

Final Environmental Impact Statement

Spaulding Turnpike Improvements NHS-027-1(37), 11238

Newington to Dover

New Hampshire

December 2007

Volume 3



Federal Highway
Administration



New Hampshire
Department of Transportation



Spaulding Turnpike Improvements NHS-027-1(37), 11238

Newington to Dover,
New Hampshire

Prepared for **New Hampshire Department of Transportation and
Federal Highway Administration**



Prepared by: **VHB/Vanasse Hangen Brustlin, Inc.**
Bedford, New Hampshire

December 2007

Appendices



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Appendix A – Agency/Municipal Correspondence

June 4, 2003	United States Coast Guard
June 6, 2003	Department of the Army, New England District, Corps of Engineers
June 9, 2003	Office of State Planning
July 8, 2003	Office of State Planning and Energy Programs, NH Coastal Program
July 17, 2003	United States Department of Commerce, National Oceanic and Atmospheric Administration
July 23, 2003	Office of State Planning and Energy Programs, NH Coastal Program
July 30, 2003	Department of the Army, New England District, Corps of Engineers
August 20, 2003	United State Coast Guard
October 20, 2003	State of New Hampshire, Department of Resources and Economic Development, Division of Parks and Recreation
March 26, 2004	Office of State Planning and Energy Programs, NH Coastal Program
April 2, 2004	NH Fish and Game Department
April 5, 2004	United States Environmental Protection Agency
April 14, 2004	Coastal Conservation Association of New Hampshire
April 14, 2004	Strafford Regional Planning Commission
February 10, 2005	City of Dover, New Hampshire
February 11, 2005	United States Environmental Protection Agency
February 18, 2005	Strafford Regional Planning Commission
February 25, 2005	Department of the Army, New England District, Corps of Engineers
October 18, 2005	Town of Newington, New Hampshire
November 9, 2005	City of Dover, New Hampshire
December 21, 2005	Town of Newington, New Hampshire
December 27, 2005	City of Dover, New Hampshire
January 17, 2006	City of Dover, New Hampshire
June 11, 2007	Department of the Army, New England District, Corps of Engineers

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
First Coast Guard District

One South Street
Battery Park Building
New York, NY 10004-5073
Staff Symbol: ohr
Phone: (212) 668-7165
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16591/0.1H/
LITTLE BAY/NH
June 4, 2003

Ms. Kathleen O. Laffey
Division Administrator
Federal Highway Administration
279 Pleasant Street, Suite 204
Concord, NH 03301-7502

Dear Ms. Laffey:

This responds to your letter of 9 May 2003 concerning preparation of an Environmental Impact Statement for proposed widening of a 3.5-mile section of the Spaulding Turnpike (NH Route 16). This project is identified as Newington-Dover, NHS-027-1(37), 11238.

As the project will cross Little Bay, the Coast Guard will agree to be a cooperating agency under terms related in your letter. We expect that all navigational concerns will be addressed under an appropriate section of the EIS. Regarding the scoping meeting on 25 June 2003, we anticipate sending representation.

Additionally, we feel that any proposal considered should include provision for removal of the former General Sullivan (Route 4) Bridge which is abandoned in place.

Ernie Feemster of our office has been designated project manager and may be contacted at: (212) 668-7994.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Kassof".

Gary Kassof
Chief Bridge Branch
First Coast Guard District
By direction of the District Commander

Copy: J. McDonald



DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

June 6, 2003

REPLY TO:
ATTENTION OF:

CENAE-R-01-200301198

Ms. Kathleen O. Laffey
Division Administrator FHWA
279 Pleasant Street, Suite 204
Concord MA 03301-0417

Subject; Newington Dover EIS Corps Will be a Cooperating Agency

Dear Ms. Laffey:

This is to provide you with written confirmation of our agreement to be a cooperating agency on the Newington-Dover EIS.

As set forth by the CEQ regulations (40 CFR1501.5 and 15601.6(a) and 1508.16), and Corps of Engineers Regulations 33CFR Part 325, we will coordinate with the Federal Highway Administration and the NH DOT as a cooperating agency.

Mr. Richard Roach, a Senior Project Manager in our Regulatory Division, will represent the Corps and actively participate in your coordination meetings and will plan to attend your scoping meeting on Wednesday June 25, 2003.

If you have any questions, or I can be of further assistance please do not hesitate to contact me directly at 978-318-8222, or Mr. Roach, of our regulatory staff, at 978-318-8222.

A handwritten signature in black ink, appearing to read "Brian A. Green", is located below the main body of the letter.

Brian A. Green, P.E.
Lieutenant Colonel, Corps of Engineers
Deputy District Engineer



OFFICE OF STATE PLANNING
STATE OF NEW HAMPSHIRE
2 1/2 BEACON STREET - CONCORD 03301-4497
TELEPHONE: 603-271-2155
FAX: 603-271-1728

June 9, 2003

Ms. Kathleen O. Laffey
Division Administrator
U.S. Department of Transportation
Federal Highway Administration
279 Pleasant Street, Suite 204
Concord, NH 03301-7502

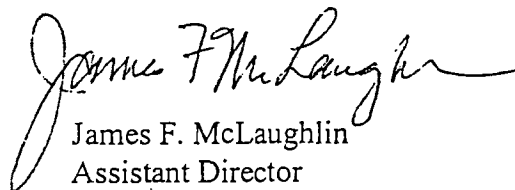
Re: Newington-Dover, NHS-027-1(37), 11238, Environmental Impact Statement

Dear Ms. Laffey:

The New Hampshire Coastal Program is the appropriate section of the Office of State Planning (OSP) to be part of interagency discussions/meetings on the Spaulding Turnpike proposal. Because of the federal involvement, the Coastal Zone Management Act of 1972 requires that such projects be "consistent" with the NH Coastal Program, itself a federally approved program. My principal planner for federal consistency determinations is Brian Mazerski whom I designate as OSP's participant throughout the project.

Brian will attend the scoping meeting on June 25 in Newington. Please contact him at (603) 271-2155 (fax 271-1728) or e-mail him at bmazerski@osp.state.nh.us with any updates.

Sincerely,


James F. McLaughlin
Assistant Director

Cc: Mr. Chris Waszczuk, NH DOT

8 July 2003

Brian K. Mazerski

Office of State Planning & Energy Programs
New Hampshire Coastal Program

Newington-Dover EIS Turnpike/Bridges

Christopher Waszczuk
Department of Transportation
Bureau of Highway Design

Messenger

The NH Coastal Program (NHCP) will continue to participate in all public meetings such as the scoping meeting held on June 25 in Newington. At that meeting, in the absence of a NH F&G representative, I mentioned that DOT must consider the planned changes to the Hilton Park boat ramp when siting bridge/highway structures.

Your office is familiar with CZMA "Consistency" requirements which will have to be coordinated as the final plans near construction. DOT will have to make a "consistency determination" with the 16 NHCP policies because of the federal permits/monies involved in the project. Close coordination with such agencies as NHF&G (habitat), DES (wetlands permit and water quality), Cultural Affairs (historical issues), among others – as well as public involvement - is the means to a project that is consistent with the NHCP. Your network of contacts, some yet to be identified, generally overlaps the network of agencies with which we review a consistency determination. I expect that such a corporate body can reach consensus to meet your project needs.

Regarding specific issues, I offer the following inputs at this time:

- The safety concerns about the General Sullivan Bridge raised by the Coast Guard will have to be weighed against the "historic" nature of the structure. "Public Access" to the coast (on land and water) is a key tenet of our program. Additionally, a scenic bikeway should be some part of the crossing for access. Whether or not a "local" vehicular access (not on the main highway) is also incorporated is more a transportation issue but one that impacts "access."
- The Army Corps of Engineers' suggestion for a historical study of fill and dredge patterns project area of the bay estuary is a good one. Such a study will yield important information regarding placement of future structures (bridge piers) and the waterway conditions in the estuary. The presentations made it clear that wildlife habitat concerns will be fully examined in the EIS process.

I commend your team for the presentation made during the scoping meeting as well has for handling the range of issues raised by an interested public audience. Call me at 431-9366 if you have any questions.

My (**new**) address is: 152 Court St, Suite 1; Portsmouth, NH 03801; e-mail (temporary) mazcoast@yahoo.com until I get fully connected into the state system. (The Concord part of the NH Coastal Program received direction to relocate to our Portsmouth office in June, after the letter was sent identifying me as the point of contact for OSP&EP.)



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

JUL 17 2003

Kathleen O. Laffey
Division Administrator
U. S. Department of Transportation
Federal Highway Administration
279 Pleasant Street, Suite 204
Concord, New Hampshire 03301-7502

Re: Newington-Dover, NHS-027-1(37), 11238, Environmental Impact Statement

Dear Ms. Laffey:

This responds to your letter of May 9, 2003 requesting the National Marine Fisheries Service (NOAA Fisheries) to participate as a cooperating agency for the proposed widening of the Spaulding Turnpike (NH Route 16) in the area of the Town of Newington and the City of Dover, New Hampshire. According to your letter, the proposed project is intended to provide additional highway capacity in the vicinity of the Little Bay Bridges to address congestion problems and improve roadway safety. The Federal Highway Administration (FHWA) and the New Hampshire Department of Transportation (NHDOT) will be preparing an Environmental Impact Statement (EIS) for the proposed project. NOAA Fisheries agrees to participate as a cooperating agency to help advance effective interagency coordination in developing an EIS and other necessary National Environmental Policy Act documents.

