



NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

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April 15, 2021

Brooke Kenline-Nyman
Cultural Resources Specialist
Eversource
13 Legends Drive
Hooksett, NH 03106

RE: Post construction review of stone walls – Seacoast Reliability Project (#6528)
(Durham Historic Association’s Historic Resources Status Update of November 1, 2020)

Dear Ms. Kenline-Nyman:

Thank you for submitting additional information regarding Eversource’s post construction review of stone walls for the Seacoast Reliability Project including information that outlines concerns that the Durham Historic Association continues to have regarding potential damage of historic stone walls along the Seacoast Reliability Project (SRP) corridor in Durham. We appreciate you providing the DHA’s information as their organization’s diligence and stewardship of historical resources in Durham is greatly appreciated.

Representatives of the New Hampshire Division of Historical Resources (DHR) visited the site on several occasions and have viewed the stone wall locations within the SRP corridor. The first visit was conducted by DHR archaeologists in April 2017 and the second in November 2020. In addition, our staff reviewed additional materials including mapping, scopes of work, and treatment options as part of the project. Consultation included mitigative efforts as part of the Memorandum of Understanding to include a commitment from Eversource to protect and preserve the stone walls during project construction.

In April 2017, DHR archaeologists observed no recent damage to stone walls in and/or near the transmission line right-of-way. Impacts that were noted likely originated at the time of the corridor’s original construction. At that time, DHR staff were satisfied that no destructive work associated with the SRP project had taken place. Eversource kept the DHR staff updated as to their work throughout the SRP project and invited staff to the site to view in-progress protective measures for the stone walls.



Walls observed during the November 2020 visit included WP-7, WP-8, WP-24, WP-25, and WP 33. Construction work at these locations appears to have been conducted in accordance with stipulations of the Memorandum of Understanding between Eversource, the DHR and the Town of Durham regarding protective measures to avoid impacts to stone walls. Again, no noteworthy damage was observed by DHR staff.

The DHR has reviewed the photos included in the above-referenced document, which depict the pre- and post-construction condition of stone walls within the SRP project area. While we appreciate the efforts of the Durham Historic Association and their interest in preserving Durham's historic resources, the DHR saw no damage requiring mitigative measures. Based on these collective observations, and in accordance with best management practices, the DHR does not recommend further disturbance of these resources. Reconstructing stone walls that were breached prior to the SRP project is outside of the regulatory scope of the DHR and the project. Further, best archaeological practices requires limiting ground disturbance in and around stone walls. Therefore, the DHR recommends leaving the stones in situ to further protect the overall cultural landscape in the vicinity of the project corridor. Based on all of the resources presented to the DHR, we consider our review of this element of the SRP project complete.

Thank you again for your time in this matter.

Sincerely,

Nadine Miller

Nadine Miller
Deputy State Historic Preservation Officer

NM/dwt

April 16, 2021

Mr. Todd Selig
Town Administrator
8 Newmarket Road
Durham, NH 03824

Re: Eversource Seacoast Reliability Project Post-Construction Review of Stone Walls

Dear Mr. Selig:

Thank you for your continued communications regarding the stone walls along the Seacoast Reliability Project corridor in the Town of Durham. As I mentioned during our February 18 conference call, we wanted to provide the Town with a comprehensive timeline of the stone wall issue to date, culminating in receipt of the enclosed letter dated April 15th from the New Hampshire Division of Historical Resources (DHR), which brings this matter to closure.

The Durham Historic Association (DHA) first raised concerns of impacts to stone walls associated with geotechnical work in late 2016. In April 2017, a field visit and site walk was held to review those concerns and was attended by representatives from the DHR, the New Hampshire Department of Environmental Services (DES), the DHA, and Eversource. After that field meeting, DHR archaeologists concluded that no recent damage to the stone walls had occurred during the geotechnical work. The DHR provided a written statement to the NH Site Evaluation Committee outlining those observations and conclusions on April 25, 2017. With that letter, Eversource considered this matter closed.

