

# Finding of No Significant Impact

For

TOLL LOCATIONS 1 AND 2

TOWNS OF HOPKINTON, RICHMOND AND EXETER

RHODE ISLAND

Rhode Island Department of Transportation

Federal Project Number TOLL002

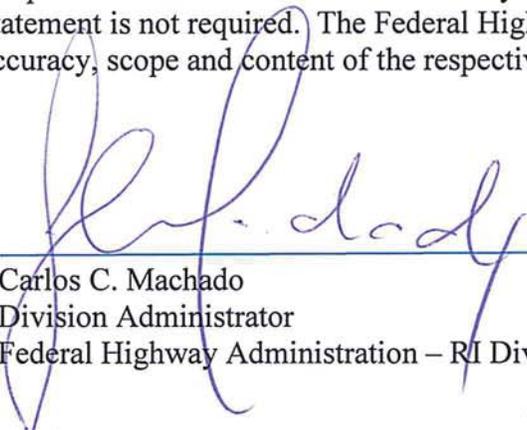
## Finding of No Significant Impact

This project has been thoroughly reviewed by the Federal Highway Administration and it has been determined by the undersigned that this project will not have a significant effect on the human environment.

This Finding of no Significant Impact (FONSI) is based on the attached applicant prepared Environmental Assessment, which has been independently evaluated by the Federal Highway Administration and determined to have adequately and accurately discussed the environmental issues and impacts of the proposed project and provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. The Federal Highway Administration takes full responsibility for accuracy, scope and content of the respective Environmental Assessment.

Date

12/20/17

  
\_\_\_\_\_  
Carlos C. Machado  
Division Administrator  
Federal Highway Administration – RI Division

# **ENVIRONMENTAL ASSESSMENT**

**Toll Locations 1 and 2  
Hopkinton, Richmond, and Exeter,  
Rhode Island**

December 20, 2017



U.S. Department of Transportation  
**Federal Highway Administration**

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**TOLL LOCATIONS 1 AND 2**

**Hopkinton, Richmond, and Exeter, Rhode Island**

**ENVIRONMENTAL ASSESSMENT**

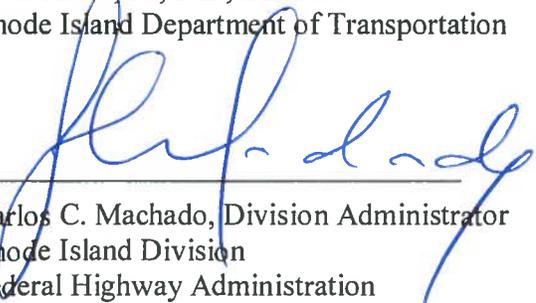
Submitted Pursuant to 42 U.S.C. 4332(2)(c) and 23 U.S.C. 138

U.S. Department of Transportation  
Federal Highway Administration  
and the  
Rhode Island Department of Transportation

11/2/17  
Date

  
Peter Alviti, Jr., P.E., Director  
Rhode Island Department of Transportation

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Comments on this document are due by 12/06/2017, and should be sent to Peter Alviti Jr., P.E., Director, Rhode Island Department of Transportation, Two Capitol Hill, Providence, RI 02903, Attention: David Fish, P.E.

### Statute of Limitations

A Federal agency may publish a notice in the Federal Register, pursuant to 23 U.S.C. §139(l), indicating that one or more Federal agencies have taken final action on permits, licenses, or approvals for a transportation project. If such notice is published, claims seeking judicial review of those Federal agency actions will be barred unless such claims are filed within 150 days after the date of publication of the notice, or within such shorter time period as is specified in the Federal laws pursuant to which judicial review of the Federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the Federal laws governing such claims will apply.

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### **Acronyms and Abbreviations**

AADT	Average Annual Daily Traffic
AASHTO	American Association of State Highway and Transportation Officials
ACS	American Community Survey
ADT	Average Daily Traffic
AET	All Electronic Tolling
APE	Area of Potential Effect
CAA	Clean Air Act
CFR	Code of Federal Regulations
CFS	Compost Filter Socks
CO	Carbon Monoxide
dBA	A-weighted Decibel
EA	Environmental Assessment
EO	Executive Order
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
FAA	Federal Aviation Administration
FAST Act	Fixing America's Surface Transportation Act
FEMA	Federal Emergency Management Agency
FFY	Federal Fiscal Year
FHWA	Federal Highway Administration
FPPA	Farmland Protection Policy Act
FTA	Federal Transit Administration
HCM	Highway Capacity Manual
HCS	Highway Capacity Software
HHS	Department of Health and Human Services
IPaC	Information for Planning and Consultation
LOD	Limit of Disturbance
LOS	Level of Service
LUST	Leaking Underground Storage Tank
LWCF	Land and Water Conservation Fund
MAP-21	Moving Ahead for Progress in the 21 <sup>st</sup> Century Act
MBTA	Migratory Bird Treaty Act
MOU	Memoranda of Understanding
MOVES	Motor Vehicle Emission Simulator
MPH	Miles Per Hour
MSAT	Mobile Source Air Toxics
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act

NHA	Natural Heritage Area
NHPA	National Historic Preservation Act
NHS	National Highway System
NLEB	Northern Long-eared Bat
NO <sub>x</sub>	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRCS	Natural Resources Conservation Service
PAL	Public Archaeology Laboratory, Inc.
PIP	Public Involvement Plan
PM	Particulate Matter
RFID	Radio-frequency Identification
RIDEM	Rhode Island Department of Environmental Management
RIDOT	Rhode Island Department of Transportation
RIGIS	Rhode Island Geographic Information System
RIHPHC	Rhode Island Historical Preservation & Heritage Commission
RISM	Rhode Island Statewide Model
RMS	Root-mean-square
ROW	Right-of-way
RPD	Request for Preliminary Determination
RRA	Request for Regulatory Applicability
SF	Square Feet
SIP	State Implementation Plan
SP	Stated Preference
SSA	Sole Source Aquifer
STIP	State Transportation Improvement Program
THPO	Tribal Historic Preservation Officer
TNM	Traffic Noise Model
USACE	United States Army Corps of Engineers
U.S.C.	United States Code
USFWS	United States Fish and Wildlife Service
V/C	Volume to Capacity
VdB	Vibration Decibel
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
VOT	Value of Time
WTP	Willingness-to-Pay

## **Project Parties**

The Rhode Island Department of Transportation is the applicant and project sponsor as defined under 23 Code of Federal Regulations (CFR) 771.107.

The Federal Highway Administration is the federal lead agency for the project as defined under 23 CFR 771.107.

## **Preparers**

This Environmental Assessment was prepared by Jacobs Engineering Group, Inc. (Boston, Massachusetts and Providence, Rhode Island offices) with technical input from Public Archaeology Laboratory, Inc. of Pawtucket, Rhode Island; Steere Engineering, Inc. of Warwick, Rhode Island; and Cross-Spectrum Acoustics Inc. of Burlington, Massachusetts.

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## **Executive Summary**

The Rhode Island Department of Transportation proposes to construct and operate toll systems at two locations (Toll Locations 1 and 2) along Interstate 95 (I-95) in the southwestern part of Rhode Island (Proposed Action). Revenue from Toll Locations 1 and 2 would be generated and used in accordance with *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016*.

In accordance with the National Environmental Policy Act, this Environmental Assessment evaluates the impacts of construction and implementation of the toll systems at Toll Locations 1 and 2. Each toll location functions independent of one another and is associated with the reconstruction or replacement of specific bridge(s) (i.e., Wood River Valley Bridge, northbound and southbound Tefft Hill Trail Bridges, and Baker Pines Bridge). However, because of their proximity to one another, Toll Locations 1 and 2 share a likely truck diversion route along RI Route 3 (Diversion Route 1) and are evaluated together in this Environmental Assessment.

The Federal Highway Administration is the lead federal agency for this action and responsible for ensuring the Project meets the toll eligibility requirements of 23 United States Code 129, providing assistance to the Rhode Island Department of Transportation in the development of the Environmental Assessment, independently reviewing the findings and conclusions of the Environmental Assessment and its supporting documentation, approving the Environmental Assessment for public dissemination, and ultimately making a National Environmental Policy Act determination (e.g., Finding of No Significant Impact or decision to proceed with an Environmental Impact Statement) following agency and public review.

The Draft EA was approved for publication by RIDOT and FHWA on November 2, 2017. Notice of availability and Public Hearing/Workshop notification was disseminated on November 6, 2017, and published on the RIDOT website and in the *Westerly Sun* and *Providence Journal*. A second notice was also published on November 16, 2017.

Public Hearing/Workshop was held on November 21, 2017 at 6:00 PM –at the Chariho Middle School. The Public comment period concluded on December 6, 2017. Documentation of the Notice of Availability, Comment Period, and Public Hearing/Workshop, along with the RIDOT responses is included in Appendix G.

### **Proposed Action**

The proposed toll systems at Toll Locations 1 and 2 would be used to collect toll revenue from a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers travelling across select bridges associated with the toll locations. Each toll system would be comprised of one or more gantries with communication and electrical connections, a roadside cabinet on a concrete pad, and additional safety guardrail. The area required for contractor's storage and staging would be located in maintained areas of the roadway right-of-way.

Although the Rhode Island Department of Transportation has not approved specific toll rates for Toll Locations 1 and 2 at this time, for the purposes of this analysis a conservative range from \$3.50 to \$4.50 per toll location is assumed. In addition to the rates assigned to Toll Locations 1 and 2, the following limits on the assessments of tolls upon the same individual commercial truck using Radio-frequency Identification will apply.

- Tolls are limited to once per toll facility, per day in each direction;
- Tolls are limited to a \$20 total for a border-to-border through trip on I-95 from Connecticut to Massachusetts; and
- Tolls will not exceed \$40 per day.

Implementation of tolling on an existing roadway network can sometimes result in a shift of travel behavior wherein some drivers travel on a different route in order to avoid paying a toll. The potential shift of vehicles away from the tolled facilities is referred to as a “toll diversion.” The segment of RI Route 3 that comprises Diversion Route 1 is approximately 9 miles in length, between I-95 Exit 2 and I-95 Exit 5.

The direct, indirect, and cumulative impacts of the Project were analyzed. Due to the limited ground disturbance associated with construction of Toll Locations 1 and 2, there are limited direct impacts caused by the Project to the human and natural environment. Impacts from the diversion traffic were considered, but given the small increase in truck volumes on Diversion Route 1, these impacts were determined to be imperceptible or comparable to existing conditions.

## Chapter 1 Overview and Background

### 1.1 Project Summary

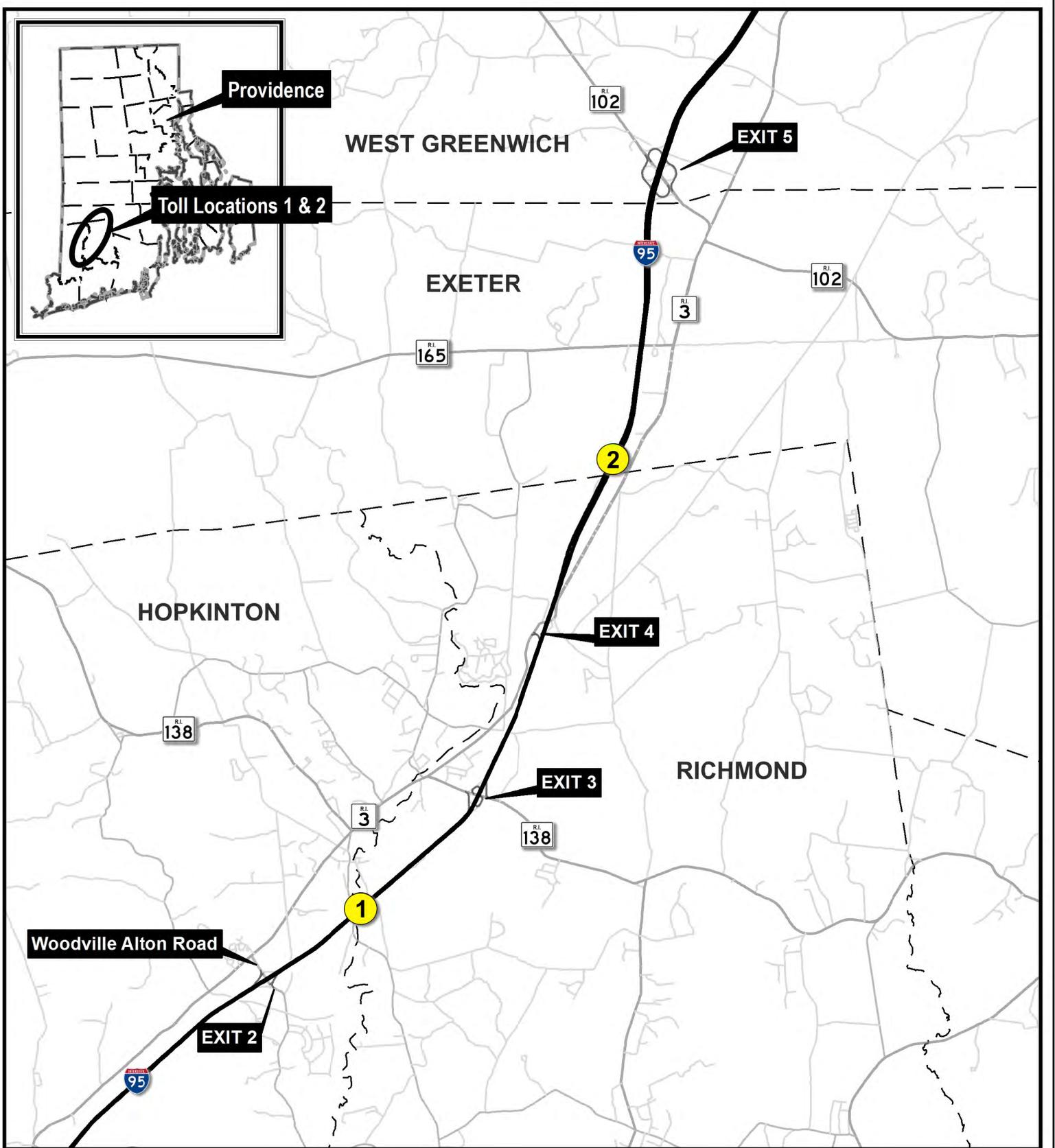
The Rhode Island Department of Transportation (RIDOT) proposes to construct and operate toll systems at two locations (Toll Locations 1 and 2) along Interstate 95 (I-95) in the southwestern part of Rhode Island (Proposed Action) (**Figure 1-1**). Revenue from Toll Locations 1 and 2 would be generated and used in accordance with *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016*.

Through execution of Memoranda of Understanding (MOUs) with RIDOT, the Federal Highway Administration (FHWA) acknowledged in September 2016 that converting non-tolled bridges to toll bridges at Toll Locations 1 and 2 meets the toll eligibility requirements of 23 United States Code (U.S.C.) 129 (**Appendix A**). The bridges programmed for improvements and associated with Toll Locations 1 and 2 are listed in **Table 1-1**.

In accordance with the National Environmental Policy Act (NEPA), this Environmental Assessment (EA) evaluates the impacts of construction and implementation of the toll systems at Toll Locations 1 and 2. Each toll location functions independently and is associated with the reconstruction or replacement of specific bridge(s). However, because of their proximity to one another, Toll Locations 1 and 2 share a likely truck diversion route along RI Route 3 (Diversion Route 1) and are evaluated together in this EA.

**Table 1-1. Bridge Work Associated with Toll Locations 1 and 2**

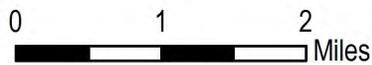
Bridge Name	Bridge Number	Toll Location	Proposed Bridge Improvement
Wood River Valley Bridge	040401	1	Repair and Rehabilitation
Tefft Hill Trail Bridges (Northbound / Southbound)	059201 NB/ 059221 SB	2	Complete Replacement (currently under construction)
Baker Pines Bridge	059301	2	Superstructure Replacement and Substructure Rehabilitation



Prepared For:



Prepared By:



**Legend**

**#** Toll Locations 1 & 2

Data Sources:  
RIDOT, RIGIS, ESRI

**Toll Locations 1 and 2  
Environmental Assessment**

**Project Location**

**FIGURE 1-1**

### ***Toll Systems***

The proposed toll systems at Toll Locations 1 and 2 would be used to collect toll revenue from a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers travelling across select bridges associated with the toll locations (**Table 1-1**). Vehicles subject to tolling are illustrated in Table 3-2 in Chapter 3, Section 3.2. The toll system at each toll location would be located within the existing highway right-of-way (ROW) and approximately 15–20 feet from the existing edge of pavement. Each toll system would be comprised of one or more gantries with communication and electrical connections, a roadside cabinet on a concrete pad, and additional safety guardrail. Cameras and detectors would be situated on the gantries themselves. Ground disturbance would be limited, as conduits would be installed either by direct bury methods or narrow trenching that would be back filled and seeded to match existing conditions. There would be a slight increase in impervious surface due to the concrete pad for the utility cabinets and the gantry foundations. Foundations for the gantries would be augured to minimize excavation and land disturbance, which would also minimize the potential for erosion. The area required for contractor’s storage and staging would be located in maintained areas of the roadway ROW.

