U.S. Department of Transportation
Federal Highway Administration

Finding of No Significant Impact

Frank J. Wood Bridge Project
Brunswick-Topsham, Maine
WIN 22603.00

March 12th, 2019

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Brunswick-Topsham
Cumberland and Sagadahoc Counties, Maine
WIN 22603.00

The Federal Highway Administration (FHWA) has determined that *Alternative 2: Replacement on Curved Upstream Alignment* will have no significant impact on the natural or human environment. This determination is based on the *Frank J. Wood Revised Environmental Assessment and Final Section 4(f) Evaluation* ("Revised EA"), February 2019, supporting technical reports (as listed in this FONSI), review of comments received during the EA availability period, and mitigation commitments included in the Revised EA and summarized in this FONSI.

Purpose and Need

The purpose of the Frank J. Wood Bridge Project is twofold:

1. Address poor structural conditions and load capacity of the Frank J. Wood Bridge, and
2. Address pedestrian and bicycle mobility and safety concerns.

The project needs, as discussed in the Revised EA and the *Frank J Wood Preliminary Design Report* (August 2017) include structural deficiency, safety, and access issues; specifically:

The bridge has numerous documented structural deficiencies:

- Floor beams and stringers within the truss spans do not meet current design load or MaineDOT legal load standards.
- The bridge is classified by FHWA as structurally deficient with both superstructure and deck condition ratings of 4 (poor condition) out of 9.
- All three truss spans are fracture critical, meaning that failure of certain steel tension members could cause any of the three spans to collapse.
- Several truss components are fatigue sensitive, susceptible to cracking and fracture.

Safety and access issues exist in the study area:

- The bridge supports foot traffic on the western side only.
- Pedestrians on the east side of Route 201 / Route 24 cannot cross the river without crossing the highway at existing mid-block pedestrian crossings.
- Bicycle traffic is limited by a 4-foot shoulder consisting of two feet of pavement and two feet of open steel grid.

The safety issues identified above increase the likelihood of pedestrian/vehicle conflicts, bicycle/vehicle conflicts and vehicle/vehicle conflicts.

Selected Alternative

The Selected Alternative - *Alternative 2: Replacement on Curved Upstream Alignment* - replaces the Frank J. Wood Bridge (Bridge #2016) with a new bridge connecting US Route 201 over the Androscoggin River. The new bridge will consist of an 835' long, multi-span steel girder structure linking the towns of Brunswick in Cumberland County, and Topsham in Sagadahoc County. A curved design reduces length of roadway approach construction and right of way impacts to abutting properties, including several historic properties and a public park. Span arrangement and number of piers will be designed to minimize footprint impacts within the existing river channel, as well as impacts within the Federal Energy Regulatory Commission ("FERC") boundary associated with an upstream hydroelectric dam. The new design will maximize engineering efficiency of the bridge's superstructure (e.g., amount of material used, weight on each pier), while maintaining existing hydraulic clearance over the river.

The Selected Alternative provides wider shoulders for bicycle passage with no adjacent vertical restrictions. This alternative also provides sidewalks on both sides of the roadway, connecting the approach sidewalks for pedestrians on both sides of the river.

FHWA and MaineDOT identified and considered several additional alternatives to address the Purpose and Need during the planning phase of this project. These alternatives were refined and expanded based on input from the public and Section 106 Consulting Parties. A hydraulic analysis found that *Alternative 5: Replacement on Downstream Alignment*, would substantially increase the base flood elevation and raise water levels at the Bowdoin Mill Complex, particularly the end of the mill building where the Sea Dog Brewing Company is located (*see* Revised EA, Appendix 2: Preliminary Design Report). The upstream alignment also avoids impacts to the 250th Anniversary Park, located just downstream of the project area.

Although FHWA considered rehabilitation options that would address structural deficiencies at the Frank J. Wood Bridge, the structure would remain fracture critical. In addition, FHWA concluded per 23 CFR 774.17 that several rehabilitation options for the National Register of Historic Places ("National Register") eligible bridge could not serve as prudent and feasible avoidance alternatives under Section 4(f) of the Department of Transportation Act due to costs of extraordinary magnitude. Both *Alternative 3: Rehabilitation with one Sidewalk* ($15M preliminary construction cost) and *Alternative 4: Rehabilitation with 2 Sidewalks* ($17M preliminary construction cost), were dismissed due to a 14% and 24% increase over the lowest estimated preliminary construction cost of other alternatives, and a 626% and 657% increase in Annual Cost Per Service Life Year, (*see* Final Section 4(f) Evaluation pages, 17-25).

