



Pennsylvania State Historic Preservation Office

PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

December 14, 2020

Timothy Zinn
Michael Baker International, Inc.
100 Airside Drive
Moon Township, PA 15108

ER 2018-1595-003-O: PennDOT Multimodal, Norfolk Southern Railway Company, Merchant Street Bridge, Pittsburgh, Allegheny County, Response to RP3 Concerns and Review of Proposed Minimization and Mitigation

Dear Mr. Zinn

Thank you for submitting information concerning the above referenced project. The Pennsylvania State Historic Preservation Office (PA SHPO) reviews projects in accordance with state and federal laws. The Environmental Rights amendment, Article 1, Section 27 of the Pennsylvania Constitution, and the Pennsylvania History Code, 37 Pa. Cons. Stat. Section 500 et seq. (1988) are the primary state legislation. These laws include consideration of the project's potential effects on both historic and archaeological resources.

Continued Consultation

In response to the concerns of RP3 expressed in their email of December 2, 2020, we would like to clarify the roles of PennDOT and the SHPO in the review process. This project is not being reviewed under Section 106 of the National Historic Preservation Act as there is no federal involvement. The project is being reviewed pursuant to the Pennsylvania History Code in accordance with the Memorandum of Understanding (MOU) between PennDOT and SHPO for State-Funded Transportation Projects, which generally mirrors the Section 106 process. PennDOT has sole responsibility for compliance with the Pennsylvania History Code, and per the MOU, PennDOT is required to define the undertaking, identify the project Area of Potential Effect (APE), identify historic properties within the APE, and consider alternatives that avoid or minimize adverse effects.

We understand PennDOT has determined the Merchant Street Bridge undertaking is a stand-alone project meant to address safety concerns specific to the Merchant Street Bridge and is not related to the Pittsburgh Vertical Clearance Project. SHPO requested additional documentation regarding the condition of the bridge and other structures along the double-stack corridor on September 16, 2020. In response, PennDOT indicated at the October 6, 2020 consulting party meeting that information on the condition of structures along the Vertical Clearance corridor beyond that provided in the Historic Bridge Rehabilitation Analysis for Merchant Street (January 2020) cannot be made publicly available.

The SHPO is not a regulatory agency but an advisory agency and a by-right consulting party to the process. The SHPO's role is to review and provide recommendations and comments to PennDOT on their decisions that affect historic properties. The SHPO does not have the authority to halt, stop or cancel a project, nor is that the intent of the Pennsylvania History Code.

Additional consulting parties to the project include representatives of local government, applicants for state approval or funding, individuals and organizations with a demonstrated interest in the project, and the public. PennDOT is required to seek and consider comments of the PA SHPO and consulting parties. PennDOT, not the SHPO, convenes meetings of consulting parties with the intent of seeking their comments. PennDOT is also responsible for resolving any consulting party objections or disagreements.

To date, the SHPO has been invited to and has attended three consulting party meetings. To our knowledge, all other consulting parties were also invited to attend these meetings.

While historically significant as contributing to the National Register of Historic Places (NRHP) eligible Pennsylvania Railroad Main Line Historic District, the Merchant Street Bridge is not related to the significance of the NRHP listed Allegheny Commons Historic District. As part of the bridge replacement project, the portion of the bridge that carries the roadway is to be replaced by a structure of similar appearance, and the stone abutments are to be retained and repaired. The Merchant Street Bridge replacement project, which is being advanced separately from the double-stack project, does not have the potential to affect the significance of the Allegheny Commons Historic District. The SHPO has asked PennDOT to assess the potential effects of the double-stack project on the Allegheny Commons Historic District as part of that separate undertaking. That should include an assessment of effects associated with noise and emissions.

Minimization and Mitigation

We are in receipt of your letter of December 4, 2020 requesting SHPO comment on the proposed minimization and mitigation for the adverse effect of the Merchant Street Bridge project. We offer the following comments.

The purpose of minimization is to lessen the adverse effects of a project on historic properties. We are in agreement with the proposed minimization measures including the rehabilitation of the historic masonry abutments; design of a new bridge superstructure of similar size and scale as the existing; painting of the new bridge girders the same color as the West Ohio Street Bridge for the purposes of visual continuity; and preparation of landscaping and lighting plans. The mitigation stipulations for the rehabilitation of the masonry abutments, the landscaping plan, and the lighting plan should indicate they will be prepared in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and will be sensitive to both historic districts. Please include opportunities for review and comment on drafts of the minimization commitments by the PA SHPO and consulting parties.

The replacement of the Merchant Street Bridge will have an adverse effect on the Pennsylvania Railroad Main Line Historic District as the current bridge was built in 1902 and is a contributing structure within the railroad district. The proposed mitigation includes the cleaning and repointing of the sandstone retaining walls on both sides of Merchant Street Bridge extending from Martindale Street to approximately 250 feet north of the Merchant Street Bridge; the repair and painting of the historic wrought iron fencing atop this section of the wall; and the development of interpretive signing on the history of the railroad. The mitigation agreement should specifically commit to rehabilitation of the walls and fence in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*.

The railroad interpretive signage should be consistent with other sign standards already in place along the line or in the vicinity and should enhance the content and themes of interpretive signage in the area. The interpretive signage should be placed in a publicly accessible location, ideally within view of the bridge. The agreement should commit to seeking consulting parties' ideas for themes before any content is drafted. Additional comments should be requested regarding the size, placement, narrative, and illustrations of the interpretive signage. Any organizations with a role to play in the design, construction, or maintenance of the interpretive signage should be included as a signatory to the agreement.

For questions concerning this review and/or for future consultation, please contact Barbara Frederick at (717) 772-0921 or bafrederic@pa.gov.

Sincerely,



Douglas C. McLearn, Chief
Division of Environmental Review

cc: Governor Tom Wolf
Lieutenant Governor John Fetterman
State Senator Wayne Fontana

State Senator Jay Costa

State Senator Jim Brewster

State Rep. Adam Ravenstahl

State Rep. Jake Wheatley

State Rep. Ed Gainey

State Rep. Summer Lee

State Rep. Sara Innamorato

State Rep. Dan Frankel

County Executive Rich Fitzgerald

Patrick Katena, County Council

Theresa Kail-Smith, City Council

Mark Young, PennDOT District 11-0