



FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING & PERMITTING

Livable Frederick Planning & Design Office

Jan H. Gardner
County Executive

Steven C. Horn, Division Director
Kimberly Golden Brandt, Director

MEMORANDUM

TO: Historic Preservation Commission
FROM: Amanda Whitmore, Historic Preservation Planner
DATE: April 1, 2022
RE: Section 106 Consultation re: Bridge Replacement at Hessong Bridge Road over Little Hunting Creek

Issue:

Does the Historic Preservation Commission (HPC) have additional comments regarding the *Phase I Archaeological Survey, Replacement of Bridge No. F-1501, Hessong Bridge Road over Little Hunting Creek, Frederick County, Maryland* that was transmitted via letter, dated March 28, 2022, by the Maryland Department of Transportation (MDOT), State Highway Administration (SHA)?

Background and Discussion:

Frederick County Division of Public Works (DPW) is proposing to replace Bridge No. F-1501, Hessong Bridge Road over Little Hunting Creek. This bridge was installed in 1975 and a 2019 Bridge Inspection Report identified the structure as functionally obsolete. DPW and the Maryland Historical Trust (MHT) initiated Section 106 consultation. Additionally, DPW staff consulted with the County's Historic Preservation Planner. Preservation staff reviewed historic documentation which confirmed a cemetery and former school/church were located in the vicinity. County preservation staff sent a memo to DPW, dated June 1, 2020, outlining the historic resources reviewed and recommended avoidance of the area or an archaeological survey. Subsequently, MHT recommended in August 2020 that a Phase I archaeological survey be performed prior to any ground disturbing activities related to this project.

A Phase I archaeological report was prepared for the Frederick County DPW by EAC/Archaeology. Because the project is using federal-aid funds, MDOT SHA is conducting consultation with MHT per MDOT SHA's statewide Programmatic Agreement (PA) implementing Section 106 of the National Historic Preservation Act in Maryland.

Section 106 of the National Historic Preservation Act requires Federal and State agencies or the recipients of their assistance to take into account the effects of their undertakings on historic properties. The section 106 process seeks to accommodate historic preservation concerns with the needs of Federal and State undertakings through consultation among the agency and other parties with an interest in the effects of the undertakings on historic properties. The goal of consultation is to identify historic properties that are listed, eligible, or may be eligible for the National Register of Historic Places potentially affected by the undertakings, assess effects, and seek ways to avoid, minimize, or mitigate any adverse effects on historic properties. 36 CFR 800.16 defines effects as *alteration to the*

characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register. The HPC has a consultative role in this review process per 36 CFR 800.2(C).

The project Area of Potential Effect (APE) for archeology corresponds to the project's Limits of Disturbance (LOD), which consists of a 2.3 acre area located to the northeast, southwest, and southeast sides of the intersection between Blacks Mill Road and Hessong Bridge Road. The purpose of this Phase I archaeological survey was to identify and evaluate any archaeological resources that may be impacted by the project.