Among the two remaining replacement alternatives, *Alternative 2: Replacement on Curved Upstream Alignment* was chosen as the Selected Alternative per 23 CFR 774.3(c)(1) because it, 1) required the least amount of time for in-water work in areas occupied by endangered species and their habitats; and 2) presented a substantial difference in cost per 23 CFR 774.3(c)(1)(vii). Estimated time of construction for the Selected Alternative is two and a half years, opposed to three and a half years required for the other remaining alternative, *Alternative 1: Replacement on Existing Alignment*. The Selected Alternative is estimated to be $3M less in both Construction

Cost and Service Life Cost than the on-alignment replacement option (*see* Final Section 4(f) Evaluation, pages 28-30).

FHWA and MaineDOT also considered an additional design concept submitted by a citizens group, the Friends of the Frank J. Wood Bridge ("Friends"). This proposal was submitted as a comment to the EA and was discussed at a June 27, 2018 Section 106 Consulting Parties meeting. This alternative proposed to replace the superstructure of the truss bridge except the bottom chords with a two or three span set of steel girders. At the end of construction, the truss would be non-functional. This option was presented at a conceptual level only. No engineering analysis or cost estimates were provided. MaineDOT conducted an assessment of the Friends' bridge rehabilitation study and determined that the rehabilitation options already evaluated in the EA were appropriate and sufficient.

FHWA conducted an additional internal review of both the Friends' report and MaineDOT's assessment in August 2018. FHWA found that the proposed depth to span ratio described in the Friends' design concept was substantially outside the range of standard engineering practice. FHWA also noted that the option presented by the Friends' had no mention of a sidewalk or other pedestrian accommodations.

Based on information presented in the technical reports outlined above, FHWA concluded per 23 CFR 774.17 that this alternative did not meet the stated Purpose and Need of the project, and thus could not serve as a prudent and feasible avoidance alternative under Section 4(f). This alternative was dismissed from further consideration.

The Frank J. Wood Bridge project has been assigned a MaineDOT Work Plan Identification number of 22603.00. In the Statewide Transportation Improvement Program for Federal Fiscal Years 2018-2019-2020-2021, the project includes Preliminary Engineering, Right of Way and Construction/Construction Engineering.

Summary of Environmental Impacts

The Revised EA describes existing conditions in the project area and potential impacts that would result if the Selected Alternative is implemented. Information was gathered from various sources including site observations, maps, aerial photography, and local, state, and federal agency data. The following environmental factors were analyzed and recorded in the Revised EA:

- Endangered and Threatened Species
- Essential Fish Habitat
- Water Resources (including Section 404 and Rivers and Harbors Act)
- Permanent and Temporary Wetland Impacts
- Coastal Zone Management
- Floodplains and Hydraulics
- Hazardous Materials
- Brookfield Dam & Fishway
- Historic & Architectural Resources
- Archaeological Resources

- Section 4(f) Resources
- Residential and Business Impacts
- Bicycle and Pedestrian Impacts
- Construction and Traffic
- Utilities
- Federal Energy Regulatory Commission (FERC) Boundary
- Right of Way Impacts
- Cost (Construction, Maintenance, and Service Life)
- Secondary or Indirect Impacts
- Cumulative Impacts
- Environmental Justice
- Migratory Bird Treaty Act
- Marine Mammal Protection Act
- Section 6(f) Land and Water Conservation Fund
- Air quality
- Noise

Several environmental impact areas are further discussed below:

Section 7 of the Endangered Species Act - MaineDOT (on behalf of FHWA) prepared a Biological Assessment and initiated Section 7 Consultation for effects to endangered and threatened species from the Selected Alternative on November 2, 2017. Potential effects to species include underwater noise, increased sedimentation and turbidity, construction-related boat traffic and entrapment in cofferdams.

A Biological Opinion issued March 30th, 2018 by the National Marine Fisheries Service ("NMFS") concluded that the proposed action is likely to adversely affect, but not likely to adversely modify or destroy critical habitat designated for the Gulf of Maine distinct population segment (DPS) of Atlantic sturgeon. It also concluded that the proposed action may affect, but is not likely to adversely affect, the Gulf of Maine DPS of Atlantic sturgeon, endangered shortnose sturgeon, endangered Gulf of Maine DPS of Atlantic salmon, or critical habitat designated for the Gulf of Maine DPS of Atlantic salmon (*see* Revised EA, Appendix 10: Biological Opinion).