Our role and degree of involvement as a cooperator will be constrained by existing staff and fiscal resource capabilities. Our contributions generally will be limited to scoping, identification of issues and topics that need consideration and evaluation in the EIS, review of documents, and routine attendance at meetings. We are not in a position to undertake data collection, conduct EIS analyses, or prepare sections of the draft or final EIS, as staff and resources are fully tasked in other obligatory NOAA Fisheries programs.

According to the your letter, the NHDOT and FHWA conducted a scoping meeting on June 25, 2003. Unfortunately, previous staff commitments prevented NOAA Fisheries from attending this meeting. However, we look forward to attending future meetings and would appreciate notification of those events. After reviewing the brief description of the proposed project in your letter, we offer the following preliminary comments.

The Magnuson-Stevens Fishery Conservation and Management Act and the Fish and Wildlife Coordination Act require federal agencies to consult with one another on projects such as this. Insofar as a project involves essential fish habitat (EFH), this process is guided by the requirements of our EFH regulation at 50 CFR 600.905, which

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EPM	up 8/8
SPM	
PL	
TFS	
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SEC	



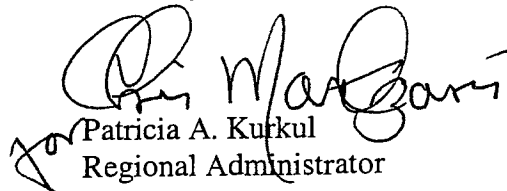
mandates the preparation of EFH Assessments and generally outlines each agency's obligations in the relevant consultation procedure. An EFH Assessment should be included as part of the necessary National Environmental Policy Act documents or as a separate document. It should include, at a minimum, the following information: 1) a description of the proposed action; 2) an analysis of reasonably foreseeable impacts including secondary and cumulative effects on EFH, federally-managed species, and major prey species; 3) the action agency's views regarding effects on EFH; and 4) proposed mitigation, as appropriate.

Our initial assessment indicates that the proposed work site borders and includes areas identified as EFH for life history stages of several species managed by the New England Fishery Management Council and NOAA Fisheries. These include the eggs and larvae of Atlantic cod and haddock; larvae, juvenile and adult Atlantic herring; juvenile and adult Atlantic salmon, red hake, whiting and Atlantic sea scallops; eggs, larvae, and juvenile pollock; eggs, juvenile, and adult white hake; and all life history stages of windowpane, yellowtail, and winter flounder. This area is also known to support a number of NOAA Fisheries trust resources, such as soft-shelled clams, blue mussels, American lobster, tomcod, rainbow smelt, American shad, blueback herring, Atlantic silverside, striped bass, and eelgrass.

Following our review of the EFH Assessment for the proposed activity, NOAA Fisheries will be able to more thoroughly assess anticipated adverse impacts on EFH and associated marine resources. At that time, we may provide EFH Conservation Recommendations.

We appreciate the opportunity to participate in early coordination on this project with FHWA and other agencies. Related correspondence should be addressed to the attention of Michael Johnson at the letterhead address above, or by phone at (978) 281-9130.

Sincerely,


Patricia A. Kurkul
Regional Administrator

cc: ACOE: Richard Roach
EPA: Mark Kern
USFWS: William Neidermeyer
NHDES (Portsmouth): Dori Wiggin
NHF&G (Durham): John Nelson

File: FWHA_Newington.doc

Office of State Planning and Energy Programs
NH Coastal Program
152 Court Street, Suite 1
Portsmouth, NH 03801
Phone (603) 431-9366

RECEIVED


JUL 24 2003

VHB, Inc.

23 July 2003

Mr. Peter J. Walker, CWS
Director, Environmental Services
Vanasse Hangen Brustlin, Inc.
Kilton Road, Six Bedford Farms, Suite 607
Bedford, NH 03110-6532

**Re: Spaulding Turnpike Improvements: Newington-Dover,
New Hampshire**


Dear Mr. Walker:

I just recently received your 1 July 2003 letter. Since I have been designated the focal point for this DOT project from our agency, I am responding in lieu of Ted Diers. Attached I provide a copy of the memo I sent to DOT on 8 July; I have also sent a copy of the 9 June 2003 appointment letter (though the address has changed). In addition to inputs made in that memo, NH Coastal Program adds that it continues to promote marsh restoration in our coastal zone. The Army's suggestion of a wetlands inventory may yield some possibilities for such restoration. Should DOT funding not allow for such planning/restoration, NOAA grant monies may be available were the affected municipalities interested in applying for it.

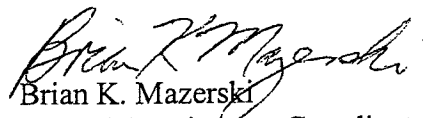
Additionally, NH Coastal Program asks that the EIS consider the following:

- Use of Best Management Practices (BMP) in the improved roadway design to address runoff/stormwater impacts, especially in the eastern (commercial) area where water quality of tributaries such as Paul Brook in Newington has declined.
- Examination of shoreland armoring (rip rap, etc) in the project area and its impacts on erosion, particularly around Dover Point and Hilton Park. Research alternatives to maintenance of the shoreline in support of the improved highway design, while optimizing habitat protection and possible restoration.
- Evaluation and protection of eelgrass beds, particularly in the bridge rework zone in the project area. Dr. Fred Short of UNH should be contacted as the local expert in this field.

As the attached memo indicates, our office must be formally consulted for a (coastal) consistency determination when appropriate. As part of the consistency process, I stand ready to assist you in preparing any determination. I will be available for any meeting on the project and ask that you keep me in the loop.

I ask that you send any future correspondence to the above listed address. We have recently moved from the Concord address effective late in June 2003. Our fax number is (603) 431-1438. My e-mail (temporary – until full connection with the NH Government network) is mazcoast@yahoo.com should you wish to contact me in that way. Please call me with any questions.

Sincerely,


Brian K. Mazerski
Federal Consistency Coordinator

cc: Christopher Waszczuk, NH DOT



DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

July 30, 2003

REPLY TO:
ATTENTION OF:

CENAE-R-01-200301198

Ms. Kathleen O. Laffey
Division Administrator FHWA
279 Pleasant Street, Suite 204
Concord MA 03301-0417

Subject; NH DOT Newington Dover EIS Basic Project Purpose

Dear Ms. Laffey:

This is in response to your July 16, 2003 letter to Colonel Koning requesting that we provide you with written comments on the project schedule and the purpose and need statement for the Newington-Dover Project.

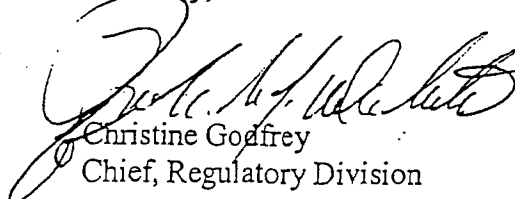
After reviewing your project purpose and need statements, we have determined that for the purposes of our section 404 permit evaluation, the basic project purpose of the proposed activity is to allow for the safe and efficient flow of present and future traffic along the Spaulding Turnpike from Pease Gosling Road to the Dover toll facility. We will use this basic project purpose in determining compliance with the 404 (b) (1) Guidelines.

As for the project schedule, we are committed to support your project schedule by providing timely written commitments for all those milestones contained in our Highway Methodology. I have attached a copy of this booklet for your review.

In our view, the schedule for producing an EIS could be compressed. The EIS for the Manchester Airport expansion took approximately eighteen months and the EIS for Route 101 was done in two years.

If you have any questions, or I can be of further assistance please do not hesitate to contact me directly, or Mr. Roach, our Regulatory Senior Project Manager assigned to this project, at 978-318-8222.

Sincerely,


Christine Godfrey
Chief, Regulatory Division

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
First Coast Guard District

One South Street
Battery Park Building
New York, NY 10004-5073
Staff Symbol: obr
Phone: (212) 668-7165
Fax: (212) 668-7967

WFO'D

16591/0.1H/
LITTLE BAY/NH
August 20, 2003

Ms. Kathleen O. Laffey
Division Administrator
Federal Highway Administration
279 Pleasant Street, Suite 204
Concord, NH 03301-7502

Dear Ms. Laffey:

We have received your letter of 16 July 2003 concerning the Spaulding Turnpike (NH Route 16) project and look forward to working with you on this priority transportation project.

It is anticipated that we will have no problem meeting the milestones where our input is required. We only request that we be advised as far in advance as possible on any occasion where our physical presence is requested. Additionally, the purpose and needs statements are acceptable to us.

Please contact Ernie Feemster, the project manager at (212) 668-7994 for direct coordination on this matter.

Sincerely,

for Ernest J. Feemster
Gary Kassof
Chief Bridge Branch
First Coast Guard District
By direction of the District Commander



GEORGE M. BALD
Commissioner

STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
DIVISION of PARKS and RECREATION
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856
OFFICE of RECREATION SERVICES



FAX 603 271-2629
WEB: www.nhparks.state.nh.us
E-MAIL: nhparks@dred.state.nh.us

RICHARD MCLEOD
Director
603 271-3556

October 20, 2003

Mr. Rob Vincent
Vanassee Hangen Brustlin Inc.
Kilton Road
Six Bedford Farms, Suit 607
Bedford NH 03110-6532

Re: Spaulding Turnpike Improvements Project, Newington-Dover

Dear Mr. Vincent:

This letter is in response to your request for information regarding any Land and Water Conservation Fund (LWCF) properties that may be impacted by the above referenced project. Upon review of our files, I have found that there are **no Section 6(f) properties** located within the project area.

