

REPORT TO THE SPECIAL COMMITTEE
DERRY-LONDONDERRY, IM-0931(201), 13065
I-93 EXIT 4A INTERCHANGE
PUBLIC HEARING
DECEMBER 5, 2018 – 7:00 PM
WEST RUNNING BROOK MIDDLE SCHOOL, DERRY

As a result of the Public Hearing held on December 5, 2018 for the DERRY- LONDONDERRY, IM-0931(201), 13065 project, the following layout with limitations to access is established as shown on the Hearing Plan and as described below:

The project will originate from a new Interstate 93 (I-93) easterly-access-only, diamond configuration interchange location situated approximately one mile north of existing Exit 4 in Londonderry, and extend easterly on new location to Folsom Road, near its intersection with North High Street and Madden Road. The layout would continue to follow Folsom Road to Ross' Corner (Manchester Road/Crystal Avenue (NH 28)) and continue easterly on Tsienneto Road across NH 28 Bypass to its intersection with NH 102, adjacent to Beaver Lake. The project corridor is approximately 3.2 miles in length. There will be approximately one mile of roadway construction on new alignment, and 2.2 miles of existing roadway reconstruction. The layout will have varying design characteristics, depending on the specific location along the corridor.

I-93 Exit 4A to Ross' Corner

The section would be a five-lane cross section (two lanes each direction and a middle turn lane) with additional turn lanes at intersections as required, mostly new construction. New traffic signals at the North High Street and Franklin Street intersections. Raised median islands will be included between all major intersections.

Ross' Corner Intersection Reconstruction

Ross' Corner intersection would require widening beyond its existing lane configuration to handle the traffic added by the proposed action. This would include an additional eastbound through, left-turn lane and right-turn lane and an additional westbound through-lane. The intersection of Tsienneto Road and Pinkerton Street would also require additional through-lanes and would be signalized. The close proximity of Ross' Corner and Pinkerton Street will require that the signals are coordinated.

Tsienneto Road from Ross' Corner to NH 28 Bypass

The layout is generally a three-lane roadway (one lane in each direction with a middle turn lane), similar to the existing layout. A raised median island will extend approximately 1,000 feet easterly from the Pinkerton Street intersection.

NH 28 Bypass/Tsienneto Road Intersection Reconstruction

This intersection would require an additional through-lane in each direction on Tsienneto Road.

Tsienneto Road from NH 28 Bypass to NH 102

Improvements will involve full box reconstruction of the existing 2-lane roadway, with widening for 4-foot wide shoulders (5 feet adjacent to sidewalks), and modest modification of horizontal and vertical curves to bring the alignments into conformance with design standards.

Tsienneto Road/NH 102 & NH 102/North Shore Road Intersection Reconstruction

These intersections would need to be signalized, with added through lanes in both directions on NH 102, and added left turn lanes at the Tsienneto and North Shore Road intersections. The close proximity of North Shore Road and Tsienneto Road will require that the signals are coordinated. The left turn lane on NH 102 would be extended to the north to also provide for left turns into English Range Road.

Mitigation and Stormwater Management

Also included are all potential mitigation and stormwater management areas as may be required to comply with State and Federal permitting requirements and best management practices as shown on the project plans. Further evaluation and coordination with State and Federal agencies will be required to determine the final components of the mitigation package, and in turn, the specific parcels, or portions thereof, to be acquired.

Limitations of access, as well as exceptions, are as follows:

Londonderry

Interstate 93: The limitations of access previously established for Interstate 93 will be maintained as established under previous layouts. Access to the Interstate is only allowed via existing interchanges and the new Exit 4A interchange. Access to the new Exit 4A interchange is only allowed to/from the east side of the Interstate.

Exit 4A Connector Road: No access is allowed within approximately 600 feet of the interchange (from Station 1014+00 westerly). Between Station 1014+00 and Station 1040+75 (Derry Town line), two points of access are granted on the left (north) side and two points of access are granted on the right (south) side. The points of access shall be opposite each other forming four-way intersections. Specific access locations for these two intersections will be determined through the Londonderry site plan approval process. The above-noted restrictions affects the following properties:

- Hyrax Derry Partners (Parcel 15)
- Pillsbury Realty Development, LLC (Parcels 7 and 23)
- Seven Hills Development, LLC (Parcel 24)

Additionally, in Derry, the following parcels will have restrictions in access.

- Seven Hills Development, LLC (Parcel 26), zero (0) points of access. Access is proposed via the Connector Road at the North High Street intersection.
- Abbott, Marcia E. (Parcel 27), zero (0) points of access. Access is proposed via relocated Madden Road.
- 9 Madden Road Holdings, LLC (Parcel 29), zero (0) points of access.

The above limitations of access are established in accordance with RSA Section 230:46.

The following are decisions for the resolution of issues as a result of the testimony presented at the December 5, 2018, Public Hearing and written testimony subsequently submitted within the comment period

Comments are generally organized as follows:

- Federal, state, and local officials
- Abutters (organized geographically from west to east)
- Other concerned citizens
- Environmental groups

It should be noted that comments have been received from the following Federal and State resource agencies, and other environmental groups, relative to the Supplemental Draft Environmental Impact Statement (SDEIS) (not directed towards the public hearing layout presentation).

- U.S. Department of the Interior
- U.S. Environmental Protection Agency
- New Hampshire Department of Environmental Services
- New Hampshire Division of Historic Resources

Responses to these comments are briefly summarized at the end of this document. More detailed responses will be included in the Final Environmental Impact Statement (FEIS) (please see Appendix M in Volume III of the FEIS).

1. Carol Hauser, U.S. Postal Service Postmaster, expressed concerns related to the safety of mail delivery near the proposed project and noted the postal service's preference for neighborhood cluster boxes.

Response: Construction of neighborhood cluster boxes is not currently proposed as part of this project. However, during final design the safety and efficiency of mail delivery will be a consideration in determining the details of mailbox relocations necessitated by this project. During final design of the project, mailboxes impacted by the project will be replaced with a safe breakaway mailbox system meeting NHDOT standards. General

locations and placement will be coordinated with the local U.S. Postal Service for input. Cluster boxes can be considered.

2. Former Rockingham District 5 State Senator, James Rausch and Ashley Haseltine, Greater Derry Londonderry Chamber of Commerce expressed their support for the project.

Response: The support for the project is noted.

3. David Caron, Town Administrator for Derry expressed concerns about the project's ability to maximize the potential for redevelopment of parcels along Folsom Road and for access to the public safety complex. Additionally, the Town asked NHDOT to meet with property owners as soon as practicable.