Essential Fish Habitat- Approximate net loss of Essential Fish Habitat ("EFH") from permanent structures is 3,000 square feet. MaineDOT (on behalf of FHWA) initiated EFH Consultation with NMFS in May of 2018. NMFS responded with conservation recommendations on July 27, 2018. FHWA and MaineDOT accepted recommendations via email on August 31, 2018 (*see* Revised EA, Appendix 11: Essential Fish Habitat).

Wetlands and Waterbodies - The single freshwater wetland located in the project area will be avoided. Span arrangement of the Selected Alternative will minimize the number of piers and maximize the use of bedrock outcrops above Highest Annual Tide/Ordinary High Water (HAT/OHW).

Brookfield Hydropower Dam - A hydropower dam operated by Brookfield Renewable Energy Partners ("Brookfield") is located approximately 500 feet upstream of the existing Frank J. Wood Bridge. Brookfield owns and operates the dam under a license from FERC. Upstream fish passage at the dam occurs via a vertical slot fish way, which provides passage for important anadromous species. The Selected Alternative will have temporary effects to the fish species utilizing the fishway during construction due to installation of a temporary bridge or temporary trestles.

FHWA also considered potential future impacts to the Brookfield power dam and fishway from this undertaking. A hydraulic analysis estimating surface water elevation changes from the Selected Alternative was conducted early in the project planning process. Preliminary estimates suggest that the Selected Alternative will require rights to permanently occupy approximately one acre of land and water area within the FERC boundary. This includes not only the direct footprint area of abutments and piers, but also the area of bridge superstructure constructed over the Androscoggin River. An additional one half acre of land and water area is expected to be used during construction and will require temporary rights within the boundary.

Brookfield's facilities will require FERC re-licensing in 2029. MaineDOT and FHWA used best available information to understand and characterize the potential impacts to the dam and the fishway, and will continue to coordinate and cooperate with Brookfield during final design upon completion of NEPA. In addition, in response to a comment letter submitted by NMFS citing concerns with future impacts to the fishway, MaineDOT has accepted this agency's suggestion to work with both Brookfield and NMFS to identify baseline parameters at the fishway to measure pre- and post- construction conditions.

Section 106 of the National Historic Preservation Act - The Selected Alternative has been determined to have an adverse effect on several historic properties due to removal and replacement of the Frank J Wood Bridge:

- **Cabot Mill**, *(National Register of Historic Places (NRHP) Eligible);*
- **Frank J. Wood Bridge** *(NRHP Eligible);*
- **Brunswick Topsham Industrial Historic District** *(NRHP Eligible); and*
- **Pejepscot Paper Company** *(NRHP Listed).*

A memorandum of agreement (MOA) resolving adverse effects was reviewed by the Advisory Council on Historic Preservation (ACHP), the Maine State Historic Preservation Officer (SHPO), Section 106 Consulting Parties and the public, and executed on December 22, 2018.

Section 4(f) - Section 4(f) of the Department of Transportation Act stipulates that FHWA cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or historical sites unless certain conditions apply. On February 21, 2019, FHWA approved an individual Section 4(f) Evaluation for this project, concluding that the proposed action includes all possible planning to minimize harm to resources protected under this statute. MaineDOT has endeavored to reduce the amount of land permanently used at Section 4(f) properties by limiting impacts to aproximately 0.1 acre for permanent right-of-way acquisition at Cabot Mill, and 0.1 acre for construction of a new driveway at the Pejepscot Paper Company. The Final Section 4(f) Evaluation incorporates comments received from the Department of the Interior, the SHPO, and the public.

Right of Way - The proposed project will require the acquisition of approximately two acres of right-of-way.

Comments and Coordination

Several meetings have been held with the public, Section 106 Consulting Parties and with town officials throughout the NEPA process. Key issues raised during these meetings include:

- Historic nature of existing bridge and area
- Bicycle and pedestrian connectivity
- Aesthetics
- Importance of detour route/business access
- Project cost

Prior to the issuance of the EA/Draft Section 4(f) Evaluation, in response to public input, MaineDOT expanded an initial group of alternatives to the five presented in the EA/Draft Section 4(f) Evaluation, and considered and evaluated all the alternatives for engineering, cost, and environmental impacts, including impacts to historic resources.