Unless changes to the proposed project occur, no further approval is required from this office. If I may be of any further assistance, please contact me at the above address or by email at jroy@dred.state.nh.us.

Sincerely,

Jennifer Roy
Program Assistant



OFFICE OF ENERGY and PLANNING
NEW HAMPSHIRE COASTAL PROGRAM
STATE OF NEW HAMPSHIRE
152 COURT STREET: SUITE 1 - PORTSMOUTH NH 03801
TELEPHONE: 603-431-9366
FAX: 603-431-1438

26 March 2004

Mr. Christopher M. Waszczuk, P.E.
Project Manager
NH Department of Transportation
Bureau of Highway Design
John O. Morton Bldg, 7 Hazen Drive
Concord, NH 03302-0483

Re: Scoping Report; Newington-Dover NHS-027-1(37), 11238

Dear Mr. Waszczuk:

Thank you for the opportunity to comment on the subject document, sent under your 3 Mar 04 cover letter. The project has major impact on many facets of the NH Coastal Zone. Since we last corresponded, NH Coastal Program has received NOAA approval to extend the inland boundary of our coastal zone from a narrow strip around tidal waters to the full surface area of the 17 "coastal" municipalities (Dover, Newington, Portsmouth for this project). Thus, the entire expanse of the project's setting (Section 1.2) is now within the NH Coastal Zone. Our office has undergone reorganization and several of our specific comments attempt to correct the applicable organizational terminology (e.g. substitute "OEP" for "OSP").

We are still very interested in water quality, habitat (wetlands and other), historical, and public access issues, as noted in our July 2003 correspondence. Because Hilton Park will most likely be impacted by the project, we stress that you seek to mitigate with improvements to this important public (coastal) access point. This area of the coastal zone needs an all-tide boat launch/ramp for access by state residents. The NH Fish & Game Department is also interested in such an access point.

Additionally, on the subject of "access," the NH Coastal Program stresses the need to maintain a bike path across this waterway. Currently, the old General Sullivan Bridge serves this function. We urge that with whatever construction option is selected for bridge makeover, public access via a bike path be included.

We offer the following corrections/suggestions for change to the Scoping Report:


<u>Page</u>	<u>Paragraph</u>	<u>Section</u>	<u>Comment</u>
1-2	1-1	4 th bullet	Change "NHOSP" to "NHOEP"

<u>Page</u>	<u>Paragraph</u>	<u>Section</u>	<u>Comment</u>
2-5 2-6	2.4.1	Pease Spur	Should you not say there is “little potential” for rail use in this corridor since use of the “at grade” crossing of the Spaulding Turnpike would create conflict with the project’s goals to address congestion problems and improve roadway safety in this auto corridor?
3-2	3.1	Glaciofluvial soil para	Is the last sentence (5%) correct? That number does not correspond to the area in Figure 3.1.-1, considering that Pomeroy Cove is equal to “one percent.” Your other soil percentages may have to be recalculated.
3-6	3.2.2	Watersheds	Figure 3.2-1 depicts lines with watershed “boundaries.” You should add a statement to 3.2.2 to the effect that “Tidal cycles can shunt flow in all directions between identified watersheds.”
3-6	3.2.4	Piscataqua R.	Line 6 – change “12” to “2” to indicate the correct distance to the Cocheco/Salmon Falls confluence.
3-18	3.2.9	top para	Correct 2 nd last sentence to read “A project to expand the turning basin (vice ‘dredge the channel’) is...” as a more detailed description.
3-36 Map 3.1-1	3.6.3	Intertidal Wetlands	Our restoration staff notes that review of maps 3.1-1 and 3.6-1 indicates that previous filling for the General Sullivan and Bay Bridges may have destroyed fringing intertidal marsh around Pomeroy Cove, Bloody Point, and Tricky Cove. Very little fringing marsh remains on the northern edge of Tricky Cove. Map 3.1-1 depicts all the soils underneath the highway between Tricky Cove and Bloody Point as “marine/lacustrine.” From field investigations, our staff considers it highly likely that these soils should probably be categorized as “anthropogenic.”
3-75	3.11.2	first para	Change “OSP” to “Office of Energy & Planning.”
3-76	3.11.2	last para	Change “NHOSP” to “NHOEP” twice.
3-76	3.11.2.1	Dover 1 st para	In describing Hilton Park, there should be some language acknowledging the current difficulties in launching small motorized watercraft from the existing boat launch. It is somewhat dangerous for one person to launch from the site which makes it difficult for recreational fishing activity in Great Bay. This paragraph should also describe more completely the current condition of the boat launch – which NH Fish & Game staff should be able to provide.

<u>Page</u>	<u>Paragraph</u>	<u>Section</u>	<u>Comment</u>
3-77	3.12	2 nd para	The second sentence implies there is vegetation in the highway median; there is no vegetation between north and southbound lanes.
3-90	3.13.2.2	1950-Present	The text should be expanded to clearly explain in what years the first Little Bay Bridge was built, and follow-up with the date of the additional two lanes. Other parts of the Scoping Report discuss this; it should be told here too.
4-2	4-2	Water Quality Para #2	Either remove "OSP" or reword as "the then OSP."
4-9	4.11	Community Environment	You could introduce the above-mentioned concept of the "all tide" boat launch/ramp in this section.
4-13	4.15	Coastal Zone Management Consistency	Change "NHOSP" to "NHOEP."
4-14	4.15	Section 4(f)	You could comment on the above-mentioned concept of the "all tide" boat launch/ramp in this section also.

The NH Coastal Program remains committed to participating in the review of this significant project. We appreciate the opportunity for public dialogue on the issues, since a formal public hearing is an integral part of a consistency review. We hope that these inputs to the Scoping Report add value toward the next steps. Contact me or the Acting Coastal Program Manager Ted Diers at 431-9366. After the last reorg, my e-mail is brian.mazerski@nh.gov.

Sincerely,


 Brian K. Mazerski
 Federal Consistency Coordinator

cc: Richard Tichko, NHF&G



Lee E. Perry
Executive Director

New Hampshire Fish and Game Department

Region 3

225 Main Street, Durham, NH 03824-4732
(603) 868-1095
Headquarters: 11 Hazen Drive, Concord, NH 03301
(603) 271-3421

FAX (603) 868-3305
TDD Access: Relay NH 1-800-735-2964
Web site: www.wildlife.state.nh.us

April 2, 2004

Mr. Christopher M. Waszczuk
Project Manager
NH Department of Transportation
John O. Morton Building
1 Hazen Drive
PO Box 483
Concord, NH 03302

Subject: Newington-Dover Bridge Scoping Report

Dear Mr. Waszczuk,

New Hampshire Fish and Game Department, Marine Fisheries Division, has reviewed the subject report. Generally, we find this document complete and very informational. However, as with any broad scale treatment of such a complex and multi-faceted project, there are specifics that elicit comment. Our comments are restricted to sections 1, 3 and 4, which are areas we feel especially qualified to evaluate.

Our point by point comments follow:

- P. 1-18 - The mention of New Hampshire Fish and Game Department's study of future modification to the Hilton Park boat ramp might also note that some consideration has also been given to a new site across the river on the Newington side (near Bloody Point).
- P. 3-1, para 2 - The Cocheco River (along with the Salmon Falls River) should be recognized as part of the Great Bay Drainage and Coastal Watershed.
- P. 3-5 - The title for the state's river program is The New Hampshire Rivers Management and Protection Program.
- P. 3-9 - The Piscataqua supports a robust population of transient river herring of the genus *Alosa*. Very few (if any) *Clupea* are in the river as resident adults.
- P. 3-9 - Little Bay: Throughout this report, there is no distinction made between Upper Little Bay and Lower Little Bay. Such a distinction may provide better understanding of this water body.

Conserving New Hampshire's wildlife and their habitats since 1865.

- P. 3-10 and 3-11 - Aquatic life: The polychaete worm genus, well represented in the study area, is *Nereis* (not *Neris*).

The mention of black crappie (*Pomoxis nigromaculatus*) is fine as it is, in fact, a part of the coastal freshwater ichthyofauna. However, there are many other fresh water species far more representative of this distinction due to their wider distribution and greater abundance. In fact, the black crappie is an introduced species and is found most likely only in the Bellamy and Lamprey River systems.


- P. 3-14 - Pomeroy Cove - The mention of *Gasterosteus spp* is misleading. In fact, only one *Gasterosteus* is found in these waters, the three-spine *G. aculeatus*. Other sticklebacks in this area may be the four-spine (*Apeltes quadracus*) and nine-spine (*Pungitius pungitius*).

New Hampshire Fish and Game Department believes there are clams (*Mya arenaria*) in the soft sediments of Pomeroy Cove and we have taken oyster in the area where the cove deepens toward the river channel.