Response: The concerns of the Town of Derry to maximize the potential for redevelopment of parcels on the north side of Folsom Road are understood. EPA MS4 stormwater treatment requirements for the impervious area from the roadway necessitate a large area for stormwater treatment for the project. Due to the heavily developed nature of the area and the topography of the land, there are a limited number of areas where stormwater treatment is possible. During final design of the project, the stormwater treatment areas will be further refined and will be reduced in size if possible, while maintaining treatment levels. A list of BMPs related to stormwater treatment will be provided in Section 4.11 of the FEIS.

Affected property owners can request consideration for accelerated property acquisition from the NHDOT if the parcel is to be a complete acquisition. The standard Right of Way acquisition process will include meetings with property owners to explain the process. These meetings will take place during the final design portion of the project.

The Town's concern for the access to and from the public safety complex is noted. The driveway for the public safety complex is located within 200 feet of the major intersection of Folsom Road, NH 28, and Tsienneto Road. Due to heavy traffic demand, access management to include restriction of left turns between the signalized intersections appears to be necessary. However, emergency vehicles will be able to use a proposed depression in the median island for left turns, but access for the general public may be limited to right in/right out. The Department, with the assistance from the Town of Derry, will evaluate alternatives through the final design phase that may be able to improve safe egress and access to the public safety complex.

4. Steve Trefethen (Parcels 62 and 63) expressed concern for the loss of taxable land in Derry and requested more information about the development plans for the nine lots located on Folsom Road that are zoned for business. Mr. Trefethen requested the stormwater treatment area on Folsom Road be designed in a manner that has little to no effect on his property and his opportunity to build. Mr. Trefethen included a map with his letter to show other areas to consider for water runoff, as well as a map of his potential building development if his stormwater treatment suggestion was implemented. Mr. Trefethen requested an in-person meeting to discuss the details of his comments and property with the NHDOT. He also expressed concern that a reduction in traffic through downtown Derry will negatively affect his business on Broadway.

Response: Mr. Trefethen's concerns about loss of taxable land in Derry and redevelopment of the parcels on Folsom Road are noted. The Town of Derry is undertaking a study to consider rezoning this area to a higher intensity commercial land use. Property tax impacts and the potential Derry rezoning will be discussed in Sections 4.7 and 5.3 of the FEIS, respectively. The timing of potential redevelopment of this area is subject to factors outside of NHDOT's control, including the market to support such development.

Mr. Trefethen's concerns for the acquisition of property for stormwater treatment are acknowledged. EPA MS4 stormwater treatment requirements for the impervious area from the roadway necessitate a large area for treatment. Due to the heavily developed nature of the area and the topography of the land, there are a limited number of areas where stormwater treatment is possible. During final design of the project, the stormwater treatment areas will be further refined and will be reduced in size if possible, while maintaining required treatment levels.

On January 29, 2019, representatives from NHDOT and the Town of Derry meet with Mr. Trefethen for an overview of the project, its impacts and an understanding as to the

concerns for redevelopment along this section of Folsom Road. Regarding impacts to property, NHDOT explained the process for appraising and acquiring land as well as relocation assistance in accordance with NHDOT's Right-of-Way Manual¹ and the Uniform Relocation Assistance and Real Property Acquisition Act.

Relative to the reduction in traffic through downtown Derry, the purpose and need for this project, which was developed in conjunction with the Town of Derry, includes reducing the traffic volume on Broadway (NH 102) through downtown Derry. The high level of through traffic in downtown Derry has been an impediment to downtown revitalization since most of the business do not rely on 'pass-by' traffic. By diverting the through traffic that does not have a destination in the downtown area away from Broadway, the downtown can attract more destination-oriented and pedestrian-friendly business activity, thus increasing the commercial tax base in this area. The Town is currently updating its Master Plan, which will provide residents and business owners the opportunity to set the direction for the future development of the downtown area once Exit 4A is in place.

5. James Morgan, Derry Town Councilor at Large, highlighted issues raised by property owner, Steve Trefethen, relative to loss of taxable property and redevelopment potential in Derry.

Response: The NHDOT, in conjunction with the Town staff, met with the Mr. Trefethen and Derry Town Manager, David Caron, on January 29, 2019. At that meeting, Mr. Trefethen expressed concerns with the impacts to his properties (Parcels 62 and 63) resulting from the proposed stormwater treatment area. He did note that he desires to retain the remnant property for parcels 62 and 63; therefore, they will not fall under our early acquisition commitments. The acquisition will proceed through the normal ROW process once the design has been finalized for the development of ROW plans for appraisal purposes.

6. Frantz Cantave (Parcel 10) expressed concern about impacts to future property values as a result of the project. Additionally, Mr. Cantave expressed concern about future flooding impacts on his property from the future overpass and the current stream of water running along the front of his property. Mr. Cantave has requested a site visit from the U.S. Army Corps of Engineers.

Response: Mr. Cantave's concerns are noted. The stream on the western side of Trolley Car Lane and the two streams that converge behind the residence have not been influenced by the I-93 construction. The larger stream that these streams flow into near the bottom of the I-93 embankment was assessed as part of the I-93 widening project and a proposed stream channel cross section was developed to handle the flows following the widening of I-93. This channel section will be utilized in the relocation of the stream in conjunction with Exit 4A construction. Because the Exit 4A interchange and ramps will be built further to the west than the widened edge of I-93, more water will be collected in the drainage system that flows to the median of I-93, thus less water will flow towards the property in question. Finally, the request to the U.S. Army Corps of Engineers has been noted.

7. Lieste Costa (Parcel 14) requested early acquisition of their property for the project due to their family's hardship with the ongoing construction activities along I-93. Additionally, Ms. Costa stated that a delay in acquisition of their property prolongs the time of uncertainty for knowing which elementary school her child will be zoned for in the upcoming school year.

Response: NHDOT will prioritize acquisition of Parcel 14 and will purchase the entire property as soon as possible within the requests for early acquisitions. Ms. Costa's hardship with the ongoing construction activities along I-93 and frustration with the timeline of property acquisition are noted.

8. Rochelle R. Brown (Parcel 16) expressed her concerns with selling her current home considering the extended project schedule and requested early acquisition of her property for hardship reasons.

¹ <https://www.nh.gov/dot/org/projectdevelopment/rightofway/documents/dmmbook.pdf>

Response: The NHDOT will prioritize acquisition of Parcel 16. The NHDOT will purchase the entire property as soon as possible within the requests for early acquisitions.

9. Michael Speltz stated that the preferred alternative has the greatest impact to the numerous, documented, high productivity vernal pools very near the project area on either side of the proposed connector road-just after it leaves the new interchange (“Woodmont Commons East”). Mr. Speltz suggested that vernal pool buffers within the subwatershed of Shields Brook could create mitigation credits for other impacted wetland types. These protected areas could also enhance the viewshed from the rail trail and support the federal requirement to locate the mitigation project within the impacted watershed. He stated that the SDEIS’s assumption in calculating the impervious footprint of commercial and institutional development in Woodmont Commons East (i.e. 693,400 gsf of commercial development and 420,000 gsf of institutional development) under the build scenario is flawed. Mr. Speltz stated that the assumption of these developments occupying 4-story buildings is flawed. He stated that a conservative assumption would be to assume that the commercial and institutional development will be housed in structures averaging two stories in height.

