listed, Criteria C/Criteria Consideration A**

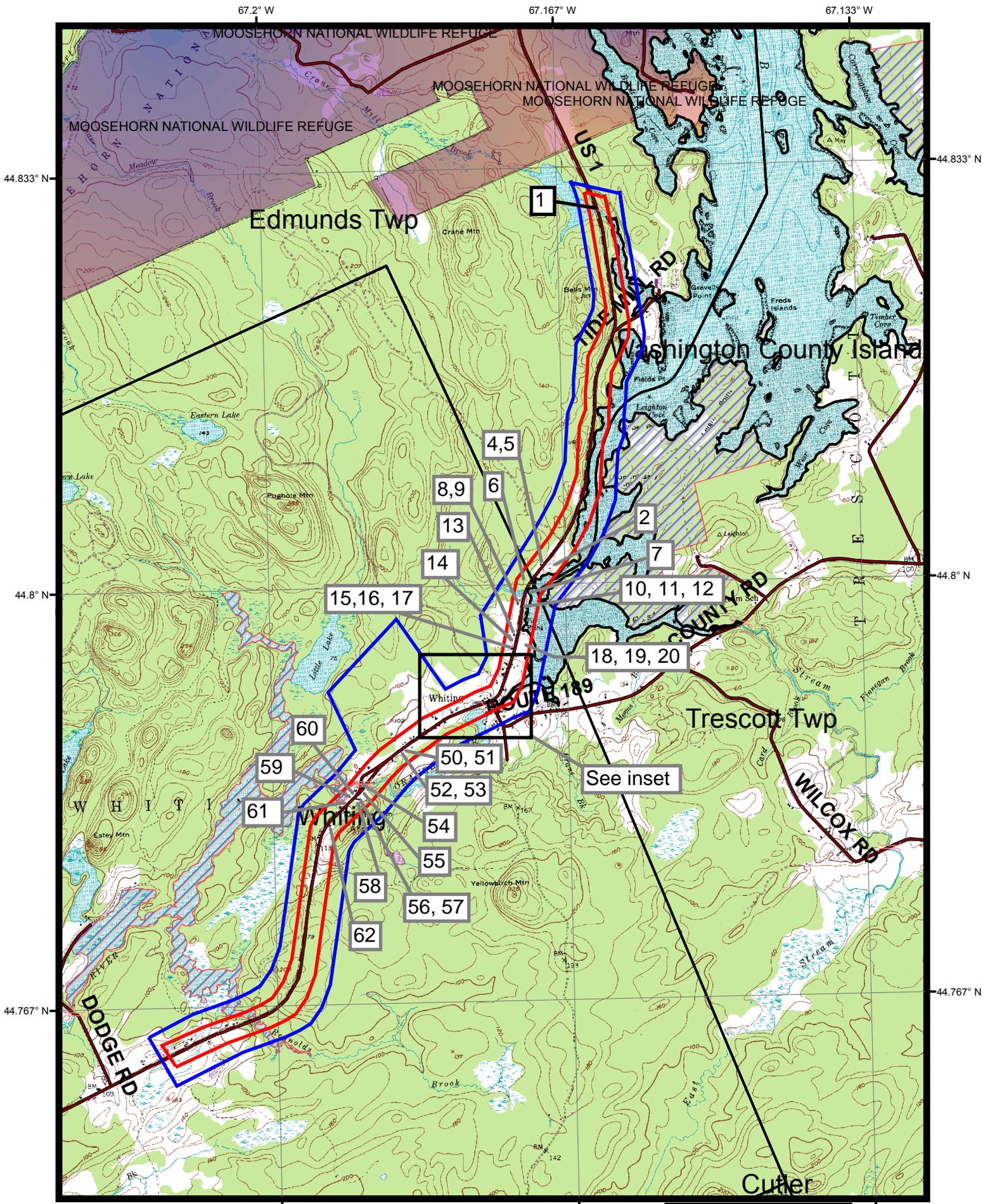
All of the work will be completed within the existing ROW limits. This proposed scope of work for this area is rehabilitation of US Route 1 in this section of the project. The rehabilitation will include 7” of untreated recycled pavement and 4” of new HMA. The shoulders in this section will be reconstructed to match Sections 1 and 3. The typical section for this portion of the project is two 12 ft. travel lanes with a shoulder width of 4 ft. on each side. Clearing for sight distance throughout this area has been kept to a minimum in order to reduce impacts to the historic district. No direct impacts or takes on the properties due to the project staying within the existing ROW. The rehabilitation of the roadway will cause minimal visual effects to the property; therefore, the proposed project will have **no adverse effect** on this property.

**Archaeological Resources**

No archaeological resources will be impacted by this undertaking.

**Avoidance, Minimization and Mitigation**

There will be no direct impacts to the rural historic district or the Whiting Community Church. The properties are located within the section of the project that is scoped for rehabilitation. There is enough existing ROW that additional rights are not needed on the historic resources. Clearing for sight distance throughout this area has been kept to a minimum in order to reduce impacts to the historic district. No direct impacts or takes on the properties due to the project staying within the existing ROW. Materials will be very similar to the existing materials of the roadway.



APE

Survey Boundaries



**Whiting**  
**18288.00**

Route 1  
Road Reconstruction



Whiting 18288.00  
*inset*

35, 36, 37

22, 23

21

42, 43, 44

28, 29

27

30

38, 39

34

24, 25

49

26

32, 33

31

40, 41

189

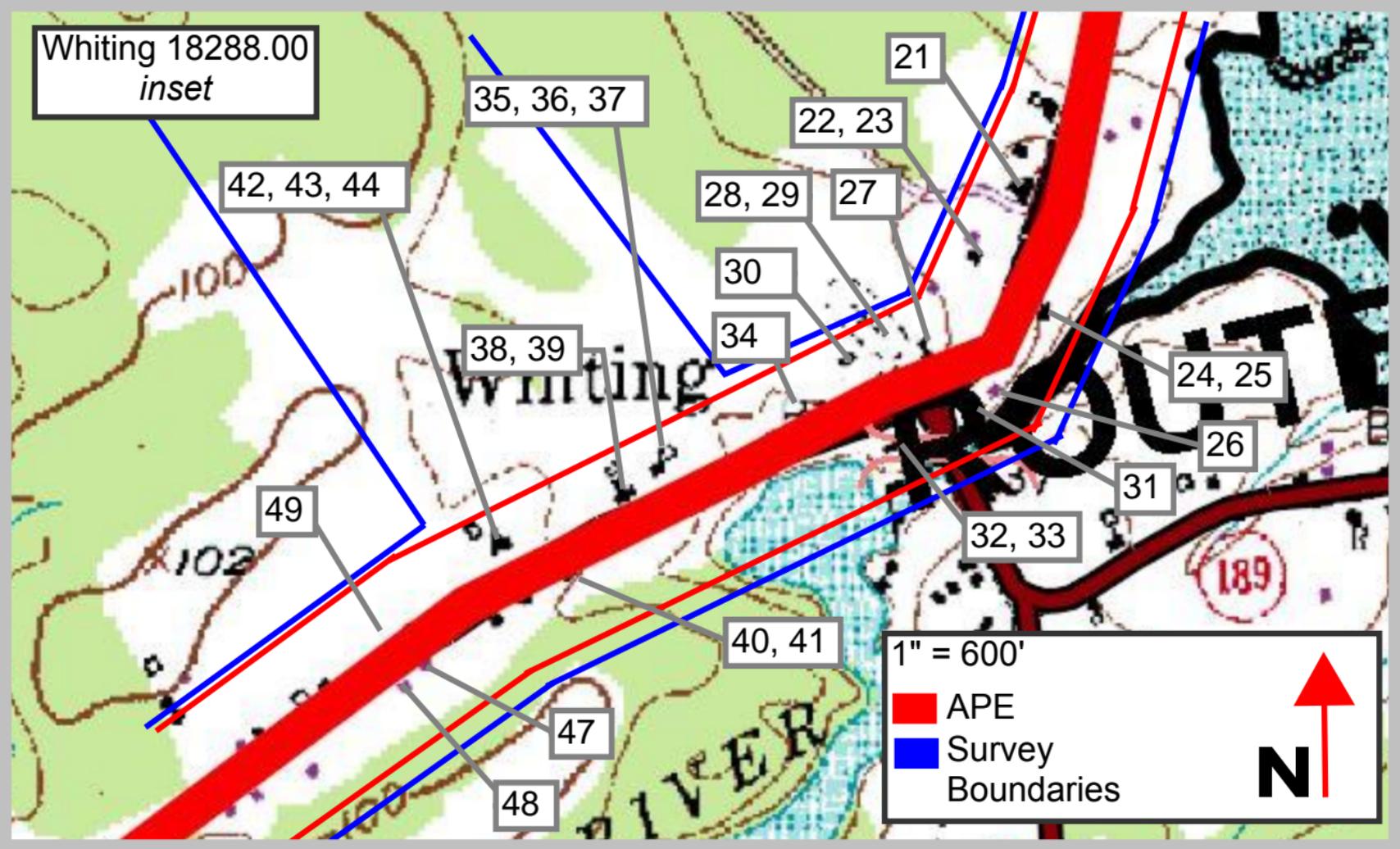
47

48

1" = 600'

 APE

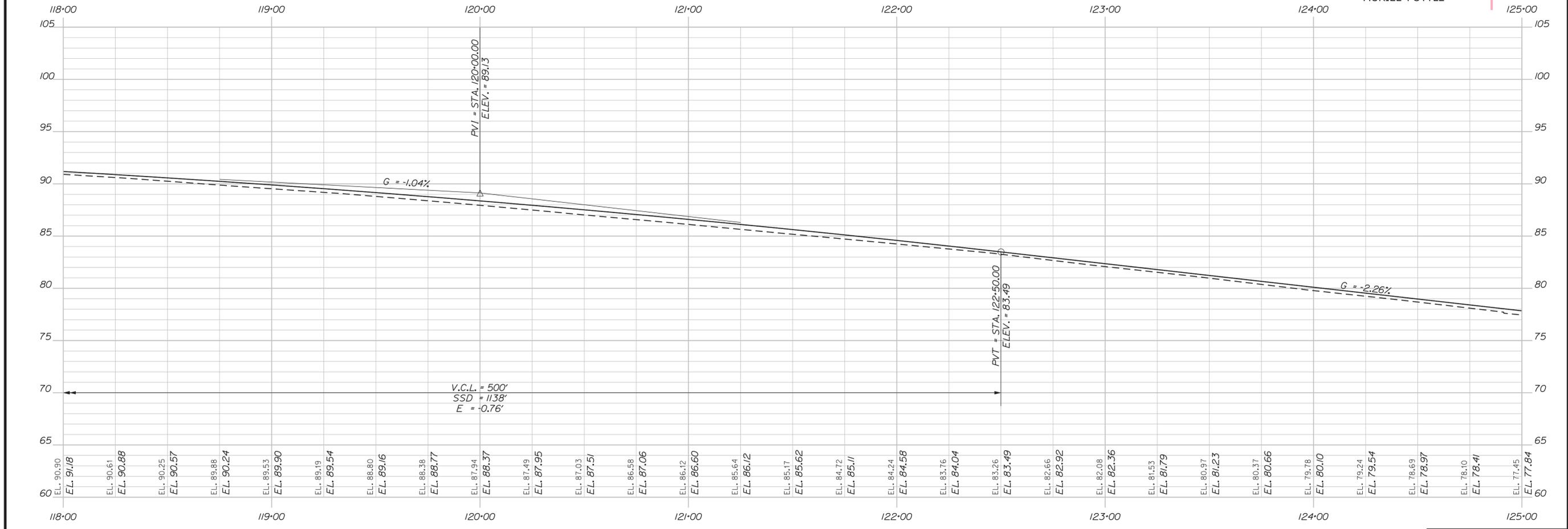
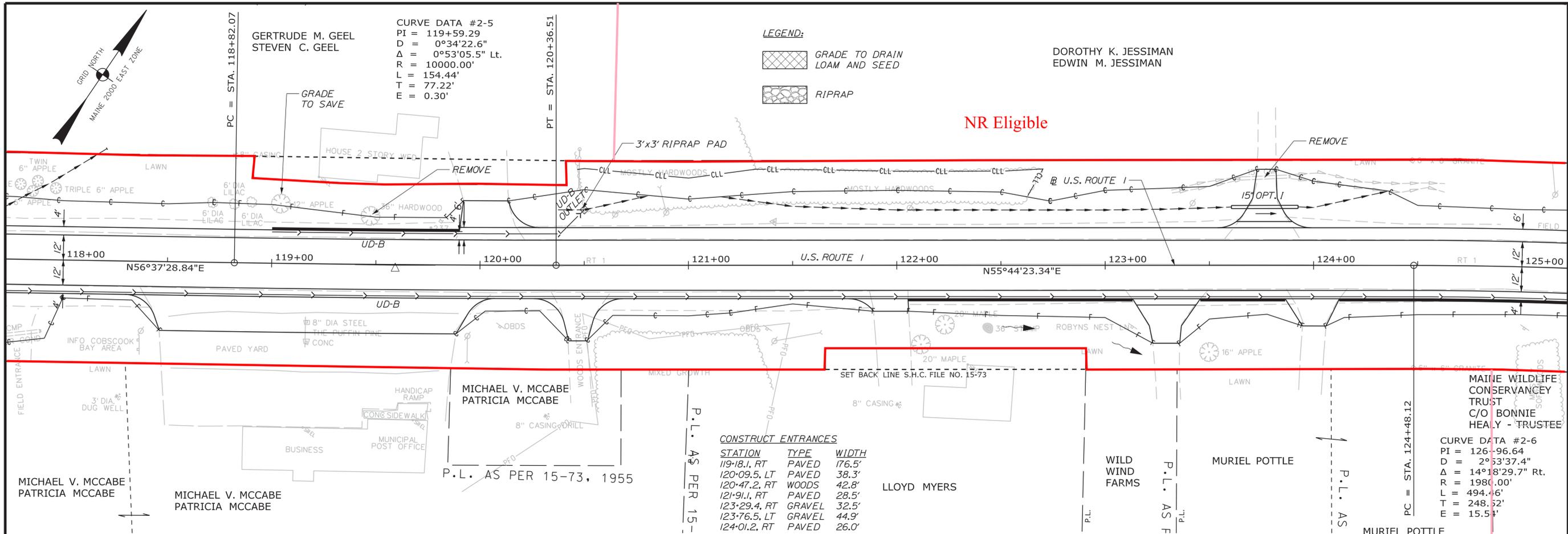
 Survey  
Boundaries