- P. 3-43 - Several spelling errors of scientific binomials occur here. The quaking aspen is *Populus tremuloides* (*P. deltoids* [sic] is cottonwood). The genus for sharp-skinned hawk is *Accipiter*. The species name for gray fox is *cinereoargenteus*.
- P. 3-47 - New Hampshire Fish and Game Department has evidence of some very limited occurrence of seals other than harbor seals in Lower Little Bay. The large seal observed basking on a dock at Great Bay Marina was probably a gray seal (*Halichoerus grypus*). Also, Atlantic whitesided dolphin (*Lagenorhynchus acutus*) are sometimes seen in the Piscataqua River up as far as Hilton Park.
- P. 3-49, Table 3.7-1 - The common tern is now annually present in Lower Little Bay during their breeding season. Known nesting sites include Hen Island which supported about 12 paired adults in recent years.

This concludes our comment. Should you have questions on any of the above, please feel free to contact me or Bruce Smith.

Sincerely,



John I. Nelson
Chief Marine Fisheries



JIN/BWS/rmj

cc: Lee E. Perry
Executive Director, NHF&G



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

April 5, 2004

OFFICE OF THE
REGIONAL ADMINISTRATOR

Christopher M. Waszczuk, P.E.
New Hampshire Department of Transportation
Bureau of Highway Design
1 Hazen Drive
P.O. Box 483
Concord, NH 03302-0483

Re: New Hampshire Department of Transportation's Scoping Report for the Spaulding Turnpike Improvements NHS-027-1(37), 11238 Newington to Dover. March 2004.

Dear Mr. Waszczuk:

We appreciate the opportunity to review the Scoping Report for Spaulding Turnpike Improvements between Newington and Dover. With the exceptions discussed below, we believe the studies you are proposing to undertake will provide a good foundation on which New Hampshire Department of Transportation (NHDOT) and the Federal Highway Administration (FHWA) can base decisions about how best to solve mobility and safety problems in this corridor. The range of build and no-build alternatives to be evaluated is reasonable, and includes Transportation Demand Management, Transportation System Management, and transit as well as widening of the existing highway and bridges.

Study area

We have some concerns about the limits of the study area, and whether other nearby constraints will be assessed and integrated into any type of long-term solution. Our first concern is that the project study area stops just south of the Dover Toll Plaza. This toll booth, located just north of the bridge, may have a significant impact on traffic flow, and we believe the study area should be expanded to include it. We understand that NHDOT believes that the toll booth does not slow down traffic flow very often under current conditions. While this may be so, some of the alternatives (e.g., widening) will increase capacity and potentially bring much greater volumes of traffic to the toll booth. We recommend that NHDOT analyze whether the toll booth will serve as a bottleneck and impact that traffic flow. Clearly NHDOT will not want to solve one traffic problem only to have it reappear a mile further up the road.

Similarly, our second concern with the limits of the study area has to do with traffic flow and the Scammell Bridge, which is part of Rt. 4 and connects Durham to the Spaulding Turnpike. The Scammell Bridge carries one lane of traffic in each direction and is less than 1/4 mile from the Turnpike. The study area map appears to contain part but not all of the Scammell Bridge and thus it appears not to be part of the traffic analysis. We recommend that the entire bridge be included in the study of overall flow of traffic in the area.

Secondary and cumulative impacts

On the issue of secondary impacts, as we noted in previous correspondence, we believe the REMI method is a reasonable choice for estimating the economic and social impacts of the alternatives. We understand that after REMI is used to estimate employment, income, and population effects of the alternatives, NHDOT will assess potential implications of these alternatives on development and land use patterns. As we've discussed before, this step needs to include an assessment of environmental impacts of any identified secondary growth. If we can be of any assistance in this analysis, please contact Rosemary Monahan at 617-918-1087.

Regional Emissions Analyses

EPA disagrees with the position in the Scoping Report Document that a project-wide mesoscale analysis need not be conducted. See citation below from page 3-54:

"3.8.2 Regional Emissions

The proposed improvements to the Spaulding Turnpike must demonstrate that the regional emissions comply with the Transportation Conformity requirements. This project is included in the current Transportation Improvement Program and Transportation Plan. Therefore, ***a separate mesoscale analysis will not be conducted.*** The air quality analysis will document and summarize the proposed project's compliance with the Transportation Conformity requirements."

The proposed Spaulding Turnpike Improvements Project is located within the Portsmouth-Dover-Rochester ozone serious nonattainment area which consists of a portion of Rockingham County (*Exeter Town, Greenland Town, Hampton Town, New Castle Town, Newfields Town, Newington Town, Newmarket Town, North Hampton Town, Portsmouth City, Rye Town, Stratham Town*) and Strafford County, New Hampshire.

While EPA has previously determined in a final rulemaking action (June 9, 1999, 64 FR 30911) that the Portsmouth-Dover-Rochester ozone serious nonattainment area had attained the National Ambient Air Quality Standard (NAAQS) for one-hour ozone, the Portsmouth-Dover-Rochester area has not been re-designated, and remains a nonattainment area for the one-hour ozone standard. As a nonattainment area the Seacoast Metropolitan Planning Organization, the New Hampshire Department of Transportation, and the U.S. Department of Transportation must continue to demonstrate that their transportation plans and transportation improvement programs conform to the New Hampshire State Implementation Plan for air quality. For this reason EPA believes environmental analyses prepared for the Spaulding Turnpike Improvements Project should evaluate the ozone precursors (volatile organic compounds and nitrogen oxides) associated with the no-build and each of the proposed build alternatives for the three proposed time frames; (1) year 2003 current base traffic conditions, (2) year 2013 estimated year of project completion, and (3) year 2025 project design year. These regional emission analyses (project mesoscale analysis) will serve to identify future levels of ozone precursor emissions in the area that may have to be offset in order to achieve the current one-hour ozone standard or the more restrictive eight-hour ozone standard. As you may know the proposed project area is located within New Hampshire's proposed eight-hour ozone nonattainment area. EPA plans to designate the boundaries of New Hampshire's eight-hour ozone nonattainment areas in a Federal Register

rulemaking action on or before April 15, 2004.

EPA's MOBILE6.2 Motor Vehicle Emission Model

On February 24, 2004, EPA released a final version of MOBILE6.2 which should be used to develop mobile source emission factors for the regional ozone (precursor analyses of volatile organic compounds and nitrogen oxides) - mesoscale air quality analyses as well as the microscale carbon monoxide air quality analyses. The MOBILE6.2 emission factor model and supporting user guide and technical documents is available on EPA's Office of Transportation and Air Quality web site at URL address <http://www.epa.gov/otaq/m6.htm>.

MOBILE6.2 input files and all air quality modeling assumptions should be coordinated with the New Hampshire Department of Environmental Services - Air Resources Division and EPA New England's Air Quality group. The EPA contact is Donald O. Cooke (Office of Ecosystem Protection, One Congress Street, Suite 1100, mail code CAQ, Boston Massachusetts; telephone (617) 918-1668; fax (617) 918-0668; and email cooke.donald@epa.gov).

Construction Phase Air Quality Mitigation

Diesel Retrofits

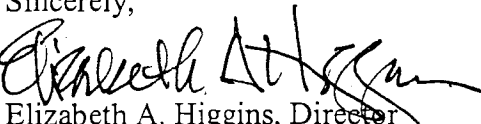
As with most construction projects, diesel powered equipment will most likely be used in the Spaulding Turnpike Improvements Project. Many diesel vehicles, especially older ones, emit relatively high levels of air pollution, especially particulate matter. However, the emissions from older diesel construction vehicles can be controlled with cost-effective retrofit pollution control equipment, and this would clearly benefit the Towns of Newington and Dover. Retrofit control equipment includes either oxidation catalysts or particulate filters installed on the exhaust of the diesel engine, and the equipment is designed to reduce particulate matter, hydrocarbon and carbon monoxide emissions. We recommend that the environmental analysis explore the benefit of requiring diesel retrofits as part of the contract specifications for this project.

Low Sulfur Diesel Fuels

Additional NOx and particulate matter exhaust emission benefits can be achieved from simply using on-road diesel fuel (which has a lower sulfur content than off-road diesel fuel) in construction equipment. The use of more restrictive on-road low sulfur fuel or ultra low sulfur diesel fuel now available in the marketplace would achieve additional pollutant reductions. Low sulfur fuels should be considered in all contract specifications in conjunction with diesel retrofit requirements.

If you have questions about these comments please contact Tim Timmermann (Office of Environmental Review, 617-918-1025) or Donald Cooke (Air Quality Office, 617- 918-1668).

Sincerely,


Elizabeth A. Higgins, Director
Office of Environmental Review



Coastal Conservation Association of New Hampshire

Post Office Box 4084 • Concord, NH 03302-4084
Phone & Fax: (603) 731-2669 • E-mail - ccanh@worldpath.net
Web Address - ccanh.org

April 14, 2004

Mr. Christopher M. Waszczuk, P.E.
Project Manager
NH Department of Transportation
Bureau of Highway Design
John O. Morton Bldg, 7 Hazen Drive
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Donald L. Swanson
Capt. Peter A. Whelan
G. Ritchie White

Re: *Scoping Report: Newington-Dover NHS-027-1(37), 11238*

Dear Mr. Waszczuk:

Thank you for the opportunity to comment on the subject document. I know we have missed the April 12, 2004 deadline for comments, but we just recently became aware of the document and needed time to review it to develop our comments. The New Hampshire Chapter of the Coastal Conservation Association is a non-profit organization dedicated to the conservation of marine animal and plant life and other coastal resources, both inshore and offshore. Our objective is to promote, protect and enhance the present and future availability of these coastal resources for both the benefit and enjoyment of the public. We have 300 members here in New Hampshire and over 88,000 members along the Gulf and Atlantic Coasts all in 15 state chapters.