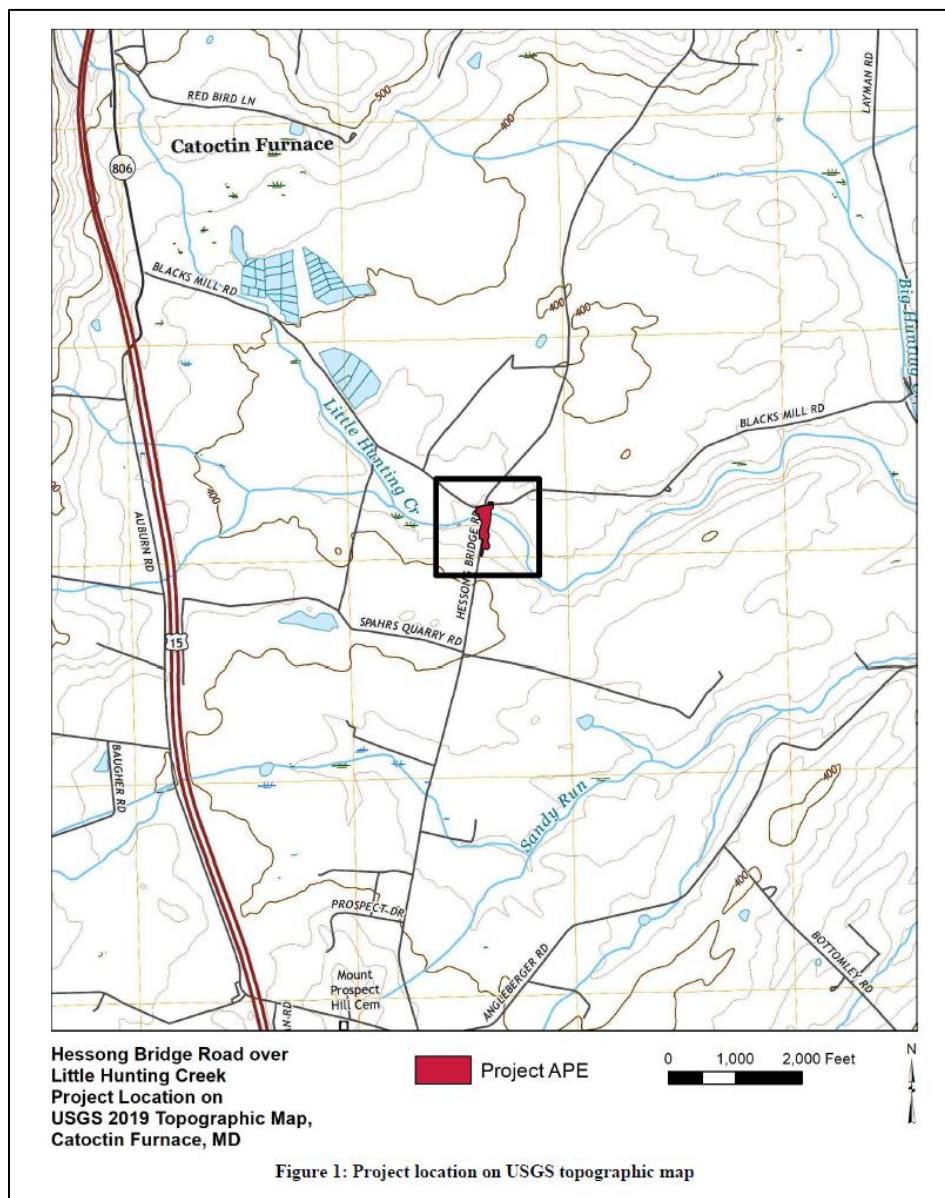


Figure from *Phase I Archeological Survey Replacement of Bridge No. F-1501* prepared by EAC/Archaeology, Inc., March 4, 2022.

EAC/Archaeology conducted surface inspections, shovel testing, and ground-penetrating radar of the within and outside the APE. The survey identified a single site that partially intersects with the project APE. Additionally, field scatter was identified but provided limited contextual information by the artifacts recovered. Resources located within the project APE include a historic well, remains of an indeterminate historic building, a concentration of slag, and a concentration of structural artifacts associated with the school/chapel building. The cemetery is located outside the APE.

EAC/Archaeology recommended avoiding ground disturbance within the boundaries. If avoidance is not an option, an intensive Phase II Evaluation is recommended within those areas that will be impacted, as well as the area including the foundation of the school/chapel which is adjacent (within 1.3 feet) of the project area. While the cemetery is outside the planned area of ground disturbance, EAC/Archaeology has recommended a 33-foot buffer around the cemetery to avoid any disturbance of markers or graves.

MDOT SHA, in their letter dated March 28, 2022 to MHT, concluded that if avoidance of the site is not possible, a Phase II will be required to evaluate the eligibility of 18FR1153 for the National Register of Historic Places. MDOT SHA and DPW are reviewing design avoidance strategies and will follow up with MHT on next steps.

Staff has reviewed the Phase I archaeology report and concurs with EAC/Archaeology's conclusions to avoid ground disturbance within Site 18FR1153 or conduct a Phase II evaluation. Additionally, Staff agrees that a buffer should be provided around the cemetery to avoid any disturbance.

The MDOT SHA is requesting comments from the HPC regarding any historic preservation issues as they relate to this project by April 28, 2022.

Recommendation:

Staff recommends that the Commission concur with the conclusions of the Phase I archeology report and provide any additional comments to MDOT SHA.