On November 2, 2020, Eversource held another site walk, at the request of the DHA, to review the condition of stone walls within the Project corridor post-construction. Representatives from the Project Team, the DHR, and the DHA were in attendance for the walk, and at the time no concerns about the condition of the stone walls were raised. However, in a follow up document provided to Richard Reine in early November, the DHA claimed that Eversource had damaged a suite of stone walls during construction of the Project in 2019 and 2020. The DHA reviewed their concerns with Mr. Reine during a site walk on November 9, 2020, and the following day, Mr. Reine reached out to the Project for additional information. A site walk was held with Project representatives and Mr. Reine on November 17, 2020, where the group reviewed the concerns outlined by the DHA. At the conclusion of that meeting, Mr. Reine requested that the Project put together a photographic summary of the stone walls pre- and post-construction, similar to the document provided by the DHA. Mr. Reine provided the DHA summary to the Project, for reference, on November 18, 2020.

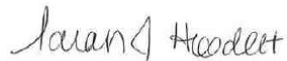
As requested by Mr. Reine, the Project Team put together a summary memorandum that documents Eversource's compliance with the stone wall preservation requirements outlined within both Memoranda of Understanding with the Town of Durham and the DHR. This memorandum included both pre- and post-construction photos of each stone wall of concern, per Mr. Reine's request, which supports Eversource's stance that no damage to the stone walls occurred as a result of the Project. That memorandum was provided to the Town of Durham on December 2, 2020.

In response to that memorandum, the DHA provided a second summary of concerns in a letter to the Town of Durham on February 2, 2021. On February 18, 2021, Project representatives had a virtual meeting with the Town of Durham to discuss this on-going concern in more detail. During that conversation, the Town requested that Eversource reach out to the DHR and ask for their written, professional opinion, based on the site walk performed on November 2, 2020, on any material changes to the condition of the stone walls as a result of the Project. That request was formally submitted to the DHR, from Eversource, on March 3, 2021.

The DHR provided their response on April 15, 2021, which is included with this letter, for your records. At the end of that letter you will note that the DHR has seen “no damage [to stone walls] requiring mitigative measures”, and that, based on their observations, “the DHR does not recommend further disturbance of these resources” by reconstructing stone walls that were breached prior to the Project. DHR concludes, “based on all of the resources presented to the DHR, [they] consider [their] review of this element of the SRP project complete.”

I hope this information and documentation is helpful to the Town of Durham. If you have any additional concerns or questions on this matter, please let me know.

Thank you,



Sarah Hoodlet
Outreach Specialist, Project Services
Eversource Energy

HISTORIC RESOURCES – STATUS UPDATE NOV 1, 2020 – DURHAM HISTORIC ASSOCIATION

Seacoast Reliability Project Historic Resource and Stone Wall List for Durham – see Eversource Mark Doperalski letter dated 05-17-2018 regarding updated list of stone walls. Refer to final page for explanation of protective measures*. Updated Stone Wall maps were enclosed with the 05-17-2018 letter, also see DHA Exhibit 3 and Applicant Appendix 33.

Explanation: **MOU-Protected Stone Walls damaged by PSNH dba Eversource during the Seacoast Reliability Project**

WP-## highlighted stone wall Eversource will protect from construction damage, see Stone Wall maps for ##.

SENSITIVE AREA – stone walls and adjacent area identified by Eversource archaeologist for preservation.

HISTORIC DISTRICT – area identified by Eversource consultant for preservation due to eligibility for Listing on National Register.