We are committed to improving access within the bay and rivers for our recreational fishermen, as well as many other user groups. The current difficulties in launching watercraft from the existing boat launch is the ability to launch alone. With no mooring space and somewhat strong currents at times, launching can be hazardous. Most importantly is the tide level restricts launching during the lower half of the tides. We have worked for several years with the NH Fish And Game Department to improve access to the bay.

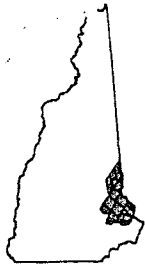
From our review of the Scoping Report, it appears that Hilton Park will be impacted by this project. We noticed a lack of information regarding the NH Fish And Game Departments efforts to develop a full tides access site either at Hilton or in the general bridge area for state residents. We strongly urge that you review the needs of the various user groups who have been working for some time to improve tidal access.

We hope that this information will be considered as the Scoping document is finalized and the project moves forward. If you have any questions or comments, feel free to contact us.

Regards,

A handwritten signature in dark ink, appearing to read "Robert A. Ferri".
Robert A. Ferri
President

*Dedicated to conserving New Hampshire's Marine Resources,
now and for future generations. CCA currently has over 80,000 members
and over 150 chapters in fifteen coastal states from Texas to Maine*



Strafford Regional Planning Commission

2 Ridge Street, Suite 4
Dover, New Hampshire 03820-2505

Tel: (603) 742-2523 Fax: (603) 742-7986
e-mail: srpc@strafford.org

To: Chris Waszczuk, PE

4/20/04

From: SRPC Staff

Date: April 14, 2004

Re: Newington Dover Scoping Report: Notes & Comments:

The Strafford Regional Planning Commission focused its review on the conceptual alternatives section in Chapter 2 and the transportation and socio economic sections of chapter 3.

The Newington-Dover Scoping Report effectively established, the purpose and need statement, the study limits, a summary of conceptual alternatives, a description of the existing environmental, socio-economic, cultural and historic resources in the study area. The report provided excellent documentation of known issues or constraints in the study area with respect to potential alternatives.

SRPC would like to offer the following comments for consideration as the project continues to progress towards the draft EIS stage.

Section 2.4 Transportation Demand Management Strategies:

SRPC would like to see an explanation as to why NHDOT believes the likely success of mandatory TDM strategies is low.

Perhaps no other project in the state lends itself to implementation of Transportation Demand Management (TDM) strategies like the Newington-Dover Project. Socio-economic, recreational resources and environmental constraints severely limit the number and scope of the alternatives that can be considered as well as increase the cost of the overall project. The geography of Great Bay forces circuitous alternate routes that in most cases are infeasible and have their own set of constraints that limit their ability to relieve congestion at the bridge.

The document lists several TDM strategies ranging from the common park-and-ride/ ride share concept and transit usage to the more radical travel restrictions and congestion pricing. The document goes on to state: "At this time the likelihood of success in implementing mandatory or overly restrictive strategies for either motorists or employers, or both is low."

The document then lists strategies that now, or in the future, are worthy of more in depth evaluation. SRPC recommends expanding the list to include employer-based strategies, like telecommuting and work hour management as well as expansion of bicycle infrastructure.

SRPC recognizes that TDM is not a complete solution to the array of problems in the project area. An investment needs to be made to correct geometric and engineering deficiencies. Developing and implementing effective TDM strategies as part of the overall solution could greatly reduce the size of the investment needed to correct these problems.

Section 2.4.4 Bicycle Transportation

SRPC recommends expanding this section to include a discussion of on and off road bicycle routes between Dover/Durham and Pease/Portsmouth as part of this study.

The document states that the existing bicycle system connectivity will be maintained. This is critical to keeping the bicycle as a viable means of transportation around Great Bay. Bicycling is an important and viable TDM strategy that can have a small but measurable impact during the summer season when daily traffic volumes are at their peak as shown in figure 3.15-5.

The draft EIS should investigate possible improvements to bicycle infrastructure through the study area. Low cost should improvements, re-striping, bicycle loop detectors and improvements to signage should be considered for implementation. NHDOT should coordinate with Seacoast MPO staff and the Greater Portsmouth TMA to promote bicycling as an alternative mode of transportation through the study area.

Section 2.4.3 Park and Ride Facilities

SRPC encourages NHDOT to investigate new possible new park and ride locations as part of the EIS process.

The discussion of Park and Ride facilities in the document clearly demonstrates a need for investment in this TDM strategy. None of the existing facilities identified in the document are likely to have a significant impact on commuter behavior. In addition SRPC would encourage DOT to work with Seacoast MPO staff and the Greater Portsmouth TMA to promote ridesharing along the Spaulding corridor.

A proposed 280 space park and ride lot in the vicinity of Exit 9 in Dover was recently recommended by CMAQ Advisory Committee. While not yet part of the Ten Year Plan progress on this project should be monitored for possible inclusion in the Draft EIS as part of a future year TDM alternative. The GACIT will be recommending this project for inclusion in the Ten Year Plan by May 15, 2004.

Section 3.15.2.5 Traffic Forecasting

Minor correction, the Seacoast MPO consists of communities from Carroll, Strafford and Rockingham Counties.

Section 3.15.6.2 Bus Services

SRPC recommends checking with Steve Pesci at UNH on the status of CNG fleet replacement and filling station project prior to publication of the draft EIS.

Sections 3.15.6.4 through 3.15.6.6

The resulting EIS should contain a detailed and comprehensive analysis and implementation plan for ride share TDM strategies and other initiatives.

TDM Summary:

NHDOT has a responsibility to protect, preserve and maintain the millions of dollars already invested into New Hampshire roadways. SRPC recognizes that an investment needs to be made to correct existing engineering and geometric deficiencies in the project study area.

Behavior change takes time to evolve and implement. Developing and implementing effective TDM strategies now, as part of the overall solution could reduce the size of the investment needed to correct existing problems and reduce the likelihood that MPO staff will be sitting here in 20 years writing this same paragraph.

Socio-Economic Conditions

Section 3.10

SRPC believes that the municipalities of Strafford, Northwood and Nottingham should be included in the Socio-Economic Study area.

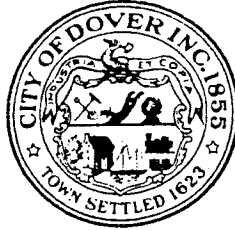
It is our belief that journey to work data supports this request. For example journey to work data shows a 94% increase in commutes to Newington/Portsmouth from Strafford between 1990 and 2000. Residents of these towns are far more likely to travel through the study area during peak hours than residents from East Kingston, Kensington, and Brentwood.

Section 3.10.3 and Tables 3.10-5 and 6

SRPC believes that the striking difference in land use, as epitomized by type, number, density, and assessed value of the properties, between the two communities of Newington and Dover highlights the concerns of the communities to the north of the bridge.

The bridges serve as the portal to affordable housing to the north and as the portal to commerce and employment to the east and south. Quality of life factors directly related to transportation, including commute time, highway safety, and connectivity, are important to these bedroom

STEVEN J. STANCEL
Director
steve.stancel@ci.dover.nh.us



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City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
February 10, 2005

WW 2/16/05
Mr. Christopher M. Waszczuk, P.E.
Project Manager
State of New Hampshire
Department of Transportation
1 Hazen Drive
PO Box 483
Concord, NH 03302-0483

Dear Mr. Waszczuk:

In response to your letter of January 6, 2005, I am including comments from my review of the Rationale Report. I have spoken with several citizens, staff and the Strafford Regional Planning Commission representative about the review comments below, and have added some of their concerns as well.

I have enjoyed working as a member of the ATF and with the Department of Transportation on this very important project for the City and the Seacoast region and hope to continue our mutual productive review and positive evolution of project plans.

Following are comments and concerns taken from the Rationale Report, dated January 2005:

1. Prepare a concept 3A for feasibility purposes that employs a 2 lane WB loop ramp at exit 6 that uses the same radius (footprint) but super elevates the pavement. Squeeze in the NB ramp without any takings.
2. The project must address what kind and where sound barriers would be placed/employed.
3. The west side Hilton Park Road must be closer to the water and the curve must be severe to maximize park area.
4. Impacts to the park cannot be 2.9 or even 2.2 acres. Alternatives as submitted by several ATF members should be presented/analyzed that reduces this impact.
5. It is apparent from the report and concept plans that many roadway initiatives on the Newington side are not required for this project. Said new off-line roads appear to be providing frontage and access for economic development and do not meet the purpose and need of the project. I submit

that the bridge must be built correctly for the future, even if it detracts from other roadway initiatives.

