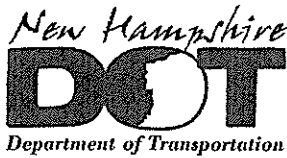

APPENDIX I

HISTORIC RESOURCES EFFECTS MEMO UPDATE



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



GEORGE N. CAMPBELL, JR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

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Effect Memo: Update

Pursuant to meetings and discussions on January 13, 2005; April 13, November 2, May 4, and October 5, 2006; May 3 and 10, July 12, August 9, and December 6, 2007; January 10, February 7, March 13, April 3, May 8, and November 13, 2008; and February 12, 2009, and for the purpose of compliance with regulations of the National Historic Preservation Act, as amended, and the Advisory Council on Historic Preservation's *Procedures for the Protection of Historic Properties* (36 CFR 800), the NH Division of Historical Resources and the NH Division of the Federal Highway Administration have coordinated the identification and evaluation of historic and archaeological properties with plans to reconstruct Interstate 93 between the Massachusetts border to Interstate 293 in the towns of Salem, Windham, Derry, and Londonderry, and the City of Manchester, New Hampshire.

This memo represents an update to portions of the Adverse Effect Memo and Memorandum of Agreement (MOA) signed on August 8, 2002 and February 5, 2004 respectively, concerning:

- (1) the George and Robert Armstrong properties (WND0085 and WND0086 respectively) in the Town of Windham, New Hampshire;
- (2) an impact to the dwelling at 2 Brady Street (SAL0224) in the Town of Salem, which, after the original Section 106 review and completion of the I-932004 FEIS, was eventually acquired as part of the project evaluated and determined to be eligible as a contributing part of the Armenian Settlement District Area; and
- (3) the unanticipated impact to two stone culverts located on the Manchester and Lawrence Railroad at Exit 5 in Londonderry where NH Route 28 intersects I-93. The "brick-topped" culvert is located under the Manchester and Lawrence Railroad corridor west of the Exit 5 southbound off-ramp of I-93 and the second stone culvert with stone lintel top is located at Independence Drive east of Exit 5 of I-93 and Auburn Road.

(1) Based on a review pursuant to 36 CFR 800.4 of the historical and architectural significance of identified resources, it was agreed that the George and Robert Armstrong properties are individually eligible for the National Register of Historic Places. Applying the criteria of effect at 800.5, it was determined that the project alternatives had an adverse effect on these two properties. The effect included total property acquisition with building relocation for the Robert Armstrong House and building removal for the George Armstrong House.

In summary, under the stipulations of the MOA signed on February 5, 2004, the signatories agreed to the following mitigation. After the purchase of the Robert Armstrong House, the NH Department of Transportation (NHDOT) agreed to: documentation at the level of the NH Historic Property Documentation Form; a structural study of the dwelling for relocation; the dwelling's

relocation as close to its current location as practicable; and conveyance to a new owner with protective covenants. After the purchase of the George Armstrong House, the NHDOT agreed to its documentation at the level of the NH Historic Property Documentation Form. The NHDOT would re-convey the dwelling to the owner with protective covenants for relocation or, if the owner declines, market the building to the public for relocation with protective covenants if feasible.

Because the NHDOT has avoided the two dwellings since the MOA was signed by shifting both proposed barrels of I-93 and modifying the slopes, purchase of the two properties was unnecessary. The NHDOT has initiated documentation of both properties as specified. As part of the settlement agreement with the property owner, the NHDOT has stabilized the Robert Armstrong House. The owner signed protective easements for the rehabilitation of this property. Additionally, all but the barn/workshop addition to the George Armstrong House will remain standing. In both cases, the Secretary of the Interior Standards have been or will be followed.

(2) Based on a review pursuant to 36 CFR 800.4 of the historical and architectural significance of identified resources, it was agreed that the Henry Vartanian Property at 2 Brady Street is a contributing property to the eligible Armenian Settlement District Area. Applying the criteria of effect at 800.5, it was determined on April 13, 2006 that the Selected Alternative identified in the I-93 Project's 2005 ROD resulted in an adverse effect to the property. The effect to the property and district included a total property acquisition with building removal.

It is agreed that mitigation for this taking includes the completion of a NH Historic Property Documentation Form with large format, archivally stable negatives and contact prints; floor plans of the dwelling; and narrative detailing the property description, history, context, significance, and integrity. Additional mitigation includes the expansion of the district area form for the Armenian Settlement District and the installation of a state historic marker recognizing the significance of the community. The marker will be placed in the vicinity of the Armenian Congregation Church.

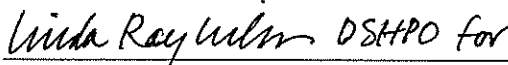
(3) Based on a review pursuant to 36 CFR 800.4 of the historical and architectural significance of identified resources, it was agreed on May 8, 2008 that the brick-top stone box culvert under the Manchester and Lawrence Railroad corridor is individually eligible for the National Register of Historic Places. It was agreed on November 13, 2008, that the stone culvert under the same line at Independence Drive would be treated as if it is individually eligible for the National Register. Applying the criteria of effect at 800.5, it was determined that the project results in a no adverse effect on the brick-top culvert. However, because of the impact, the project will have an adverse effect on the Independence Drive stone culvert. Here, an 18" pipe will be placed within the existing stone culvert, flowable fill will occupy the voids, and a new headwall will be placed at the end of the pipe since it will be extended to the south of the existing headwall. It may be necessary to remove the lintels to insert the pipe. The existing stone box culvert will then be buried under the relocated Independence Drive.

It is agreed that the NHDOT will document the culverts and other cultural resources along the Manchester and Lawrence Railroad in New Hampshire on a district area form to determine the eligibility of the line.

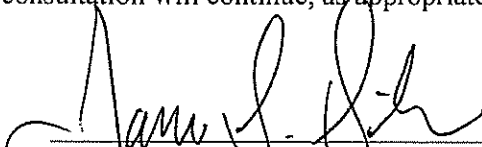
Treatment of the brick-top culvert will include the relocation of an underground telephone cable using directional boring rather than trenching. The NHDOT will protect the culvert and its immediately associated railroad corridor with orange construction fencing during the multiple phases of construction in the vicinity of the culvert. The Bureau of Environment will discuss the location of the fencing with the construction contractor at a pre-construction meeting and will delineate the location in the field. Additionally, heavy machinery will not cross the culvert, and the corridor will be restored over the culvert following construction.

Treatment of the Independence Drive stone culvert will include its documentation through a brief NH Historic Property Documentation Form. The form will include large format photographs, a sketch of the elevation of the culvert, a design plan, and narrative description and statement of historical background, context, and significance. If excavation during construction reaches the top or sides of the culvert so they are visible, the NHDOT will also monitor the soil removal to ascertain whether Scottish stone quarry marks are visible on other stone faces as they are accessible to view.

In accordance with the Advisory Council's regulations, consultation will continue, as appropriate, as this project proceeds.



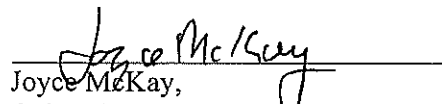
Elizabeth Muzzey,
State Historic Preservation Officer



Kathleen O. Laffey, Administrator
Federal Highway Administration

Concurred with by the New Hampshire Department of Transportation:

Date: July 16, 2009



Joyce McKay,
Cultural Resources Manager

c.c. Jamie Sikora, FHWA
Beth Muzzey, NHDHR

Peter Stamnas, NHDOT
Marc Laurin, NHDOT