Wall ID	Road (segment)	In HD	Prop Bnd	Existing height	Existing width	Breach	Action to be taken – Stone Wall	Status 2020-11-01
WP-1A	Beech Hill Road	no	yes				Protect	good
	Beech Hill Road Class VI section						Protect with timber mats	good
WP-1B	Beech Hill Road	no	yes				Protect	good
WP-2	Gables Way	no	no	-	-	no	No Impact to Construction	ok
WP-3	Water Works Road	no	no	1.5	3	no	No Impact to Construction	ok
WP-4	Waterworks Road	no	no	1.5	3	yes	Use existing Opening for Access	ok
WP-4A	Mill Road north side		yes				Protect	good
WP-4B	Mill Road north side		yes				Protect	good
WP-4C	Mill Road north side		yes				Protect	good
WP-4D	Mill Road north side		yes				Protect	good
WP-4E	Mill Road north side		yes				Protect	good
WP-5	Mill Road	no	yes	2.5	4	yes	Mat Over Stone Wall for Access	good
WP-6	Mill Road	no	no	2.5	3	yes	Widen Existing Opening	good
WP-7	Mill Road	no	no	1.5	-	partial	Mat Over Stone Wall for Access	CRUSHED BY MAT
WP-8	Mill Road	no	no	2	4	partial	Mat Over Stone Wall for Access	CRUSHED BY MAT
WP-8A	Mill Road	no	no	?	?	yes	Use existing Opening for Access	OBLITERATED

WP-8B	Mill Road		yes				Protect	good
South Branch of the Mill Road Class VI section							Protect with timber mats	good
WP-8C	Mill Road		yes				Protect	good
WP-8D	Mill Road		yes				Protect	good
WP-8E	Mill Road	no	yes				Protect, cemetery retaining wall	good
WP-8F	Mill Road						southwest wall Thompson Lane	good
WP-8G	Mill Road						northeast wall Thompson Lane	good
WP-8H	Mill Road						south wall Thompson Lane by field	ok
WP-9	Mill Road	no	no	1.5	4	yes	Use existing Opening for Access	good
WP-9A	Mill Road	no	no	2	3	yes	Mat Over Stone Wall for Access	ok
WP-10	Mill Road	no	no	1.5	4	yes	Use existing Opening for Access	BREACH BULLDOZED WIDER
WP-11	Mill Road	no	no	2	4	yes	Widen Existing Opening	CRUSHED
Cornet Winthrop Smith farmhouse cellar							Protect	good
WP-12	Mill Road	yes	yes	1.5	3.5	no	Mat over Stone Wall for Access	good
WP-13	Mill Road	yes	no	1.5	3	yes	Use existing Opening for Access	CRUSHED BY MAT
WP-14	Route 108	yes	no	1.5	4	yes	Use existing Opening for Access	good
WP14A	Route 108	yes	yes				Protect	good
WP-15	Route 108	yes	no	2	4	yes	Mat over Stone Wall for Access	CRUSHED BY MAT
WP-15A	Route 108	yes					Protect	ok
WP-16	Route 108	yes	no	2	4	no	Mat Over Stone Wall for Access	CRUSHED FLAT
WP-17	Route 108	yes	no	2.5	3.5	no	Mat Over Stone Wall for Access	good
WP-18	Route 108	yes	yes	2	4	yes	Use existing Opening for Access	BREACH BULLDOZED WIDER
WP-19	Route 108	yes	no	1.5	4	yes	Use existing Opening for Access	CRUSHED
WP-20	Route 108	yes	yes	2	4	partial	Do not cross	good
WP-20A	Route 108	yes					Protect, Do not cross	good
WP-20B	Route 108	yes					Protect, cemetery stone wall	good