6. Rail Alternative 1A is a good idea and should be pursued, however Rail Alternative 4-freight rail into the Tradeport, while a good idea, does not meet the purpose and need of the project and should be dropped from consideration.
7. Bus Alternative 1 is a good idea, but there must be 30 minute headway times during commuter peak hours. Alternative 2 is good, however Alternative 3 as presented, will not serve local transit needs or the needs of the project any better than the "local" service that exists today.
8. HOV, HOT, and Zipper lane concepts do not appear to draw the needed users and therefore would be too costly to build and maintain. Said concepts should be dropped from consideration.
9. The Rationale Report should provide proof that a signal warrant will exist for the proposed northernmost signal set on Dover Point Road in Dover Alternative 3.
10. TSM - If an emergency gate is installed on the SB ramp from Boston Harbor Road, then signage would be needed to direct traffic to the SB ramp farther on. Is this gate really needed? Do volumes using this ramp during morning peak really warrant the need for closing this ramp? The report should address this.
11. Finally, on Page 6-3, section 6.1.3.2, third paragraph, it is stated that replacement options were eliminated because the 50 MPH speed limit mitigates the sub standard stopping sight distance. I disagree because it is not the speed that is the issue, it is the severe double vertical curve that slows the traffic and during weather events poses safety problems. Fixing this problem is part of the purpose and need of this project. Again, fixing or replacing the bridge correctly should not depend on funding alone; it should depend on doing it right for safety, and for the future needs of travelers. Both the bridge(s) and the on-line approaches should have priority for funding in this project, not off-line roadways. Fixing the vertical curve issue has a direct relationship to the future of the park on the Dover side of the river as well.

If you have any questions, please feel free to contact me at any time.

Sincerely,



Bruce W. Woodruff
City Planner/ATF Member

BWW/bww

Cc: Steve Stancel, Planning Director Mr. Jack Newick



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

February 11, 2005

Mr. Christopher M. Waszczuk *2/11/05*
New Hampshire Department of Transportation
John O. Morton Building, 7 Hazen Drive
P.O. Box 483
Concord, NH 03302-0483

OFFICE OF THE
REGIONAL ADMINISTRATOR

RE: Rationale Report on Spaulding Turnpike Improvements, NHS-027-1(37), 11238

Dear Mr. Waszczuk:

In accordance with EPA New England's (EPA's) responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, we submit the following comments on the Rationale Report as part of the Environmental Impact Statement (EIS) for improvements to the Spaulding Turnpike in Newington and Dover, New Hampshire.

We believe the New Hampshire Department of Transportation (NHDOT) is proposing to carry forward a reasonable range of alternatives for further analysis in the Draft Environmental Impact Statement (DEIS). We understand that NHDOT proposes to evaluate alternatives in combination, as well as in isolation, and we believe that is critical. In particular, we urge NHDOT to evaluate a package of transit, Transportation Demand Management, & Transportation System Management in combination with highway widening and bridge replacement.

In response to comments on the Scoping Report, we understand that NHDOT intends to evaluate the operation, safety, and capacity of the Turnpike leading up to the Dover toll plaza. We believe this broader assessment is important to assess whether the transportation improvements being considered are likely to create a bottleneck at the toll plaza or the Scammell Bridge.

We are disappointed that NH DOT does not intend to conduct a separate mesoscale analysis, and ask the Department to reconsider. We reiterate our recommendation that NHDOT require diesel retrofits and use of low sulfur fuels as part of the contract specifications for this project.

Thank you for the opportunity to provide comments on the range of alternatives that will be carried forward into the Draft Environmental Impact Statement for the Spaulding Turnpike Improvements. Should you have any questions or wish to discuss our concerns, please contact Rosemary Monahan in the Office of the Regional Administrator at 617-918-1087.

Sincerely,

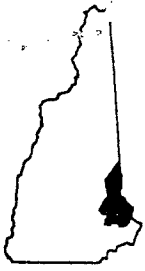
Elizabeth A. Higgins

Elizabeth A. Higgins
Director, Office of Environmental Review

617-918-1010

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Strafford Regional Planning Commission

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Planning and action for sustainable development and an improved quality of life.

To: Christopher Wasz^{2/23/05}zuk, P.E.
Project Manager

From: Cynthia Copeland, AICP
Executive Director

Date: February 18, 2005

Re: Newington Dover Bridge Rationale Report Comments

In response to your letter of January 7, 2005, SRPC is pleased to submit the following comments on the Newington Dover Rationale Report.

This project remains the highest priority for the Seacoast MPO. The Strafford Regional Planning Commission believes that continued cooperation will lead to positive evolution of project plans.

Following are comments and concerns taken from the Rationale Report, dated January 2005:

General Comments

The Strafford Regional Planning Commission is encouraged by the range of alternatives to be carried forward into the DEIS.

The focus of the improvements should be on the bridge.

Limited funds and resources should be prioritized for safety improvements and capacity of the bridge and Turnpike. In fiscally constrained times the roadway initiatives on both sides of the bridge should simply meet the purpose and need of the project. Overall project design should not preclude access for future improvements and economic development initiatives funded by others.

Transportation Demand Management

SRPC is encouraged by the consideration of TDM in several of the alternatives proposed by NHDOT.

It would be helpful to quantify the level of effort and proposed TDM implementation strategies for this project associated with aggressive TDM and moderate TDM. Section 3.7.4 states *that moderate and aggressive TDM programs are projected to generate reductions of 4 percent and 7 percent, respectively, in work trips to the areas with programs*. There is no mention in this section or prior sections of the report as to what role, if any, the NHDOT will play in assisting

with the development of TDM programs to generate trip the reductions.

In addition the small difference in trip reduction between aggressive and moderate programs suggests that the level of effort to attain the higher trip reductions is not significantly different.

Therefore, SRPC encourages NHDOT to actively pursue aggressive TDM measures for all alternatives. NHDOT should also identify responsible parties, specific strategies and actions required to achieve or exceed the projected trip reductions. SRPC strongly believes that TDM should be a priority along the corridor and pursued with equal effort across all of the proposed alternatives.

HOV Alternatives

The reality that the geometric limitations of the immediate project area make HOV alternatives less feasible supports the need to think about ways to reduce VMT in the corridor. This reinforces the need to promote TDM measures and mode shift along the corridor and should be championed by this project.

We recognize that this project is likely to be the last major upgrade to the Little Bay Bridges. Therefore, SRPC supports the further study and development of all alternatives that will allow for future implementation of transit and HOV.

As the improvements resulting from this project approach capacity having the capability "built in to the bridge" to implement a future HOV or dedicated Transit lanes from the Dover toll (or further north) is a valuable asset and will likely be a necessity.

Rail Alternatives

Rail alternative 1A involves the expansion of existing Downeaster service between Dover and Boston. Discussion in section 3.8.1 suggests station stop improvements; a new layover facility and additional equipment are required for a fifth round trip between Dover and Boston. However, a current CMAQ project proposal submitted by NNEPRA suggests the fifth round trip can occur with \$1.2 million in track improvements and existing equipment. This is significantly less than described in the rationale report.

Bus Alternatives

SRPC supports the bus alternatives presented in the rationale report. The success of these improvements depends heavily on the headway time between busses. This is particularly true for local improvements described in Bus alternative 3. Efforts should be made to reduce headway time for local busses to 15 minutes. Bus Alternative 1 might be better served by 30-minute headways.

Bicycle and Pedestrian Access

Currently the General Sullivan Bridge serves as the only pedestrian connection between Newington and Dover. Throughout the project development process it has been made clear that the existing bicycle system connectivity will be maintained. This is critical to keeping the bicycle as a viable means of transportation around Great Bay. Bicycling is an important and viable mode of transportation that can have a small but measurable impact during the summer season when daily traffic volumes are at their peak.

The draft EIS should investigate possible improvements to bicycle infrastructure surrounding the study area. Low cost shoulder improvements, re-striping, and improvements to signage should be considered for implementation.

NHDOT should coordinate with Seacoast MPO staff, Seacoast Area Bicycle Routes (SABR) and the Greater Portsmouth TMA to promote bicycling as an alternative mode of transportation through the study area.

Rehabilitation of the General Sullivan Bridge:

SRPC supports the rehabilitation of the General Sullivan Bridge (GSB) for use as a dedicated transit way and bicycle/pedestrian facility. Reasons for this position are listed below.

- Having the General Sullivan Bridge available provides redundancy in transportation system by providing an alternative route for both transit and emergency vehicles. Is it possible to investigate alternative funding sources such as homeland security funds to provide this redundancy in the transportation network?
- If the rehabilitation of the General Sullivan Bridge is phased early in the project construction it may be available for transit use during the construction of the main line.
- Provides opportunity for a complete local transit service around Great Bay. Assuming the project develops improvements in Newington similar to Alternatives 10 through 12, a rehabilitated General Sullivan Bridge would allow improved local transit service between the Pease Tradeport, Newington and Dover. It would also allow for a local transit connection between Greenland, Stratham and Dover via Newington.
- Maintaining the General Sullivan Bridge provides an alternative route for transit and emergency vehicles when the new Little Bay Bridges reach capacity.
- Maintaining the General Sullivan Bridge for bicycle use is important to the future growth of bicycle transportation in the region. SRPC believes that providing bicycle and pedestrian access attached to a widened Little Bay Bridges structure will detract from the current level of bicycle traffic crossing the bay and discourage growth of the bicycle transportation between Portsmouth, Newington and Durham Dover.

The physical distance between the General Sullivan Bridge and Little Bay Bridges provides an adequate buffer from dust and debris generated by traffic as well as an important psychological barrier.

As always we appreciate this opportunity to participate in this process and look forward to working with NHDOT towards the successful completion of this project.




REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

February 25, 2005

Regulatory Division
CENAE-R-20043545


Mr. Christopher M. Waszczuk, P.E.
Project Manager NH DOT
Concord, NH 03302-0483

Subject: Newington-Dover11238 Rationale Report Range of Alternatives ok with Corps

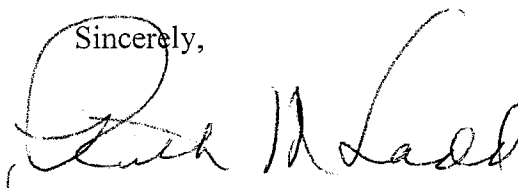
Dear Mr. Waszczuk:

We are currently evaluating your project in accordance with the Clean Water Act and other applicable laws and regulations. Section 404(b)(1) of the Clean Water Act, known as the 404(b)(1) Guidelines, is found at 40 CFR 230. As you know, the Guidelines require avoiding and minimizing adverse impacts to waters and wetlands, and the selection of a Least Environmentally Damaging Practicable Alternative (LEDPA). Section 230.10 (a) states, "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences."

We have reviewed your Phase I or "Rationale" Report, dated January 2005, which describes, among other things, your screening of alternatives to avoid and minimize adverse impacts to waters and wetlands. At Section 6.2 of your Report you recommended a range of alternatives be carried forward into the DEIS for further analysis. We agree that this is a reasonable range of alternatives for further study and will provide the necessary documentation to allow the Corps to determine the LEDPA.

If you have any questions, please contact Richard Roach, of my staff, at (978) 318-8211.

Sincerely,


Christine Godfrey
Chief, Regulatory Division



PLANNING
BOARD

The Town of Newington
New Hampshire
Incorporated 1764

October 18, 2005

Spaulding Turnpike Advisory Committee
c/o Christopher Waszczuk, Project Manager
NH Department of Transportation
P.O. Box 483
Concord, NH 03302

RE: Spaulding Expansion

Dear Mr. Waszczuk & Committee Members:

Turnpike Alternatives 10A, 12A & 13 were recently examined by the Newington Board of Selectmen, the Planning Board, and the Conservation Commission. We are writing to inform you that Alternative 13 best meets our criteria for turnpike design. We endorse Alternative 13 with the understanding that some design elements are to be further refined.

The elevation of the future turnpike is the issue of greatest concern to us. A depressed turnpike such as that exemplified by Alternative 13 would have a moderate acoustical impact on our residential district. An elevated turnpike as proposed in Alternatives 10A & 12A would have a severe impact on our residents.

We reiterate our request of July 26 that you reject plans that call for an elevated turnpike.

We look forward to working with you on refining the Alternative 13 design. Thank you for your attention to this matter.

Yours truly,

Cosmas Iocovozzi, Chair
Board of Selectmen

Albert Hislop, Chair
Planning Board

Margaret Lamson, Chair
Conservation Commission

Resolution Re: COUNCIL SUPPORT OF NEWINGTON-DOVER PROJECT ALTERNATIVE THREE

11C
a.m.
05-19

WHEREAS: The Spaulding Turnpike is eastern New Hampshire's major limited access North-South highway linking the Seacoast area with the major areas of New Hampshire and is included in the State of New Hampshire ten-year Transportation Improvement Program to address safety concerns and increased congestion in the approximately 3.5 mile section of the Spaulding Turnpike extending north from Exit 1 in Newington to the Dover Toll Plaza, and

WHEREAS: The purpose of this project is to improve transportation efficiency and reduce safety problems, while minimizing social, economic and environmental impacts which through development and refinement of infrastructure improvement alternatives and both Advisory Task Force and public input over the last 20 months has resulted in the recommendation of support for Alternative Three; and

WHEREAS: Alternative Three infrastructure improvements are the result of careful study and deliberation of the Advisory Task Force members from Dover who were charged with working to ensure that the impacts to Hilton Park and the entire Dover Point area would be to the smallest extent possible, and also takes into consideration the NH Division of Historic Resources emphasis that the General Sullivan Bridge is a highly rated and valued historic resource and should be considered for rehabilitation and viable reuse; and

WHEREAS: The City Council met in a workshop on October 5, 2005 at which time Alternative Three was presented by representatives of the State of NH Department of Transportation resulting in a general consensus to support this alternative with several revisions.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Dover City Council supports the Newington-Dover Project Alternative Three, including the revised location for the cross-turnpike access road, for Dover turnpike improvements.

FURTHER BE IT RESOLVED THAT:

The Council supports the rehabilitation and re-use of the General Sullivan historic bridge structure as an alternative transportation facility, thereby retaining the second highest rated historic resource in the entire state for present and future generations; and

FURTHER BE IT RESOLVED THAT:

The proper State agencies are requested to coordinate, fund, and implement improvements to and replacements of inadequate, unsafe or missing boating infrastructure at Hilton Park as soon as possible; and

FURTHER BE IT RESOLVED THAT:

The Dover City Council also endorses and encourages the NHDOT to add noise reducing barriers along the Spaulding Turnpike north of exit 6 as outlined and presented on November 7, 2005 public hearing at Dover City Hall. This is to compliment the sound barriers currently planned for properties along Boston Harbor road, Dover Point Road and the Wentworth Terrace area; and

FURTHER BE IT RESOLVED THAT:

The Dover City Council further endorses and encourages the NHDOT to add a sidewalk along the Boston Harbor/Dover Point Road corridor connecting Boston Harbor Road to Hilton Park through Bittner Pass along Pomeroy to Dover Point Road. Traffic along this corridor shall substantially increase due to restructuring of traffic patterns. The sidewalk shall be added under the Spur Road connector linking Spur Road to Boston Harbor Road; and

FURTHER BE IT RESOLVED THAT:

The Dover City Council wishes to encourage the NHDOT to strongly consider the Blackwater Brook property as its site for its 40 acre wetland mitigation.

Approved as to form:

11-20-06

Legal Division Representative

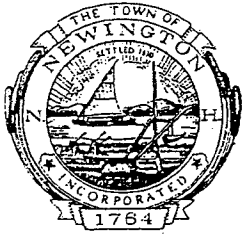
Recorded by:

Judy Gouette, City Clerk

Sponsored by:

Mayor Scott Myers
and the Dover City Council

Regular Meeting held October 12, 2005. Hindle moved to adopt, seconded by Mayberry. Mayberry moved to refer to November meeting, seconded by Trefethen. Motion passed on a 7-0 vote.
Regular Meeting held November 9, 2005. Hindle moved to adopt, seconded by Mayberry. Mayberry moved to amend by adding 3 additional further be it resolved clauses, seconded by Perry. Motion passed on a 9-0. Motion to adopt as amended passed on a 6-3 vote, DeDe, Trefethen and Keays opposed.



PLANNING
BOARD

The Town of Newington New Hampshire

Incorporated 1764

December 21, 2005

Spaulding Turnpike Advisory Committee
c/o Christopher Waszczuk, Project Manager
NH Department of Transportation
P.O. Box 483
Concord, NH 03302

RE: Spaulding Expansion

Dear Mr. Waszczuk: *1/13/06*

We are in receipt of your letter of December 1, 2005 seeking comment on the proposed rail spur to Pease. The proposal was discussed by the Newington Board of Selectmen, the Planning Board, and the Conservation Commission.

We are writing to advise you that we have no objection to an elevated rail spur to Pease along the existing rail corridor laid out by the Air Force in the 1950's. In fact we strongly support the proposed rail re-construction because it would mitigate traffic congestion and spur economic development.

We look forward to working with you on refining the Alternative 13 design. We appreciate this opportunity to comment on the project.

Yours truly

Cosmas Iocovozzi, Chair
Board of Selectmen

For Albert Hislop, Chair
Planning Board

Justin Richardson, Vice Chair
Conservation Commission

STEVEN J. STANCEL
Director
steve.stancel@ci.dover.nh.us



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(603) 516-6008
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www.ci.dover.nh.us

City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

December 27, 2005

Christopher Waszczuk
NHDOT
P.O. Box 483, Hazen Drive
Concord, NH 03302

RE: Tuttle Farm

Dear Mr. Waszczuk:

Enclosed please find a copy of the resolution that the Dover City Council unanimously passed on December 14, 2005. This resolution approved an appropriation of \$1,500,000 to purchase the development rights for 64.5 acres of the historic Tuttle Farm property. As part of this resolution, you will also see that the City Council strongly encourages the NH Department of Transportation to consider the Tuttle Farm property as the highest priority of the sites for the wetland mitigation program associated with the Newington-Dover Project.

As I have discussed with you previously, this is a unique opportunity to protect a very significant landmark property. As the report from Jacob Tinus of VHB details, the Tuttle Farm has a diverse habitat of active agricultural fields, wooded landscapes and tidal and non-tidal wetlands. By partnering with the Strafford Rivers Conservancy, the entire property is slated for protection. Our goal is to use the City funds as match for additional state and federal funds.

Regarding the City's recommendation on the use of the NHDOT wetland mitigation funds associated with the Newington-Dover project, we have asked the Dover Conservation Commission and the Dover Open Lands Committee (OLC) to discuss this issue during their next meetings and provide us with their recommendations. We will forward the City's recommendation to you after receiving input from the OLC meeting on January 5th and the Conservation Commission meeting scheduled for January 9th.