Date: 8/8/2016

Username:

Filename: ... \HIGHWAY\MSTA021\_HDPlan\_17.dgn Division: HIGHWAY



TYLIN INTERNATIONAL

STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
STP-1828(800)X  
WIN  
18288.00  
HIGHWAY PLANS

PROJ. MANAGER  
DESIGN-DETAILED  
CHECKED-REVIEWED  
DESIGN-DETAILED  
DESIGN-DETAILED  
REVISIONS 1  
REVISIONS 2  
REVISIONS 3  
REVISIONS 4  
FIELD CHANGES

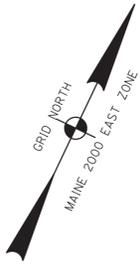
DATE  
1/14  
1/14

BY  
KSD  
KSD

SIGNATURE  
P.E. NUMBER  
DATE

WHITING/EDMUNDS TWP  
U.S. ROUTE 1  
PLANS & PROFILES

SHEET NUMBER  
22  
OF \*



**NR Eligible (219)**

DOROTHY K. JESSIMAN  
EDWIN M. JESSIMAN

- LEGEND:**
- GRADE TO DRAIN  
LOAM AND SEED
  - RIPRAP

BARBARA A. CHAMBERLAIN  
CARLTON H. CHAMBERLAIN

CAREY H. CROSBY  
HAROLD W. CROSBY, JR.

**NR Eligible**

**NR Eligible**

**NR Eligible (212)**

MAINE WILDLIFE CONSERVATION TRUST  
C/O BONNIE HEALY - TRUSTEE

MAINE WILDLIFE CONSERVATION TRUST  
C/O BONNIE HEALY - TRUSTEE

**CURVE DATA #2-6**  
 PI = 126+96.64  
 D = 2°53'37.4"  
 Δ = 14°18'29.7" Rt.  
 R = 1980.00'  
 L = 494.46'  
 T = 248.52'  
 E = 15.54'

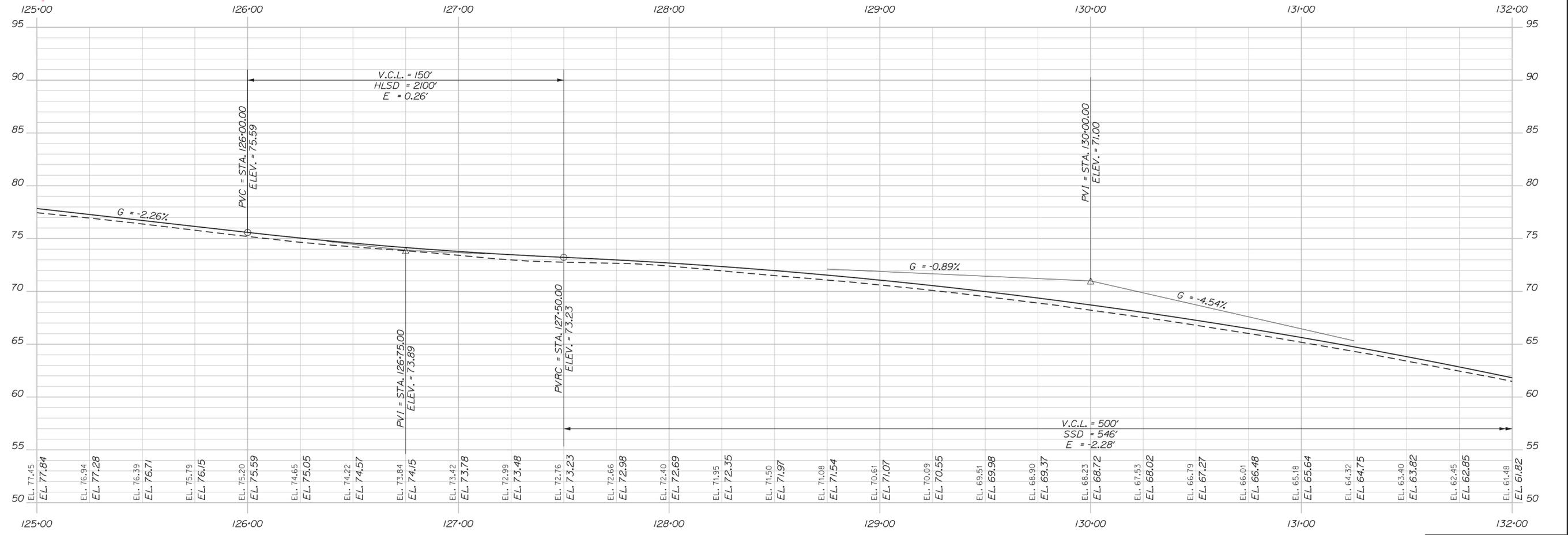
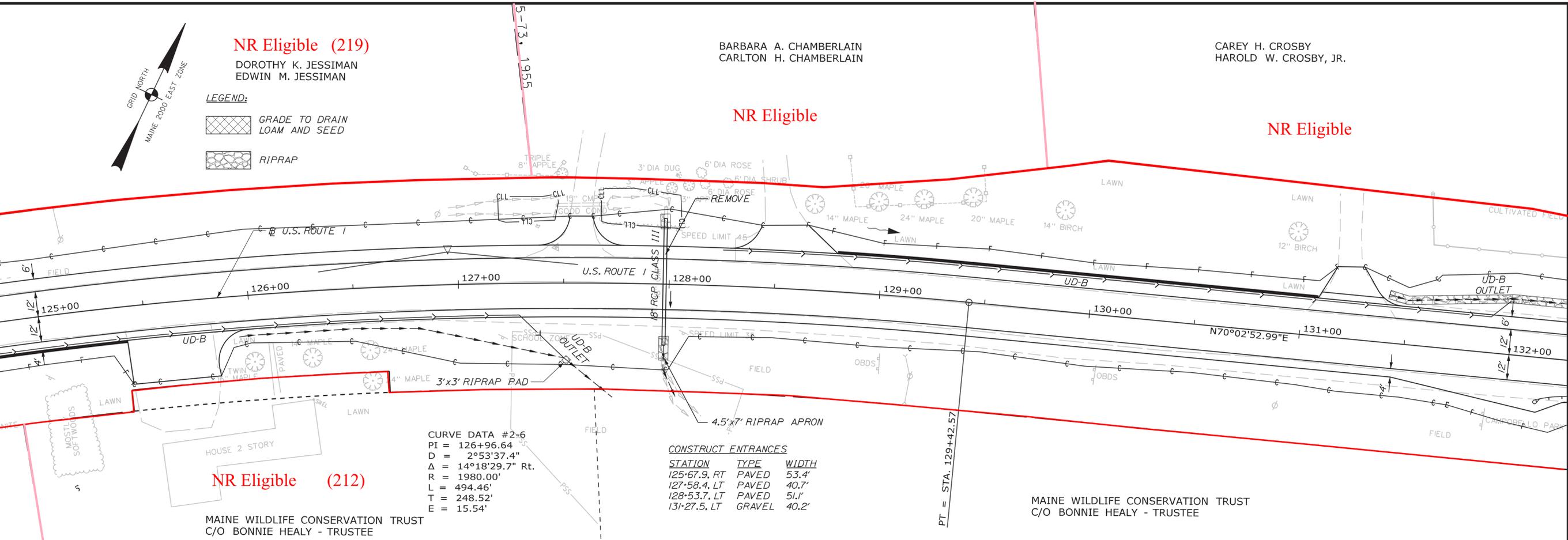
**CONSTRUCT ENTRANCES**

STATION	TYPE	WIDTH
125+67.9, RT	PAVED	53.4'
127+58.4, LT	PAVED	40.7'
128+53.7, LT	PAVED	51.1'
131+27.5, LT	GRAVEL	40.2'

Date: 8/8/2016

Username:

Filename: ... \HIGHWAY\MSTA\022\_HDPlan\_18.dgn Division: HIGHWAY



STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
**STP-1828(800)X**

PROJ. MANAGER	DATE	BY	DATE
K. Ducharme	1/14	DEF	1/14
		KSD	

DESIGN-DETAILED	CHECKED-REVIEWED	DESIGN-DETAILED	REVISIONS
JRH	JRH		1
			2
			3
			4

WHITING/EDMUNDS TWP  
U.S. ROUTE 1  
**PLANS & PROFILES**

SHEET NUMBER  
**23**  
OF \*

**TYL** INTERNATIONAL

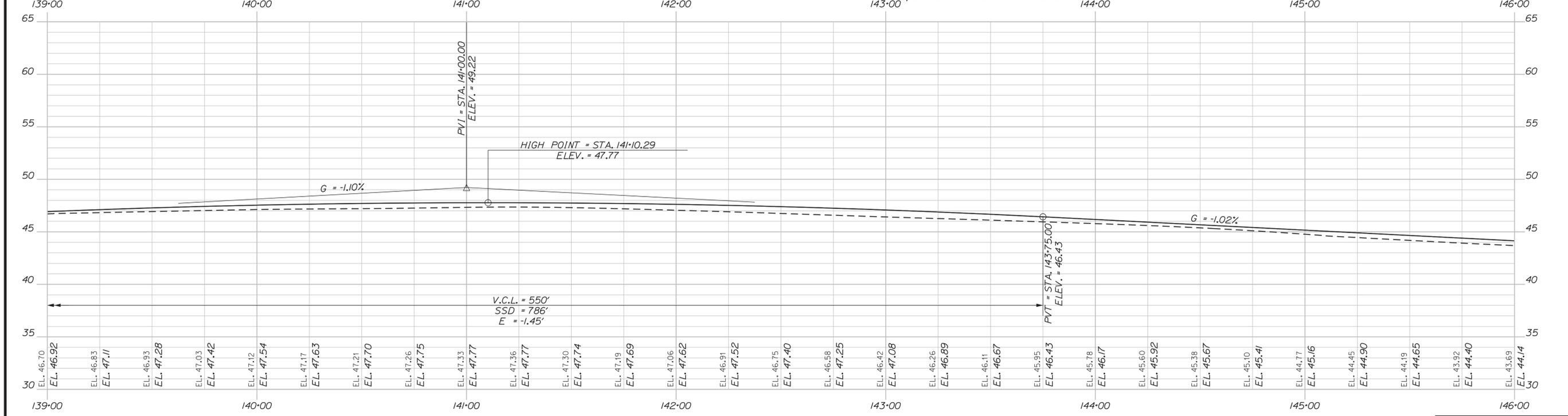
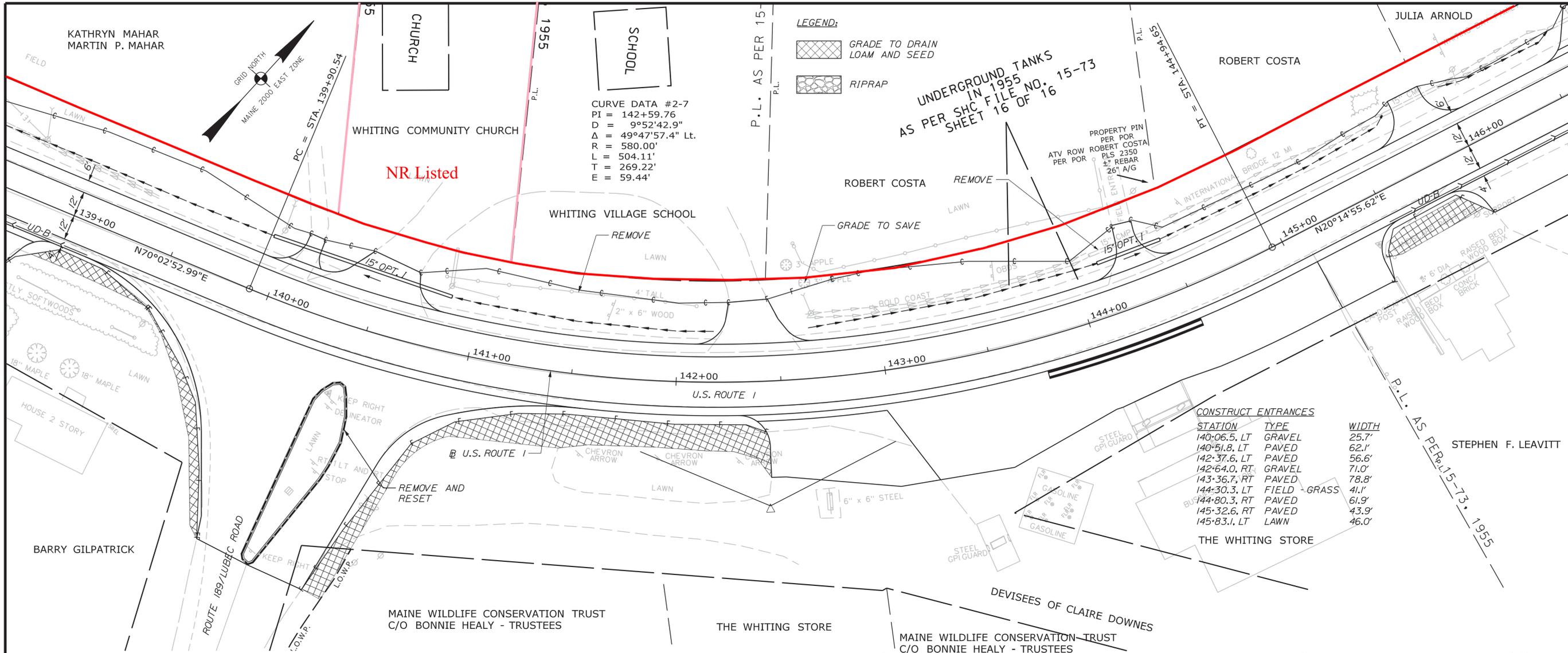
HIGHWAY PLANS  
WIN  
18288.00



Date: 8/8/2016

Username:

Filename: ... \HIGHWAY\MSTA\024\_HDPlan\_20.dgn Division: HIGHWAY



TYLIN INTERNATIONAL

STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
STP-1828(800)X  
WIN 18288.00  
HIGHWAY PLANS

PROJ. MANAGER	BY	DATE
K. Ducharme	DEF	1/14
DESIGN DETAILED	JRH	1/14
CHECKED-REVIEWED	JRH	1/14
DESIGN DETAILED	KSD	
DESIGN DETAILED		
REVISIONS 1		
REVISIONS 2		
REVISIONS 3		
REVISIONS 4		
FIELD CHANGES		

WHITING/EDMUNDS TWP  
U.S. ROUTE 1  
PLANS & PROFILES

SHEET NUMBER  
**25**  
OF \*