Response: The referenced federal regulations and guidance regarding mitigating vernal pool impacts, including the option to provide mitigation through preservation of vernal pools and their buffers, were considered in the development of mitigation for impacts to these resources. Mitigation in the form of an in-lieu fee to the NHDES Aquatic Resource Mitigation (ARM) fund has been proposed and will be discussed in FEIS Section 4.12.3. This in-lieu fee was determined based on the 2016 US Army Corps of Engineers New England District Compensatory Mitigation Guidelines including Appendix G - Vernal Pool Module. It is acknowledged that vernal pools are present on either side of the connector road. These will be described in the FEIS and its attachments (specifically Section 4.12 and Appendix H). The suggestion for a preservation buffer is noted; however, the area on either side of the connector road is proposed for development by others as Woodmont Commons East. The proposed development would conflict with vernal pool preservation as a mitigation option in that location.

The suggestion that a preservation buffer can also mitigate other wetland impacts and provide visual buffers is noted. Several potential land preservation options were evaluated for natural resource mitigation over the years. Currently, an in-lieu-fee payment to the Aquatic Resource Mitigation Fund has been proposed and state and federal resource agencies have agreed to this approach. The agencies have also agreed that they will consider a land preservation option on a parcel located adjacent to Ballard State Forest in Derry, an option supported by the Derry Conservation Commission, and investigation of appropriate culvert replacements in conjunction with the NHDES Stream Passage Improvement Program (SPIP) (see Section 4.12. of the FEIS when available).

Regarding the assumptions made for the Woodmont Commons East footprints, the Project team developed assumptions associated with minimum and maximum footprints for each reasonably foreseeable future development. The maximum footprint is based on the PUD Master Plan. The minimum footprint, to which the comment refers, is based on the allowable limits for building height as outlined in the zoning regulations. If the development footprint were based on two-story buildings rather than four-story buildings, it would be contained within the minimum and maximum footprints considered in the impact analysis.

10. Ari B. Pollack (representing Parcels 6, 7, 15, and 23) provided proposed responses to a letter received from Michael Speltz. Mr. Pollack included information about proposed development footprints for Woodmont Commons and noted that 8.7 acres of mitigation have already been identified from Woodmont Commons.

Response: NHDOT has committed to the purchase and preservation of an 8.7-acre parcel of land on the eastern side of the Woodmont Commons property south of Coteville Road as part of the Exit 4A mitigation package. This land, to be preserved as a wildlife corridor, borders approximately 1,300 linear feet of Shields Brook, its floodplain, and adjacent 2.5 acres of forested and emergent/shrub wetlands. The New Hampshire Fish & Game Wildlife Action Plan maps identify part of this area as supporting landscape (see Figure 4.16-2). No changes to the mitigation approach for the Exit 4A project have been proposed.

Regarding the assumptions made for the Woodmont Commons East footprints, the Project team developed assumptions associated with minimum and maximum footprints for each reasonably foreseeable future development. The maximum footprint is based on the PUD Master Plan. The minimum footprint, to which the comment refers, is based on the allowable limits for building height as outlined in the zoning regulations. It should be noted that the minimum and maximum footprints were developed to identify a potential range of impacts to resources rather than what level of development the market could support. Ultimately, any private development that is constructed on these parcels will require appropriate mitigation by the developer for impacts to natural resources.

11. Chris McCarthy (Parcel 29) expressed concern regarding NHDOT discussions with his tenants regarding relocation expense and stated that the reimbursement amount of \$1,000 for him to do his own appraisal is inadequate for the commercial investment property he operates. Mr. McCarthy stated that he will contract a licensed commercial appraiser to ensure that his property values include Income (NOI), Replacement Cost, Residual Land, and the land's Highest and Best use. He stated that his property and building is a significant source of income and expressed his concerns about how this project seems to be more about allowing for private real estate development rather than traffic alleviation. Mr. McCarthy requested just compensation for his property.

Response: NHDOT ROW staff have met with Mr. McCarthy twice regarding this issue and have explained the acquisition and relocation process. NHDOT explained the process for appraising and acquiring land as well as relocation assistance in accordance with NHDOT's Right-of-Way Manual² and the Uniform Relocation Assistance and Real Property Acquisition Act.

State statute RSA 498-A:4, II, (b) allows for a maximum reimbursement of a \$1,000 to condemnees.³ In the instant case, Mr. McCarthy has already commissioned an appraiser, who has begun to appraise the subject parcel.

12. Bill Kennedy (commercial lessee at Parcel 29), MET-L MACHINE requested early acquisition to minimize harm to his business and to allow him to find a suitable replacement property.

Response: The right-of-way acquisition process will not begin and no properties will be purchased until NHDOT has layout approval through the Special Committee and the approval of the environmental document through FHWA with the issuance of the final Record of Decision (ROD).

At the conclusion of the ROD, NHDOT will take control of the project from the Towns of Derry and Londonderry to include final design, permits and right-of-way acquisitions, and relocation assistance. Because the property where the business is located is identified for a full acquisition, NHDOT will work with the property owner to develop a property appraisal to determine the purchase offer. As the appraisal is being completed, the Department Relocation staff will be in contact with business units to start a review of the relocation program and timing for moving. A copy of the lease rental agreement with the property owner is required to qualify for business relocation benefits. The general outline of reimbursable costs for relocation is outlined in the following ROW document (refer to page 30/31):

<https://www.nh.gov/dot/org/projectdevelopment/rightofway/documents/dmmbook.pdf>

As part of NHDOT's process, a ROW agent will be assigned to assist with the process. The timing of this assignment can be advanced if early relocation assistance is requested. A request for early relocation assistance can be sent to: Chairman of the Special Committee, c/o Peter E. Stamnas, Director of Project Development, NH Department of Transportation, PO Box 483, Concord, NH 03302-0483.

NHDOT extended an offer to meet with the commenter for additional discussions.

13. Steve and Sharon Vadney (Parcel 36) expressed concern about a proposed stormwater easement affecting a building on their property.

² <https://www.nh.gov/dot/org/projectdevelopment/rightofway/documents/dmmbook.pdf>

³ <https://www.nh.gov/dot/org/projectdevelopment/rightofway/documents/dmmbook.pdf>

Response: The intent of the stormwater easement crossing the Vadney property was to not impact the residence. This property was outside the initial surveyed area, and the residence was constructed subsequent to the Town of Derry's GIS data collection. The stormwater easement area will be modified to avoid impacts to any structures.

14. Ron Randall (Parcel 40) has requested early property acquisition.

Response: Based on the request for early acquisition, NHDOT ROW staff have reached out to Mr. Randall to start the appraisal process. Once the ROD has been issued, the NHDOT will proceed with the acquisition.

15. Alice Archambault (Parcel 50) expressed concerns about increased traffic on Franklin and Exeter Streets.

Response: Ms. Archambault's concerns about increased traffic on Franklin Street and Exeter Street are acknowledged. Under the preferred alternative, the projected 2040 traffic volume on Franklin Street would be less than that under the No Build 2040 condition. Additionally, the proposed traffic signal at the intersection of Franklin Street and Folsom Road will help to keep traffic flowing. In addition, the raised median on Folsom Road will help to alleviate the appeal of using Exeter Street as a cut-through for non-resident traffic by preventing vehicles wanting to turn left from using Exeter Street to bypass the traffic signal.

16. Maria Andrade (Parcel 48) inquired about the extent of impacts to her property and how much traffic she would experience near the remainder of her property.

Response: An excerpt from the Public Hearing plan showing Ms. Andrade's property was provided. As shown in the plan, the projects intent is to minimize the impacts on the property at 89 Franklin Street with the installation of a short retaining wall. A portion of the current driveway along Franklin Street will be reconstructed. The driveway access off Exeter Street will not be impacted.

The project maps and draft environmental document can be accessed through the project website at: <http://www.i93exit4a.com>.

Traffic along Folsom Road is expected to increase significantly with the new interchange. Based upon Projected 2040 design year traffic volumes (average daily traffic), Folsom Road traffic is expected to increase from no-build of 13,800 vehicles/day to 38,900 vehicles per day. A new traffic signal is proposed at the Folsom Road/Franklin Street intersection.

17. John Madden (Parcel 57-1) expressed concerns for the impacts to the egress and access operation at their property at 5 Folsom Road resulting from the expansion of the roadway. Mr. Madden is concerned for the safety of backing out of his driveway into a three-lane highway and stated that a signal light will not eliminate this issue. He opposed the median island and directional design concept because backing out of his driveway into a "one-way" road would be a safety and inconvenience issue. Mr. Madden stated that a corridor of traffic and increased vehicle speed will devalue his property and create a challenging circumstance when he decides to sell his home.

Response: Mr. Madden's concerns regarding the safety of backing onto Folsom Road are understood. Traffic will increase significantly on Folsom Road following the completion of the project. A turnaround area along the driveway could be provided. This request will be discussed during the Right of Way negotiation process. Limiting the driveway to right-in/right-out movements via a raised median island is necessary for safety reasons given the number of lanes and relatively high traffic volume on Folsom Road. U-turns can be made at the adjacent signalized intersections to reverse direction.

Impacts to this parcel are limited to minor slope easements, and Mr. Madden will be contacted during final design to discuss the anticipated impacts in detail. Mr. Madden's concerns about property value are noted. Property values are a function of many different variables, including "nearby land uses, community services such as sewer and water, land use controls, topography, natural amenities, regional growth or decline, prevailing mortgage interest rates, availability of capital funds, and supply and demand in the local real estate market." Potential loss in property value due to noise can be offset by increases in value due to improved transportation access. As a result, for purposes of the EIS, it is not possible to isolate the potential effect of the project on the value of

individual properties given the complex interaction of multiple transportation and non-transportation related factors.

18. Brian G. Germain, Esq.; on behalf of Mr. and Mrs. Messina, Royal T. Carwash (Parcel 76) stated that the properties on the northerly side of Folsom Road are subject to acquisitions and that no explanation has been offered to Mr. and Mrs. Messina, who own Royal T. Carwash. He questioned the need for the project and recommended that other alternatives be considered. He stated that the taking of the property will cause the business to close. Mr. Germain suggested that the State and Towns should consider eliminating the raised median island and to have reverse direction lanes on Folsom Road. Among other suggestions for project revisions included: a state and Town review of phasing project development in order to alleviate the impact to existing commercial properties; State and Town consideration of a new site plan for the property due to the reduced setback, traffic flow, and large vehicle access to the property; State and Town consideration of acquiring and relocating the Royal T. Carwash business.

Response: The concerns for the proposed impacts to components of the commenter's business, including drying area, propane distribution area, and vacuums are acknowledged. The property owners will be contacted by NHDOT Right of Way staff to evaluate the impacts the project will have on the business. The commenter's concerns, including viability of the business after the partial acquisition and property modifications needed, will be discussed during the right-of-way negotiation process. Complete acquisition of the property and relocation of the business may be considered.

Due to the high level of traffic and number of lanes on Folsom Road, a raised median has been provided to prevent left turn maneuvers for safety reasons, and to keep traffic flowing. Folsom Road will have seven lanes of traffic in front of this property. The driveway for this property is located approximately 300 feet from the intersection of Folsom Road with NH 28 and allowing vehicles to turn left across so many lanes of traffic so close to this intersection would create safety concerns. Vehicles will be able to make U-turns at the traffic signals at Franklin Street and NH 28.

The comment regarding the public outreach efforts throughout the Project is noted. Throughout the life of the project, public meetings and hearings were presented in various layouts to best capture input and present the complex work of the project. This included open houses, informal discussions with the project team, public notices of the hearing, handouts, exhibits, and opportunities to submit written comments and other exhibits. Testimonies of public meetings and hearings attendees are recorded as public comment, following a presentation of the most up to date project information for all interested parties. NHDOT Right of Way staff will contact the property owners during the final design stage of the project. The concerns noted in this letter will be discussed during the Right of Way negotiation process.

The comments regarding the need for the project and analysis of all proposed alternatives developed throughout the life of the project is noted. As noted in the SDEIS and FEIS (when available), the need for the project is to provide traffic congestion relief in downtown Derry and to promote economic vitality in Londonderry and Derry. The need for the project has been strongly supported by both towns.

As required by the National Environmental Policy Act (NEPA) process and discussed in the SDEIS and the FEIS, project scoping and conceptual corridor planning were conducted and evaluated based on engineering, environmental, cultural, topographic, and socioeconomic constraints. Following two iterative stages of conceptual corridor screening, the five Build Alternatives are presented in the EIS documents in accordance with the requirements of NEPA, the regulations of the Council on Environmental Quality, as well as applicable FHWA regulations and guidance, with Alternative A identified as the preferred alternative.

19. Karl Kuceris (Parcel 81) expressed his concern about impacts to his realty office property, including limits to public and employee parking spaces for his building. Mr. Kuceris requested more information about how the project will affect him.

Response: The project will cause the sidewalk to be shifted toward the Hiki Realty Trust property, which will reduce the width of the mulched area between the sidewalk and parking lot. A portion of the parking area will be regraded and repaved as part of the project, however the size of the parking lot and its configuration will be unchanged and

no loss of parking spaces is anticipated. Temporary easements will be needed to complete this work, but no permanent Right of Way taking is expected.

20. John Devine, Fireye Inc. (Parcel 88) stated Fireye Inc.'s concerns about aspects project's design that will impact the egress and access operation of Fireye's property and business. Mr. Devine requested changes to the outlined plan to alleviate the negative impacts to Fireye and raised concerns with safety, traffic flow, noise, pollution or emissions, and construction time, and the resulting impacts on the business.

Response: The section of Tsienneto Road in front of the Fireye property will be widened toward the building by approximately 8 to 18 feet. Due to anticipated traffic demand and the proximity of the Pinkerton St and NH 28/Folsom Road intersections, the number of travel lanes will vary between five and seven. The roadway widening toward the Fireye parcel was minimized as much as possible and was balanced with the widening toward the Hoodcroft Condominiums on the other side of Tsienneto Road. The current plans have widening toward the Hoodcroft Condominiums property that require a retaining wall and changing the layouts of the parking lots and drive aisles. The stated safety concern related to the potential for errant vehicles to strike the Fireye building is acknowledged. It is true that the proposed edge of pavement will be closer to the building; however, the widened section of Tsienneto Road in this area is dedicated to a right turn lane at low speed operation, and any errant vehicles are likely related to left turns from Pinkerton Street. The proposed design includes a traffic signal at the Pinkerton Street intersection, which should reduce the number of crashes and potential for errant vehicles to strike the building.

It is correct that there will be a raised median on Tsienneto Road the full length of the Fireye frontage. The proposed median width will be narrowed to four feet, to minimize the encroachment on adjacent properties. The raised median will end approximately 500 feet from the end of the Fireye parking lot and the median will continue as a two-way left turn lane. Due to safety concerns, no median break for the Fireye driveways is currently proposed given the close proximity of the driveways to the intersection with Pinkerton Street.

It is recognized that the current truck operation for this site will be affected by the improvements and will require adjusted route changes to accommodate access with the intersection and roadway modifications. Large trucks needing to access the loading docks would be able to approach the property via the new Exit 4A and Folsom Road, then turn left onto NH 28 and use one of the two driveways to turn right into the property. The NHDOT and town of Derry will meet with Fireye property owners to review the truck operations and consider reasonable driveway access modifications to address the egress and access for the site.

According to the NHDOT Noise Policy and FHWA Regulations, this facility is considered an Activity Category F land use,⁴ which does not have a Noise Abatement Criteria noise level. As such no further impacts or abatement impact or abatement analysis is warranted. The predicted noise increase relative to existing conditions for receptors in the vicinity of Fireye is approximately 2 dBA, which would be considered a barely perceptible change. A summary of the noise impact and abatement analyses will be provided in Section 4.5 of the FEIS and technical information is included in Appendix E.

Mr. Devine's concern for the potential increase in automobile traffic, resulting in degradation to air quality of the office area of Fireye Inc. is acknowledged. Section 4.4.3 of the FEIS will include a discussion of the emissions associated with an increase in vehicular traffic for the Build Alternatives and No Build Alternative. The impact methodology to assess existing air quality and a comparison of ambient pollutant concentrations to applicable air quality standards shows that the project area is in attainment for all the criteria pollutants under National Ambient Air Quality Standards (NAAQS) and New Hampshire state standards. The air quality analysis results show predicted maximum carbon monoxide (CO) concentrations would be well under the 1-

⁴ Activity Category F includes: agriculture, airports, bus yards, emergency services, industrial, logging, maintenance facilities, manufacturing, mining, rail yards, retail facilities, shipyards, utilities (water resources, water treatment, electrical), and warehousing.

hour and 8-hour NAAQS at the worst-case intersections. This means that CO impacts at other intersections in the study area with lower volumes and/or less congestion would similarly not have adverse impacts on CO concentrations under Alternative A or any of the other Build Alternatives.

Mr. Devine's concerns of impacts to the business from the construction activities have been noted. Construction activities within the study area would result in short-term impacts, including increased noise, temporary reduction in air quality, traffic delays/increases, and visual impacts. However, these short-term impacts would be mitigated and would stop after the completion of the project. The FEIS will outline mitigation measures in Section 6.2.

21. Chris Nickerson (representing Parcels 93, 95-1, 95-2, and 97) expressed support for the project and offered traffic data from the Overlook Medical development.

Response: Mr. Nickerson's support for the project is noted. The offer of traffic data from the Overlook Medical developments is appreciated, and the Project team will request it, if necessary, during the design process.

22. Tom Mitchell (Parcel 95) asked for information regarding impacts to his property from the project.

Response: Impacts to this vacant parcel include a small strip acquisition and slope easement. The impacts to Mr. Mitchell's property are shown on the hearing plan, which is available on the project website (www.i93exit4a.com) and includes information regarding the proposed improvements along Tsienneto Road.

23. Reverend J. Stephen Earle, Trinity Assembly of God, (Parcels 104 and 161) expressed concerns about the proposed stormwater treatment area and its interference with the proposed future use of the property. Additionally, Rev. Earle also expressed concerns about access to the property located at 90 Tsienneto Road.

Response: The concerns of the Trinity Assembly of God for the proposed stormwater treatment area are acknowledged. The EPA requires stormwater treatment for municipal separate storm sewer systems (MS4), and these stormwater treatment requirements for the impervious area from the roadway necessitate a large area for treatment. Due to the heavily developed nature of the area and the topography of the land, there are a limited number of areas where stormwater treatment is possible. During final design of the project, the stormwater treatment areas will be further refined to try and reduce the impacted areas, while maintaining required treatment levels.

The concerns of the property owner relative to Parcel 161 are noted. Currently no formal driveway with exception of a grass pedestrian access exists along this section of property frontage. Should a formal access be requested through the town of Derry, the bridge approach rail/guardrail will be modified to allow access to the parcel should Trinity Assembly of God provide a guardrail easement to accommodate the guardrail modification to terminate outside the existing right-of-way.

24. William G. Kent Jr. (Parcel 107) commented that the project would encroach on the well on his property and expose his only water source to harmful chemicals from runoff. Mr. Kent Jr. commented that the proposed project would negatively impact the vegetation and stone wall on his property, which currently provide a screen and privacy barrier to his property.

Response: The well will not be physically impacted by the widening of Tsienneto Road, however, there is the limited potential for roadway runoff to impact water supply wells in the vicinity of the project. During final design, private wells adjacent to the project will be inventoried and reviewed relative to NHDES rules associated with private well setbacks. For private wells along Town-maintained roadways such as Tsienneto Road, the property owner would need to coordinate with the Town of Derry if they feel the well water quality has been impacted by the project.

A portion of the existing stone wall will be impacted by the proposed construction. The impacted stone wall will be evaluated during the design phase in accordance with NHDOT's Stone Wall Policy Guidelines. The feasibility of preservation or reconstruction of the wall will be determined through evaluation requirements of Section 106 of the National Historic Preservation Act of 1966, under revised regulations for "Protection of

Historic Properties” (36 CFR 800) effective 2004, as well as New Hampshire State Law RSA 227-C.

The proposed roadway widening and slope grading will require the removal of some of the existing vegetation. NHDOT typically addresses the loss of landscaping as part of the right-of-way settlement. The homeowner can reinvest the funds to replace the landscaping upon completion of the project.

25. Larry Rider (Parcel 111) commented that many of the project elements are excessive in relation to the traffic issues, especially on local roads. Mr. Rider proposed an alternative interchange south of the existing Exit 4 and a pedestrian walkway crossing Tsienneto Road. Mr. Rider is concerned about repeated impacts to his property based on multiple improvements to Tsienneto Road.

Response: Alternatives that included an interchange south of Exit 4 in the vicinity of Kendall Pond Road or Fordway were evaluated as part of the original Scoping and Rationale Report early in the EIS process, but were found not to be as effective in meeting the purpose and need of the project as far as diverting traffic away from the downtown area. As such, they were dropped from further consideration and study.

The purpose of the wider shoulders on Tsienneto Road is to bring the roadway up to current design standards and to allow for safer accommodation of all users (vehicular, bicycle, and pedestrian), not specifically to alleviate traffic congestion.

Currently pedestrian crosswalks are provided on the north and west sides of the intersection of Tsienneto Road and NH 28 Bypass, with a sidewalk only on the west side of NH 28 Bypass. A pedestrian overpass would require significant additional impacts to developed private properties, additional cost, and is not considered practical.

26. Brendena Torelli-Fleming (Parcel 132) requested that NHDOT reconsider the proposed changes to her property on Tsienneto Road, specifically the potential stormwater treatment easement that would run through her property. Ms. Fleming listed additional specific questions regarding the installation of a stormwater treatment easement and concerns relating to increased traffic flow, pedestrian safety, and hazards along Tsienneto Road.

Response: The stormwater treatment design in the vicinity of the Fleming parcel has been revised and will no longer impact this parcel.

The proposed improvements to Tsienneto Road will improve the safety of the roadway for drivers. The existing road has substandard geometry that will be brought up to meet the minimum standards for the existing 30 mph speed limit. In addition, five-foot wide shoulders and granite curbing will be installed on both sides of Tsienneto Road, which will further enhance safety for pedestrians and bicyclists. The location of mailboxes will be decided during final design in coordination with the postal service and will be discussed during the Right of Way negotiation process.

Ms. Fleming’s concern for the health impacts from the increase in traffic and emissions is acknowledged. As will be discussed in Section 4.4.1 of the FEIS, the project area is in attainment for all the criteria pollutants under the NAAQS and New Hampshire state standards, and no adverse effects from the project are expected.

27. Emily Sanromà (Parcel 138) asked if the project would cause her home to be taken.

Response: The improvements for Tsienneto Road will not require the acquisition of Ms. Sanromà’s home. In addition, the widening for the town road can be accomplished within the existing town right-of-way resulting in no property acquisitions or easements on Ms. Sanromà’s property.

28. John DeGroot (Parcel 164), Jake’s Autobody, expressed concern regarding traffic safety on Tsienneto Road.

Response: Mr. DeGroot’s concerns for traffic safety on Tsienneto Road are understood and shared. The proposed changes to Tsienneto Road are intended to bring the existing substandard roadway geometry up to meet current design standards for the posted speed limit of 30 mph. The proposed traffic signal at the intersection of Tsienneto Road and NH 102 will be designed to handle the projected traffic volume and thus help alleviate the traffic backups that occur now by allowing vehicles to turn left out of Tsienneto Road more safely and efficiently.

29. Daniel Jackson (Parcel 163) expressed concerns about existing and future flooding of his property based on the existing culvert under NH 102 and the proposed bridge on Tsienneto Road. Mr. Jackson also expressed concern that his property would lose value as a result of the project.

Response: The commenter's concerns about flooding related to the proposed bridge on Tsienneto Road and the culvert under NH 102 are noted. Regarding the replacement of the Tributary E culverts under Tsienneto Road, a weir will be constructed at the outlet of the proposed Tsienneto Road bridge to maintain the water surface elevations within the upstream wetland and flows up to the 2-year flood event. The hydraulic analysis shows that the increased opening area of the proposed Tsienneto Road bridge results in only a small increase of less than one inch in water surface elevations just upstream of the NH 102 crossing for the 2-year storm, which currently overtops NH 102. For larger events, however, the analysis does not show any change in water surface elevations at the NH 102 crossing.

Any culverts located within the limits of work shown on the Hearing Plan will be evaluated and replaced as necessary. Pipes located on North Shore Road or NH 102 beyond the limits of the project are outside the scope of this project. The NHDOT is currently conducting an evaluation of culvert replacement projects that may be considered under the Stream Passage Improvement Program (SPIP) portion of the Project mitigation plan.

The concern with potential impacts to property values is noted. Property values are a function of many different variables, including "nearby land uses, community services such as sewer and water, land use controls, topography, natural amenities, regional growth or decline, prevailing mortgage interest rates, availability of capital funds, and supply and demand in the local real estate market."⁵ Potential loss in property value due to noise can be offset by increases in value due to improved transportation access. As a result, for purposes of the EIS, it is not possible to isolate the potential effect of the project on the value of individual properties given the complex interaction of multiple transportation and non-transportation related factors.

The intersection improvements to the intersections of NH 102 with North Shore Road and Tsienneto Road, which includes widening and signalization, are needed based on the anticipated future (2040) traffic volumes. The signalized intersections will be coordinated to improve traffic flow and safety.

30. Ray Breslin expressed concerns about traffic and safety as well as support for the consideration of Alternative B, where the project will be located more northerly along the power transmission corridor. Mr. Breslin also questioned the project funding.

Response: Mr. Breslin's support for the consideration of Alternative B, located more northerly along the power transmission corridor, as the preferred alternative is noted. Providing a connection to Ashleigh Drive from the southerly interchange location was considered as part of Alternative B. However, as will be discussed in Section 3.7 of the FEIS, Alternative B would result in a larger impact to natural resources (including more than double the direct impacts to wetlands), as well as cost significantly more for project construction when compared to Alternative A. Alternative B would also require greater residential displacements (19) compared to Alternative A (14). The utility and environmental impacts for that alternative were significant and that alternative was not ultimately selected.

The Ross' Corner intersection would be improved to handle the projected redistribution of traffic and the inclusion of the Pinkerton Street intersection as part of a coordinated traffic signal system which will greatly improve safety for traffic exiting from Pinkerton Street. The section of Folsom Road from North High Street to Ross' Corner has been sized appropriately for the key intersections to handle expected traffic levels, which would be too high to allow for safe left turning traffic movements from the assortment of local streets and driveways along its length. As such, a median island has been proposed to restrict turning movements to right turns only, and providing for the opportunity to reverse direction at the signalized intersections at either end.

⁵ http://www.dot.ca.gov/ser/vol4/downloads/chap_appdx/AppendixD_PropertyValues_21102011.pdf

To the east of the new Pinkerton Street signalized intersection, Tsienneto Road will continue to have a center turn lane that will allow left turns into the various driveways to residences and businesses along its length. Making left turns from these driveways onto Tsienneto Road is challenging today and will continue to be so but would still be a legal movement. Traffic from the Sunview Condominiums that wishes to go to the west can use internal roads to get to Pinkerton Street to use the signal there and make a safer left turn towards the west.

At the east end of the Project, the intersection of Tsienneto Road and NH 102 is proposed to be signalized, and North Shore Road will be incorporated into the signal control system to improve operations over the existing unsignalized conditions that now exist.

Currently the Tsienneto Road crossing of Tributary E, located west of NH 102, consists two undersized culvert pipes, which contribute to the flooding that the area has experienced. An appropriately sized bridge is proposed to reduce the likelihood of future flooding. In addition to this bridge, a weir will be constructed to prevent the draining of the prime wetland located north of Tsienneto Road.

The financial commitment of both Towns is currently capped at \$5 million each, much of which has already been expended to complete the environmental permitting process. The remainder of the funds for design and construction of Exit 4A are currently programmed using Federal and State funds in the NHDOT's Ten Year Plan.

31. Ellie Sarcione stated her concern about the increased traffic near her home due to the project. She requested a sign be posted in the vicinity of her home that warns drivers of the blind corner and cautions them to slow down.

Response: Ms. Sarcione's concerns for safety are noted; however, the location of the property is approximately one half mile beyond the limits of the project. NHDOT has reviewed this area in the past and determined that the existing warning signage is appropriate. It appears that sight distance from the driveway could be improved by the property owner by removing vegetation on the property.

32. G. Thomas Cardon expressed his concerns about additional increased salt usage for winter maintenance and impacts to local water sources. Mr. Cardon was also concerned with the lack of economic benefit for Derry and overall impact along Folsom Road resulting from its expansion of its two lanes to six lanes, particularly on businesses and residents in that area of town. Mr. Cardon expressed support for the rail trail accommodation.

Response: Mr. Cardon's concern with the impacts of road salt associated with the Project, which is located within the Upper Beaver Brook watershed, portions of which are water quality impaired for chloride is noted. The Project will be required to be consistent with watershed-wide salt reduction efforts, including adherence to MS4 permit conditions for stormwater discharges to chloride impaired water bodies, as described in Section 4.11 of the FEIS (when available). Chloride reduction plans are being developed by NHDOT, Derry, and Londonderry that describe chloride-reducing BMPs for department and municipal operations and the Project will be operated in accordance with the respective chloride reduction plans.

Mr. Cardon's comment regarding the lack of economic development in Derry is noted. Economic development, traffic congestion, and safety issues within the study area were identified through the cooperative work of the Towns of Derry and Londonderry, FHWA, and NHDOT. Impacts to community cohesion and environmental justice populations will be addressed in Sections 4.7 and 4.8 of the FEIS. Design elements of the Build Alternatives, such as wider shoulders and a continuous sidewalk, work to improve safety for pedestrians, bicyclists, and vehicles in residential areas along the eastern portion of the alignment in the Town of Derry. Overall, the quality of transportation services and safety are expected to improve.

Relative to the reduction in traffic through downtown Derry, the purpose and need for this project, which was developed in conjunction with the Town of Derry, includes reducing the traffic volume on Broadway (NH 102) through downtown Derry. The high level of through traffic in downtown Derry has been an impediment to downtown revitalization since most of the business do not rely on 'pass-by' traffic. By diverting the through traffic that does not have a destination in the downtown area away from Broadway, the downtown can attract more destination-oriented and pedestrian-friendly

business activity, thus increasing the commercial tax base in this area. The Town is currently updating its Master Plan, which will provide residents and business owners the opportunity to set the direction for the future development of the downtown area once Exit 4A is in place.

Mr. Cardon's concern for the need for residents of Folsom Road and Ferland Drive to make U-turns is acknowledged. Due to the large volume of traffic anticipated on Folsom Road in this area and because there will be six lanes of traffic on Folsom Road, it would be a safety concern to allow left turns in and out of Ferland Drive. Finally, Mr. Cardon's comment regarding the accommodation of the rail trail is noted.

33. Mark Connors expressed support for the project and the rail trail accommodation. Mr. Connors also expressed concern for the potential impacts to the rail trail, including erosion and flooding, from the planned culvert crossing Shields Brook.

Response: Mr. Connors' support for the project and rail trail underpass is noted. The Exit 4A project is proposing to construct approximately 900 feet of trail to ensure safe passage for users through the project area. Any additional trail construction is beyond the scope of this project. The impact to Shields Brook and the adjacent wetlands associated with the culvert replacement under Folsom Road have been considered and included in the impact quantities for the project. The culvert upgrade will be designed to meet NHDES stream crossing rules. The upstream rail trail crossing is outside the limits of the hydraulic study, which extends approximately 500 feet upstream of the Folsom Road crossing. The model does show decreases in water surface elevations at the upstream boundary of the model from existing to proposed, however, the rail trail crossing is approximately another 500 feet further upstream. Therefore, the effects on the rail trail crossing from opening up the Folsom Road crossing will be minimal.

34. Four commenters (Steven Anthony on behalf of the Beaver Lake Improvement Association, Brian Judge, Philip and Cheryl Fogg, and Richard Christian) expressed concern for the stormwater impacts to the Beaver Lake watershed as well as traffic near the lake.

Response: The commenters' concerns with Project impacts to the Beaver Lake watershed are noted. The areas of the Project located within the Beaver Lake watershed will primarily be areas of redevelopment of existing roadway, rather than construction of new roadway or adding travel lanes, and therefore will add minimal new impervious roadway surface within the Beaver Lake watershed. In addition, the Project will utilize stormwater Best Management Practices (BMPs) which are structural and non-structural stormwater practices designed to reduce or remove pollutants in stormwater and reduce peak stormwater flows. These practices will provide better stormwater treatment than is currently occurring in the Project area within the Beaver Lake watershed. Water resources will be discussed in Section 4.11 of the FEIS.

The concern with increased traffic on local roads in the vicinity of Beaver Lake is noted. East Derry and other towns to the east like Sandown and Hampstead are projected to see continued growth due to the availability of land, with or without the Exit 4A project. The intersection of North Shore Road with NH Route 102 has already been identified as an area of concern by current users and will continue to feel the effects of local and regional growth. The proposed signalization and roadway improvements at this intersection will improve the safety for traffic exiting North Shore Road for access to the local and State highway network. Other roadway deficiencies on roadways around the lake are under Town jurisdiction and not within the scope of this project.

35. Tom Irwin, Conservation Law Foundation (CLF) commented that the SDEIS fails to acknowledge or address constraints on the I-93 widening related to water quality and traffic demand. CLF questioned the assumption in the SDEIS that I-93 would be operating as a four-lane highway in each direction when Exit 4A is built. CLF stated its understanding that the fourth lane would not be constructed until chloride use is in keeping with environmental requirements, and traffic volumes on I-93 warrant a fourth lane.

Response: The Exit 4A FEIS transportation analyses assumes completion of the widening of I-93 to four-lanes in each direction as part of the development of the 2040 No Build condition future transportation network. These same "No Build Projects" were also included in the 2040 Build condition analyses (for a complete list of No Build transportation projects, refer to the SNHPC Travel Demand Forecast Model Development

and Calibration Report—Appendix D to the FEIS Traffic Technical Report). Widening to four-lanes is a programmed project in NHDOT's 2019-2028 Ten Year Transportation Improvement Plan (project ID# 14633J) and the Southern New Hampshire Planning Commission's FY2017-FY2040 long-range transportation plan. Therefore, the construction of the 4th lane was a "reasonably foreseeable" future action in the context of NEPA's requirements to consider cumulative impacts (40 CFR1508.7).

The lead agencies acknowledge construction of the 4th lane is subject to certain conditions related to chloride loadings as described in the I-93 Improvements Supplemental Record of Decision and Section 401(c) Water Quality Certification. However, it is not necessary for the separate and independent Exit 4A project to address or resolve the water quality compliance provisions applicable to the I-93 improvements project. Inclusion of the 4th lane in the 2040 No Build projects list for the FEIS and assuming chloride constraints could be resolved by 2040 was reasonable and based on factual information (inclusion of the project in long-range transportation plans). From an environmental standpoint, inclusion of the 4th lane in the cumulative chloride loading analyses is conservative (over predicting vs under predicting) potential impacts—if the 4th lane is not constructed, cumulative chloride loadings would be less than shown in the FEIS.

The comment intimates that widening to the full four-lane configuration is subject to traffic demand considerations contained within the Supplemental ROD (SROD). To clarify, Section 4.5 - Basis for Decision on page 9 of the SROD states "The FSEIS analyses confirm that four-lanes in each direction are needed to address the long-term needs of the I-93 corridor and would substantially alleviate severe congestion."

The comment refers to a March 8, 2011 letter from NHDOT to FHWA regarding implementation of TDM and TSM commitments in the I-93 Improvements SROD as the backup for an assertion that construction of the 4th lane can only occur when warranted by traffic volumes. In the context of the SROD and the ongoing monitoring and evaluation of travel demands on the corridor; the reasonably foreseeable traffic demands, seasonal peak demands, along with the long-term needs, all warrant the construction of the 4th lane.

Recognizing that the Exit 4A project could be constructed before the 4th lane, a three-lane I-93 sensitivity analysis has been conducted for the FEIS (see Appendix N of the Interchange Justification Report, which will be located in Appendix D of the FEIS). The results of the sensitivity analysis show that traffic operations on I-93 will operate at an acceptable level with 3 or 4 lanes. This shows that the traffic changes predicted by the construction of Exit 4A do not "force" construction of the 4th lane and that the Exit 4A project is appropriately considered independently from decisions about the timing of construction of the 4th lane.

Federal and State Agency Comments Related to the SDEIS

During the comment period, the following comments were provided relative to information presented in the SDEIS. Detailed comments and responses will be contained in Appendix M in Volume III of the FEIS.

U.S. Department of the Interior

The U.S. Department of Interior (DOI) concurred that there is no prudent and feasible alternative to the proposed use of the M&L Railroad Historic District. The DOI also concurred with the appropriateness of the proposed mitigation measures to compensate for the adverse effect to the historic district and has requested a copy of the draft memorandum of agreement (MOA). The MOA will be included in Appendix K of the FEIS. A copy of the FEIS will be provided to DOI.

U.S. Environmental Protection Agency

The U.S. Environmental Protection Agency (EPA) provided technical comments to the U.S. Army Corps of Engineers regarding the public notice on the Section 404 permit application for the project. The EPA comments included the following subjects: the purpose of the project, impacts to wetlands and vernal pools, aquatic habitat, water quality (i.e., chloride), and selection of Alternative A as the preferred alternative under 404(b)(1) guidelines. Additionally, the EPA provided comments regarding the potential wetland and vernal pool impacts from induced development as well as compensatory mitigation.

Additionally, the EPA provided technical comments related to the SDEIS content including the project purpose, direct and indirect impacts to water resources, including wetlands, vernal pools, and water quality, and mitigation.

New Hampshire Department of Environmental Services

The New Hampshire Department of Environmental Services (NHDES) provided comments on the following resources discussed in the SDEIS: potential impacts to air quality, surface water and groundwater, management of de-icing chemicals in the Beaver Brook watershed and its environs, wellhead protection, storm water management and wetland impacts, including proposed stream crossings, re-alignment, vernal pools and mitigation for unavoidable impacts.

New Hampshire Division of Historic Resources

The New Hampshire Division of Historic Resources provided comments on Section 4.18, Cultural Resources, of the SDEIS. Comments included clarification on the eligible and potentially eligible resources in the area of potential effect (APE) for the project as well as updates from the 2007 DEIS.

Date:

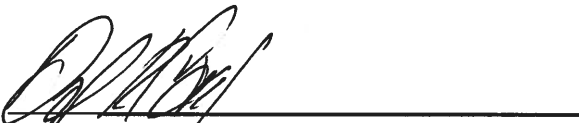
8/29/19



Victoria F. Sheehan
Commissioner
N.H. Department of Transportation

Date:

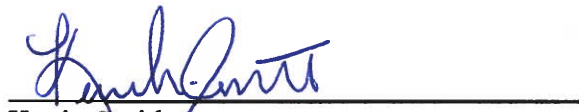
8/25/19



David Caron
Town Administrator
Derry, NH

Date:

8/26/19



Kevin Smith
Town Manager
Londonderry, NH