### ***Diversion Route 1***

Implementation of tolling on an existing roadway network can sometimes result in a shift of travel behavior wherein some drivers travel on a different route in order to avoid paying a toll. The potential shift of vehicles away from the tolled facilities is referred to as a “toll diversion.” The *Rhode Island Department of Transportation Investment-Grade Truck Tolling Study* (Louis Berger, November 2017; hereafter *Investment-Grade T&R Study*) identified RI Route 3 as the most likely route truck drivers would take to avoid Toll Locations 1 and 2. This EA refers to portions of RI Route 3 and connecting roads with diversion truck traffic as Diversion Route 1; this should not be misconstrued with U.S. Route 1. The segment of RI Route 3 that comprises Diversion Route 1 is approximately 9 miles in length, between I-95 Exit 2 and I-95 Exit 5. Most of the route is a two-lane roadway with narrow shoulders of varying width. North of where RI Route 3 passes under the Baker Pines Bridge (RIDOT Bridge No. 059301), RI Route 3 transitions to a four-lane roadway with wider shoulders. To avoid Toll Locations 1 and 2 on I-95 southbound, a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers would exit I-95 southbound at Exit 5 and re-enter I-95 at Exit 2. To avoid the toll location northbound on I-95 the vehicle would exit I-95 at Exit 2 in Hopkinton and proceed north along Woodville Alton Road to RI Route 3 (Main Street/Nooseneck Hill Road), then north along RI Route 3 to RI Route 102 in Exeter and re-enter I-95 at Exit 5. Diversion Route 1 is illustrated in **Figure 6-1** and discussed further in Chapter 6.

### ***Diversion Route Identification Methodology***

*Investment-Grade T&R Study* identified RI Route 3 as the primary potential diversion route for toll locations 1 and 2. The methodology used for the selection of diversion routes is described in Section 5.2.5.1 and Appendix C of the *Investment-Grade T&R Study*. The Louis Berger Team (“the Team”) evaluated the potential diversion routes to determine any potential truck restrictions such as posted bridges that might limit truck movements. The Team accessed RIDOT’s inventory of posted bridges to identify facilities with weight or height restrictions that may impact the ability of trucks to divert away from the toll facilities. In addition to identifying the

potential limitations to truck movements, the Team also evaluated the diversion routes to note difficult turning movements, signalized intersections and other impediments that would influence the diversion decisions of heavy truck operators. Bus routes from the Rhode Island Public Transit Authority were used as part of this analysis to help determine the feasibility of turning movements. The impacted roadway segments were then used to map coherent and contiguous travel paths. A total of 16 primary diversion routes were identified, with each individual route identified often covering diversions away from multiple toll locations.

To facilitate the evaluation of potential impacts arising from the application of base case tolls, the Team estimated the volume of trucks diverted on each route by first taking the diversions and assuming that 20 percent of diversions recorded at each location used other alternate routes outside of the 16 diversion routes described above.

The Team then defined primary diversion routes by first identifying roadway links that were projected to have their heavy truck volume increase by more than 150 vehicles on daily basis under the tolled scenario. The Team selected this threshold based on the generally observed daily pattern of truck traffic. Applying the hourly distribution of truck volumes to the 150 daily truck diversion threshold results in a peak hourly volume of approximately 10 vehicles per hour. Any increase in truck traffic below this cutoff was deemed to be negligible given the typical statistical noise of route choice models.

### ***Federal Highway Administration Involvement***

FHWA is the lead federal agency and is responsible for providing assistance to RIDOT in the development of the EA, independently reviewing the findings and conclusions of the EA and its supporting documentation, approving the EA for public dissemination, and ultimately making a NEPA determination (e.g., Finding of No Significant Impact or decision to proceed with an Environmental Impact Statement) following agency and public review.

## **1.2 Project Background**

### ***Funding Gap to address Rhode Island's Infrastructure Needs***

As documented in the *Rhode Island's Transportation Future: Reinvesting in Our Transportation System to Preserve it for Future Generations* (RI 2008), Rhode Island began evaluating sustainable transportation funding options in 2008. A Blue Ribbon Panel on Transportation Funding (Panel) was established in 2008 to assess Rhode Island's transportation needs and to identify options for potential funding sources. The mission of the Panel was to understand the state's transportation financing needs, assess funding options, and recommend funding mechanisms. The Panel's assessment of the funding scenarios studied was that the consequences of not changing the current funding mechanism in Rhode Island were untenable because of the impact to facilities now and in the future. RIDOT would need to double its investment in annual spending on infrastructure improvement just to bring the current network of roads and bridges to a state of good repair. FHWA defines a "state of good repair" as a "condition in which the existing physical assets, both individually and as a system (a) are functioning as designed within their useful service life, (b) are sustained through regular maintenance and replacement programs" (FHWA 2011).

The report out of the Panel led to the 2011 Special Senate Commission on Sustainable Transportation Funding and, later in 2013, the Special Legislative Commission to Study the Funding for East Bay Bridges. Studies out of both commissions clearly identified that the funding provided through both existing state and federal sources is insufficient to meet Rhode Island infrastructure needs and identified possible new revenue sources for consideration. The Rhode Island Transportation Improvement Program for Federal Fiscal Years (FFY) 2013 to 2016 reflected these findings and identified the need for a new funding stream to ensure funding of critically needed bridge repairs and/or replacements.

### ***Toll Revenue Studied and Assumed in Planning Process***

Tolling and non-tolling revenue source alternatives were studied and documented in the following plans:

- *The Economic Impact of RhodeWorks: An Accelerated Transportation Restoration Plan*, developed by the Rhode Island Department of Revenue, Office of Revenue Analysis, October 2015 (Judson 2015); and
- *State of Rhode Island Transportation Improvement Program FFY 2017-2025*, adopted by the State Planning Council September 2016, amended January 31, 2017 (RIDOA 2016).

Revenue from tolling has also been assumed as part of the financial forecasts in statewide planning processes and as the basis for meeting fiscal constraint requirements. The current *State of Rhode Island Transportation Improvement Program FFY 2017-2025* (STIP) is a fiscally constrained plan that includes tolling as a revenue source likely to be available to the state. This plan was adopted by the Rhode Island Department of Administration, Statewide Planning Program and State Planning Council. The State Planning Council (established through Rhode Island General Law [RI Gen L] § 42-11-10), is comprised of state, local, and public representatives and federal advisors, and serves as the single statewide Metropolitan Planning Organization for Rhode Island.

### ***RIDOT Asset Management Approach***

Consistent with FHWA's asset management requirements outlined in 23 CFR 515, RIDOT's RhodeWorks program implements an Asset Management approach to achieving state of good repair in a cost effective manner that accounts for lifecycle costs, including the future costs of allowing assets to further deteriorate. Pursuant to requirements in Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) and Fixing America's Surface Transportation Act (FAST Act), FHWA promulgated a rule in 2016 (23 CFR 515; 23 CFR 667) which "establishes the processes that a state transportation department must use to develop its asset management plan, as required under 23 USC (119)(e)(8)."

Moreover, in accordance with 23 CFR 490 Subpart D—National Performance Management Measures for Assessing Bridge Condition, FHWA requires that states maintain a structural sufficiency rate of at least 90 percent or face funding flexibility penalties.

- *23 CFR § 490.413 Penalties for not maintaining bridge condition.*

*(a) If FHWA determines for the 3-year period preceding the date of the determination, that more than 10.0 percent of the total deck area of bridges in the State on the National Highway System (NHS) is located on bridges that have been classified as Structurally Deficient, the following requirements will apply.*

*(1) During the fiscal year following the determination, the State DOT shall obligate and set aside in an amount equal to 50 percent of funds apportioned to such State for fiscal year 2009 to carry out 23 U.S.C. 144 (as in effect the day before enactment of MAP-21) from amounts apportioned to a State for a fiscal year under 23 U.S.C. 104(b)(1) only for eligible projects on bridges on the NHS.*

*(2) The set-aside and obligation requirement for bridges on the NHS in a State in paragraph (a) of this section for a fiscal year shall remain in effect for each subsequent fiscal year until such time as less than 10 percent of the total deck area of bridges in the State on the NHS is located on bridges that have been classified as Structurally Deficient as determined by FHWA.*

Therefore, RhodeWorks forms the basis of RIDOT's strategy for conforming to FHWA's asset management requirements and meeting the 90 percent structural sufficiency target.

### ***The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016***

To meet the federal tolling requirements set forth in 23 U.S.C. 129 the Rhode Island State Legislature passed, and the Governor signed into law, *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016* (Act). Provisions within the Act establish RIDOT's authority to collect tolls and create a bridge replacement, reconstruction and maintenance fund, designate toll bridges, and address the amount of tolls and limitations on the use of the toll revenue. Pertinent provisions include:

- ***RI Gen L § 42-13.1-4. Authority to collect tolls on large commercial trucks only.*** –
  - (a) The department is hereby authorized to fix, revise, charge, and collect tolls for the privilege of traveling on Rhode Island bridges to provide for replacement, reconstruction, maintenance and operation of Rhode Island bridges. The tolls shall be fixed after conducting a cost-benefit analysis and providing an opportunity for public comment. The tolls shall be collected on large commercial trucks only and shall not be collected on any other vehicle; provided, however, no vehicle shall be tolled other than a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers. No act authorizing tolls on passenger vehicles pursuant to this chapter shall take effect until it has been approved by the majority of those electors voting in a statewide referendum. The secretary of state shall certify the results of the statewide referendum. Tolls on large commercial trucks may be implemented utilizing all-electric toll collection methodologies on a cash-less basis, or utilizing any other methodologies determined by the department.*
  - (b) Subject to §42-13.1-14, the department will establish a program to limit the assessment of the tolls upon the same individual large commercial truck using a RFID to once per toll facility, per day in each direction, or an equivalent frequency use program based upon individual large commercial truck use.*

*(c) Subject to §42-13.1-14, the total amount of tolls imposed upon the same individual large commercial truck using a RFID for making a border-to-border through trip on Route 95 Connecticut to Route 95 Massachusetts, or the reverse, shall not exceed twenty dollars (\$20.00).*

*(d) Subject to §42-13.1-14, the daily maximum amount of the tolls collected upon the same individual large commercial truck using a RFID shall not exceed forty dollars (\$40.00).*

*(e) Toll shall not be subject to supervision or regulation by any commission, board, bureau, agency, or official of the state or any municipality or other political subdivision of the state except the department.*

- ***RI Gen L § 42-13.1-6. Rhode Island bridge replacement reconstruction and maintenance fund established.*** –

*(a) There is hereby created a special account in the intermodal surface transportation fund, as established in §31-36-20, to be known as the Rhode Island bridge replacement, reconstruction and maintenance fund ("the fund").*

*(b) The fund shall consist of all those monies received by the department under this chapter, including:*

*(1) The monies received through the collection of tolls on bridges in Rhode Island;*

*(2) Any fees, fines or penalties collected pursuant to this chapter; and*

*(3) Investment earnings on amounts credited to the fund.*

*(c) Unexpended balances and any earnings thereon shall not revert to the general fund but shall remain in the Rhode Island bridge replacement, reconstruction and maintenance fund. There shall be no requirement that monies received into the fund during any given calendar year or fiscal year be expended during the same calendar year or fiscal year.*

- ***RI Gen L § 42-13.1-7. Designation of toll bridges.*** -- *The director of the department [RIDOT] may designate any Rhode Island bridge on the National Highway System as a toll bridge in order to facilitate the financing of replacement, reconstruction, and maintenance of Rhode Island's system of bridge.*

- ***RI Gen L § 42-13.1-8. Amount of tolls.*** -- *The department's authority to fix and adjust the amount of tolls shall be determined by the costs of replacement, reconstruction, maintenance, and operation of Rhode Island's system of bridges and/or any portion or portions thereof, including costs associated with the acquisition, construction, operation and maintenance of the toll facilities and administrative costs in connection therewith.*

- ***RI Gen L § 42-13.1-9. Limitations on the use of revenue.*** -- *All revenue collected pursuant to this chapter and deposited to the Rhode Island bridge replacement, reconstruction, and maintenance fund shall be used to pay the costs associated with the operation and maintenance of the toll facility, and the replacement, reconstruction, maintenance, and operation of Rhode Island bridges on the National Highway System or any other use permitted under 23 U.S.C. § 129.*

***Federal limits on the use of revenue as set forth in 23 U.S.C. § 129***

***(a) (3) Limitations on use of revenues.—***

- (A) In general.—A public authority with jurisdiction over a toll facility shall ensure that all toll revenues received from operation of the toll facility are used only for—
- (i) debt service with respect to the projects on or for which the tolls are authorized, including funding of reasonable reserves and debt service on refinancing;
  - (ii) a reasonable return on investment of any private person financing the project, as determined by the State or interstate compact of States concerned;
  - (iii) any costs necessary for the improvement and proper operation and maintenance of the toll facility, including reconstruction, resurfacing, restoration, and rehabilitation;
  - (iv) if the toll facility is subject to a public-private partnership agreement, payments that the party holding the right to toll revenues owes to the other party under the public-private partnership agreement; and
  - (v) if the public authority certifies annually that the tolled facility is being adequately maintained, any other purpose for which Federal funds may be obligated by a State under this title.

## Chapter 2 Purpose and Need

### 2.1 Purpose

The purpose of the Project is to:

- Construct toll systems at Toll Locations 1 and 2; and
- Assess tolls on tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers at Toll Locations 1 and 2.

Constructing the toll systems, and allowing for the collection of tolls at Toll Locations 1 and 2, would support the funding of repairs to the Wood River Valley Bridge, the Tefft Hill Trail Bridges (northbound and southbound), and the Baker Pines Bridge. Revenue from the toll systems will be deposited in the Rhode Island bridge replacement, reconstruction, and maintenance fund and used to pay the costs associated with the operation and maintenance of the toll facility, and the replacement, reconstruction, maintenance, and operation of Rhode Island bridges on the National Highway System or any other use permitted under 23 U.S.C. § 129.

Criteria for evaluating whether the Project's purpose is met include:

- Consistency with RIDOT's Asset Management Approach and FHWA's National Performance Measure Targets for Bridge Condition;
- Consistency with Rhode Island's Financial Forecasts and Planning Assumptions;
- Consistency with RhodeWorks Legislation; and
- Compliance with 23 U.S.C. 129.

### 2.2 Need

The need for the Project is demonstrated by simultaneous challenges faced by RIDOT:

- Statewide backlog of infrastructure needs and structurally deficient bridges and the need to keep other bridges from becoming structurally deficient, including the bridges at Toll Locations 1 and 2;
- Bridges are critical functional elements in Rhode Island's transportation network, and a bridge's structural condition affects RIDOT's ability to provide for safe and efficient movement of people and goods in the state of Rhode Island; and
- RIDOT must meet FHWA national performance measure targets for bridge condition or face funding flexibility penalties; and
- Insufficient revenue available from existing state and federal sources to fund the reconstruction or replacement of Rhode Island transportation infrastructure, including the funding needs for the bridges at Toll Locations 1 and 2.

### ***Bridge Conditions at Toll Locations 1 and 2***

The bridges associated with Toll Locations 1 and 2 are the Wood River Valley Bridge, the northbound and southbound Tefft Hill Trail Bridges, and the Baker Pines Bridge.

The Wood River Bridge (Bridge No. 040401) carries I-95 over Mechanic Street and the Wood River. The bridge does not meet federal or state legal load capacity requirements, and contains critical findings on the bearings that required the installation of timber shoring to restore support to the concrete girders. The superstructure and substructure elements of the bridge are in fair to satisfactory condition. The underside of the concrete deck has areas of rust staining, cracks, and leakage. Girders have light to moderate scaling and random cracks. The reinforced concrete pier columns have random cracks. The proposed reconstruction and rehabilitation of these elements will extend the useful life of the existing structure and prevent more costly repairs in the future.

The Tefft Hill Trail Bridges (Bridge Nos. 059201 and 059221) carry I-95 over the Tefft Hill Trail. The bridges were deemed in need of replacement and both bridges are currently under construction. The new bridge is a buried precast concrete arch bridge with a reduced span length. The new bridge requires less inspection time and fewer maintenance needs in the future. The bridges exhibited significant deterioration of abutment stem walls and backwalls and the bridges outdated design details has led to an accelerated deterioration of precast and reinforced concrete elements. The bridges are over 50 years old and have exceeded their anticipated useful design life. Work on the bridges includes removing existing concrete beams, deck, and abutments and replacing with a buried precast concrete arch bridge with a reduced span length to meet the actual needs of the trail.

The Baker Pines Bridge (Bridge No. 059301) carries I-95 over RI Route 3 (Main Street/Nooseneck Hill Road) and does not meet legal load capacity requirements and is in overall poor condition. The existing bridge superstructure will be replaced and major rehabilitation is planned for the existing bridge substructure.