The EA/Draft Section 4(f) Evaluation was approved for release to the public by the FHWA Maine Division on February 27, 2018. The public comment period on the EA began on February 27, 2018 and ended on April 11, 2018. A public hearing was held on March 28, 2018 at the Mt. Ararat High School in Topsham, Maine. Advertisements regarding the public hearing and the availability of the EA were placed in the Portland Press Herald and the Brunswick Times Record. Additionally, the EA/Draft Section 4(f) Evaluation and supporting technical documents were available for review and download through MaineDOT's website. Supporting technical documents included:

- Matrix of Alternatives Investigated
- Preliminary Design Report
- Natural Resource Assessment Survey Results
- Natural Resource Agency Correspondence
- Downstream Alignment Alternative Hydraulics Report
- Section 106 Correspondence with the Maine SHPO
- Supplemental Materials for Section 106 Finding of Effect
- Keeping Our Bridges Safe Report
- June 2017 Question and Response Document
- Bridge Posting Memo

During the comment period, hard copies of the EA/Draft Section 4(f) Evaluation were also available for review at the following locations:

- Town Office, Brunswick ME
- Town Office, Topsham ME

The public had the opportunity to provide written, public or private testimony at the public hearing and to provide written comments throughout the comment period. Comments provided were reviewed and considered. Responses to substantive comments are included in the Revised EA.

Over a hundred public comments were received on the Environmental Assessment/Draft 4(f) Evaluation. Written comments received were evenly mixed between support of replacement and support of rehabilitation alternatives. Several individuals and groups raised concerns regarding consideration of historic resources in evaluating the alternatives. Multiple comments were received concerning bicycle safety, including that some people will not bicycle across the existing truss due to safety concerns regarding narrow widths.

Letters were sent to appropriate resource agencies informing them of the availability of the EA and technical documents for review. A full listing of agency coordination efforts is summarized in the Revised EA/Final Section 4(f) Evaluation.

The Department of Interior ("DOI") concurred on April 11th, 2018 that there are no prudent and feasible alternatives to use of land from Section 4(f) properties for this undertaking, and that the proposed action includes all possible planning to minimize harm to Section 4(f) resources. The Advisory Council on Historic Preservation ("ACHP") participated in the Section 106 consultation for this project and provided substantive comment and input.

As noted above, NMFS commented by letter that the Selected Alternative could limit options for future improvements to the Brookfield fishway due to effects from shadowing. NMFS and Brookfield provided input on the span arrangement and potential effects of the preferred alternative early in project planning, including an additional analysis conducted by MaineDOT to study possible effects to the fishway from shadows cast by a new bridge (*see* Appendix 10: Biological Opinion). As a result of coordination with Brookfield and NMFS, MaineDOT also modified the preliminary design of the Selected Alternative to remove the southernmost pier from the tailrace area of the dam. This modification will minimize any potential impacts to the fishway by more closely simulating existing in-river flow patterns.

All public comments received as well as multiple Question and Answer documents addressing frequently asked questions are available on MaineDOT's Frank J. Wood Project website, here: http://www.maine.gov/mdot/env/frankjwood/.

Mitigation and Environmental Commitments

The following section summarizes how impacts will be avoided, minimized, and mitigated for the Selected Alternative:

- Avoidance and minimization measures – As stated in the Revised EA, the conceptual design incorporated avoidance measures for sensitive features wherever possible. In the final design stage, efforts will be made to further minimize impacts to natural, cultural and socioeconomic features.

- Right-of-Way – Based on preliminary design estimates, the Selected Alternative (Alternative 2) will require permanent property rights from two Brunswick properties (Brookfield White Pine Hydro LLC and Waterfront, Maine Brunswick LLC) and one Topsham property (Priority Properties, LLC) totaling approximately two acres of land and water area. This includes not only the direct footprint area of the abutments and piers, but also the area below the entire bridge.

  Permanent property acquisitions will be required for parts of two properties on the west side of the Brunswick (south) approach and one property on each side of the Topsham (north) approach. A 130-foot-long retaining wall will be constructed along the northwest approach to limit impacts to the adjacent property and parking area. The Selected Alternative will require no business or residential relocations. All acquisition will follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

  The Brunswick abutment and two bridge piers will be located within the limits of the FERC Boundary for the hydropower dam operated by Brookfield located approximately 500 feet upstream of the bridge. Upon completion of NEPA, MaineDOT will continue coordination with Brookfield to ensure that required temporary and permanent rights are obtained in accordance with FERC requirements.

- Temporary Occupancies – Several properties will be occupied temporarily during the construction process. MaineDOT has committed to restoring to prior condition any land used for temporary construction staging. In accordance with Section 4(f) regulations, Officials with Jurisdiction over Section 4(f) resources have been notified in writing of the nature and expected duration of temporary impacts (*see* Revised EA, Appendix 6). Due to the minor nature of these occupancies and the efforts that will be made to restore properties to their current condition, each temporary occupancy meets all Section 4(f) exemption requirements outlined in 23 CFR 774.13(d) 1-5.

- Waters of the U.S. – MaineDOT will continue coordination with state and federal resource agencies during final design and permitting to further avoid and minimize impacts to wetlands and waterbodies. Final impacts and any required mitigation (e.g., restoration of temporary impact areas, in-lieu payment to Maine Natural Resources Compensation Program), will be incorporated in an application and discussed with the U.S. Army Corps of Engineers and the U.S. Coast Guard to obtain a permit which will satisfy Section 404 of the Clean Water Act and Sections 9 and 10 of the Rivers and Harbors Act.

  The Maine Department of Environmental Protection is authorized to administer the National Pollutant Discharge Elimination System ("NPDES") program in Maine. The Selected Alternative will incorporate best practices to minimize potential impacts to surface water in accordance with the "Memorandum of Agreement for Stormwater Management", between the Maine Department of Transportation, Maine Turnpike Authority, and Maine Department of Environmental Protection, dated June 27, 2017, the Maine Department of Environmental Protection "General Permit-Construction Activity, Maine Pollutant Discharge Elimination System with Basic Performance Standards Appendices"; and MaineDOT Standard Specification 656, "Temporary Soil Erosion and Water Pollution Control".

- Floodplains – Water surface elevations upstream and downstream of the proposed bridge will closely match existing conditions (*see* Hydraulic Analysis, Revised EA; Appendix 2).
- Threatened and Endangered Species – A Biological Opinion issued March 30th, 2018 by NMFS incorporates Avoidance and Minimization Measures (AMMs) described in the Biological Assessment (BA). AMMs are project-specific measures that prevent or reduce the impact of a project on fish species or habitats. AMMs can be precautionary, avoidance, or protection procedures, such as timing restrictions or buffers around sensitive habitats and habitat features that are important to listed species. AMMs specific to this project include minimizing permanent in-water structures; avoiding in-water work during known spawning and migration periods and other times when species are likely to be present; fish observation and evacuation if necessary; and using Best Management Practices (BMPs) for sedimentation and erosion control. The following AMMs will be implemented:
    - All elements of the project will be conducted in compliance with MaineDOT's Standard Specifications (MaineDOT 2014). The Standard Specifications is a textual compilation of provisions and requirements for the performance of any MaineDOT work and requires BMPs related to surface water quality protection and waste management. BMPs are methods, facilities, build elements, and techniques implemented or installed during project construction to prevent or reduce project impacts.
    - Contractors will submit a Soil and Erosion and Water Pollution Control Plan (SEWPCP) for review and approval by MaineDOT staff prior to the start of work. The plan includes the review of the implementation of any BMPs or AMMs proposed.
    - Prior to any soil disturbance, the erosion control portion of the SEWPCP will be reviewed and in place.
    - In-water work window. MaineDOT and FHWA commit to avoiding all activities that could result in in-water noise that could result in fish disturbance (louder than 150 dB RMS) and turbidity producing activities between March 16 and July 31.
    - No equipment, materials, or machinery shall be stored, cleaned, fueled, or repaired within any wetland or watercourse; dumping of oil or other deleterious materials on the ground will be forbidden; the contractor shall provide a means of catching, retaining, and properly disposing of drained oil, removed oil filters, or other deleterious material; and all oil spills shall be reported immediately to the appropriate regulatory body.
    - Contractors are required to install turbidity curtains around areas planned for in-water fill associated with construction of the temporary trestle access point. All in-water trestle construction will occur between August 1 and March 15. In-river (i.e., not the ponded/bedrock falls habitat on the Topsham side) trestle construction and removal (~60 square feet footprint) will occur between September 1 and March 15.

- Maine DOT modified the preliminary design to eliminate a fourth in-water pier (leaving three in-water piers) to avoid impacts to critical habitat as well as potential effects to fishway function.

- All four cofferdams shall be constructed during the in-water work window, between August 1 and March 15, apart from the cofferdam for Pier 1, which will occur between September 1 and March 15.
- Bedrock leveling using hydraulic breakers (or hoe rams), blasting, or other methods resulting in potential injury to fish species present will occur between November 8 to March 15. All other in-water work activities resulting in potential noise levels over 150 dB RMS will be completed between August 1 and March 15.
- Plans for any project-related blasting will be submitted within 150 days for NMFS to review and will be designed to remain below potential fish injury limits (206 dB Peak (2.89 PSI)).
- Any blasting activities to occur from November 8 to November 30 will incorporate the following minimization measures to reduce potential impacts to adult Atlantic salmon which may still be present in the area:
    - Active acoustic monitoring of the action area for any tagged fish potentially present in the Androscoggin River.
    - Minimize charge sizes and the number of days of exposure to blasting.
    - Deploy scare charges prior to the main blast.
    - Conduct visual inspection of the action area post blast to document any impacts to fish.
- Fresh concrete will be poured inside of cofferdams and will not come into contact with flowing water.
- MaineDOT will deploy a diver into the cofferdams to visually search for endangered fish species. Should a salmon or sturgeon be observed within a cofferdam structure, MaineDOT will coordinate with the resource agencies for removal of those individual fishprior to proceeding with construction.
- Water pumped out of the cofferdam will be within one pH unit of background (MaineDOT standard specifications). A representative of the MaineDOT Surface Water Quality Unit will periodically evaluate pH to determine whether the water is within the allowable tolerance to be pumped directly back into the river or whether it needs to be treated prior to discharge.
- Superstructure demolition debris will be contained using control devices and cannot enter the water.
- The existing pier structure will be removed down to the underlying bedrock and debris from the structure will be removed from the river to restore potential natural spawning substrate for sturgeon species.

- Construction crews will visually monitor for sturgeons in equipment and on barges and report any sturgeon to MaineDOT environmental staff.
- Vessels will travel at "slow speeds, typically less than 6 knots" (6.9 miles per hour) in the construction zone.

- Essential Fish Habitat – An Essential Fish Habitat (EFH) Assessment was completed by the Maine Department of Transportation. NMFS provided conservation recommendations on July 27, 2018, (*see* Revised EA, Appendix 11). FHWA and MaineDOT accepted the following conservation recommendations via email on August 31, 2018:
  - Debris and rubble from the demolition of the existing bridge should be prevented from entering the river below the OHW line, to the extent possible. Any debris or rubble that inadvertently falls below the OHW line should be removed using the least damaging methods available. This recommendation will be implemented with standard contract provisions.
  - All bedrock leveling and substructure removal using hydraulic breakers, hoe rams, blasting, or other methods resulting in potential injury to fish species present should occur between November 8 to March 15. All other in water work activities resulting in potential noise levels over 150 dB RMS will be completed between August 1-March 15. This measure minimizes impacts to migrating alewife, blueback herring, American shad, rainbow smelt, and striped bass.
  - MaineDOT will review final impacts with the United States Army Corps of Engineers and discuss any required mitigation via the permitting process during final design.
- Brookfield Fishway – As noted above, MaineDOT coordinated with Brookfield throughout project development. MaineDOT has used best available information to understand and characterize the potential impacts to the hydropower dam and the fishway, and will continue to coordinate and cooperate with Brookfield during final design upon completion of NEPA. In addition, MaineDOT will work with Brookfield and NMFS to identify baseline parameters at the fishway to measure pre- and post- construction conditions.
- Hazardous/Residual Waste – The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) requires an environmental site assessment investigation to address the liability of acquiring portions or all of a given property. Initial site assessments indicated a property on the northwest Topsham approach was a former gas station. Review of available spill reports and uncontrolled sites data from the Maine Department of Environmental Protection suggests the proposed project will not directly impact the site with the initial limits of cuts, fills and property acquisition. However, MaineDOT will conduct additional borings and coordination through final design to ensure compliance with CERCLA.
- Historic Resources – The undertaking will have an Adverse Effect on the Cabot Mill, which is eligible for listing in the National Register under Criteria A & C; the Frank J. Wood Bridge which is eligible for listing in the National Register under Criteria A, and for the purposes of mitigation FHWA is considering eligible under Criteria C; the Brunswick Topsham Industrial Historic District which is eligible for listing in the National Register

under Criteria A & C; and Pejepscot Paper Company which is listed in the National Register under Criteria A & C. The Maine SHPO (Maine Historic Preservation Commission) concurred with the above Adverse Effect finding.

Avoidance and mitigation measures for the Adverse Effects to these resources were discussed in consultation among MaineDOT, FHWA, Maine SHPO, Advisory Council on Historic Preservation (ACHP), the Section 106 Consulting Parties, and the public (*see* Section 106 Timeline, Revised EA: Appendix 6). The ACHP provided substantive written edits to an MOA resolving adverse effects under Section 106. The MOA was executed on December 22, 2018 (*see* Revised EA, Appendix 6). Final mitigation measures are listed as Stipulations of the MOA and are summarized below:

- New Bridge Design Review Process - MaineDOT will consult with the Maine SHPO, Bridge Design Committee, and Section 106 Consulting Parties on the final design of the new bridge to ensure compatibility with existing historic features.
- Historic American Engineering Recordation - MaineDOT will provide recordation of the Frank J. Wood Bridge (Maine State Bridge No. 2016) in consultation with the National Park Service and in accordance with Historic American Engineering Record (HAER) Level 1 Standards.
- National Register of Historic Places (NRHP) Nomination - MaineDOT will prepare and submit to the Maine SHPO a NRHP nomination for the previously determined eligible Brunswick Topsham Industrial Historic District (including National Register-eligible tenement housing).
- Outdoor Interpretive Panel - MaineDOT will design and install two (2) permanent outdoor interpretive displays depicting the Frank J. Wood Bridge and earlier crossings, their history, and significance.
- Conservation of Existing Bridge Plaques - MaineDOT will be responsible for removing, storing, and conserving the four (4) historic plaques on the existing Frank J. Wood Bridge.
- Adaptive Reuse or Reuse of Portions of the Structure - Prior to dismantling, MaineDOT and FHWA shall offer the Frank J. Wood bridge to any group that could legally take possession of the bridge and maintain it at a new location, provided the group assumes all future legal and financial liability.
- Illustrated Booklet on the History of the River Crossing - MaineDOT, in consultation with the Maine SHPO, will commission an illustrated booklet on the history of the river crossing, as well as document the complete story of the Frank J. Wood Bridge and its relationship to the community and the cultural landscape, including indigenous use of the area.
- Indoor Traveling Exhibit - MaineDOT will develop a single indoor traveling exhibit consisting of three panels that share the story of the history of the Androscoggin River crossing, including the Frank J. Wood Bridge.
- Post Review Discoveries - If any unanticipated discoveries of historic properties or archaeological sites are encountered during the implementation of the project,

MaineDOT shall suspend work in the area of the discovery in accordance with MaineDOT Standard Specification 105.9: Historic and Archaeological Considerations, and MaineDOT shall notify FHWA. FHWA shall notify the ACHP, the Maine SHPO, and if applicable, federally recognized tribes that attach religious and/or cultural significance to the affected property.

- Utilities: MaineDOT will work with affected utilities during final design to coordinate utility accommodations.

Finding of No Significant Impact

This Finding of No Significant Impact (FONSI) is based on the project record including:

- **Frank J. Wood Bridge Project Revised Environmental Assessment/Final Section 4(f) Evaluation (February 2019)**
- **Response to substantive Environmental Assessment comments addressed within the Revised EA**
- **Transcript of the March 28, 2018 EA Public Hearing**

The FHWA has determined that *Alternative 2: Replacement on Upstream Alignment*, will have no significant impact on the human environment. This FONSI is based on the Revised EA and above documentation, which has been independently evaluated by FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an EIS is not required. FHWA takes full responsibility for the accuracy, scope, and content of the Revised EA and associated documentation.

Pursuant to: 42 U.S.C. 4231-4347
40 CFR 1500-1508
23 CFR 771
36 CFR 800
49 U.S.C. 303(c)
23 CFR 774
16 U.S.C. 1531-1544
33 U.S.C Section 1251 et seq. (1972)
Executive Order 11988
Executive Order 11990
Executive Order 12898

For FHWA:

Todd D. Jorgensen 3/12/19

Todd D. Jorgensen Date
Division Administrator