Sincerely,

Steve Bird
City Planner

Enclosure (1)

Cc: Tom Fargo, Dover Conservation Commission
Marcia Colbath, Dover Open Lands Committee
Anna Boudreau, Strafford Rivers Conservancy Executive Director

RESOLUTION

Re: AUTHORIZATION FOR THE PURCHASE OF A CONSERVATION EASEMENT BY THE CITY OF DOVER

-
- WHEREAS: William Penn Tuttle III is the owner of four parcels totaling approximately 142 acres located off Dover Point Road and Middle Road, said parcels known as Map M, Lots 52, 53-A, & 54 and Map L, Lot 1; and
- WHEREAS: This property, known as the Tuttle Farm, is the oldest family-owned farm in the United States and has a long and celebrated history. The farm's history is tied to the early colonial history of Dover and the Seacoast region. William Penn Tuttle III is the 11th generation Tuttle to work these fields, carrying on a tradition of family farming that has existed for over 300 years; and
- WHEREAS: The farm lies between the tidal waters of the Bellamy and Piscataqua Rivers with 1,000 feet of frontage along Little John's Creek and 1,200 feet of frontage along Varney Brook. The land contains tidal and non-tidal wetlands, streams, and prime agricultural soils, as well as the impressive scenic vistas viewed from Dover Point Road; and
- WHEREAS: The City of Dover partnered with The Strafford Rivers Conservancy, a local non-profit corporation dedicated to land conservation, to work to protect the entire Tuttle Farm property. The City holds a purchase and sales agreement with the William Penn Tuttle III to protect 64.5 acres (copy attached). The Strafford Rivers Conservancy has a purchase and sales agreement with the owner to protect an additional 72.6 acres for a total of 137.1 acres. (see attached map). Five acres of the property are not included in the protected area; and
- WHEREAS: Consistent with the City of Dover Master Plan, the Dover Conservation Commission and the Open Lands Committee have identified and approved the Tuttle Farm as an ideal property to be placed under conservation protection; and
- WHEREAS: William Penn Tuttle III has agreed to sell the development rights on a 64.5 acre portion of the Tuttle Farm (see attached map) to the City of Dover contingent on City Council approval; and
- WHEREAS: The Conservation Commission held a public hearing on November 7, 2005, to discuss the purchase of a conservation easement for the Tuttle Farm; and
- WHEREAS: The City of Dover Open Lands Committee and Conservation Commission have both voted to recommend the city's purchase of the development rights for \$1,500,000; and
- WHEREAS: The City of Dover and The Strafford Rivers Conservancy have identified additional funding sources to match the City funding, including the New Hampshire Land and Community Heritage Investment Program (LCHIP), the Farm and Ranch Land Protection Program, and in particular, the New Hampshire Department of Transportation's Newington-Dover Project, which has funding available to mitigate the wetland impacts of the project;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The City Manager is hereby authorized to expend a total amount of \$1,500,000.00 from the FY04 and FY05 CIP bond authorizations to purchase development rights in the name of the City of Dover, NH

and its Conservation Commission, for a 64.5 acre portion of the parcels known as Tax Map M, Lots 52, 53A and 54. The City Manager and the Conservation Commission are also authorized to complete the studies or surveys necessary, subject to City Purchasing regulations, to effectuate the acquisition of the conservation easement on the properties. Funding for this purchase will be charged to the following account:

ACCOUNT #	DESCRIPTION	BALANCE	CHARGE
4004-41910-4710-2503-04-18	Development rights	\$860,000.00	\$860,000.00
4004-41910-4710-2503-05-18	Development rights	\$1,000,000.00	\$640,000.00

FURTHER BE IT RESOLVED THAT:

The Dover City Council strongly encourages the NH Department of Transportation to consider the Tuttle Farm property as the highest priority of the sites for its wetland mitigation program associated with the Newington-Dover Project.

Approved as to form:

Allan B. Krans Sr.
City Attorney

Recorded by:

Judy Gaouette, City Clerk

Approved as to Funding:



Jeff Harrington
Finance Director

Sponsored by:



Scott Myers, Mayor

Jason Hindle, Mayor Pro Tem

Robert Lewis, Councilor

Douglas DeDe, Councilor

Robert Keays, Councilor

Matt Mayberry, Councilor

Dean Trefethen, Councilor

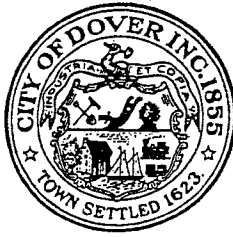
Otis Perry, Councilor

Darlene Colwell-Ellis, Councilor

Regular Meeting held December 14, 2005.
DeDe moved to suspend the rules to move item up on the agenda, seconded by Mayberry. Motion passed on a 6-3 roll call vote, Hindle, Keays and Trefethen opposed.
Hindle moved to adopt, seconded by Mayberry.
Motion passed on a 9-0 roll call vote.

The City Manager recommends this Resolution be adopted.

J. MICHAEL JOYAL, JR
City Manager
m.joyal@ci.dover.nh.us



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Fax: (603) 516-6049
www.ci.dover.nh.us

City of Dover, New Hampshire

OFFICE OF THE CITY MANAGER

January 17, 2006

ChW 1/23/06
Christopher Waszczuk
NHDOT
P.O. Box 483, Hazen Drive
Concord, NH 03302

RE: Tuttle Farm & NHDOT Funding

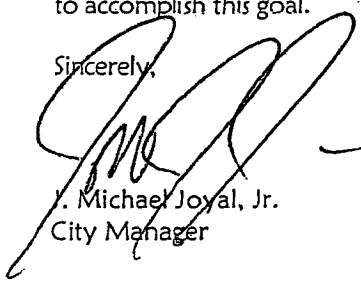
Dear Mr. Waszczuk:

As you know, on December 14, 2005 the Dover City Council unanimously passed a resolution approving an appropriation of \$1,500,000 to purchase the development rights for 64.5 acres of the historic Tuttle Farm property. As part of this resolution, the City Council strongly encouraged the NH Department of Transportation to consider the Tuttle Farm property as the highest priority of the sites for the wetland mitigation program associated with the Newington-Dover Project.

We had asked the Dover Conservation Commission and the Dover Open Lands Committee (OLC) for their recommendations on the distribution of potential NHDOT funds during their January meetings. On January 5, 2006 the OLC voted to recommend that all of the funding go to protect the Tuttle Farm. On January 9, 2006 the Conservation Commission voted to recommend that the Tuttle Farm be the top priority for the NHDOT funding and that any unused funds be directed to the Blackwater Brook area.

Based on the City Council resolution and the recommendations from the Open Lands Committee and the Conservation Commission, the City recommends that the Tuttle Farm project be the first priority for the use of the NHDOT wetland mitigation funds associated with the Newington-Dover project. Please let us know what other assistance you may need to accomplish this goal.

Sincerely,


J. Michael Joyal, Jr.
City Manager

Cc: Steven Stancel, Planning Director
Tom Fargo, Dover Conservation Commission
Marcia Colbath, Dover Open Lands Committee
Anna Boudreau, Strafford Rivers Conservancy Executive Director



DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

REPLY TO:
ATTENTION OF:

June 11, 2007

Regulatory Division
CENAE-R-PEC
Permit Number: NAE-2004-3545

Mr. Christopher M. Waszczuk, P.E.
Chief Project Manager, Bureau of Highway Design
NH Department of Transportation
Concord, New Hampshire 03302-0483

Subject: Newington-Dover DEIS LEDPA Determination and Mitigation
Concurrence

Dear Mr. Waszczuk:

This is in response to your request that we confirm that your preferred alternative for improvements to the Spaulding Turnpike can be found to be the Least Environmentally Damaging Practicable Alternative (LEDPA) in accordance with the 404(b)(1) Guidelines (40 CFR Part 230) and that the mitigation package, as presently conceived, would be appropriate to the scope and degree of impacts to aquatic resources.

The Draft EIS presently presents the plans for highway improvements in three segments: one in Newington, one in Dover, and a bridge segment over Little Bay, between the two towns. The DEIS denotes the Newington Alternative 13, Dover Alternative 3, and widening the Little Bay Bridge to the west, along with rehabilitating the General Sullivan Bridge, as the preferred alternative. The preferred roadway width would be eight lanes throughout.

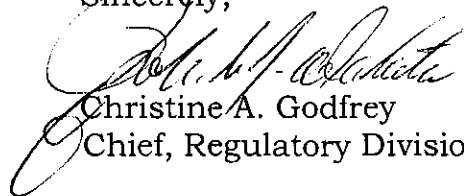
The direct wetland impacts from this work would be approximately 20 acres. The mitigation plan calls for restoration of a segment of Railway Brook, including wetland creation adjacent to it, plus land protection amounting to 150 acres in two areas in Dover. One area, the Tuttle Farm (120 acres) has already been protected as advanced mitigation. A second parcel, of approximately 30 acres, in the Blackwater Brook area, would also be protected.

From our involvement in the numerous interagency coordination meetings and the joint public hearing held at the end of last summer, we believe your preferred plan can qualify as the LEDPA and that the mitigation package proposed can be found to comply with the guidance in effect at this time.

We will try to position ourselves to make a permit decision within a few weeks of the release of the Final EIS and FHWA's Record of Decision to proceed with the project. To do this, we will need a complete mitigation plan in accordance with the guidance found on our web page and you will need to obtain a water quality certificate from NH DES. We look forward to continued cooperation in planning and permitting this project.

If you have any questions, please contact Mr. Richard Roach at 800-343-4789 or 978-318-8211.

Sincerely,



Christine A. Godfrey
Chief, Regulatory Division