WP-25A	Timber Brook Lane	no	yes	2	4	no	Do not cross	good
WP-25	Timber Brook Lane	no	yes	1.5	3	yes	Use existing Opening for Access	OBLITERATED
Deacon Nathaniel Norton cellar, one wall counted as WP-24								PARTLY BULLDOZED
WP-24	Timber Brook Lane	no	yes	2	3	yes	Mat Over Stone Wall for Access	PARTLY BULLDOZED
WP-23	Timber Brook Lane	no	yes	2.5	4	yes	Use existing Opening for Access	good
WP-22	Timber Brook Lane	no	yes	2.5	3	no	No Impact to Construction, Protect	good
WP-21	Cutts Road	no	yes	2	4	yes	Mat Over Stone Wall for Access	good
WP-26A	Ffrost Drive	no	yes	?	?	no	Mat over Stone Wall for Access	good
WP-26	Sandy Brook Drive	no	no	1	3	no	No Impact to Construction	good
WP-27	Sandy Brook Drive	no	yes	2	3	yes	Mat Over Stone Wall for Access	good
WP-28	Sandy Brook Drive	no	no	1	3	yes	Mat Over Stone Wall for Access	good
WP-29	Sandy Brook Drive	no	no	3.5	7	yes	Use existing Opening (OX PEN west)	BULLDOZED 18 FEET WIDE
WP-30	Sandy Brook Drive	no	no	3.5	6	yes	Mat Over Stone Wall (OX PEN east)	CRUSHED BY MAT
WP-31	Sandy Brook Drive	no	yes	1	3.5	no	Mat over Stone Wall	good
WP-31A	Sandy Brook Drive		yes				Protect	good
Quarrymen's Granite Bench								good
WP-32	Sandy Brook Drive	yes	yes	2.5	5	yes	Mat over Stone Wall for Access	BREACHED
WP-33	Longmarsh Road	yes	no	2	3	yes	rebuild one breach, widen other	ONE BREACH REBUILT
USING SPLIT GRANITE STONES FROM QUARRY SENSITIVE AREA INSTEAD OF FIELD STONES; SECTIONS OF THE QUARRY AREA BULLDOZED,								
THE OTHER BREACH WAS WIDENED, NOW MISSING 57 FEET OF STONE WALL								
WP-34	Longmarsh Road	yes	yes	1.5	3	no	Mat Over Stone Wall for Access	good
WP-35	Longmarsh Road	yes	yes	2	5	yes	Use existing Opening for Access	good
WP-35D	Longmarsh Road	yes	yes	2	4	yes	Use existing Opening for Access	ok
WP-35C	Longmarsh Road	no	yes	2.5	4	yes	Use existing Opening for Access	ok
WP-35B	Longmarsh Road	yes	yes	1.5	4	yes	Use existing Opening for Access	good
WP-35A	Durham Point Road	yes	yes	2	4	yes	Mat Over Stone Wall for Access	good, both sections

WP-35F	Durham Point Road		yes				Protect	ok
WP-39	Durham Point Road	no	yes	2	4	no	Mat Over Stone Wall for Access	good
WP-38	Durham Point Road	no	possibly	2	4	yes	Mat over Stone Wall for Access	good
WP-37	Durham Point Road	no	no	2	4	no	Mat over Stone Wall for Access	good
WP-36	Durham Point Road	no	no	2	3	yes	Disassemble as needed	OBLITERATED
Cable House on the shore of Little Bay							Move and Protect	WRAPPED, INCOMPLETE

**Eversource letter from Mark Doperalski dated 05-17-2018, including the updated Stone Wall map series:*

“Physical impacts to these stone walls shall be avoided by the Project through the implementation of one or more of the following four measures to include:

- (a) not traversing the wall,
- (b) traversing the wall through an existing breach, (existing breaches measure 8 to 10 feet wide, made by PSNH in the past)
- (c) traversing the wall using timber matting to temporarily bridge over the wall, or
- (d) placing the work pad on top of timber matting to elevate the work pad above the wall.”

Damage to Protected Stone Walls Caused by the SRP

WP-7 (east wall) and WP-8 (west wall)

These stone walls bordered the driveway to the John Emerson Thompson Farm. The walls are archaeologically sensitive, as detailed by the Eversource archaeologist. There was no vehicular access over these stone walls before the SRP. The 2013 image shows prior access was the road in the lower right. The image also shows the footpath between WP-7 and WP-8.

The 2017 image shows the track of the drilling rig. The same track over WP-7 and WP-8 was later used for pylon installation. Eversource Exhibit Appendix 33 indicates WP-7 measured 1.5 feet tall and WP-8 measured 2 feet tall.

2013 WP-7 and WP-8



2017 Track of the Drilling Rig



2020 WP-7 (east wall) crushed, was 1.5 feet tall



2020 WP-8 (west wall) crushed, was 2 feet tall



WP-11

This stone wall is a property boundary in the field system used for centuries before the railroad embankment was widened in 1910. This stone wall is in an archaeologically sensitive area as it was part of the Cornet Winthrop Smith farm. Appendix 33 indicates this wall measured 2 feet tall by 4 feet wide.

2020 stone wall crushed by heavy equipment



2020 wall crushed



WP-13

This stone wall is in the Historic District and once outlined a field on a local farm. Appendix 33 indicates this wall measured 1.5 feet tall.

2020 timber mat support failure over the stone wall



2020 field stones from a stone wall are nearby



2020



2020



WP-15

This pair of stone walls, WP-15 and WP-15A, form a cattle drive or drift way in the Historic District. WP-15 is the west wall and WP-15A is the east wall. These walls were protected with timber mats. WP-15A was not damaged, however WP-15 was crushed.

2016 cattle drift way WP-15 and WP-15A



2020 WP-15 (left) WP-15A (right)



2020 WP-15 in the foreground, wall collapsed



2020 support of timber mat was inadequate above WP-15



WP-16

This stone wall marked an ancient land boundary and is situated in the Historic District. Appendix 33 indicates this wall measured 2 feet high and 4 feet wide.

2020 stone wall crushed into the ground



2020



WP-18

This stone wall once surrounded an arable field in the Historic District. Public Service of NH had breached the stone wall in the past. Eversource agreed to use the existing breach for access. After the SRP, the stone wall is degraded.

2016 WP-18



2020 breach is wider, wall damaged, stones missing



WP-19

Stone wall WP-19 crosses the hill behind the Moriarty farmhouse. The house was built before 1760 and both resources are located in the Historic District. Appendix 33 indicates the stone wall measured 1.5 feet high and 4 feet wide.

2016 view west



2020 view east



WP-25

This stone wall is a property boundary. The agreement was to use the existing breach, however the opening was widened and the stone wall driven over or crushed into the ground. Now it is difficult to find the stone wall. Appendix 33 indicates this stone wall measured 1.5 feet high by 3 feet wide.

2016 stone wall WP-25 visible at bottom of image, WP-24 above



2020 a few rocks



WP-24

This stone wall is a property boundary. We agree about the images sent by Eversource, there was no new damage to that section of stone wall WP-24; that section was crushed flat by PSNH in the past. The new damage is to the west of the flattened section. It appears the new damage to the wall was caused by gravel fill dumped on the flat area north of the stone wall, and later the left-over fill was smoothed. The gravel fill is pushed up against the north side of the stone wall and over the stone wall in several places. Appendix 33 indicates the wall measured 2 feet high and 3 feet wide.

2016 view north



2020 view south



WP-30

Stone wall WP-30 is the east wall of a large oval enclosure that extends beyond the easement on both sides. It was used to keep the oxen that hauled stone for the adjacent granite quarries during the 18th and 19th centuries. The timber mat failed and the stone wall was crushed. Granite rocks in the crushed area were split by the weight of the equipment crossing the timber mat.

Appendix 33 indicates the wall measured 3.5 feet high and 6 feet thick.

2020 wall crushed



2020 granite split by the weight of equipment, see red lines



WP-33

Stone wall WP-33 is a property boundary that runs through the Historic Granite Quarry District. Eversource's archaeologist designated this area a sensitive site for archaeology. In the past, Public Service of NH made two breaches in this stone wall, each measuring 8 to 10 feet wide. It was agreed one breach would be widened and the other repaired.

The south breach that was widened is now 57 feet wide. The north breach was closed with a pile of loose stones, with large rocks and quarried split granite from the archaeologically sensitive site bulldozed up against the loose stones. Other stone walls in the easement were rebuilt by qualified professionals, including WP-35, but this stone wall was not.

2020 south breach, was 9 ft, now 57 feet wide



2020 north breach, now a pile of loose stones



2020 north breach – loose stones with large rocks and quarried split granite from archaeologically sensitive site bulldozed alongside



2010 WP-33 before the SRP



Comparison – WP-35 was professionally rebuilt during the SRP





Dated: May 4, 2021

To: Todd Selig

Cc: Durham Town Council, Durham Historic District Commission/Heritage Commission, Durham Historic Association Executive Board, Richard Reine, Jennie Berry

Subject: Stone Walls Damaged by the Eversource SRP

Dear Todd,

Thank you for your email dated 4/19/2021.

The Durham Historic Association is surprised and extremely disappointed by your decision to consider the matter of the historic stone walls damaged by the Eversource SRP as “resolved” based on the attached letters from Sarah Hoodlet of Eversource dated 4/16/2021 and the letter Eversource solicited from Nadine Miller of NH DHR dated 4/15/2021. Here is our response:

1. After reviewing pre- and post-construction photographs of the stone walls, the DHR concluded there was no damage requiring mitigative measures. The DHR letter does not list what they actually reviewed, apparently the material was provided to the DHR by Eversource. It is the DHA’s position that the pre-construction photos provided by Eversource to the Town of Durham were actually taken after the stone walls were damaged during the Seacoast Reliability Project. Some stone walls were damaged by drilling and logging equipment, others were damaged by the collapse of the timber mats intended to support construction equipment as it crossed stone walls.
2. We wish to correct a statement that Sarah Hoodlet wrote in her attached letter concerning the site walk held on 11/02/2020. In the third paragraph she writes, “Representatives from the Project Team, the DHR, and the DHA were in attendance for the walk, and at the time no concerns about the condition of the stone walls were raised.” In fact, during walk the DHA asked Brooke Kenline-Nyman, Eversource’s Cultural Resources Specialist who organized and led the site walk, to repair 4 of the 25 stone walls viewed that day, 3 of which are in “sensitive areas” specified for protection by the archeologist hired by Eversource. Brooke flatly refused, stating the damage existed prior to the SRP. The DHA identified 12 stone walls that were damaged (see attached SRP Stone Wall List document). Eversource agreed to protect them all in the MOU between the Town and Eversource. The 11/02/2020 post-construction site walk included only 4 of these 12 stone walls; the other 8 were not viewed on that day. We believe Nadine Miller and David Trubey of the DHR have never seen the 8 other damaged stone walls and most of the easement.
3. Why does the Town consider the DHR to be a “higher authority” in this matter than the DHA? The DHR is functioning in an advisory role; it has no authority in this case. In this situation, the DHR has little knowledge of the easement, having viewed one small segment in 2017 and other small segments post-construction in

2020. In contrast, the DHA has spent the past several years completing numerous site visits, mapping stone walls, and collecting photographic evidence in an effort to preserve Durham's historic resources from cumulative and continuing damage. The DHR does not have the foundation to make any judgment on the condition of the stone walls before or after the SRP. Frankly, we are wondering why they were willing to offer an opinion without adequate knowledge. Furthermore, the DHR is not a party to the MOU between Durham and Eversource. Why would you give more weight to the DHR's conclusions and squarely base your decision on the DHR's opinion over ours?

4. When it became evident that Eversource was not willing to accept responsibility for the damaged stone walls, why did you decide to close this matter instead of submitting it to the SEC Administrator for dispute resolution as provided for in section X. Resolution Of Disputes Under This Agreement in the MOU between Durham and Eversource?
5. As you are not willing to pursue this matter further with Eversource, is the Town itself willing to take the necessary steps to repair the 12 damaged stone walls? The DHA flatly rejects the DHR comment that repair of the recently damaged stone walls may disturb archaeology in the area.

Our position remains that the stone walls were damaged by Eversource and should be repaired by them. We look forward to your response to our comments and questions listed above.

Respectfully Yours,

David Strong
President, DHA