### ***Funding Gap to Support Necessary Bridge Improvements***

Numerous studies and legislative commissions have identified a funding gap between the revenue needed to maintain bridges in Rhode Island in a state of good repair and the annual revenue generated by current dedicated revenue sources (RI 2008, and RIDOA 2016). The 10 year RhodeWorks program was originally projected to cost roughly \$5 billion, with about 10 percent of revenue coming from tolls. The proposed action would comprise part of that revenue.

All revenue from RhodeWorks will be deposited into the Rhode Island bridge replacement, reconstruction, and maintenance fund and used to pay the costs associated with the operation and maintenance of the toll facility, and the replacement, reconstruction, maintenance, and operation of Rhode Island bridges on the National Highway System or any other use permitted under 23 U.S.C. § 129.

Revenue from tolling would allow for the completion of bridge projects and help RIDOT achieve its 90 percent sufficiency rating performance target within ten years. Without the toll revenue it

would take significantly longer, and be more costly to complete critically needed bridge reconstructions and replacements.

### ***Statewide Transportation Improvement Program***

Each state is required under 49 U.S.C. 5304(g) to develop a statewide transportation improvement program. Rhode Island meets this requirement through the *State of Rhode Island Transportation Improvement Program FFY 2017-2025* (STIP), adopted September 8, 2016, and amended January 31, 2017. The STIP includes projects and activities for the federally required four-year period and includes additional information on activities through 2025. All the activities in the STIP are supported by state and federal revenue sources. Federal regulation requires that activities within the first four years of the STIP be fiscally constrained. This means that the list of STIP projects may not exceed the anticipated funding that can reasonably be available over the four-year time period (RIDOA 2016). Toll revenue was one of the funding sources assumed in the fiscally constrained STIP and was projected using data developed by RIDOT.

### ***Federal Participation in Toll Roads***

Federal participation in toll roads, including reconstruction or replacement of a toll-free bridge and conversion of the bridge to a toll facility is established in 23 U.S.C. 129. Subject to the provisions of this section, federal participation is permitted on the same basis and in the same manner as construction of toll-free highways. Provisions outlined in 23 U.S.C. 129 include authorization of federal participation, ownership requirements, limitation on use of toll revenues, loans, and compliance with other federal laws. Before commencing any activity authorized under 23 U.S.C. 129, the State shall have a law that permits tolling. This provision was achieved with the passing of *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016*.

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## Chapter 3 Proposed Action

The Proposed Action involves two main components: (1) the construction of toll systems and (2) tolling operations, consisting of tolls on tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers at the associated bridges using all electronic tolling (AET).

### 3.1 Toll Systems

The Proposed Action includes construction of toll systems at Toll Locations 1 and 2 as listed in **Table 3-1**.

**Table 3-1. Toll Locations and Associated Towns and Roadways**

Toll Location Number	Town	Roadway
Toll Location 1	Hopkinton and Richmond	I-95
Toll Location 2	Exeter	I-95

The toll system at each proposed toll location would be located within the existing highway ROW and approximately 15–20 feet from the existing edge of pavement. Each toll location would consist of one or more gantries (**Photo 3-1**), conduit for both communication and electrical connections, a roadside cabinet on a concrete pad, and installation of additional guardrail. The cameras and detectors would be on the gantry that would span the roadway.

**Figure 3-1** through **Figure 3-4** at the end of this chapter show the location and features of Toll Locations 1 and 2.

The limit of disturbance (LOD) shown on the figures includes the area of direct impacts for any project-related work associated with construction of the tolling system, including paving, excavation, grading, trenching, staging, and utility connections at the two toll locations. Ground disturbance would be limited. The conduit would be installed either by direct bury methods or narrow trenching that would be back filled and seeded to match existing conditions. There would be a slight increase in impervious surface due to the concrete pad for the utility cabinets (approximately 50 square feet [SF] per toll location) and the gantry foundations (approximately 20 SF per gantry). Foundations for the gantries would be augured to minimize excavation and land disturbance, which would also minimize the potential for erosion. Compost Filter Socks (CFS) would provide erosion control and identify the LOD.



**Photo 3-1. Image of Typical Toll Gantry**

Source: Google; Rendering: Jacobs.

The area required for contractor's storage and staging would be located in managed areas of the roadway ROW near the gantry locations. These locations were chosen based on existing conditions and access. These areas would be used for the storage of equipment, gantry components, storage containers, a spill kit, small stockpiles of stone for foundation sub-base, electrical and communications cable, and extra erosion control materials. Grading or cutting of woody vegetation is not anticipated in these areas.

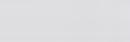
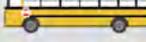
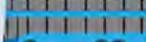
### 3.2 Tolling Operations

The AET system allows vehicles to pay the toll at highway speed. Tolls would not be paid with cash, but with RFID transponders (i.e., E-ZPass) or through video (i.e., license plate capture). As described in the *Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016*, tolls would be collected electronically on a tractor or truck tractor pulling a trailer. **Table 3-2** illustrates the vehicles subject to tolls.

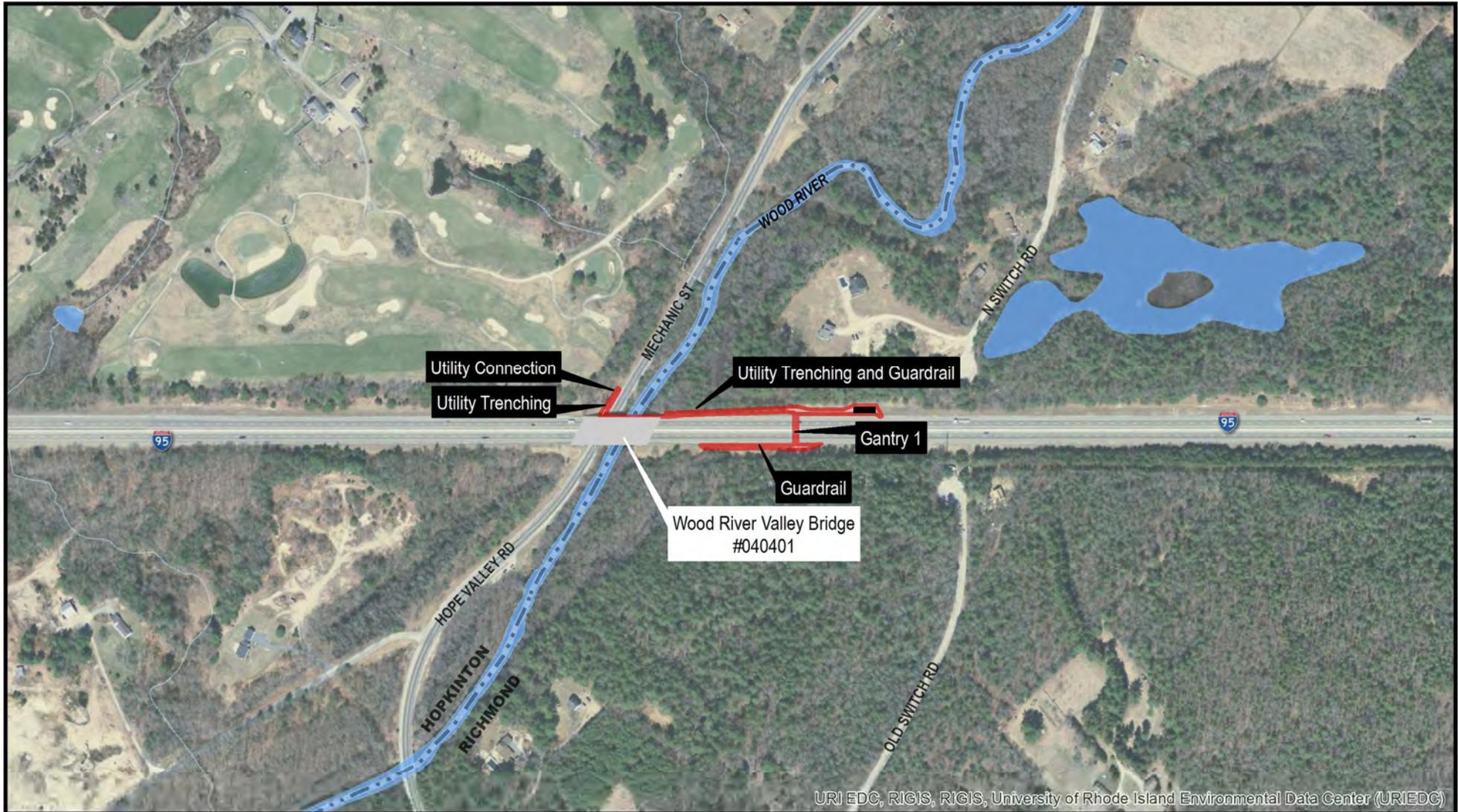
Although RIDOT has not approved specific toll rates for Toll Locations 1 and 2 at this time, for the purposes of this analysis a conservative range from \$3.50 to \$4.50 per toll location is assumed. In addition to the rates assigned to Toll Locations 1 and 2, the following limits on the assessments of tolls upon the same individual commercial truck using RFID will apply:

- Tolls are limited to once per toll facility, per day in each direction;
- Tolls are limited to a \$20 total for a border-to-border through trip on I-95 from Connecticut to Massachusetts; and
- Tolls will not exceed \$40 per day.

Table 3-2. Vehicles Subject to Tolls

GREY SHADING - NON TOLLED VEHICLES		WHITE SHADING - TOLLED VEHICLES	
<b>CLASS 1</b> Motorcycles 	<b>CLASS 5</b> Two Axle, Six Tire, Single Unit     	<b>CLASS 8</b> Four or Less Axle, Single Trailer      	<b>CLASS 10</b> Six or More Axle, Single Trailer  
<b>CLASS 2</b> Passenger Cars    	<b>CLASS 6</b> Three Axle Single Unit     	<b>CLASS 9</b> 5-Axle Tractor Semitrailer   	<b>CLASS 11</b> Five or Less Axle, Multi-trailer  <b>CLASS 12</b> Six Axle, Multi-trailer  
<b>CLASS 3</b> Four Tire Single Unit     	<b>CLASS 7</b> Four or More Axle Single Unit   	<b>CLASS 13</b> Seven or More Axle, Multi-trailer   	
<b>CLASS 4</b> Buses   			

Source: RIDOT



URI EDC, RIGIS, RIGIS, University of Rhode Island Environmental Data Center (URI EDC)

Prepared for:



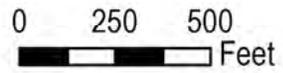
Prepared by:



**Legend**

- Limit of Disturbance
- Proposed Staging Area
- Municipal Boundary

**Toll Locations 1 and 2  
Environmental Assessment**



Data Sources:  
RIDOT, RIGIS  
Environmental Systems Research Institute

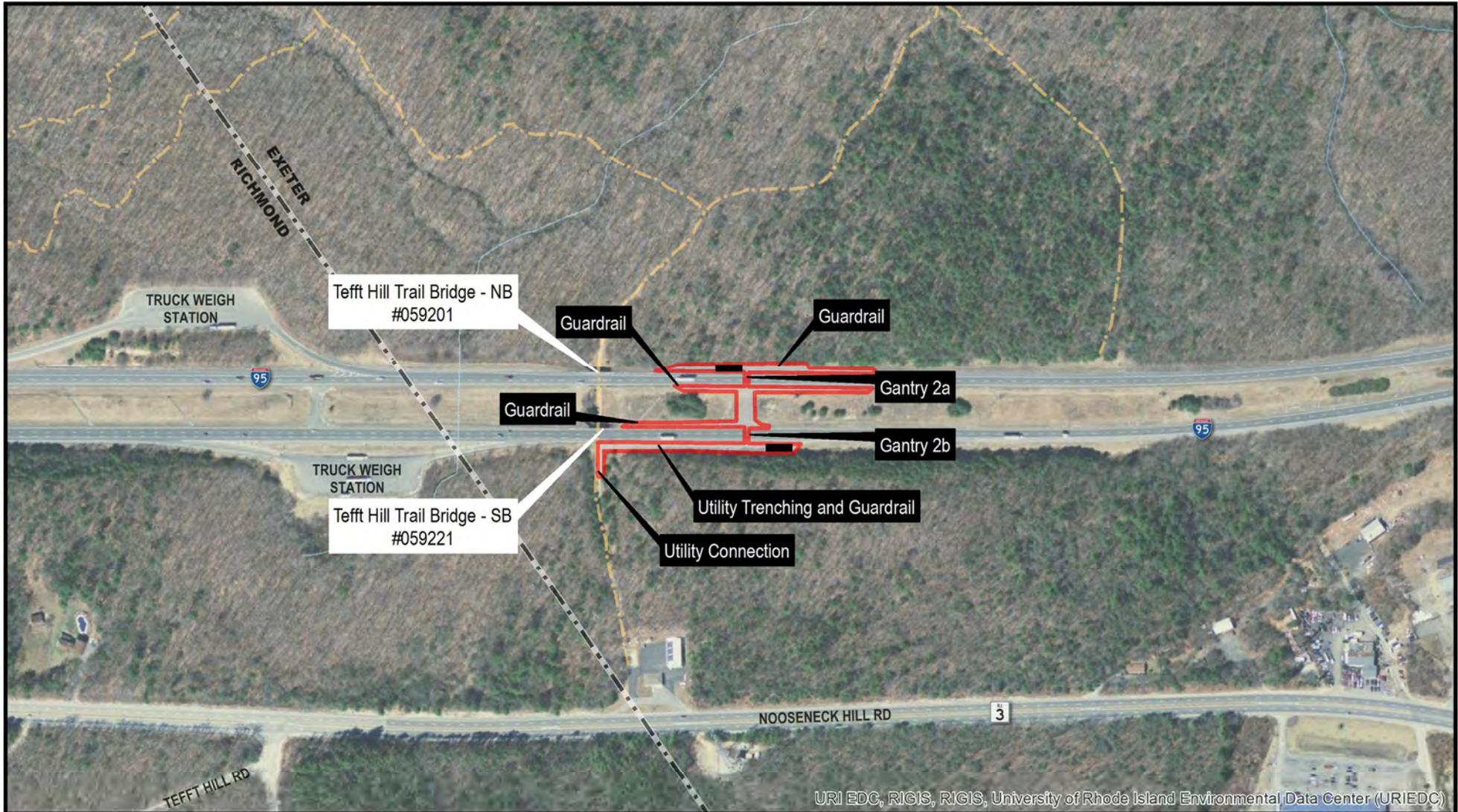
**TOLL LOCATION 1 AND GANTRY 1**

Hopkinton and Richmond, RI

Project Details

**FIGURE 3-1**





URI EDC, RIGIS, RIGIS, University of Rhode Island Environmental Data Center (URI EDC)

Prepared for:



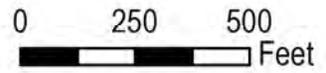
Prepared by:



**Legend**

- Limit of Disturbance
- Proposed Staging Areas
- Trail
- Municipal Boundary

**Toll Locations 1 and 2  
Environmental Assessment**



Data Sources:  
RIDOT, RIGIS  
Environmental Systems Research Institute

**TOLL LOCATION 2  
AND GANTRIES 2a, 2b**

Richmond and Exeter, RI

Project Details

**FIGURE 3-3**



## Chapter 4 Alternatives

This EA evaluates the No Action Alternative and the Proposed Action Alternative.

### 4.1 No Action Alternative

#### *Description of No Action Alternative*

Under the No Action Alternative, toll systems are not constructed at Toll Locations 1 and 2 and the associated bridges are reconstructed or replaced without toll revenue. Without toll revenue, the bridge projects would be delayed; the useful service life of each bridge would not be extended; and the bridges would be more costly to replace in future years.

#### *Consistency with RIDOT's Asset Management Approach*

The No Action Alternative is inconsistent with RIDOT's RhodeWorks program, which implements an asset management approach to achieving state of good repair in a cost effective manner that accounts for lifecycle costs, including the future costs of allowing assets to further deteriorate. The No Action Alternative is not consistent with RIDOT's approach to addressing FHWA's asset management requirements or meeting FHWA's national performance measure target of 90 percent structural sufficiency rating.

#### *Consistency with Rhode Island's Financial Forecasts and Planning Assumptions*

The No Action Alternative is not consistent with the State's financial forecasts and planning assumptions. Tolling has been assumed as part of the financial forecasts in the planning process and as the basis for meeting fiscal constraints for programmed transportation improvements, including work on the bridges associated with Toll Locations 1 and 2.

#### *Consistency with RhodeWorks Legislation*

The No Action Alternative is not consistent with RhodeWorks legislation and the intent of the Rhode Island Legislature and Governor to address the state's infrastructure needs and funding gap through the construction and operation of tolling systems.

#### *Compliance with 23 U.S.C. 129*

The No Action Alternative would not require compliance with 23 U.S.C. 129 since tolling would not be implemented.

#### *Does Not Meet Purpose and Need of Project*

The No Action Alternative does not meet the purpose and need of the Project. However, in accordance with NEPA, this EA carries it forward to provide a baseline from which to compare the relative merits and impacts of the Proposed Action Alternative.

## 4.2 Proposed Action Alternative

### *Description of the Proposed Action Alternative*

The Proposed Action Alternative was previously described in Chapter 3. This section describes how the alternative was developed and how it meets the purpose and need identified in Chapter 2.

### *Alternative Development*

Consistent with *American Association of State Highway and Transportation Officials Practitioner's Handbook No. 3: Managing the NEPA Process for Toll Lanes and Toll Roads* (AASHTO 2016), this EA may focus solely on a tolled alternative because:

- Tolling revenue is assumed in Rhode Island's state transportation planning process;
- Tolling revenue is the basis for meeting fiscal constraint of the STIP;
- Tolling is an element of the proposed Project's purpose and need; and
- Non-tolled alternatives were eliminated from consideration during the planning process.

The evaluation of alternative revenue sources to address Rhode Island's infrastructure needs has been previously evaluated during the process leading up to the passage of the RhodeWorks legislation. The revenue generated from Toll Locations 1 and 2 would be used to support the funding of necessary reconstruction or replacement of the Wood River Valley Bridge, the Tefft Hill Trail Bridges, and the Baker Pines Bridge as intended in the RhodeWorks legislation, and within the allowances of 23 U.S.C. 129.

### *Consistency with RIDOT's Asset Management Approach*

The Proposed Action Alternative is consistent with RIDOT's RhodeWorks program, which implements an asset management approach to achieving state of good repair in a cost effective manner that accounts for lifecycle costs, including the future costs of allowing assets to further deteriorate. The Proposed Action Alternative is consistent with RIDOT's approach to addressing FHWA's asset management requirements and meeting FHWA's national performance measure target of 90 percent structural sufficiency rating.

Rhode Island used an asset management approach to identify and develop a structured sequence of preservation, repair, rehabilitation, and replacement actions that would achieve a state of good repair. An asset management-based system of planning increases the emphasis on preservation and maintenance to keep assets in good condition, avoiding more expensive long-term costs. The STIP includes a "surge" of bridge reconstruction and preservation projects in the first five years of the program (RIDOA 2016). Asset management focuses on making the best investment decisions that would result in the best long-term benefit for the state's entire transportation network.

### ***Consistency with Rhode Island's Financial Forecasts and Planning Assumptions***

The Proposed Action Alternative is consistent with the State's financial forecasts and planning assumptions. Tolling has been assumed as part of the financial forecasts in the planning process as the basis for meeting fiscal constraints.

### ***Consistency with RhodeWorks Legislation***

The Proposed Action Alternative is consistent with RhodeWorks legislation and the intent of the Rhode Island Legislature and Governor to address the state's infrastructure needs and funding gap through the construction and operation of toll systems, such as at Toll Locations 1 and 2.

### ***Compliance with 23 U.S.C. 129***

The Proposed Action Alternative is compliant with 23 U.S.C. 129, including its provisions regarding federal participation, ownership, limitation on use of revenues, and compliance with federal laws, amongst others.

### ***Compliance with 23 CFR 771.111(f)***

The Proposed Action Alternative was developed and evaluated for consistency with FHWA regulations regarding logical termini, independent utility, and the consideration of alternatives of other reasonably foreseeable transportation improvements (23 CFR 771.111[f]).

### **Logical Termini**

Logical termini are the rational end points for a transportation improvement and the rational end points for a review of the environmental impacts. For the Proposed Action Alternative, the logical termini for transportation improvements are defined by the LOD of the toll systems. The termini for the review of environmental impacts include the LOD and the Diversion Route 1 corridor. Although no improvements are proposed for Diversion Route 1, this route and resources along the route are evaluated for indirect impacts that may result from drivers avoiding the tolls at Toll Locations 1 and 2. The Louis Berger Team defined primary diversion routes (such as Diversion Route 1) by first identifying roadway links that were projected to have their tractor trailer volume increase by more than 150 vehicles on daily basis under the tolled scenario. The Louis Berger Team selected this threshold based on the generally observed daily pattern of tractor trailer traffic. Applying the generally observed hourly distribution of tractor trailer volumes to the 150 daily diversion threshold results in a peak hourly volume of approximately 10 vehicles per hour. Any increase in tractor trailer traffic below this cutoff was deemed to be negligible given the typical statistical noise of route choice models. Therefore, Diversion Route 1 was identified as the primary diversion route for truck traffic avoiding Toll Locations 1 and 2 and its limits were considered as the logical termini (rational end points) for the review of environmental impacts.

While each toll location functions independently, as described below, this EA evaluates Toll Locations 1 and 2 together due to their proximity to each other and the likelihood of a common diversion route along RI Route 3 (Diversion Route 1). As per Louis Berger Toll Locations 1 and 2 Analysis, based on the isolated nature of Toll Locations 1 and 2 (relative to the toll locations

scattered around the rest of the state regional network of proposed toll routes), it is Louis Berger's finding that the estimated truck diversions under the base case scenario would be similar under a toll scenario where tolls were only applied to Toll Locations 1 and 2.

#### Independent Utility

The Project must have independent utility or independent significance. A project is considered to have independent utility if it would be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

Each toll location has independent utility and can be constructed and activated separately. Toll Locations 1 and 2 are being evaluated at this time because they each have independent utility. Additionally, the tolling software and gantry equipment can be activated and tolls can be collected at Toll Locations 1 and 2 independent of one another, and independent of other toll locations. Sufficient toll revenue is projected to be generated at Toll Locations 1 and 2 that they are usable and a reasonable expenditure even if no additional toll systems are constructed.

#### Not Restrict the Consideration of Alternatives for Other Transportation Improvements

Improvements associated with the Proposed Action Alternative are limited to toll system construction within the I-95 ROW at Toll Locations 1 and 2. Future and ongoing improvements to the bridges and I-95 mainline at Toll Locations 1 and 2 were considered in the design and location of the toll systems. The Proposed Action does not include any other improvements, including to infrastructure along the Diversion Route 1 corridor, and therefore would not restrict the consideration of alternatives for any reasonably foreseeable transportation improvements to I-95, the bridges, or other infrastructure along the Diversion Route 1 corridor.

#### ***Meets the Purpose and Need of Project***

The Proposed Action Alternative meets the stated purpose and need of the Project. The Proposed Action implements tolling at Toll Locations 1 and 2 as intended by the State Legislature; is consistent with RIDOT's asset management approach for addressing FHWA's asset management requirements and national performance measures for bridge condition, statewide financial forecasts, and planning assumptions; is compliant with 23 U.S.C. 129; demonstrates logical termini and independent utility; and does not restrict the consideration of alternatives for other transportation improvements.

## Chapter 5 Affected Environment

### 5.1 Introduction

This chapter describes the environment of the areas potentially affected, either directly or indirectly, by the Proposed Action. With the implementation of toll systems at Toll Locations 1 and 2, it is expected that some drivers would divert to alternate routes to avoid the tolls. Therefore, an inventory of the natural, cultural, and socioeconomic setting of the LOD as well as the potential diversion route (Diversion Route 1) is presented. This information provides a baseline to assess permanent and temporary, direct and indirect impacts from implementation of the Proposed Action Alternative as compared with the No Action Alternative. The LOD includes the area of direct impacts from any project-related work associated with construction of the toll system, including paving, excavation, grading, trenching, staging, and utility connections at Toll Locations 1 and 2. For most environmental categories evaluated, the environmental study area equates with the LOD. For a few environmental categories (e.g., environmental justice, traffic, and air quality) the affected environment study area extends out from the LOD to match existing data sources and units of measurement and analysis.

The affected environment for indirect impacts associated with traffic diversions from Toll Locations 1 and 2 are described for portions of RI Route 3. As previously discussed in Chapter 1, RI Route 3 has been identified as a likely diversion route and is referred to as Diversion Route 1 in this EA. **Figure 5-1** through **Figure 5-6** at the end of this chapter illustrate the characteristics within and adjacent to Toll Locations 1 and 2 and along Diversion Route 1.

Environmental categories to be considered in the EA were identified after a review of relevant FHWA guidance documents, literature searches, a review of environmental data through the Rhode Island Geographic Information System (RIGIS) and other community GIS data available online, and after coordination with RIDOT staff. Site investigations and interviews with town and community officials were also used to identify the affected environment. Chapter 7 describes the opportunities for public input.

**Table 5-1** summarizes the resources and regulations that have been reviewed, whether the resources are present within or near the Project, if they may be affected by the Project, and rationale for that determination. Resources that are either not present, or are present but would not be affected, are not discussed further in this EA unless noted otherwise. Resources that are present and may be affected are analyzed in further detail in this section of this document.

**Table 5-1. Summary of Resources Considered**

<b>Resource Category</b>	<b>Present (Yes/No)</b>	<b>Potential to be Affected (Yes/No)</b>	<b>Applicable Regulations or Policies</b>	<b>Rationale for Determination</b>
Land Use	Y	Y	Rhode Island Comprehensive Planning and Land Use Act of 1988, and other local land use and comprehensive plans; 14 CFR Part 77.9 (Notice of Proposed Construction or Alteration)	The Project is entirely within existing ROW, but there is the potential for indirect affects related to induced traffic and development. In addition, the nearest airport to the Project is the Richmond Airport.
Transportation Network	Y	Y	23 U.S.C. 129, Rivers and Harbors Act Section 408	Tolls would be constructed along I-95 and a potential diversion may result along RI Route 3. There are no dams located within or adjacent to the Project.
Farmland/Soils	Y	N	Farmland Protection Policy Act	Prime and/or statewide important farmland is located adjacent to Toll Location 1 and in areas along Diversion Route 1. However, the Project is entirely within existing ROW. The analysis is disclosed within this EA.
Wetlands and Other Waters of the U.S. and State	Y	Y	Clean Water Act (Sections 401, 402, and 404), Rivers & Harbors Act Section 10, General Bridge Act, Executive Order 11990, Rhode Island Freshwater Wetlands Act	Waters of the U.S. and State were identified within the survey area. No jurisdictional wetlands or other waters of the U.S. or navigable waters were identified within the LOD. However, a 50-foot Perimeter Wetland or 200-foot Riverbank Wetland was identified in the LOD at Toll Location 1.
Coastal Zone	Y	N	Coastal Zone Management Act	The entire state is within the coastal zone; however, the Project is located in an unregulated area of the coastal zone.
Floodplains	Y	N	Executive Order 11988 and Executive Order 13690	Portions of the Project are located within the floodplain of Wood River and other waterways. Work along the Wood River floodplain is above the floodplain elevation. No ground disturbance along Diversion Route 1 is proposed.

**Environmental Assessment  
Toll Locations 1 and 2**

<b>Resource Category</b>	<b>Present (Yes/No)</b>	<b>Potential to be Affected (Yes/No)</b>	<b>Applicable Regulations or Policies</b>	<b>Rationale for Determination</b>
Groundwater Resources, Aquifers, and Reservoirs	Y	Y	Safe Drinking Water Act, Chapter 42-35 pursuant to Chapters 46-12 and 42-17.1 of the Rhode Island General Laws of 1956, as amended	The Project is located within the Pawcatuck Aquifer and would result in a negligible increase in impervious surface. There are no reservoirs within or near the Project.
Open Space, Section 4(f), and Section 6(f) Properties	Y	Y	23 CFR 774 (Section 4(f)), Land and Water Conservation Act, and applicable local plans	The Project is in the vicinity of, or adjacent to, several open space parcels and other potential Section 4(f) properties such as historic resources. There are no Section 6(f) properties.
Wild, Scenic and Recreational Rivers	Y	N	Wild and Scenic Rivers Act	There are no wild, scenic or recreational rivers in the state of Rhode Island; however, the Wood River is currently under assessment for designation. No in-water work is proposed at Wood River.
Federal Threatened & Endangered Species, State Natural Heritage Species, and Migratory Birds	Y	Y	Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, Magnuson Stevens Fisheries Conservation Management Act	The Project is within the range for northern long-eared bat and is located adjacent to several Natural Heritage Areas.
Historic and Archeological Resources	Y	Y	National Historic Preservation Act, Native American Graves Protection and Repatriation Act, Executive Order 13175	There is one historic candidate within the Area of Potential Effects along I-95. Two historic districts and four individual historic properties are located along Diversion Route 1. The field review also noted numerous unevaluated properties that may be eligible for listing in the National Register of Historic Places.
Environmental Justice	N	N	Executive Order 12988, FHWA Order 6640.23A	No low-income or minority populations were identified within the Project. The analysis is disclosed within this EA.

**Environmental Assessment  
Toll Locations 1 and 2**

<b>Resource Category</b>	<b>Present (Yes/No)</b>	<b>Potential to be Affected (Yes/No)</b>	<b>Applicable Regulations or Policies</b>	<b>Rationale for Determination</b>
Social	Y	Y	Uniform Relocation and Real Property Acquisition Act, 40 CFR 1502.1, 40 CFR 1508.27	There are community facilities located within 0.5-mile from Toll Locations 1 and 2 and adjacent to Diversion Route 1. Additionally, modifications to traffic operations can affect traffic patterns and community cohesion.
Visual Resources	Y	Y	Wild and Scenic Rivers Act	The Project is located generally within a rural setting and the construction of gantries has the potential to alter the setting.
Air Quality	Y	Y	Clean Air Act	The Project is located in an area classified as in moderate nonattainment for 2008 8-hour ozone standard. Additionally, changes to traffic patterns have the potential to affect air quality.
Noise / Vibration	Y	Y	FHWA Noise Policy (23 CFR 772)	There are sensitive receptors (e.g., residences) located within or adjacent to the Project. Use of Diversion Route 1 could alter existing noise and vibration conditions.
Hazardous Materials	Y	Y	Resource Conservation and Recovery Act; Comprehensive Environmental Response, Compensation, and Liability Act	No hazardous materials sites were identified near Toll Locations 1 and 2; however, several underground storage tanks and Site Investigation & Remediation sites are adjacent to Diversion Route 1.

## 5.2 Land Use

Rhode Island supports planning by cities and towns. Rhode Island’s 1988 Comprehensive Planning and Land Use Act recognizes that municipalities make most development and land use decisions within their jurisdiction. Rhode Island has a reciprocal system of land use planning in which the State sets broad goals and policies, and municipalities outline local goals in a community comprehensive plan. The goals and policies in local comprehensive plans must be consistent with the goals of the State.

Local comprehensive plans provide the basis for land use regulation and implementation in Rhode Island. Local comprehensive plans are reviewed by the State and, when approved, become binding on state agencies by requiring conformance of their programs and projects to the

local comprehensive plan. Community planning reinforces the municipalities' role in achieving the goals of the State. Municipalities must adopt plans that implement local goals and help implement goals identified in the State Guide Plan, and include small towns with populations between 6,400 and 8,200 according to the 2010 U.S. Census.

### ***5.2.1 Toll Locations 1 and 2***

Land use along the southern stretch of I-95 in the vicinity of Toll Locations 1 and 2 primarily includes medium-to-low-density residential, undeveloped, open space and recreational areas (see **Figure 5-1** and **Figure 5-2** at the end of this chapter). Adjacent land uses include the Fenner Hill Country Club and Golf Course, boat access to the Wood River, and low density (3 acre minimum) residential use in the towns of Hopkinton and Richmond. In Exeter, Toll Location 2 is adjacent to the Arcadia Management Area and the Tefft Hill Trail access. The nearest airport to the Project is approximately four miles east of Toll Location 1 and five miles southeast of Toll Location 2.

### ***5.2.2 Diversion Route 1***

Parcels along the RI Route 3 corridor between Exit 2 in Hopkinton and Exit 5 in Exeter are zoned for residential, open space, commercial and industrial uses. **Photo 5-1** through **Photo 5-6** are representative of existing land use along RI Route 3, and do not represent an exhaustive inventory. Hopkinton's Comprehensive Plan articulates land use and development goals for the next five-plus years, including a key goal to preserve Hopkinton's rural character and villages. Strategies include concentrating development at I-95 interchanges (Exits 1 and 2) and maintaining a 20,000 SF minimum lot size that predominate the area. The Future Land Use map in the plan shows land uses in and near the Project that are expected to change, including:

- Manufacturing is shown on the golf course parcel west of I-95;
- Open space/conservation land supplants the low-density residential east of I-95 and south of Switch Road; and
- Commercial and residential uses are concentrated around Exit 2.

Richmond's Comprehensive Plan articulates the town's desire to preserve its open space and natural resources. The plan recommends evaluating corridors and streets to protect and potentially designate scenic districts and recommends inventorying important views and vistas to protect. Accommodating growth over the next 20 years was a major concern during the master plan process, and the plan clearly identifies potential growth areas. Targeted areas for development are those served by existing infrastructure, including the area around Exit 3 and at the village of Wyoming.

In Exeter, the town has focused on managing future growth and preserving the rural character and existing quality of life. They are also focused on maintaining working farms and forests, minimizing negative impacts of increased traffic, and encouraging village-style development. Village-style development near Diversion Route 1 is also being considered.



**Photo 5-1. Hopkinton: On RI Route 3, west of Hope Valley**  
Facing northeast—Residential use  
Source: Google



**Photo 5-2. Hopkinton: On RI Route 3/Main St, Hope Valley**  
Facing east—Commercial and residential uses  
Source: Google



**Photo 5-3. Hopkinton: On RI Route 3/Main St, east of Bank St**  
Facing southeast—Commercial and residential uses  
Source: Google



**Photo 5-4. Richmond: On RI Route 3, west of Wyoming**  
Facing southwest—Residential use  
Source: Google



**Photo 5-5. Richmond: On RI Route 3, Wyoming, east of Cabot Lane**  
Facing northeast—Residential use  
Source: Google



**Photo 5-6. Exeter: On RI Route 3, east of RI Route 165**  
Facing north—Commercial and residential uses  
Source: Google

### **5.3 Transportation Network**

This section describes the transportation network and infrastructure assets along the stretch of I-95 where the bridges associated with Toll Locations 1 and 2 are located as well as along the Diversion Route 1 corridor.

### **5.3.1 Toll Locations 1 and 2**

Toll Locations 1 and 2 are located along segments of I-95, in the southern part of Rhode Island. Access on and off I-95 is provided by ramps at interchanges north and south of the toll locations. I-95 is a limited-access highway and part of the Interstate Highway System. Interstates are characterized by controlled access with no signals or at-grade intersections and access is provided by ramps at interchanges. I-95 runs north and south from Hopkinton at the Connecticut border to Pawtucket along the Massachusetts border. The southern stretch of I-95 has two travel lanes in each direction. Average Daily Traffic (ADT) on I-95 is approximately 50,000 in the less developed southern areas. ADT is the average number of vehicles passing in both directions along a section of a roadway. The Project is located between Exits 2 and 5. Toll Location 1 is approximately 1 mile northeast of Exit 2 on I-95. Toll Location 2 is approximately 3.5 miles south of Exit 5 on I-95.

### **5.3.2 Diversion Route 1**

The roadway and bridges along Diversion Route 1 have been inventoried. Any infrastructure features discussed below are also identified on **Figure 5-3**.

The segment of RI Route 3 that comprises Diversion Route 1 is approximately 9 miles in length, between I-95 Exit 2 and I-95 Exit 5. Most of Diversion Route 1 is a two-lane roadway with narrow shoulders of varying width. North of where RI Route 3 passes under the Baker Pines Bridge (Bridge No. 059301), RI Route 3 transitions to a four-lane roadway with wider shoulders.

A tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers using Diversion Route 1 would exit I-95 southbound at Exit 5 and re-enter I-95 at Exit 2. To avoid the toll location northbound on I-95 the vehicle would exit I-95 at Exit 2 in Hopkinton and proceed north along Woodville Alton Road to RI Route 3 (Main Street/Nooseneck Hill Road), then north along RI Route 3 to RI Route 102 in Exeter and re-enter I-95 at Exit 5.

Infrastructure assets along Diversion Route 1 include two bridges on RI Route 3: the Wyoming Bridge over the Wood River and the Hope Valley Bridge over Brushy Brook. The Canonchet Road Bridge carries Woodville Alton Road over I-95 near Exit 2.

#### **Wyoming Bridge (Bridge No. 004501)**

The Wyoming Bridge carries RI Route 3 over the Wood River, which forms the boundary between the towns of Richmond and Hopkinton. The bridge deck and substructure is rated as fair and the superstructure is rated as poor according to the April 25, 2017 Bridge Inspection Report. The posted speed limit at the bridge is 25 miles per hour (mph). There are no weight restrictions and the inventory load ratings are above statutory limits.

#### **Hope Valley Bridge (Bridge No. 004601)**

The Hope Valley Bridge carries RI Route 3 over Brushy Brook in Hopkinton. The bridge superstructure is rated as fair, and the substructure is rated as satisfactory according to the April 18, 2017 Bridge Inspection Report. This bridge is programmed for rehabilitation due to structural deterioration and/or inadequate strength. The posted speed limit at the bridge is 25 mph. There

are no weight restrictions and inventory load ratings are above statutory limits. Temporary barriers have been installed for pedestrian/vehicle safety due to the deterioration of the sidewalk and insufficient curb reveal.

### **Canonchet Bridge (Bridge No. 056701)**

The Canonchet Bridge carries Woodville Alton Road in Hopkinton over I-95. The bridge requires rehabilitation due to structural deterioration and/or inadequate strength, according to the December 15, 2015 Bridge Inspection Report. The existing condition of the bridge deck is fair, with the superstructure and substructure also fair. In the summer of 2017, as part of the statewide resurfacing contract, Woodville Alton Road was resurfaced with geometric improvements including curb replacement, replacement of concrete medians with grass, and pavement resurfacing. Bridge repair work is scheduled to begin in the fall of 2017 and consists of joint repairs, other bridge repairs, and repaving the bridge deck. There are no restrictions on the bridge.

## **5.4 Farmland/Soils**

The U.S. Department of Agriculture-Natural Resources Conservation Service (NRCS) and the Rhode Island Department of Administration's Division of Planning have identified lands in Rhode Island that have a combination of physical and chemical features that make them best suited for farming. In addition, the Farmland Protection Policy Act (FPPA) is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a federal agency or with assistance from a federal agency.

### **5.4.1 Toll Locations 1 and 2**

There are mapped prime farmlands or soils of statewide importance at Toll Location 1, adjacent to the I-95 ROW. There are no mapped prime farmlands or soils of statewide importance at, or adjacent to Toll Location 2. The statewide mapped soil units are included on **Figure 5-1** at the end of this chapter.

### **5.4.2 Diversion Route 1**

The statewide mapped soil units in the vicinity of Diversion Route 1 were reviewed. Several areas adjacent to the roadway are mapped as either prime farmland or soils of statewide importance. These areas are mostly adjacent to the southern section of RI Route 3, south of RI Route 138, and adjacent to the northern stretch near RI Route 102. Since no construction is proposed along the road, and there is no potential for impacts, the mapped soils are not illustrated on the environmental resource figure.

## **5.5 Wetlands and Other Waters of the U.S. and State**

Under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged and fill materials into waters of the U.S. As defined in 33 CFR 328.3, these waters generally include wetlands and other waters, such as intrastate lakes, rivers, streams, mudflats, and tributaries to those waters. The United States Environmental

Protection Agency (EPA) shares responsibility over waters of the U.S., with the USACE overseeing the Section 404 permit program. In addition, Executive Order 11990 directs federal agencies to observe a “no net loss” of wetlands in order to “minimize the destruction, loss, or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands.”

The U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory maps of Rhode Island and RIGIS data files were used to initially locate potential wetland resources within or adjacent to the LOD. Federal and/or state jurisdictional wetland areas were then field delineated within a survey area comprised of the LOD and extending 200 feet beyond the LOD. Because no improvements are planned for Diversion Route 1, no wetland delineations were performed for this route. The wetland delineation was conducted in accordance with the U.S. Army Corps of Engineers *Wetland Delineation Manual* (USACE 1987), the *Regional Supplement to the Manual Northcentral & Northeast Regions* (USACE 2012), and the *Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act* (RIDEM 2014).

### **5.5.1 Toll Locations 1 and 2**

Wetland resources within the survey area include both federal and state freshwater jurisdictional wetlands as well as the Wood River. Within the LOD, only state jurisdictional wetlands were identified. A portion of the LOD is adjacent to or within state jurisdictional 50-foot Perimeter Wetland or 200-foot Riverbank Wetland (Jacobs 2017d). Wetland resource areas based on the RIGIS data layer are depicted on **Figure 5-1** and **Figure 5-2**.

State jurisdictional wetland areas within the LOD generally consist of roadway shoulder and managed areas as illustrated in **Photo 5-7**. State jurisdictional wetland areas are shown on the Base Technical Concept **Figure 3-2** and **Figure 3-4** in Chapter 3. Additional information on the field delineation of wetlands is provided in the wetland memos located in **Appendix B**.

### **5.5.2 Diversion Route 1**

As illustrated on **Figure 5-4**, there are several wetland areas adjacent to RI Route 3, including some wetlands associated with the Wood River and Brushy Brook. Because no field delineation was performed, it is unknown if these aquatic features are jurisdictional waters of the U.S. and/or State. However, it is assumed that the Wood River and Brushy Brook are jurisdictional waters of the U.S. and State.



**Photo 5-7. I-95 SB Toll Location 1 Riverbank Wetland**

Looking toward Wood River Valley Bridge, area of trenching within State 200-foot Riverbank Wetland.

Source: Jacobs

## 5.6 Floodplains

Executive Order 11988 requires federal actions to avoid or minimize impacts to the 100-year floodplain. Floodplain areas within or near the Project were determined by referencing the 2015 Federal Emergency Management Agency (FEMA) National Flood Hazard Layer from RIGIS (RIGIS 2017).

### 5.6.1 Toll Locations 1 and 2

As shown on **Figure 5-1** at the end of this chapter, a portion of the LOD is located within the floodplain associated with the Wood River. FEMA has mapped this floodplain as Zone AE, which means it is an area with a one percent annual chance of flooding and has an identified base flood elevation. While located within the floodplain, the I-95 roadway is well above the floodplain elevation.

### 5.6.2 Diversion Route 1

Diversion Route 1 crosses floodplains (Zone AE) associated with the Wood River (see **Figure 5-4**).

## 5.7 Groundwater Resources, Aquifers, and Reservoirs

Groundwater resources important for community and non-community drinking water are located throughout the state. The Rhode Island Department of Environmental Management (RIDEM) Office of Water Resources administers programs that address groundwater protection. RIDEM classifies the state's groundwater resources and establishes groundwater quality standards for

each class. Approximately two-thirds of the state's municipalities rely on groundwater to a significant degree as a source of drinking water. The EPA has designated four sole source aquifers in Rhode Island: Block Island, Pawcatuck, Hunt-Annaquatucket-Pettaquamscutt, and Jamestown. The LOD and Diversion Route 1 are within the Pawcatuck Aquifer.

The Pawcatuck Aquifer is a 295-square mile watershed located primarily in southwestern Rhode Island and partially in southeastern Connecticut. The aquifer encompasses part or all of ten towns in Rhode Island and portions of four towns in Connecticut. It was designated as a Sole Source Aquifer (SSA) by EPA in 1988. Within this SSA, areas are designated as Primary Protection Zones and Wellhead Protection Areas. A Wellhead Protection Area is a surface and subsurface land area regulated to prevent contamination of a well or well-field supplying a public water system. RIDEM sets a high priority for source control and remediation efforts in Wellhead Protection Areas. In addition, any projects receiving federal funds that are proposed within the Pawcatuck Basin are subject to EPA review to reduce the risk of groundwater contamination.

No reservoirs are located within or near the Project.

#### **5.7.1 Toll Locations 1 and 2**

Toll Locations 1 and 2 are within the Pawcatuck SSA in the southern part of the state. The Project is within a Primary Protection Zone; however, Toll Location 1 is not within a community or non-community Wellhead Protection Area. At Toll Location 2, a portion of the work is within a non-community Wellhead Protection Area.

#### **5.7.2 Diversion Route 1**

As illustrated on **Figure 5-4**, Diversion Route 1 is within the Pawcatuck SSA and there are several Wellhead Protection Areas in the area.

### **5.8 Open Space, Section 4(f), and Section 6(f) Properties**

Open space areas include locally protected conservation land and are frequently part of a subdivision approval.

Section 4(f) of the U.S. Department of Transportation Act of 1966 established the requirement for consideration of park and recreational lands, wildlife and waterfowl refuges, and historic sites in transportation project development. The law, now codified in 49 U.S.C. 303 and 23 U.S.C. 138, is implemented by FHWA through their regulations at 23 CFR 774. Section 4(f) properties include significant, publicly-owned parks, recreation areas, and wildlife or waterfowl refuges, or any publicly- or privately-owned historic site that is listed in or eligible for listing in the National Register of Historic Places (National Register).

Use of a Section 4(f) property occurs: (1) when land is permanently incorporated into a transportation facility; (2) when there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose; or (3) when there is a constructive use (a project's proximity impacts are so severe that the protected activities, features, or attributes of a property are substantially impaired). Use of a Section 4(f) property cannot be approved by FHWA unless the use is *de minimis* or FHWA determines there is no feasible and prudent alternative that

completely avoids the property and the project includes all possible planning to minimize harm to the property.

For significant, publicly-owned parks, recreation areas, wildlife and waterfowl refuges, and historic sites, a *de minimis* impact is one that would not adversely affect the activities, features, or attributes of the property. A *de minimis* impact determination does not require analysis to determine if avoidance alternatives are feasible and prudent, but consideration of avoidance, minimization, mitigation or enhancement measures should occur.

The Land and Water Conservation Fund (LWCF) Program provides matching grants to states and local governments for the acquisition and development of public outdoor recreation areas and facilities. Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with LWCF funds be coordinated with the Department of Interior. Usually replacement in kind is required. There are no parks acquired with LWCF funds in the vicinity of the LOD for Toll Locations 1 and 2, or Diversion Route 1.

### **5.8.1 Toll Locations 1 and 2**

The Project is in the vicinity of, or adjacent to, several open space parcels. Examples of some of these areas are listed below and all parcels are identified on **Figure 5-1** and **Figure 5-2**.

- There are two open space parcels off Mechanic Street, along the Wood River in Hopkinton; one upstream and one downstream of the bridge near proposed Toll Location 1. The Switch Road Canoe Access parcel, located southwest of the Wood River Valley Bridge, has a paved area for parking and a short gravel path leading down to the river; and
- At 14,000 acres, the Arcadia Management Area is the state's largest recreational area and is adjacent to I-95 at Toll Location 2. The Tefft Hill Trail, located in the southern reaches of the Arcadia Management Area, passes under I-95 at Toll Location 2.

As discussed further in Section 5.11, there is one known historic candidate site, the Tefft Hill Trail Natural District, located near Toll Location 2. Depending on eligibility for listing on the National Register, this resource may qualify as a Section 4(f) property.

### **5.8.2 Diversion Route 1**

Similar to Toll Location 2, Diversion Route 1 is adjacent to the Arcadia Management Area. Trailhead parking is located off RI Route 3 near the Baker Pines Bridge and at the state garage on RI Route 3, as indicated on **Figure 5-4**. As discussed further in Section 5.11, there are two aboveground historic districts and four individual properties listed in, determined eligible, or potentially eligible for listing in the National Register.

## **5.9 Wild, Scenic, and Recreational Rivers**

The National Wild and Scenic Rivers System was created by Congress in 1968 (Public Law 90-542; 16 U.S.C. 1271 *et seq.*) to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. The National Park Service (NPS) is one of the four federal land management agencies with Wild and Scenic River management responsibilities.

### 5.9.1 Toll Locations 1 and 2

The tolling system at Toll Location 1 is near the Wood River in Hopkinton (**Photo 5-8**). The Wood River is one of five rivers in the Wood-Pawcatuck Watershed that is the subject of a Wild and Scenic River Study authorized by Congress. The Wood River is 27 miles long and a major tributary of the Pawcatuck River. As it passes under I-95, the Wood River flows within a stone-lined channel, a result of the construction of I-95. As was typical of the time, construction of I-95 at this location included re-routing and straightening the Wood River to reduce the length of the bridge span.

The Wood-Pawcatuck Watershed Protection Act was passed on December 12, 2014 by the U.S. Congress and requires the NPS to complete a study to assess whether the Wood, Pawcatuck, Beaver, Chipuxet, and Queen Rivers meet the standards to be included in the National Wild and Scenic Rivers System. The watershed includes parts of both Connecticut and Rhode Island. A Wild and Scenic Rivers Study Committee has been formed and is charged with identifying the values that make the Wood River, as well as the other aforementioned rivers, meet the Wild and Scenic criteria. The committee includes town representatives (individuals appointed by towns) and representatives of public agencies. As part of the process toward designation, the committee will develop a management plan to protect those values. Wild and Scenic River designation includes protection of water quality, historic, cultural, and recreational values. The Wood-Pawcatuck Watershed Association is coordinating the study and serves as the fiscal agent for NPS.

The *Wild and Scenic River Reconnaissance Survey of the Wood-Pawcatuck Watershed* (NPS 2013) provided a preliminary assessment of the eligibility and suitability of the Wood-Pawcatuck River as a candidate for a Wild and Scenic designation according to criteria established under the Wild and Scenic Rivers Act.



**Photo 5-8. View of I-95 Bridge Crossing the Wood River**

Source: RIDOT

### **5.9.2 Diversion Route 1**

RI Route 3 crosses the Wood River and is within the watershed of this river. See discussion above in Section 5.9.1.

## **5.10 Federal Threatened or Endangered Species, State Natural Heritage Species, and Migratory Birds**

The Endangered Species Act (ESA) provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found. Under Section 7 of the ESA, federal agencies, in consultation with the USFWS and/or the National Oceanic and Atmospheric Administration National Marine Fisheries Service, must ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated critical habitat of such species. The law also prohibits any action that causes the "take" of any listed threatened or endangered species. "Take" is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct."

Pursuant to the Migratory Bird Treaty Act (MBTA) of 1918, federal law prohibits the taking of migratory birds, their nests, or their eggs (16 U.S.C. 703). In 1972, the MBTA was amended to include protection for migratory birds of prey (e.g., raptors). The USFWS enforces the MBTA (16 U.S.C. 703–711).

RIDEM is responsible for approving lists of plant and animal species that are of conservation interest in Rhode Island. Natural Heritage Areas (NHA) are estimated habitat and range of rare species and noteworthy natural communities in Rhode Island.

### **5.10.1 Toll Locations 1 and 2**

Consultation with the USFWS was initiated through a request for an official species list using the *Information for Planning and Consultation* (IPaC), an on-line project planning tool. The official species list was provided by the New England Ecological Services Field Office in Concord, New Hampshire (**Appendix C**).

The only federally-listed species identified with the potential to occur within or near the Project is the northern long-eared bat (*Myotis septentrionalis*, [NLEB]), whose range covers the entire state of Rhode Island. Due to declines caused by white-nose syndrome and continued spread of the disease, the NLEB was listed as threatened under the ESA on April 2, 2015. No designated critical habitat is located within or near the Project.

No nest surveys have been conducted for migratory birds. However, based on a review of IPaC data, suitable habitat does exist for migratory bird species within or near the Project. Within or near the Project, the greatest likelihood for migratory bird species is along riparian corridors such as those found along the Wood River. While habitat may exist within the Project, due to its proximity to an active transportation corridor (i.e., I-95) that is regularly maintained through mowing and other maintenance activities, habitat is unlikely to be high quality.

As shown on **Figure 5-4**, Toll Location 1 is within NHA 214, mapped by RIDEM, which indicates the potential presence of state species of conservation interest.

### **5.10.2 Diversion Route 1**

As discussed above, the entire state of Rhode Island is within the range of the NLEB, including Diversion Route 1. Suitable habitat for migratory bird species is also located adjacent to Diversion Route 1. Three NHAs are mapped in the vicinity of Diversion Route 1 as shown on **Figure 5-4**.

## **5.11 Historic and Archeological Resources**

Section 106 of the National Historic Preservation Act of 1966 as amended (NHPA) requires federal agencies to consider the effects of undertakings on historic properties listed in or eligible for inclusion in the National Register. At the state level, the Project is subject to the Rhode Island Historic Preservation Act of 1968. RIDOT and FHWA initiated the Section 106 consultation process.

The Public Archaeology Laboratory, Inc. (PAL) prepared a Technical Memorandum for each toll location and for Diversion Route 1. The memoranda present the findings of a due diligence review. The purpose of the review was to identify known historic architectural properties and archeological sites, and to assess the potential for unidentified archeological sites that might be affected by the Project within the Area of Potential Effect (APE). The memoranda are on file with RIDOT.

In accordance with 36 CFR 800.16(d), the Project's APE is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist." A historic property is defined as "any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior" (36 CFR 800.16[1]). The APE was defined for the Project based on the potential for effect, which may differ for aboveground resources (historic structures and landscapes) and subsurface resources (archeological sites). The APE established for the purposes of the identification effort was defined to provide information about the types, nature, and distribution of resources located within the vicinity of Toll Locations 1 and 2 and Diversion Route 1.

### ***5.11.1 Toll Locations 1 and 2***

#### **Toll Location 1**

For archeological resources, the APE is a linear corridor 160 feet wide and 1,000 feet long (centered on the existing concrete median double-faced barrier). The APE encompasses the area of proposed direct impacts associated with construction of the gantry, installation of conduits along I-95 southbound and north along Mechanic Street, electrical cabinets, guardrail, and construction staging area. For aboveground resources, the APE is a circle with a radius of 0.25 miles centered on the proposed gantry, encompassing the LOD and visible portions of abutting properties to account for both direct and indirect (visual) potential effects (PAL 2017a).

The Rhode Island Historical Preservation & Heritage Commission (RIHPHC) inventory does not list any archeological sites, aboveground districts, or individual properties listed in, eligible, determined eligible, or potentially eligible for listing in the National Register within the APES. There are three historic cemeteries in the APES: RD23 (Brown Cemetery), RD49 (Hoxsie Lot), and RD58 (Enos Lot). There are no properties depicted on historical maps in or near the Project. The soils within the I-95 ROW are identified as Udorthents-Urban land complex, soils that have been disturbed by extensive cutting and filling. Cross sections from the 1955 general plans for the construction of I-95 were reviewed and show a number of cut and fill events at the approximate location of Toll Location 1.

**Photo 5-9** and **Photo 5-10** were taken at the time of construction of the highway and show the fill for the roadway and re-routing of the Wood River.

#### **Toll Location 2**

For archeological resources, the APE is defined as a 360-foot wide by 840-foot long linear corridor centered on the grassed median of I-95, north of the Tefft Hill Trail Bridges, and encompassing the area of proposed direct impacts associated with construction of the gantries, installation of conduits, electrical cabinets, guardrail, and construction staging area. For aboveground resources, the APE is a circle with a radius of 0.25 miles centered on each proposed gantry, encompassing the LOD and visible portions of abutting properties to account for both direct and indirect (visual) potential effects (PAL 2017b).

The RIHPHC inventory lists one historic candidate, the Tefft Hill Trail Natural District, and one Pre-Contact Period Native American archeological site (RI 0718) within the APEs. There are no historic cemeteries in the APEs. Tefft Hill Trail Natural District is described as a dirt trail winding through a wooded area strewn with boulders and rock piles. Several features are present, including stone walls and square watering holes constructed by the Civilian Conservation Corps in the 1930s.



**Photo 5-9. Aerial View of Wood River and Bridge circa 1950s**

Orange dash is original location of the river.

Source: Hopkinton Historical Association, [www.hopkintonhistoricalassociation.org](http://www.hopkintonhistoricalassociation.org)



**Photo 5-10. Wood River Valley Bridge looking south, 1953**

Mechanic Street on right. Former railroad bed on the left became the extension of Mechanic Street.

Source: Hopkinton Historical Association, [www.hopkintonhistoricalassociation.org](http://www.hopkintonhistoricalassociation.org)

There are no properties depicted on historical maps in or near the Project area. The soils within the I-95 ROW are identified as Udorthents-Urban land complex, soils that have been disturbed by extensive cutting and filling. A study conducted by PAL for the proposed replacement of the Tefft Hill Trail Bridges south of the proposed gantries confirmed disturbed soils within the ROW of I-95. The cross section from the 1966 general plans for the construction of I-95 in the vicinity of Toll Location 2 was reviewed and identifies between 2,658 SF and 3,880 SF of cut for I-95 southbound and northbound, respectively.

### **5.11.2 Diversion Route 1**

Because there are no proposed improvements or construction activities along Diversion Route 1 there is no APE for archeological resources. For aboveground resources, the APE is defined as a corridor extending 250 feet left and right from the centerline of RI Route 3, encompassing the visible portions of abutting properties to account for potential direct (vibration) and indirect (visual, noise, and air quality) effects.

As listed in **Table 5-2** and shown on **Figure 5-5**, the RIHPHC inventory lists two aboveground districts; four individual properties listed in, determined eligible, or potentially eligible for listing in the National Register; and five historic cemeteries within the APE.

**Table 5-2. Diversion Route 1-Historic Resources**

Resource	Location	National Register Status
<b>Districts</b>		
Hope Valley HD	Hopkinton	Listed (7/3/2004)
Wyoming Village HD	Hopkinton/Richmond	Listed (5/2/1974)
<b>Individual Properties</b>		
Hope Valley Bridge (RIDOT Bridge No. 004601)	Hopkinton	Eligible
Wood River Six Principle Baptist Church	Richmond	Potentially Eligible
RI State Police Hope Valley Barracks	Richmond	Potentially Eligible
Dawley Park Shelter	Exeter/Richmond	Potentially Eligible
<b>Historic Cemeteries</b>		
HP9 (Nichols Lot)	Hopkinton	NA
HP73 (Carpenter Lot)	Hopkinton	NA
RD20 (Wood River Cemetery)	Richmond	NA
RD21 (Hassard Lot)	Richmond	NA
RD22 (Williams Lot)	Richmond	NA

Source: PAL 2017c

## 5.12 Environmental Justice

Executive Order 12898 (EO 12898), *Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations*, signed by the President on February 11, 1994, directs federal agencies to take the appropriate and necessary steps to identify and address disproportionately high and adverse effects of federal projects on the health or environment of minority and low-income populations to the greatest extent practicable and permitted by law.

RIDOT and FHWA's policy is to prevent discriminatory effects by actively administering programs, policies, and activities to ensure that social impacts are recognized early and continually throughout the transportation decision-making process. FHWA Order 6640.23A: *FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (FHWA 2012) encourages full participation by potentially affected communities in the transportation decision-making process, all the way through implementation of projects. If the potential for discrimination is discovered, then action must be taken to eliminate the potential.

EPA's Environmental Justice Screening Tool (EJScreen) was used to identify the presence of minority or low-income populations, and census block group data was further reviewed to confirm findings (EJScreen 2017, U.S. Census Bureau 2017). EJScreen uses data from the five-year U.S. Census Bureau, American Community Survey (ACS) 2011–2015. Environmental

justice populations were inventoried in a five-mile-wide corridor (“EJ Study Area”) from Woodville Alton Road to Exit 5 (Route 102), an area encompassing Toll Locations 1 and 2, and Diversion Route 1. This EJ Study Area bisects portions of 12 block groups, which is the smallest geographic area that ACS provides estimates on income and housing data. RIDOT and the Rhode Island Statewide Planning Program’s “The State of Rhode Island’s Transportation Equity Benefit Analysis (2016),” address environmental justice issues at a state level. Its analysis of low-income populations used a different poverty threshold (ACS) than the one recommended by FHWA and used here. FHWA considers a “low-income” person as a person whose median household income is at, or below, the Department of Health and Human Services (HHS) poverty guideline. This is the poverty threshold used for this Project.

The EJ Study Area has a 2015 population total of 24,139 and averages a 95 percent white population. This is comparable to Washington County (93 percent white) and higher than the state of Rhode Island (81.1 percent white). Based on the statewide average for minority populations of 23.6 percent (RISPP 2015), none of the block groups in the EJ Study Area exceed 23.6 percent nor does any individual block group have a minority population of 50 percent or greater. The average household size in the EJ Study Area is three, and the HHS poverty guideline for a three-person household is \$20,420. The average median household income for the EJ Study Area is \$83,139 and no individual block group is below the poverty threshold.

#### ***5.12.1 Toll Locations 1 and 2***

No minority or low-income populations have been identified within the EJ Study Area. Therefore, in accordance with the provisions of EO 12898 and FHWA Order 6640.23A, no further environmental justice analysis is required.

#### ***5.12.2 Diversion Route 1***

No minority or low-income populations have been identified within the EJ Study Area. Therefore, in accordance with the provisions of EO 12898 and FHWA Order 6640.23A, no further environmental justice analysis is required.

### **5.13 Social**

Council on Environmental Quality regulations (40 CFR 1502.1) state that federal agencies must fully and fairly discuss significant environmental impacts and the reasonable alternatives that avoid or minimize those effects on the human environment. In addition, 40 CFR 1508.27 requires federal agencies to consider the significance of the impacts from a proposed action by considering the intensity and context of the impacts. The assessment of community or social impacts includes the items of importance to people, such as mobility, safety, employment effects, relocation, isolation, and other community issues.

#### ***5.13.1 Toll Locations 1 and 2***

The social affected environment includes neighborhood and/or community cohesion and travel patterns. Transportation facilities can affect how social institutions operate, how neighborhoods function, and the ability of children, cyclists and pedestrians to get around.

## Social and Community Facilities

Comprehensive plans, RIGIS, individual community online GIS tools, interviews with local stakeholders, and Google Maps were used to identify community facilities that could be impacted by the Project. Impacts to social groups, community facilities, and access to and among community facilities as a result of the Project were examined, and potential direct and indirect impacts were considered. An inventory of community, public safety, and recreation facilities within the study area was created to help assess potential direct and indirect impacts.

The inventory of social and community facilities that might be affected was identified broadly as one-half-mile from Toll Locations 1 and 2 and adjacent to Diversion Route 1. Some of these features are identified on **Figure 5-1**, **Figure 5-2**, and **Figure 5-6**. The inventory identified the following community, public safety, and recreation facilities:

### Hopkinton (Toll Location 1 and Diversion Route 1)

- Fenner Hill Country Club
- Hope Valley Fishing Access
- Switch Road Fishing Access
- Hope Valley Wyoming Fire District
- U.S. Post Office
- New Hope Chapel
- First Baptist Church
- St. Joseph's Church
- Canonchet Cliffs elderly housing
- Wood River Health Services
- Chariho Little League
- Hope Valley Elementary School
- Langworthy Public Library

### Richmond (Toll Location 1 and Diversion Route 1)

- Dawley Memorial State Park
- YMCA
- Hope Valley-Wyoming Fire District
- U.S. Post Office

### Exeter (Toll Location 2 and Diversion Route 1)

- Arcadia Management Area
- Wawaloam Elementary School
- Exeter Grange
- Exeter Volunteer Fire Department

Sidewalks are found on Diversion Route 1 in village centers and approaches. Bikeable shoulders and bike lanes are available for much of the Diversion Route 1 corridor, with periodic pinch points eliminating shoulders and bike lanes.

## Minority, Low-income, and Other Vulnerable Populations

EPA's EJScreen was used to determine if there are traditionally underserved populations that could be affected by the Project. EJScreen data from the five-year U.S. Census Bureau, ACS, 2011–2015 were used in the analysis. Underserved and vulnerable populations were inventoried in a five-mile-wide corridor from Woodville Alton Road to Exit 5 (Route 102), an area encompassing the location of the proposed tolls and the Diversion Route 1 corridor.

Traditionally underserved populations include low-income, minorities, and others who face challenges in participating in transportation projects. As discussed above, in terms of environmental justice populations, the EJ Study Area is predominantly white (average 95 percent). FHWA considers a "low-income" person as a person whose median household income is at, or below, the HHS poverty guideline. The average household size in the analysis area is three, and the HHS poverty guideline for a three-person household is \$20,420. The average median household income for the EJ Study Area is \$83,139 and no individual block group within the EJ Study Area is below the poverty threshold.

In addition to minority and low-income populations, other vulnerable populations were considered. The 12 block groups within the EJ Study Area contain a total of 61 persons with limited-English proficiency, defined by RIDOT as speaking English "less than very well." This results in less than 1 percent of the EJ Study Area population having limited-English proficiency. Statewide, 5 percent speak English less than very well. In addition, the EJ Study Area averages a population of 12 percent over 65 years of age, defined as elderly. In comparison, Rhode Island as a whole has an elderly population of 15.4 percent based on U.S. Census Bureau ACS 2011–2015 estimates.

### 5.13.2 Diversion Route 1

The study area for the inventory of social and community facilities that might be affected by the Project was broadly identified as one-half-mile from Toll Locations 1 and 2 and adjacent to Diversion Route 1. Therefore, the above discussion in Section 5.13.1 considers facilities on Diversion Route 1 as well.

## 5.14 Visual Resources

NEPA requires federal agencies to undertake an assessment of the environmental effects of their proposed actions prior to making decisions. Visual impacts are included among those environmental effects. FHWA's *Guidelines for the Visual Impact Assessment of Highway Projects* (FHWA 2015) was reviewed and used to guide the visual impact analysis.

### 5.14.1 Toll Locations 1 and 2

The visual character of the LOD was evaluated as part of the due diligence review for historic architectural properties and archeological sites. The I-95 ROW at Toll Locations 1 and 2 is within a rural setting. Travelers along I-95 experience a rural setting with the roadway bordered by thick vegetation and open space. Along the interstate there are existing vertical features such as overhead highway signs and cell phone towers. Views of I-95 from adjacent land are limited and consist of a multi-lane divided highway and overhead signs.

### ***5.14.2 Diversion Route 1***

The Diversion Route 1 corridor is primarily rural in character. Travelers along RI Route 3 experience a rural setting with periodic houses and commercial establishments along with stretches of forest and open space. The Hopkinton village of Hope Valley, listed in the National Register, is a small village district with small commercial and institutional uses. Wyoming, a Richmond village, has small commercial and residential uses. Views of RI Route 3 from adjacent land are of local traffic with about 6 percent trucks.

## **5.15 Air Quality**

The Clean Air Act (CAA) as amended requires EPA to set National Ambient Air Quality Standards (NAAQS) for six common air pollutants. EPA must designate areas as meeting (attainment) or not meeting (nonattainment) the standards. States are required to develop a general plan to attain and maintain the NAAQS in all areas of the country, and a specific plan to attain the standards for each area designated nonattainment for a NAAQS. If an area is designated as "nonattainment" (designated areas), states must develop a State Implementation Plan (SIP) that details the path to attain and maintain the NAAQS. Certain Northeast states, known as the Ozone Transport Region, must also submit a SIP for the pollutants that form ozone.

### ***5.15.1 Toll Locations 1 and 2***

The proposed Project is located in an air quality region designated by the EPA as in attainment for carbon monoxide (CO) and fine particulate matter (PM<sub>2.5</sub>) NAAQS. However, the formation of ground-level ozone in the state of Rhode Island has been classified by EPA as in moderate nonattainment of the 2008 8-hour ozone standard. As a result, the proposed Project is subject to SIP conformity provisions and related analysis requirements of the CAA for regional emissions of ozone precursor pollutants, Volatile Organic Compounds (VOC), and Nitrogen Oxides (NO<sub>x</sub>).

In addition to criteria pollutants, the emission of mobile source air toxics (MSAT) is also of concern as diesel PM emitted by a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers is the dominant component of MSAT emissions, making up 50 to 70 percent of priority MSAT pollutants.

### ***5.15.2 Diversion Route 1***

Due to the regional nature of air quality analysis, the setting and requirements for Diversion Route 1 are similar to the discussion for Toll Locations 1 and 2 in Section 5.15.1.

## **5.16 Noise / Vibration**

### **Noise**

According to FHWA noise policy, Type III projects are those that do not meet the criteria of Type I or II projects and do not require a noise analysis. The Project does not meet the definition of a Type I project which generally involves adding capacity, construction of new through lanes or auxiliary lanes, changes in the horizontal or vertical alignment of the roadway, or exposure of noise sensitive land uses to a new or existing highway noise source. Expansion or new construction of weigh stations, rest stops, and toll plazas require analysis as Type I projects.

The proposed Project would not add a new toll plaza due to the use of AET technology. Additionally, the Project does not include the construction of a highway on a new location, or the physical alteration of an existing highway where there is significant change in the horizontal or vertical alignment that would change the exposure to noise (Type I and II projects). Therefore, the Project is classified as a Type III project and no noise analysis is required by FHWA.

### **Vibration**

Highway traffic projects do not typically have the potential for vibration impact. In fact, FHWA does not include any vibration impact assessment requirements in any of their guidance, and their regulations at 23 CFR 772, Appendix G, explicitly states:

*There are no Federal requirements directed specifically to highway traffic induced vibration. All studies the highway agencies have done to assess the impact of operational traffic induced vibrations have shown that both measured and predicted vibration levels are less than any known criteria for structural damage to buildings. In fact, normal living activities (e.g., closing doors, walking across floors, operating appliances) within a building have been shown to create greater levels of vibration than highway traffic. Address vibration concerns on a case-by-case basis as deemed appropriate in the noise analysis or in a stand-alone vibration analysis report.*

For the purpose of this Project a literature review was conducted and is provided in **Appendix F**.

#### **5.16.1 Toll Locations 1 and 2**

##### **Noise**

The Project is located on I-95 in a rural area of Rhode Island. The noise environment within the area is typical of an interstate highway with car and truck vehicle traffic.

##### **Vibration**

Vibration levels from buses and trucks are typically about 63 vibration decibel (VdB) at a distance of 50 feet from the source. This vibration level is below the limit for vibration sensitive equipment (65 VdB). The ROW in the area of Toll Locations 1 and 2 is wide and adjacent properties are more than 50 feet from the edge of pavement.

#### **5.16.2 Diversion Route 1**

##### **Noise**

Although Type III projects do not require a noise analysis, FHWA noise policy does not preclude state agencies from conducting a noise analysis of a proposed project if the project may result in a change in existing noise conditions. A noise screening analysis was conducted for Diversion Route 1 to determine if an increase in traffic noise levels would result from implementation of tolling at Toll Locations 1 and 2.

RI Route 3 from Woodville Alton Road to RI Route 138 consists of a two-lane undivided roadway with a posted speed limit of 25 mph. Noise-sensitive receptors mostly include moderate-density single-family residential dwellings located approximately 25 feet and beyond from the center of the nearest travel lane. RI Route 3 from RI Route 138 to RI Route 102 consists

of a four-lane undivided roadway with a posted speed limit of 40 mph. Noise sensitive receptors mostly include low-density single-family residential dwellings located approximately 50 feet and beyond from the center of the nearest travel lane.

### **Vibration**

As discussed above, vibration levels from buses and trucks are typically about 63 VdB at a distance of 50 feet from the source. Along some stretches of RI Route 3, dwellings and other buildings are closer to the edge of road than 50 feet.

## **5.17 Hazardous Materials**

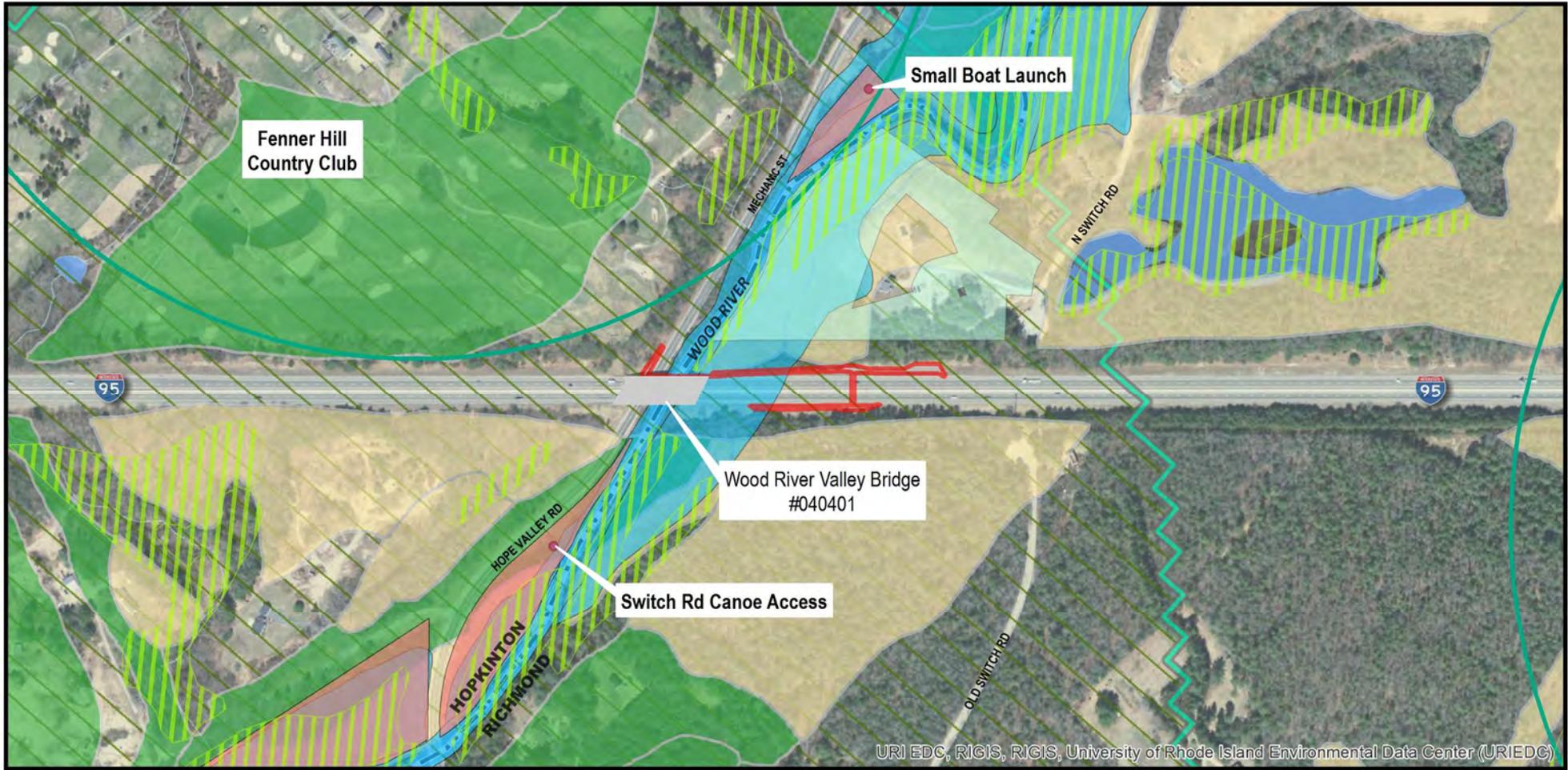
Hazardous waste sites are regulated by the Resource Conservation and Recovery Act and the Comprehensive Environmental Response, Compensation, and Liability Act. In any given state, EPA or the state's hazardous waste regulatory agency enforces hazardous waste laws.

### **5.17.1 Toll Locations 1 and 2**

RIGIS databases that track EPA Superfund sites, closed landfills, storage tanks (above and below ground), leaking underground storage tanks, and Site Investigation and Remediation sites were reviewed. None were identified within the I-95 ROW or adjacent to the LOD.

### **5.17.2 Diversion Route 1**

A search of the RIDEM databases indicates that several underground storage tanks and Site Investigation & Remediation sites are located adjacent to Diversion Route 1.



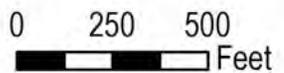
URI EDC, RIGIS, RICIS, University of Rhode Island Environmental Data Center (URI EDC)

Prepared for:  
  
 Driven to get you there

Prepared by:  


**Legend**

-  Wetlands
-  Limit of Disturbance
-  Wellhead Protection Area (Non-Community)
-  Conservation Land
-  Subdivision Open Space
-  Flood Zone AE
-  Prime Farmland Soil
-  Statewide Important Soil
-  Sole Source Aquifer\*
-  Natural Heritage Area #214
-  Municipal Boundary



Data Sources:  
 RIDOT, RIGIS  
 Environmental Systems Research Institute  
 Town of Richmond

\*The entire area is within the  
 Pawcatuck Sole Source Aquifer

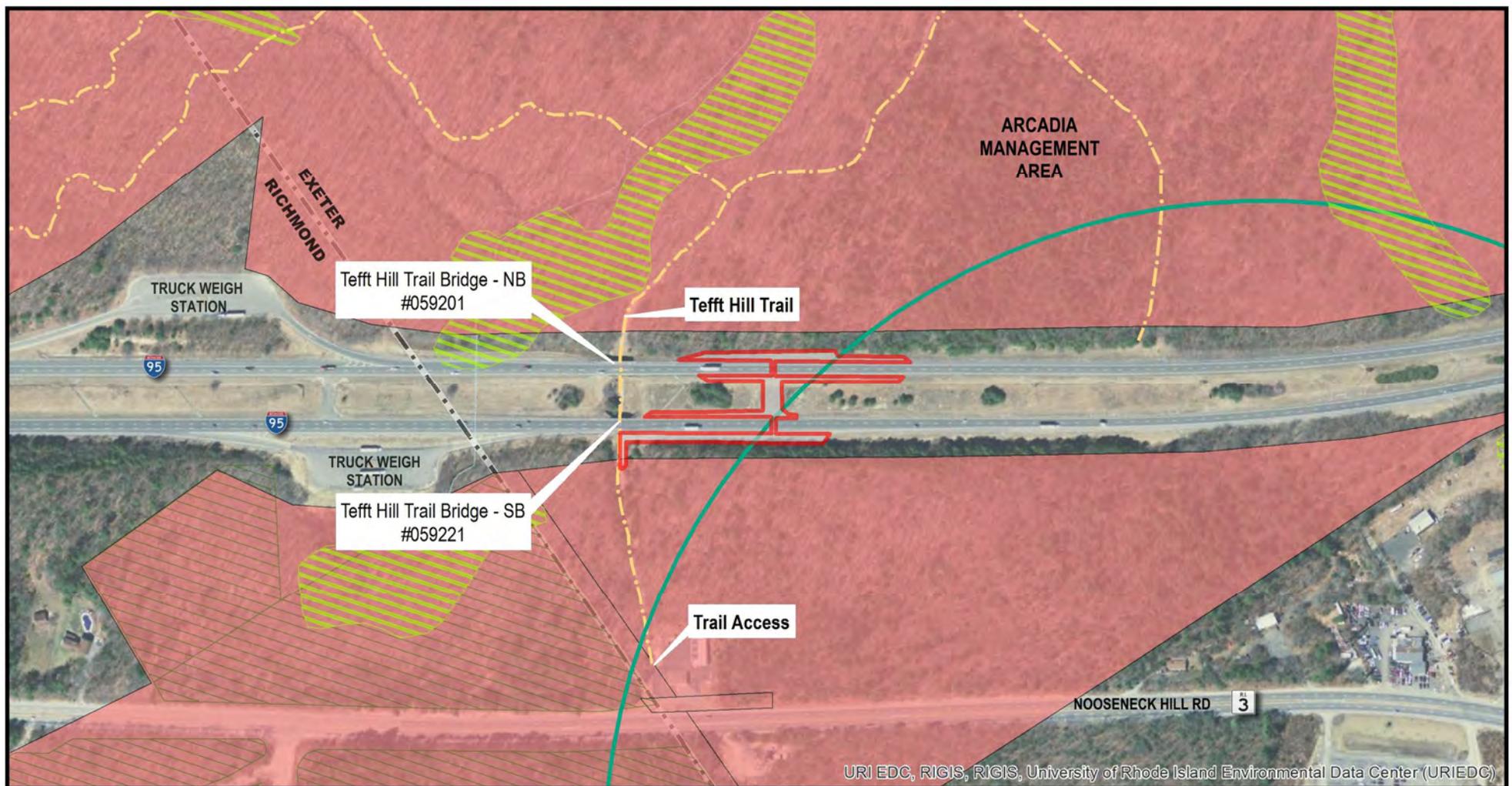
**Toll Locations 1 and 2  
 Environmental Assessment**

**TOLL LOCATION 1 AND GANTRY 1**

**Hopkinton and Richmond, RI**

**Environmental Features**

**FIGURE 5-1**



URI EDC, RIGIS, RIGIS, University of Rhode Island Environmental Data Center (URIEDC)

Prepared for:

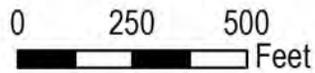


Prepared by:



**Legend**

- Limit of Disturbance
- Wetlands
- Wellhead Protection Area (Non-Community)
- Dawley Memorial State Park
- Conservation Land
- Sole Source Aquifer\*
- Trail
- Municipal Boundary



Data Sources:  
 RIDOT, RIGIS  
 Environmental Systems Research Institute  
 Town of Richmond

\*The entire area is within the Pawcatuck Sole Source Aquifer

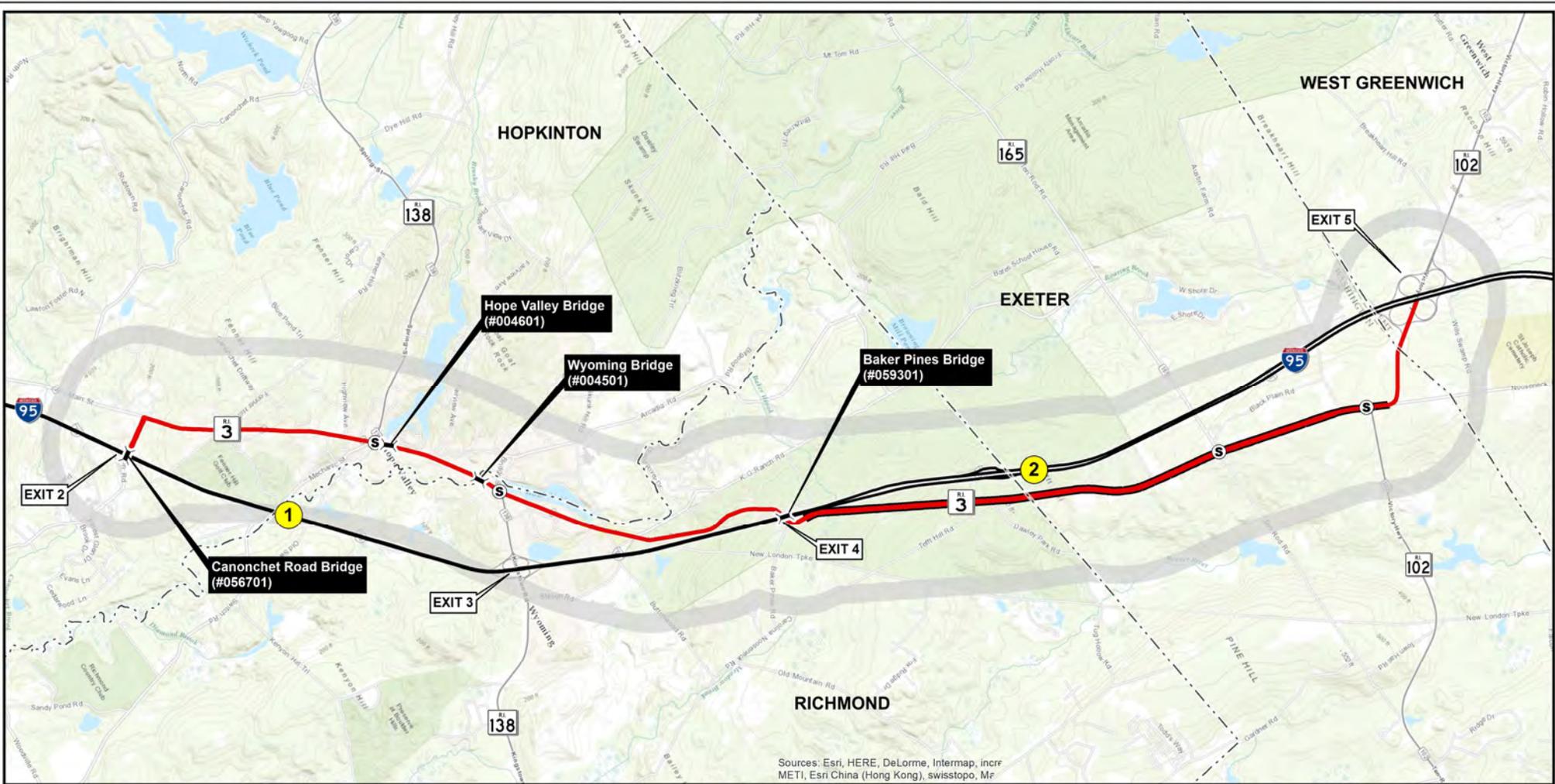
**Toll Locations 1 and 2  
 Environmental Assessment**

**TOLL LOCATION 2  
 AND GANTRIES 2a, 2b**

**Richmond and Exeter, RI**

**Environmental Features**

**FIGURE 5-2**



Sources: Esri, HERE, DeLorme, Intermap, incr METI, Esri China (Hong Kong), swisstopo, Mr

Prepared for:



Prepared by:



-  Signals
-  Bridges
-  Toll Locations
-  Limit of Corridor Inventory
-  Diversion Route (Two Lane)
-  Diversion Route (Four Lane)

Data Sources:  
RIDOT, RIGIS, ESRI

### Toll Locations 1 and 2 Environmental Assessment



0 0.5 1  
Mile

### POTENTIAL DIVERSION ROUTE FOR TOLL LOCATIONS 1 AND 2

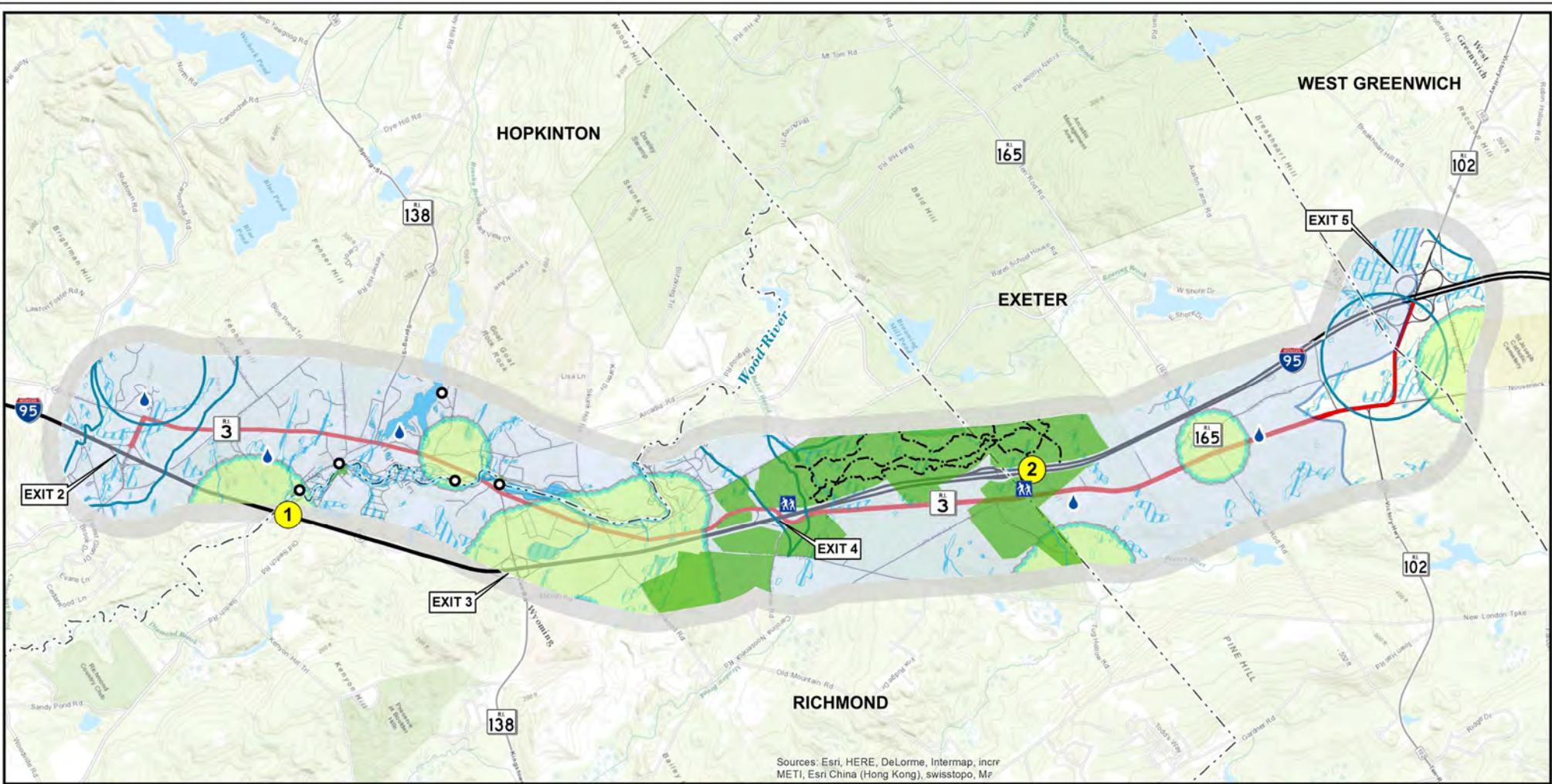
Hopkinton, Richmond, and Exeter, RI

Corridor Inventory

Infrastructure

FIGURE 5-3

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Sources: Esri, HERE, DeLorme, Intermap, incr METI, Esri China (Hong Kong), swisstopo, Mr

Prepared for:



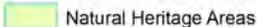
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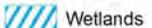
Toll Locations



Arcadia Management Area



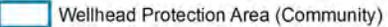
Natural Heritage Areas



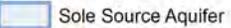
Wetlands



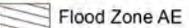
Wellhead Protection Area (Non-Community)



Wellhead Protection Area (Community)



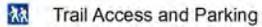
Sole Source Aquifer



Flood Zone AE



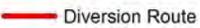
Small Boat Launch



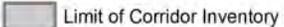
Trail Access and Parking



Trails



Diversion Route

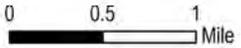


Limit of Corridor Inventory



Data Sources:

RIDOT, RIGIS, ESRI

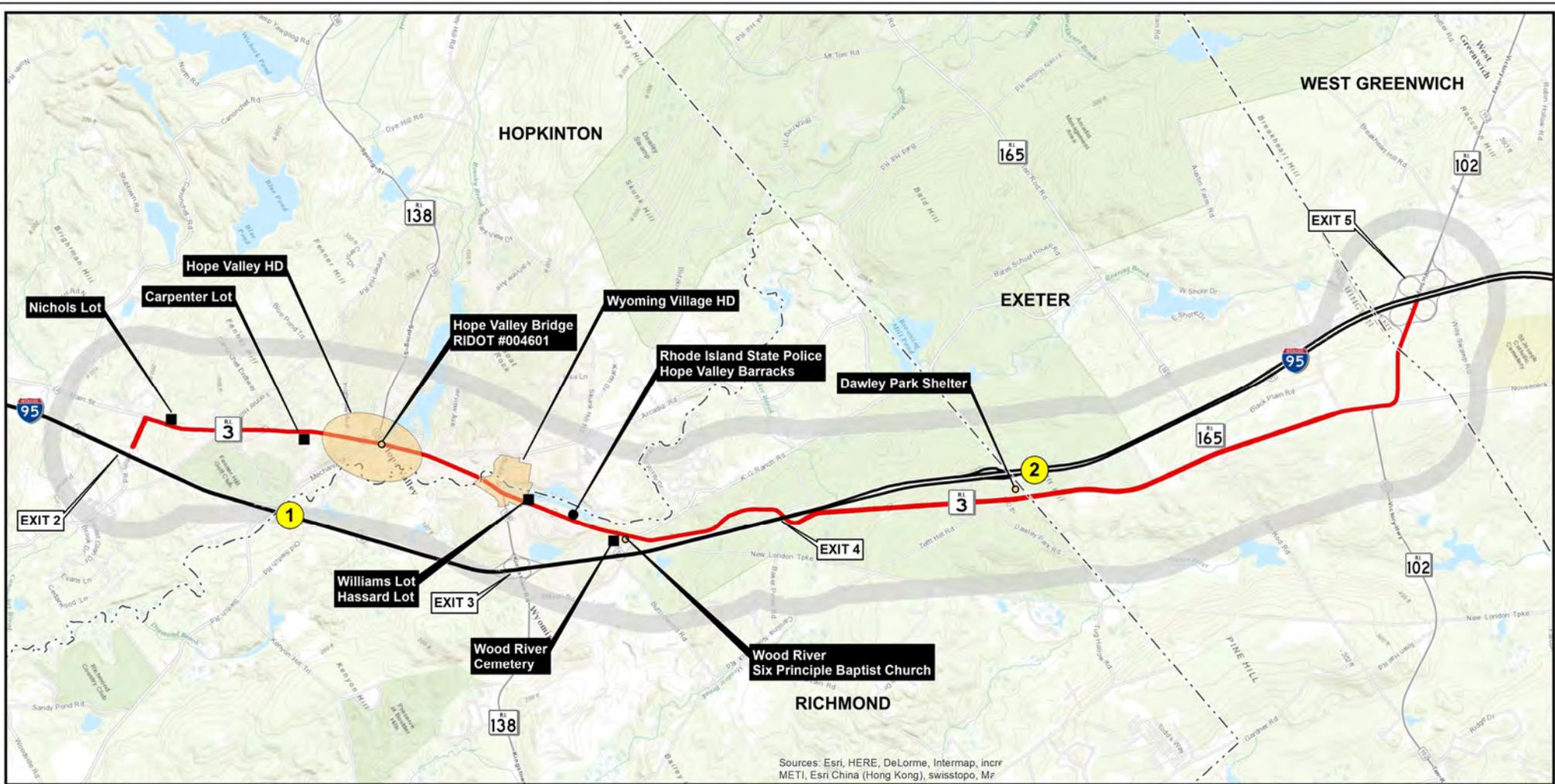


**Toll Locations 1 and 2 Environmental Assessment**

**POTENTIAL DIVERSION ROUTE FOR TOLL LOCATIONS 1 AND 2  
Hopkinton, Richmond, and Exeter, RI**

**Corridor Inventory  
Environmental and Recreational Features | FIG. 5-4**

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Sources: Esri, HERE, DeLorme, Intermap, incr METI, Esri China (Hong Kong), swisstopo, Mr

Prepared for:



Prepared by:



- # Toll Locations
- Historical Cemeteries
- National Register Historic Districts

- Limit of Corridor Inventory
- Diversion Route

Data Sources:  
RIDOT, RIGIS, ESRI

### Toll Locations 1 and 2 Environmental Assessment



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Mile

### POTENTIAL DIVERSION ROUTE FOR TOLL LOCATIONS 1 AND 2

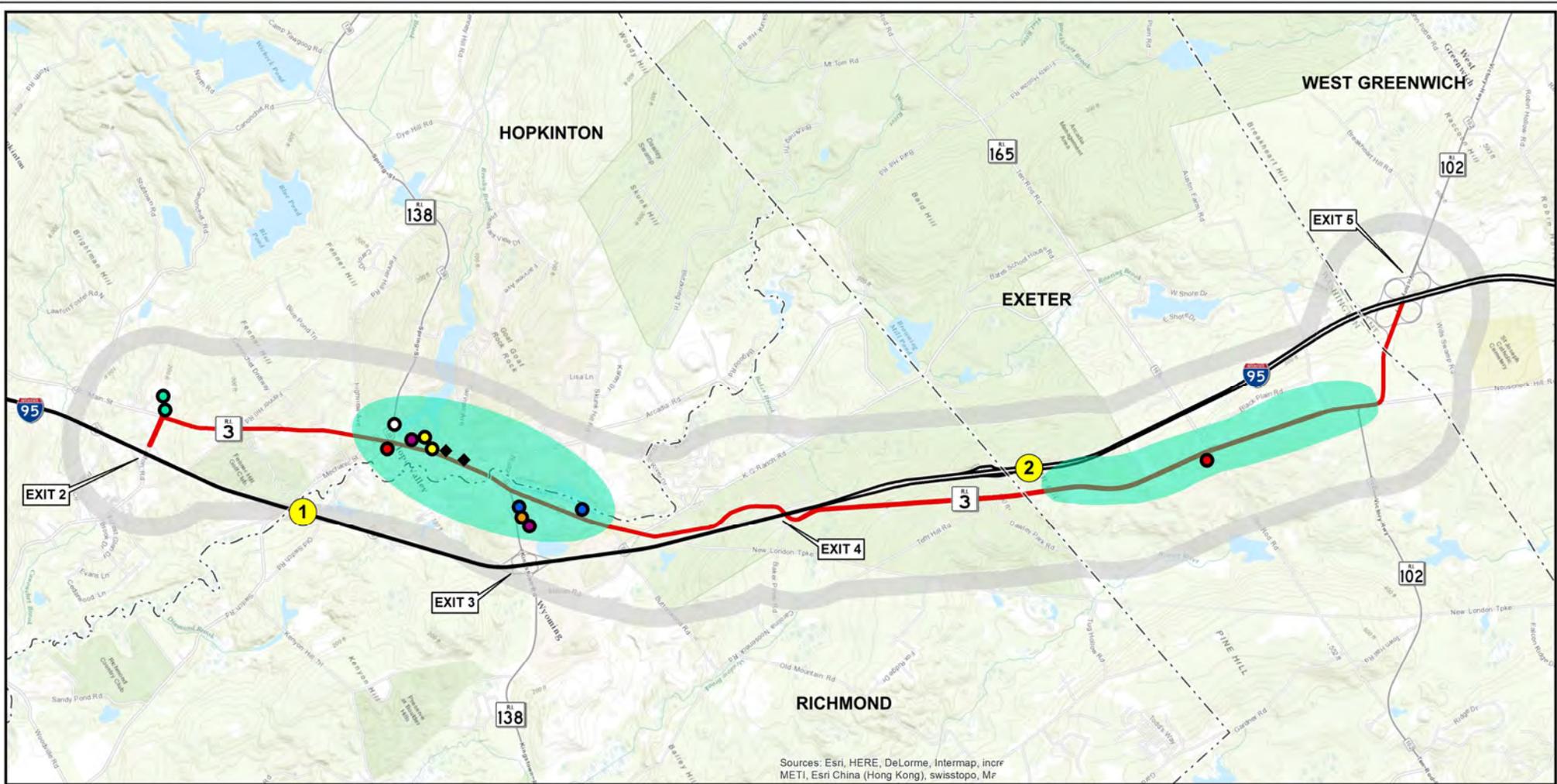
Hopkinton, Richmond, and Exeter, RI

Corridor Inventory

Historical Features

FIGURE 5-5

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Sources: Esri, HERE, DeLorme, Intermap, incr METI, Esri China (Hong Kong), swisstopo, Mr

Prepared for:



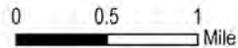
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- ◆ Places of Worship
- Health Care
- Fire Stations
- Fitness Facility
- Law Enforcement
- Libraries
- Post Office
- Schools
- Toll Locations
- Diversion Route
- ▭ Limit of Corridor Inventory
- ▭ Commercial Districts

Data Sources:  
RIDOT, RIGIS, ESRI

### Toll Locations 1 and 2 Environmental Assessment



### POTENTIAL DIVERSION ROUTE FOR TOLL LOCATIONS 1 AND 2

Hopkinton, Richmond, and Exeter, RI

Corridor Inventory

Community Facilities

FIGURE 5-6

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## Chapter 6 Environmental Consequences and Mitigation

### 6.1 Introduction

This chapter compares the impacts of the No Action Alternative and the Proposed Action Alternative on resources identified in Chapter 5 as being present and potentially affected within the LOD and the Diversion Route 1 corridor. Direct impacts (Section 6.2) are principally attributed to the construction, operation, and maintenance of the toll systems themselves and restricted to the LOD and a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers assessed with tolls. The indirect impacts of the Project (Section 6.3) consider the effects of toll assessments and the consequential decision of some drivers seeking alternate routes to avoid tolls. Thus, the indirect impacts include the impacts from diversion truck traffic on Diversion Route 1 (further in distance). Cumulative impacts (Section 6.4) consider the impacts of the Project when added to other past, present, and reasonably foreseeable future projects.

Under the **No Action Alternative** toll systems are not constructed and tolls are not assessed on a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers at Toll Locations 1 and 2. Under the **Proposed Action Alternative** toll systems are constructed and tolls are assessed on a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers at Toll Locations 1 and 2.

### 6.2 Direct Impacts

Direct effects are caused by the Project and occur at the same time and place.

#### 6.2.1 Land Use

The **No Action Alternative** would have no direct impacts to land use because there would be no change to the existing environment.

The **Proposed Action Alternative** is located entirely within the I-95 ROW and there would be no change in access on any of the roadways that intersect with I-95. Therefore, the Project would not alter any existing or planned land use within or adjacent to the LOD and would have no direct impacts to land use.

Based on the Federal Aviation Administration's (FAA) Notice Criteria Tool, Toll Locations 1 and 2 are in proximity to the Richmond Airport such that they could impact the assurance of navigation signal reception. To ensure no impacts will occur to navigation, