

## **Appendix L - Newington-Dover 11238 FEIS Environmental Commitments (2007)**

**LEGEND**

A - Transportation and Highway Design	L - Cultural Resources
B - Socio-Economic Resources	M - Petroleum, Hazardous Materials and Solid Waste
C - Wetland Resources	N - Construction Impacts
D - Drainage and Water Quality	O - Utility Impacts
E - Navigation	ROD - ROD
F - Marine Resources	
G - Floodplains	
H - Groundwater	
I - Noise	
J - Recreational Resources	
K - Visual Resources	

Newington-Dover  
NHS – 027-1 (037), 11238

**PROJECT COMMITMENTS TRACKING SYSTEM**  
3-Feb-21

FEIS Project Commitments	Target Start Date	No Action Taken	Action Underway	Completed		Remarks
		(✓)	(✓)	(✓)	Date	
<b>A. Transportation and Highway Design</b>						
A 1. Relative to commercial vehicles accessing and exiting the Wentworth Terrace neighborhood and Hilton Drive, the proposed improvements to Hilton Drive in the vicinity of Wentworth Terrace and Hilton Park (including the local connector roadway traversing under the Turnpike and adjacent to the channel) will be designed to accommodate tractor-trailer trucks. Also, as suggested, a portion of Hilton Drive extending north from the existing ramps to the pump station will be retained to create a loop road for trucks to more easily exit the neighborhood.	01/05/09			✓	10/01/20	The design of Hilton Drive beneath the LBB provides tractor trailer access. The design plans included the exit loop road from Wentworth Terrace through coordination with the City of Dover.
A 2. The General Sullivan Bridge, an historic bridge eligible for the National Register of Historic Places, will be rehabilitated to a six-ton loading capacity to continue to function as a pedestrian/bicycle/recreational facility and to accommodate emergency response and maintenance vehicles from Newington.	01/05/09			✓	10/01/20	Design advancement had included this commitment. However, based on the Preferred Alternative in the Draft SEIS, the GSB may be replaced. Rehabilitation and replacement options of the GSB are currently evaluated within the supplemental NEPA action as a Draft SEIS.
A 3. The Exit 6 proposed improvements at the US 4/Spur Road, Spur Road/local connector, and local connector/Boston Harbor Road intersections will be designed to safely and efficiently accommodate heavy commercial vehicles including tractor-trailer trucks.	01/05/09			✓	10/01/20	The design of the Exit 6 area has now included a roundabout at the intersection of US Route 4, Spur Road, and Boston Harbor Road which accommodates tractor trailer trucks. These improvements were constructed in Contract Q.
A 4. In Dover, new sidewalks will be constructed in the following locations: <ul style="list-style-type: none"> <li>➤ Along the west side of Dover Point Road, between Hilton Park and the existing sidewalk located opposite the Division of Motor Vehicles (DMV) property;</li> <li>➤ Along the north side of Spur Road between the Bayview Park parking area and the Scammell Bridge;</li> <li>➤ Along the west side of the connector road between Spur Road and Boston Harbor Road and along the west side of Dover Point Road;</li> <li>➤ Along the new two-way connector beneath the Little Bay Bridges as described above; and</li> <li>➤ Along Hilton Drive connecting to the reconstructed walkway along Pomeroy Cove.</li> </ul> Sidewalk construction is contingent on the City of Dover agreeing to accept maintenance responsibilities (both winter and summer maintenance) for the sidewalk in accordance with its accepted policies and practices as mandated in RSA 231:92-a. A municipal agreement between the City and the NHDOT documenting maintenance responsibilities will need to be executed prior to these sidewalks being incorporated into the project.	01/05/09			✓	10/01/20	Design advancement has included this commitment. The design concept now includes a roundabout at the intersection of US Route 4, Boston Harbor Road and Spur Road which eliminates the Spur Road connector. The Department and the City of Dover have entered into a municipal agreements for the maintenance responsibility for these sidewalks. These improvements were constructed in Contract Q.
A 5. As part of the project in Dover, the NHDOT proposes to build minimum 4-foot wide shoulder areas, which will accommodate bicycles, along the reconstructed segments of Dover Point Road, US 4, Spur Road, Hilton Drive, along the new two-way connector beneath the Little Bay Bridges, and along Hilton Drive connecting to the reconstructed walkway along Pomeroy Cove.	01/05/09			✓	10/01/20	Design advancement included this commitment and these improvements were constructed in Contract Q.
A 6. Retaining walls, ranging from 4 to 14 feet in height, will be constructed along the west side of the Turnpike to reduce slope impacts on the properties between the Turnpike and Dover Point Road.	01/05/09			✓	10/01/20	Design advancement included this commitment and these improvements were constructed in Contract Q.
A 7. Retaining walls, ranging from 4 to 18 feet in height, will be constructed along the east side of the Turnpike to avoid impacts to Pomeroy Cove and to limit slope impacts on the properties in the Dover Point Road/Cote Drive neighborhood.	01/05/09			✓	10/01/20	Design advancement has included this commitment. However, there are minor impacts within Pomeroy Cove related to the proposed drainage outlets into the cove. These improvements were constructed in Contract Q.
A 8. The existing bicycle/pedestrian path abutting Pomeroy Cove and connecting Hilton Park and Wentworth Terrace to Dover Point Road will be maintained	01/05/09			✓	10/01/20	Design advancement included this commitment and these improvements were constructed in Contract Q.

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A 9. The two existing driveways that presently service parcel N031 (Exxon/Mobil gas station/convenience store in Newington) will be maintained. The present driveway on Nimble Hill Road will have direct access to and from the Turnpike on-ramp, but will be restricted to right turns in and out. The second driveway will have a direct connection to the new local connector road that is proposed south of the gas station.	01/05/09			✓	05/16/12	The design was completed in adherence with this commitment and was constructed as part of Contract M. There were no temporary or permanent ROW impacts to this property.
A 10. A local roadway, which would provide access to the gas station, Thermo Electron, and one other parcel (with existing direct access to the Turnpike) will be constructed as part of the project. This local roadway could also provide access to the former drive-in property via the roadbed of the existing southbound Turnpike if that property is developed in the future.	01/05/09			✓	05/16/12	The design was completed in adherence with this commitment and a road was constructed under Contract M, but has not been conveyed to the Town. This road will function as an access road to a new NHDOT maintenance facility currently planned to be constructed in 2021.
A 11. In Newington, new or reconstructed sidewalks will be included in the project on both sides of Woodbury Avenue between Fox Run Road and Exit 3. The sidewalk on the north side of the roadway will be extended through the interchange, across the Turnpike and into the Tradeport on Arboretum Drive. Sidewalk construction is contingent on the Town of Newington agreeing to accept maintenance responsibilities (both winter and summer maintenance) for the sidewalk in accordance with its accepted policies and practices as mandated in RSA 231:92-a. A municipal agreement between the Town and the NHDOT documenting maintenance responsibilities will need to be executed prior to the sidewalks being incorporated into the project.	01/05/09			✓	05/16/12	The design was completed in adherence with this commitment and was constructed as part of Contract M. The Department and the Town of Newington have entered into a municipal agreements for the maintenance responsibility for these sidewalks.
A 12. Roadside shoulder areas (4 to 5 feet wide) to accommodate bicyclists are proposed in Newington within the limits of the project along Woodbury Avenue, the bridge over the Turnpike within the Exit 3 Interchange area, and along the reconstructed sections of Arboretum Drive.	01/05/09			✓	05/16/12	The design was completed in adherence with this commitment and was constructed as part of Contract M.
A 13. The project will include provisions for a future Railroad Spur over the Turnpike into the Pease Tradeport. Right-of-way and easements will be procured as part of the project and a portion of the railroad bridge's pier foundation will be constructed within the median of the Turnpike. An agreement between the NHDOT and the PDA (with concurrence from FHWA if federal funds are to be used) will also be secured as part of the project to outline a shared cost arrangement should the rail spur be constructed in the future.	01/05/09		✓			The design was coordinated with the railroad in order to set the appropriate ROW. Discussion with PDA to occur to arrive at shared cost agreement
A 14. In addition to the already completed Transportation System Management provisions identified in the FEIS, NHDOT will implement short-term relief prior to the project at Exit 6 by re-striping the Exit 6 southbound on-ramp area to create two through lanes on the Turnpike and a one-lane on-ramp from US 4, as well as closing the existing access ramp from Boston Harbor Road.	01/05/09			✓	06/30/05	Construction of this commitment was completed.

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<p>A 15. Early implementation of these Travel Demand Management actions will also provide greater options to study area commuters during construction:</p> <ul style="list-style-type: none"> <li>➤ A new park-and-ride facility consisting of 416 spaces is under construction at the Exit 9 area in Dover. The facility is a separate project under the CMAQ program. Construction is scheduled to be completed in 2008 and will complement the COAST express bus service and Dover's planned downtown transit loop service.</li> <li>➤ A park-and-ride facility consisting of approximately 200 spaces will be pursued at the Exit 13 area in Rochester either under the CMAQ program or as part of the Rochester 10620H project (currently planned to advertise in 2008).</li> <li>➤ A park-and-ride facility consisting of approximately 30 to 50 spaces will be pursued for the US 4/NH 125 intersection area in Lee to accommodate travelers using US 4 eastbound. The NHDOT also recommends advancement of this project under the CMAQ program.</li> </ul>	01/05/09		✓			<p>In 2008, the NHDOT completed construction of a 416 park-and-ride facility at Exit 9 in Dover. The NHDOT completed this project under the CMAQ program. Concurrently, under the CMAQ program a new intercity bus service has been implemented from Dover to Portsmouth via the Spaulding Turnpike.</p> <p>The Rochester park-and ride facility provided approximately 200 spaces at Exit 13 in Rochester and was advertised for construction in the spring of 2013 with construction being completed.</p> <p>The Lee park-and-ride location is under investigation. The previous application for CMAQ funding was not approved, therefore funding for this site will be applied for in the next biennial funding cycle once the location has been identified.</p>
<p>A 16. To improve bus service in the seacoast area and reduce peak hour headways to provide a more attractive and reliable mass transit mode of travel, three bus alternatives will be advanced with capital investments and consideration of operating subsidies up to a maximum of five years. The items could be accomplished through the CMAQ program or with project-related funds and are intended to mitigate for the potential increased levels of congestion during construction and overall dependency on SOV travel in the region.</p> <ul style="list-style-type: none"> <li>➤ Bus Alternative 1, involving expanded intercity service for Rochester, Dover, Portsmouth and Boston to serve the commuter market.</li> <li>➤ Bus Alternative 2, involving expanding the planned COAST express bus service among Rochester, Dover, and Portsmouth to reduce headways during the peak period for the planned express commuter bus service.</li> <li>➤ Bus Alternative 3, involving improving connectivity and headways for three existing bus routes: COAST Route 2 service between Rochester and Portsmouth; Wildcat Transit Route 4 service between Durham and Portsmouth; and COAST Tradeport Trolley services which connects these two routes with the Tradeport.</li> </ul>	07/01/09			✓	12/01/09	<p>To improve bus service in the seacoast area, Bus Alternative 3 was implemented and involves improving connectivity and reducing headway for three existing bus routes in the seacoast area. A CMAQ application was submitted in December 2009 and subsequently approved to implement Bus Alternative 3, which is now estimated to cost \$6.58M (including operating expenses for three years). An additional \$2.28M is estimated to be required to cover operating expenses for an additional 2-year period to fund a total of 5 years of operating costs.</p>
<p>A 17. NHDOT has provided support for expansion of the Downeaster service through a joint-sponsored CMAQ project (total cost \$6.0 million) by the Maine DOT, NHDOT and NNEPRA for Rail Alternative 1C, which funded track and siding improvements in Maine and New Hampshire to allow NNEPRA to operate a fifth weekday roundtrip between Portland and Boston beginning in August 2007.</p>	01/05/09			✓	08/07/09	Support Provided
<p>A 18. To support the promotion of employer-based measures to encourage travel other than by SOV, NHDOT will support funding for the seacoast area TMA, Seacoast Commuter Options, to help supplement the service for a maximum period of five years. This extension of funding could be accomplished through the CMAQ program or with project-related funds.</p>	06/01/09		✓			<p>This commitment was discussed at a public informational meeting in the spring/summer of 2010. The project didn't receive CMAQ funding under the current program and will need to be re-apply for funded during the next program cycle.</p>
<b>B. Socio-Economic Resources</b>						
<p>B 1. Property requiring acquisition will be appraised utilizing techniques recognized and accepted by the appraising profession and in conformity with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and applicable to New Hampshire State Law.</p>	08/01/09			✓	06/23/16	All applicable contracts utilized the Uniform Relocation Act to acquire property.

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B 2. Completed appraisals will be reviewed by an independent appraiser to ensure that requirements of condemnation law and acceptable appraisal methods are met	08/01/09			✓	06/23/16	All contract appraisals were reviewed by independent appraisals and will also for future contracts.
B 3. Two businesses will be acquired under the Selected Alternative. The displaced businesses are eligible for relocation benefits, which include: ➤ Fair market value for acquired property. ➤ Relocation advisory assistance services. ➤ Payments for actual reasonable moving. ➤ Business re-establishment costs.	08/01/09			✓		The two businesses, Doggy Daycare and Adaptations, were acquired and relocation benefits were offered.
<b>C. Wetland Resources</b>						
C 1. Compensation for unavoidable losses of wetlands and other natural resources will include a combination of restoration/enhancement and preservation.	01/05/09			✓	12/28/11	The project includes wetland compensation that includes restoration (Railway Brook) and preservation (Tuttle and Day properties in Dover and Saba and Hislop properties in Newington).
C 2. NHDOT and FHWA will collaborate with the affected communities and the state and federal resource agencies, as well as area conservation organizations such as the SRC and TNC, to protect approximately 150 – 250 acres at three sites in Dover and Newington, described below. <b>Preferred Preservation Properties:</b> ➤ Tuttle Farm, Dover – In response to the property owner's request, NHDOT, in partnership with the City of Dover, has expedited the acquisition of a conservation easement on the Tuttle Farmstead to permanently preserve the 120-acre farm. The preservation was consummated on January 29, 2007 with the conservation easements executed and property rights on 109.1 acres transferred to the City, the NHDOT, and the SRC. ➤ Watson Property, Newington – This 35-acre parcel would protect upland forest and tidal wetlands adjacent to Little Bay at Trickys Cove precluding further coastal development. ➤ Blackwater Brook Preserve, Dover – NHDOT and FHWA will continue to work with the City to permanently protect a large portion of the 105-acre Tsimekles property in the Blackwater Brook watershed. If an agreement to acquire a large portion of the Tsimekles parcel is not reached, NHDOT and FHWA will work to acquire 30 to 40 acres of one or more of the several other parcels in the Blackwater Brook area that are deemed worthy of preservation and permanent protection. <b>Alternative Preservation Properties:</b> ➤ Knight Brook Riparian Corridor, Newington - If negotiation for an easement on the Watson Property is not successful, then NHDOT will pursue preservation of approximately 60 to 70 acres in the Knight Brook area. More than 100 acres in this area have been identified as appropriate for preservation. These parcels lie adjacent to the recently-preserved Frink Farm and would provide additional expansion of a large contiguous area of preserved land extending to Fox Point.	01/05/09			✓	12/28/11	The NHDOT completed the collaboration and acquisition the mitigation parcels as noted below: <b>Tuttle Farm (Tendercrop Farms):</b> The Department assisted with funding for the City of Dover acquiring a conservation easement for this 120 acre parcel. The Department holds a Executory Interest in the easement on the property, that was sold in 2014 and is now managed Tendercrop Farms. <b>Blackwater Brook Preserve:</b> The Department could not come to an agreement on the Tsimekles property. The Department acquired a conservation easement on the 40 acre Day property. <b>Watson Property:</b> The Department entered into discussion on this property but could not reach an agreement with the owner. <b>Knights Brook Riparian Corridor:</b> The Department entered into discussions with property owners in this corridor as a result of not reaching an agreement on the Watson Property. Baseline Documentation reports were compiled for the Saba and Hislop parcels; Reports were submitted to ACOE and NHDES, June 2010. The Department acquired conservation easements on behalf of the Town of Newington Conservation Commission with the Department holding Executory Interest for 43.24 acres on the Saba property and 25.96 acres on the Hislop property. These were recorded at the Rockingham County Registry on December 28, 2011.
C 3. NHDOT and FHWA will work with the affected communities and the state and federal resource agencies to determine the conditions of the conservation easement and easement interest holders for the Watson Property, as well as any parcel protected in the Blackwater Brook area or Knights Brook area.	01/01/10			✓	03/23/12	The Department has completed negotiations with and recording of the mitigation easements with the Dover and Newington Conservation Commissions with the conservation commissions holding the easements and the Department holding Executory Interest Rights.

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C 4. NHDOT and FHWA will collaborate with the Town of Newington, the Pease Development Authority and the state and federal resource agencies to restore approximately 3,100 linear feet of Railway Brook (Restoration Alternative A), a portion of a heavily impacted perennial stream on the property of the Pease International Tradeport. This mitigation measure will include restoration and expansion of floodplain wetlands adjacent to the stream within an approximately 300-foot wide corridor. The restored riparian corridor, including adjacent upland buffer, would be preserved by establishment of a permanent conservation easement.	06/01/09			✓	06/01/15	The design and construction of the restoration site was completed as part of Contract M. The Bureau's of Environment and ROW are collaborating on the final easement language, which will be recorded with the Rockingham County Registry of Deeds. First year monitoring report was submitted to NHDES in November 2015. Natural Resource Agencies have acknowledged that although the site had not accomplished all the desired mitigation functions and values goals, it would still be considered as part of the mitigation for the wetland impacts incurred by the project with no further action or compensation required.
<b>D. Drainage and Water Quality</b>						
D 1. In Newington, at least five extended-detention basins or other appropriate BMPs will be designed for stormwater treatment, with three of the basins in the lower Pickering Brook watershed	01/05/09			✓		Contract L included one BMP, Contract M included five BMP's and Contract Q include 5 BMP's. Contracts L and M are completed and their BMPs have been constructed. The BMPs in the Contract Q are in construction.
D 2. Numerous grassed swales will also be used to treat runoff from various roadway sections especially around the proposed Woodbury Avenue Interchange area.	01/05/09			✓	05/16/12	Contract M included grass swales for treatment and/or conveyance to the BMP as necessary.
D 3. As part of the project's final design, NHDOT will closely review and evaluate the existing drainage conditions on Dover Point. Careful attention will be exercised to identify drainage-related issues along the Turnpike on Dover Point and not exacerbate the deficient conditions. This will include properly graded and constructed ditches and other drainage appurtenances to prevent the ponding of water adjacent to private property to the degree practicable.	01/05/09			✓	06/23/16	The design evaluated this commitment and included appropriate drainage design as part of Contract Q.
D 4. In Dover, at least three extended-detention basins or other appropriate BMPs will be constructed to receive and treat runoff from much of both the existing and new roadway areas. Numerous grass swales will also be included to treat smaller sections of roadway that cannot be directed to the extended-detention basins	01/05/09			✓	06/23/16	Design advancement included this commitment within Contracts L and Q. Overall there are 5 BMP's in Dover.
D 5. A pollutant loading analysis using Schueler's Simple Method (Schueler 1987), or another method approved by the NHDES, will be completed during the preliminary stage of the final design. If needed, additional or revised BMPs, such as gravel wetlands, will be included to ensure to the maximum extent practicable that the project results in no net increase in estimated pollutant loading relative to existing conditions.	01/05/09			✓		Design advancement included this commitment for Contracts L, M, O, and Q with the pollutant loading results being provided to NHDES and approved for construction. Contract S analysis will be provided as appropriate during final design.
D 6. NHDOT will evaluate the feasibility of constructing a closed drainage system on the widened LBB to minimize direct stormwater discharge to the Little Bay and Piscataqua River.	01/05/09			✓	01/26/09	Design advancement included this commitment and it has been determined that although it is feasible to include a closed drainage system on the bridge, the 12' wide shoulders will convey all stormwater from the crest of the bridge to the proposed closed drainage system off the bridge.
D 7. NHDOT will continue to investigate various measures and technologies as a means of reducing overall salt use in the project corridor.	04/01/09			✓	06/01/19	This commitment was addressed with the development and establishment by NHDOT of a Statewide Salt Management Plan in 2019 that strives to minimize the amount of applied salt entering the environment by establishing Best Management Practices. The Plan demonstrates compliance with EPA National Pollutant Elimination Permits (NPDES), specifically the Small Municipal Separate Storm Sewer System Permit (MS4), and the NHDES Alteration of Terrain (AOT) rule Env-Wq 1503.11(g).

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D 8. To minimize the potential for water quality impacts during construction, the NHDOT will require construction contractors to provide detailed erosion control plans including contingency measures and periodic turbidity monitoring of the site discharge during wet weather events	07/01/09		✓			Specific erosion control and turbidity monitoring contract language has been included in Contracts L, M, O, and Q. Similar language will be included in Contract S.
D 9. Contractors will also be required to develop a SWPPP, which requires NHDOT approval. Frequent inspections of construction sites will be required to maintain compliance with permit conditions	07/01/09		✓			As part of Contracts L, M, O, and Q the contract language includes a contractor developed SWPPP with contract items for inspection. Similar language will be included in Contract S.
<b>E. Navigation</b>						
E 1. Reconstruction of the LBB will maintain the existing limiting vertical clearances for the 100 ft and 200 ft navigation corridors (horizontal clearance) and the extension of bridge piers will maintain existing alignments to eliminate potential impacts to navigation	01/05/09			✓	09/15/14	The design of the new SB LBB maintains the existing vertical and horizontal clearances with the proposed piers being in alignment with the existing LBB piers. The reconstruction of the existing LBB also maintained the existing horizontal and vertical clearances.
E 2. The plans for the reconstruction of the Little Bay and General Sullivan Bridges will be submitted to the USCG to address the reasonable needs of navigation, as well as the reasonable needs of land traffic (i.e., highway users), and to procure the necessary USCG permit.	01/05/09		✓	✓	04/06/09	The USCG Permit was applied for with all required plans and correspondence being supplied for review. The permit was received prior to the Contract L advertising date. If replacement of the GSB is identified as the Selected Alternative in the Final SEIS, then a new USCG permit application would be developed and submitted to permit the replacement bridge.
<b>F. Marine Resources</b>						
F 1. A sediment sampling and analysis program will be conducted prior to construction in order to properly plan and mitigate potential impacts from suspension of contaminated sediments	01/05/09			✓	01/06/09	The Sampling and Analysis Program was completed in 2008; results were reported to NHDES.
F 2. Additional measures will be developed in consultation with state and federal resource agencies and other experts as needed if contaminants in the marine sediments exceed NOAA thresholds for ecological or human health risk	01/05/09			✓	01/06/09	A sediment management plan was developed and submitted to NHDES.
F 3. Stringent requirements will be incorporated into the final design plans to require the selected contractor to minimize any movement of sediment beyond the work area, even if sediments are determined to be free from contamination	07/01/09			✓		Contract language was implemented into Contracts L and O regarding the movement of sediment. Similar language will be included in Contract S.
F 4. It is anticipated that all work on the bridge piers will be conducted behind sealed cofferdams, which will substantially limit the movement of suspended sediments. The NHDOT will conduct regular inspections of the measures designed to minimize this risk	07/01/09			✓	06/17/10	The development of the pier design for Contract L, lead the consultant design team to advance the pier design with drilled shafts which substantially limit the movement of suspended sediments. This design decision eliminates the need for cofferdams to contain sediment. There is contract language that required the contractor to submit for approval a sediment management plan for his operations in the river.
F 5. The NHDOT will coordinate the design, methods and anticipated schedule of the pier construction during the project's final design with the NHF&GD as well as with the USACOE, the USFWS, and the NMFS to reduce, to the extent practicable, the potential temporary effects that construction activities may have on anadromous fish	08/01/09		✓			The Department has coordinated the pier construction in regards to anadromous fish and included contract language in Contracts L and O that identifies critical times to avoid construction if possible. Similar language may need to be refined and included in Contract S.
F 6. NHDOT will coordinate with the NH Estuaries Project to locate and avoid impacts to the existing shellfish monitoring station located between Pier 8 of the Little Bay Bridges and the Dover shoreline	08/01/09		✓			The Department coordinated the impacts to the existing shellfish beds with NHDES and included details in the plans and contract language explaining the contract limits of allowed disturbances. Similar language may need to be refined and included in Contract S.

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<b>G. Floodplains</b>						
G 1. Measures to minimize or eliminate direct impacts to the 100-year floodplain will continue to be considered during final design by steepening highway embankments and/or utilizing retaining walls, where appropriate	01/05/09			✓	10/01/20	The slope lines adjacent to the river were steepened to reduce impacts and the Pomeroy Cove pathway was designed to minimize impacts to the floodplain. Completed in Contract Q.
G 2. NHDOT has and will continue to coordinate the project with both Dover and Newington and will seek to further minimize floodplain impacts during the project's final design, to the extent practicable	08/01/09		✓			The Department has reviewed Contracts L, M, O, and Q with Dover and Newington through staff meetings and public informational meetings. Similar coordination efforts will occur for the remainder of the project under Contract S.
<b>H. Groundwater</b>						
H 1. To help reduce potential impacts to groundwater recharge, NHDOT will examine the use of infiltration technology during final design of the reconstructed drainage system. Such measures would be incorporated into the drainage design to allow stormwater to infiltrate back into the ground following treatment	04/01/09			✓	06/23/16	Design advancement included this commitment during the slope and drainage phase of the project development. The existing soils in Newington are not conducive to infiltration. The existing soils and extremely limited available land within the ROW in Dover prevented infiltration to be considered in Dover.
<b>I. Noise</b>						
I 1. The Selected Alternative will generally maintain the existing vertical alignment to minimize noise impacts	04/01/09			✓	06/23/16	The line and grade along the Spaulding Turnpike was established and approved by the Department to match the existing profile.
I 2. If desired by a 75% majority of the benefited first row property owners, four large noise barriers will be constructed in Dover in the following locations: <ul style="list-style-type: none"> <li>➤ Dover Point Road area (Noise Barrier #1, 4,100 feet long, 14 feet high).</li> <li>➤ Wentworth Terrace and Cote Drive areas (Noise Barrier #2, 4,200 feet long, 14 feet high).</li> <li>➤ Spur Road and Clearwater Drive areas (Noise Barrier #3, 3,600 feet long, 12 feet high).</li> <li>➤ Homestead Lane and Pearson Drive areas (Noise Barrier #4, 3,700 feet long, 14 feet high).</li> </ul> <p>Additional meetings with the benefited property owners will be held to discuss the noise barriers and ascertain whether the barriers are desired or not. In accordance with NHDOT's Policy and Procedural Guidelines, a minimum of 75% of the first row property owners will need to support the installation of the barrier in order for it to be constructed.</p>	07/01/09			✓	06/23/16	The Department held a Public Informational Meeting on 3/3/10 to discuss the soundwalls south of Exit 6. The Department requested a response in support of or opposition to the soundwalls to determine if the 75% criteria was reached. The results were favorable in support of the soundwalls. The Department held a Public Informational Meeting on 5/16/13 to discuss the project and the soundwalls. Soundwalls have been constructed as described in the 2007 FEIS.
I 3. The Spur Road/Clearwater Drive barrier and the Homestead Lane/Pearson Drive barrier will extend north of the toll plaza to provide abatement to an additional 25 residences	05/01/10			✓	06/23/16	Design advancement included this commitment. The soundwall has been constructed as described in the 2007 FEIS.
I 4. In an effort to minimize construction noise, proposed noise barriers will be built as soon as practicable so that they may provide a reduction in subsequent construction noise to the residences	06/01/09			✓	06/23/16	The Department considered construction of the noise barriers early during construction and included appropriate contract language with Contract The soundwall has been constructed as described in the 2007 FEIS.
I 5. During neighborhood meetings, more detailed information on the type, height, special features, and length of the noise barriers will be discussed and input gathered for consideration in the final design of the barriers where determined feasible.	06/01/09			✓	06/23/16	The detailed information prepared within the Type Study on noise barriers was presented at the 3/3/10 informational meeting. Additional Public Informational Meetings have also discussed the details of the noise walls.
I 6. NHDOT will strive to design the noise barriers to be as low as possible while still achieving the necessary noise reductions, and will consider various architectural treatments and landscaping during the final design phase to mitigate the visual impact of the barriers.	06/01/09			✓	06/23/16	The Department designs noise barriers to be as high as necessary to achieve the required noise abatement. The use of a translucent barrier was considered along Pomeroy Cove and the use of ivy along both sides of the barriers was evaluated. Due to engineering and maintenance concerns, these design elements were not incorporated into the constructed soundwall.

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<b>J. Recreational Resources</b>						
<b>Hilton Park</b>						
J 1. Continued access from the park to the rehabilitated General Sullivan Bridge will be provided by an ADA-compliant ramp located in the western portion of Hilton Park.	01/05/09			✓	05/11/10	An ADA compliant ramp is included in the Contract L design.
J 2. Safer access to the Park and to the eastern and western sides of Dover Point will be provided by the widening of the existing single-lane loop road	01/05/09			✓	05/11/10	Safer access to Hilton Park is provided by including and increasing sidewalks along Hilton Drive as well as widening Hilton Drive to a two-way roadway with increased shoulder widths.
J 3. NHDOT will work with NHDHR to develop and erect an informational sign that explains the history and significance of the park and the General Sullivan Bridge	10/01/10		✓			NHDOT's Bureau of Environment will work through their statewide contract to develop appropriate mitigation measures in coordination with NHDHR and FHWA, including on-site interpretive signs, that will be stipulated in the MOA in the Final SEIS. Separate contracts will be developed to design and comply with these stipulations. Some of these measures may be incorporated into Contract S as appropriate.
J 4. Reasonable efforts will be made to minimize impacts to the park during construction, including preventing unnecessary disturbance of areas outside the existing right-of-way and maintaining safe access to the park	01/05/09		✓			The Contract L, O, and Q impacts to the park have been minimized to the extent practicable. Due to identified archaeological resources within the park, NHDOT will prohibit the Contract S contractor from staging in these sensitive areas.
J 5. NHDOT will continue to coordinate with the NHF&GD and NHDRED to determine whether improvements to the boating infrastructure at Hilton Park could be accomplished concurrently with the Little Bay Bridge and Turnpike Expansion project.	01/01/10		✓			The Department had discussions regarding the boat launch during the development of Contract L. At that time, NHF&G didn't have money for the project and the N-D project doesn't need to impact the boat launch and will keep Hilton Park open during construction. Additional follow-up will occur for Contract S.
<b>Bayview Park</b>						
J 6. NHDOT will provide improved access to Bayview Park. Pedestrians and bicyclists will benefit from improved access as NHDOT intends to construct a sidewalk connecting the park to the Scammell Bridge and to Boston Harbor Road.	01/05/09			✓	06/23/16	Design advancement included this commitment in Contract Q.
J 7. The existing parking lot will be expanded from six to ten spaces by extending the parking area to the southwest to benefit users of the park, as well as anglers using the Scammell Bridge and adjacent shoreline to fish.	01/05/09			✓	06/23/16	Design advancement included this commitment in Contract Q.
J 8. Reasonable efforts will be made to minimize impacts to the park during construction, including preventing unnecessary disturbance of areas outside the authorized right-of-way, and maintaining safe access to the park for vehicles, pedestrians and bicyclists	01/05/09			✓	06/23/16	Design advancement included this commitment in Contract Q

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<b>K. Visual Resources</b>						
K 1. Landscaping and design treatments will be developed at the final design stage to minimize the aesthetic impact of the proposed action. Measures to be studied will include: <ul style="list-style-type: none"> <li>➤ Minimization of tree clearing and setback areas to the extent practicable.</li> <li>➤ Planting of new trees in select locations to mitigate for the mature trees that will be lost due to construction.</li> <li>➤ Landscape planting and natural revegetation of the cut and fill slopes for the mainline and at all interchanges and, as appropriate, at off-site park-and-ride facilities.</li> <li>➤ Structural design and aesthetic considerations for drainage structures, bridges, noise barriers, etc. to enhance their visual appearance.</li> <li>➤ Highway lighting at interchanges and park-and-ride facilities will be designed with "cut offs"(shields) or similar features to limit unwanted light where appropriate.</li> <li>➤ Landscaping amenities will be considered in conjunction with the noise barriers, wherever practicable.</li> <li>➤ Landscape screenings or privacy fences to minimize the visual impact of the highway and mitigate for the loss of existing vegetative screening will be considered and evaluated as part of the discussions with affected property owners during the project final design.</li> <li>➤ Potential use of transparent materials in noise barriers at Pomeroy Cove to enable continued viewing of this aquatic resource.</li> </ul>	12/01/10			✓	06/23/16	Design advancement evaluated this commitment. Due to engineering and maintenance concerns NHDOT determined that the soundwalls will not include an ivy landscape planting. The project considered incorporating a translucent soundwall adjacent to Pomeroy Cove, but determined that the wood soundwall would be constructed along Pomeroy Cove based on comments received from the adjacent neighborhood and the cost differential.
K 2. NHDOT proposes to plant evergreen trees alongside US 4 to shield the pocket neighborhood on Boston Harbor Road from headlight glare and the increased elevation of US 4. The evergreen trees will over time help to obscure the highway	12/01/10			✓	06/23/16	The inclusion of the roundabout and soundwall on the back side of the neighborhood will minimize headlight glare and help obscure the view of the highway.
<b>L. Cultural Resources</b>						
<b>Historical Structures</b>						
L 1. A reduced cross-section for Woodbury Avenue will be constructed in front of the Isaac Dow house (NWN0205) and Beane Farm (NWN0204) property to minimize impacts to these two historic resources.	01/05/09			✓	05/16/12	The cross section on Woodbury Avenue was reduced in front of these houses and included in Contract M.
L 2. Mitigation for impacts to the Beane Farm will include planting of new silver maples and lilacs on the property in consultation with the owner and their placement in relation to the power lines to avoid the need for future trimming	12/01/10			✓	05/16/12	The Department met with the property owners in the spring of 2011 on the proposed landscaping. Landscaping was included in Contract M along the Beane Farm.
L 3. Mitigation for the Isaac Dow House will include replacement of the granite slab wall in-kind and appropriate landscaping with shrubs in consultation with the owner	12/01/10			✓	05/16/12	The Department met with the property owners in the spring of 2011 on the proposed landscaping. Landscaping was included in Contract M along the Dow House property along with the replacement of the granite slab retaining wall.
L 4. Mitigation for the adverse effect to the Portsmouth Water Booster Station (NWN0228) will be accomplished by leaving a tree buffer between the Turnpike and the historic structures and by its documentation within its Determination of Eligibility	12/01/10			✓	05/16/12	The final design has coordinated this commitment with the City of Portsmouth who requested no tree buffer for security reasons. A Cultural Resource meeting was held to inform NHDHR and the SHPO of the City's request. No landscaping/tree buffer was included in Contract M construction plans. A memorandum to NHDHR dated March 20, 2012 documents the issue and resolution.

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L 5. Mitigation for impacts to the General Sullivan Bridge (DOV0158) will include its rehabilitation for use by pedestrians and bicyclists and its continued use for fishing	01/05/09		✓			Design advancement had included this commitment; however, the rehabilitation of the GSB is under reconsideration through the Draft SEIS and Section 106 process. Based on the DSEIS's Preferred Alternative, the GSB would be replaced with a new bridge dedicated to pedestrian, non-motorized transportation and recreational uses.
L 6. Work on the bridges will be accomplished in a manner that will not impact the adjacent Hilton Park Picnic Shelter.	01/05/09		✓			The Department included language in Contract L prohibiting impacts to the Picnic Shelter. However, the picnic shelter was modified as part of separate park maintenance activities. The Picnic Shelter was determined by NHDHR to not be an individually eligible historic resource. Through discussion in the development for Contract S, the picnic shelter is currently planned to be removed to provide staging necessary for GSB construction access. Options for replacement or relocation of the Picnic Shelter will be evaluated in coordination with the NHDOT Bureau of Turnpike.
L 7. Mitigation for the property taking at the Ira Pinkham House (DOV0093) will involve producing a state-level Historic American Building Survey for the dwelling, documentation of the barn's structure in the same document, preparation of preservation covenants for the house and barn, marketing the barn for relocation if structurally feasible, and marketing the dwelling if the property is acquired in total.	01/05/09			✓	07/16/12	The entire property has been acquired by the Department through negotiations for Contract L. The house and property will be marketed for sale in the future after the Contract S construction is completed. The marketing of the barn for sale found no buyer and was demolished within Contract L. Documentation has been completed and accepted by NHDHR, (NH State Property Documentation No. 626, RPR1853.
L 8. NHDOT will continue to work with the Town of Newington to develop an agreement to transfer the historic former railroad station on Bloody Point and the land immediately surrounding the building to the Town.	12/01/10		✓			Formal agreement has not been obtained with the Town. The parcel would have to be subdivided to obtain either the building or the parcel. Prior informal discussion with the Board of Selectmen revealed concern with liability and long-term tax impact for property management. NHDOT supports expansion of commitments for this property through dedicated funding for property rehabilitation and expanded historic use as mitigation for the loss of the GSB and historic transportation corridor. Mitigation commitments regarding this property may be stipulated in the MOA in the Final SEIS, which will be signed by the Town as a Consulting Party to the Section 106 process.
<b>Archaeological Resources</b>						
L 9. NHDOT will initiate Phase I-B archaeological investigations in the sensitivity areas that are impacted by the Selected Alternative, as discussed in Section 4.17, in compliance with May 2004 Phase I-B guidelines for fieldwork and report writing defined by the Bureau of Environment, NHDOT Guidelines.	04/01/09			✓	06/23/16	Phase I-B investigations were completed for all contracts.

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L 10. Continued study will be conducted at the impacted verified site on the southern tip of Dover Point (Area 21) to determine its eligibility status for the National Register of Historic Places following a Phase II survey strategy as recommended by NHDOT Guidelines	04/01/09			✓	10/17/12	This area was investigated and based on limited evidence found of a brick yard within the limits of Contracts L, O and Q construction impacts a Phase II survey was determined to not be required. IAC and the Bureau of Environment made this decision in coordination with FHWA and NHDHR. The IAC Report #1049- Phase IB/Phase II was completed dated October 17, 2012. An expanded area of potential impacts, associated with Contract S in the brick yard location within Hilton Park, was investigated by IAC in June 2019. A Phase IB Intensive Archaeological Investigation (IAC Report #1476) confirmed the presence of archeological remnants of the Enoch Pinkham brick yard. This area will be protected and avoided by staging and construction activities during Contract S construction. Avoidance/mitigation measures may be memorialized as a stipulation in the Final SEIS MOA.
L 11. Temporary construction fencing will be installed between all unimpacted verified sites and the work zone, including at Areas 23, 46 and 74 in Newington, and Areas 9 and 13 in Dover. If needed to ensure accurate placement of the fencing, the boundaries of these sites will be defined through Phase I-B testing	09/01/09		✓			This language has been included in Contracts M and Q. This language will be included in Contract S as appropriate.
L 12. Mitigation for all impacted verified sites will be developed in consultation with NHDHR and other interested parties following completion of Phase II studies. Mitigation may include the following, depending on the site: ➤ Preservation in-place may be necessary, requiring a change in design or location, where feasible and prudent, to satisfy Section 4(f). In some cases, the location of the corridor may be moved slightly or work adjacent to the site may be modified so that the site will not be impacted by the Selected Alternative. ➤ If preservation in-place is determined unnecessary, then recovery of the information from the site will be accomplished by implementing a data recovery plan under a Phase III investigation. ➤ In a few cases, excavation using a data recovery plan may be conducted on a previously identified unimpacted archaeological site in the vicinity of the alignment and of a similar age, type, function, and composition. This form of mitigation would be completed prior to the completion of the project. However, its excavation can continue while work commences within the corridor.	04/01/09		✓			Appropriate measures were addressed during design of Contracts M and Q based on the Phase IB/Phase II surveys completed by IAC in October 2012. An expanded area of potential impacts, associated with Contract S in the brick yard location within Hilton Park, was investigated by IAC in June 2019. A Phase IB Intensive Archaeological Investigation (IAC Report #1476) confirmed the presence of archeological remnants of the Enoch Pinkham brick yard. This area will be protected and avoided from staging and construction activities during Contract S construction. Avoidance/mitigation measures may be memorialized as a stipulation in the Final SEIS MOA.
L 13. Where archaeological information is gained through the excavation of sites associated with this project, NHDOT will assist in distributing information to the public through such venues as site reports, public lectures, school programs, interpretive brochures, and, depending on the nature of the site, public visitation during investigations.	09/01/09		✓			An expanded area of potential impacts, associated with Contract S in the brick yard location within Hilton Park, was investigated by IAC in June 2019. A Phase IB Intensive Archaeological Investigation (IAC Report #1476) confirmed the presence of archeological remnants of the Enoch Pinkham brick yard. This area will be protected and avoided from staging and construction activities during Contract S construction. Avoidance/mitigation measures may be memorialized as a stipulation in the Final SEIS MOA.
<b>M. Petroleum, Hazardous Materials and Solid Waste</b>						
M 1. Initial Site Assessments (ISAs) will be performed for those properties that could pose a risk related to potential contamination if encountered along the Selected Alternative.	04/01/09			✓	01/25/11	Corridor screenings were completed to identify parcels that would require additional OHM investigation. Three ISA's were submitted for the Hislop, Saba and Railway Brook parcels on January 25, 2011.

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M 2. Following completion of the ISA, and if determined to be warranted, NHDOT will perform a Preliminary Site Investigation (PSI) to determine if contaminant levels require remediation in accordance with NHDES regulations.	07/01/09			✓	01/18/10	Nine geotechnical borings are located in areas of OHM potential and soil samples from all 21 geotechnical borings were collected. The borings were completed between August and September 2009 and a Soil Sampling Completion Report was submitted January 18, 2010. VHB's final recommendation to NHDOT is to contact NHDES to obtain a final decision regarding management of soils/sediments with elevated arsenic levels.
M 3. If necessary, NHDOT will coordinate with the NHDES to develop an appropriate remedial action plan for any acquired property determined to contain hazardous materials warranting clean up	10/01/09			✓		No such sites yet identified.
M 4. If contaminated materials are expected to be encountered during construction, appropriate worker health and safety provisions and waste management provisions will be identified. Provisions may include health and safety plans (HASPs) and soil/groundwater management plans for excavation and on/off-site management of waste materials. All work will be performed in accordance with applicable NHDES regulations and NHDES-approved remedial action plans	10/01/09		✓			The appropriate worker health and safety provisions were included in Contracts L,M,O, and Q. It is anticipated that similar language will be added to Contract S.
M 5. Prior to any scheduled building, utility or bridge demolition or reconstruction, a comprehensive environmental audit will be performed on the structure to identify and quantify all regulated building materials and special wastes. Materials and wastes that will be inventoried include the following: ➤ Asbestos. ➤ Lead-based paint (LBP). ➤ Polychlorinated biphenyls (PCBs) within fluorescent light ballasts. ➤ Electrical transformers that may contain PCB dielectric oil. ➤ Mercury-containing fluorescent light bulbs. ➤ Mercury thermostats. ➤ Miscellaneous containers of oil or hazardous materials. ➤ Refrigerants (air conditioners, refrigerators). ➤ Hydraulic lifts. ➤ Above-ground storage tanks. ➤ Underground storage tanks.	06/01/09		✓			The appropriate language was included in Contract L and O. It is anticipated that similar language will be added to Contract S.
M 6. Based on the findings of the environmental audits, abatement plans will be prepared to address the removal of all regulated building materials as needed	07/01/09			✓	06/17/10	The abatement plan for the demolition of buildings was included in Contract L.
M 7. Exposure assessments (air monitoring) will be performed on employees engaged in demolition work that may disturb lead paint or other hazardous substances. Such work will be conducted by properly trained workers using appropriate worker protection and engineering controls.	10/01/09		✓			Contracts L, M, O, and Q addressed Health and Safety measures. Similar plans will be developed for Contract S and will address exposure assessments.
M 8. Bridge contractors will be required to fully enclose the General Sullivan Bridge during any work involving LBP removal and provide the material and execution requirements for the installation and use of containment systems for the paint removal.	10/01/09		✓			Language will be added for Contract S, similar to Contract L, to include appropriate provisions for Lead Based Paint removal and/or containment.
M 9. Implementation of an Environmental Protection Plan for the protection of the public and the environment from exposure to harmful levels of dust, paint debris, and lead and other toxic metals that may be present in the paint being removed or repaired will also be required for the reconstruction of the bridges.	10/01/09		✓			The appropriate worker health and safety provisions were included in Contracts L, M, O, and Q. It is anticipated that similar language will be added for Contract S.

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<b>N. Construction Impacts</b>						
N 1. To mitigate potential sedimentation impacts by construction, a SWPPP containing a well-defined drainage and erosion control program, including BMPs, will be developed and implemented following NHDOT's Standard Specifications for Road and Bridge Construction, Section 699, Temporary Project Water Pollution Control (Soil Erosion).	09/01/09		✓			Contracts L, M, O, and Q contained provisions for a SWPPP and sediment management. The Department coordinated with NHDES on draft language for the Sediment Management Plan. The construction contractor is responsible for the actual Sediment Management Plan utilizing the draft plan as a guide. Contract M included provisions for a SWPPP and appropriate erosion control measure. Similar provisions will be included in Contract S.
N 2. The drainage and erosion control program will require that areas stripped of vegetation be limited in size and either surfaced or vegetated as quickly as possible after initial exposure. Other measures such as silt fencing, temporary settling basins, temporary erosion check dams and other measures will be installed in appropriate locations.	09/01/09		✓			Contracts L, M, O, and Q included language on exposed vegetation and the installation of temporary erosion control measures. Similar language will be utilized for Contract S.
N 3. BMPs for fertilizer application during construction be followed to limit potential water quality impacts	06/01/09		✓			The proposed BMP's are designed to capture a majority of stormwater to limit the potential for water quality impacts.
N 4. Mechanisms and procedures to avoid and control chemical leaks and spills from construction equipment will be instituted	09/01/09		✓			Contracts L, M, O, and Q contain provisions to avoid and control chemical leaks and spills through the EPA NPDES Construction General Permit requirements. Similar language will be included in Contract S.
N 5. NHDOT will ensure that all erosion control measures are properly installed and maintained throughout construction to ensure their maximum functionality and effectiveness	09/01/09		✓			NHDOT construction and environmental personnel monitor erosion control measures for all construction contracts.
N 6. In general, construction will be accomplished during daylight hours, although periodic night-time construction should be expected given the traffic volumes during daylight hours and the need to maintain traffic at these times.	09/01/09		✓			Contracts L, M, O, and Q contain language that directs the contractor to limit night-time operations and to maintain traffic at all times. Similar language will be included in Contract S.
N 7. NHDOT will continue to coordinate with local and state emergency response personnel to develop efficient incident management procedures and protocols during construction. A detailed Traffic Control Plan, to include incident management procedures, will be instituted to reduce traffic-related, short-term disruptions and minimize construction zone delays	07/01/09		✓			The Department revised the Incident Management Plan for each construction contract and developed individual traffic control plans for each contract. Similar plans will be developed for Contract S.
N 8. The Traffic Control Plan will include the requirement to maintain two lanes of traffic in both directions along the mainline for normal construction activities, and during high volume traffic periods	07/01/09		✓			Contracts L, M, O, and Q include language to maintain two lanes of traffic for normal construction activities and during high volume traffic periods. Similar language will be included in Contract S.
N 9. Construction activities will be coordinated with property owners to ensure that reasonable access to properties is maintained. Temporary signing and other issues related to the temporary relocation of access points, caused by construction activities, will be appropriately addressed on an individual basis	09/01/09		✓			Contracts L, M, O, and Q include language to coordinate reasonable abutter access and provide for changed conditions accordingly. Similar language will be included in Contract S.
N 10. Intelligent Transportation Systems, such as Smart Workzone Technologies, will be employed to more efficiently manage traffic/travel demand and enhance incident management. Specific Incident Management procedures and protocols will be incorporated into the contract documents and specifications.	06/01/09		✓			A Smart Workzone was included in Contracts M, O, and Q. Each contract revised the Incident Management Plan for their changing conditions. Adjustments and additions to the Smart workzones will be included in Contract S, as appropriate

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		(✓)	(✓)	(✓)	Date	
N 11. NHDOT will require the contractors, involved with the improvements to the Spaulding Turnpike, to include air pollution control devices on heavy diesel construction equipment in accordance with applicable state and federal laws at the time of construction. The merits and practicality of more stringent or voluntary specification measures will be considered through the final design process with input from the contracting community at large. (Similar to ROD commitment)	09/01/09		✓			Contracts L, M, O, and Q include language on air pollution control devices. Similar language will be utilized in Contract S.
N 12. Mitigation measures for fugitive dust emissions will be used for construction including wetting and stabilization to suppress dust generation, cleaning paved roadways, and scheduling construction to minimize the amount and duration of exposed earth	09/01/09		✓			Contracts L, M, O, and Q included language on mitigation measures for fugitive dust emissions. Similar language will be included in Contract S.
<b>O. Utility Impacts</b>						
O 1. During the project's final design, NHDOT will closely coordinate the project with Town Officials concerning municipal utilities and with the private utility companies concerning their facilities in the project area. Efforts will be initiated to verify the location of existing facilities, to identify potential areas of conflict and the utility relocations necessary to accomplish the proposed construction, and to accommodate requests for concurrent municipal or private utility improvements.	01/05/09		✓			Contracts L, M, and Q included modifications to municipal utilities and it is expected that Contract S may have other modifications.
O 2. Where appropriate, the affected municipalities will be given the option to include utility work, at the municipality's expense, in the construction contract. Any property rights or additional right-of-way required for the utility work would be the responsibility of the Town.	05/01/09		✓			Municipalities are afforded the opportunity to include utility work at their expense for each construction contract. Contracts L and O didn't include any such work. Contracts M and Q included the water and sewer work. There may be additional municipal utility work included in Contract S.
O 3. NHDOT will work closely with Granite State Gas to limit the extent of relocations to only those that are reasonable and prudent.	01/05/09			✓	09/15/14	The Department has had many discussions with Unutil (Granite State Gas) on the relocation of their line and they have decided to not relocate permanently on the LBB. Unutil designed the final relocation as a directional bore beneath Little Bay and was constructed by Unutil in the summer of 2013.
<b>ROD</b>						
ROD 1. The Department and FHWA will require that the contractors involved with the reconstruction of the Spaulding Turnpike to include air pollution control devices on heavy diesel construction equipment in accordance with applicable state and federal laws at the time of construction. However, there are currently no requirements under state and federal law which mandate NHDOT and FHWA to require such air pollution control devices on construction equipment. The merits and practicality of more stringent specification measures will be considered during final design of the project, and will be discussed with the contracting community at large. (pg. 26) (Similar to N11)	09/01/09		✓			Contracts L, M, O, and Q include language on air pollution control devices. Similar language will be utilized in Contract S.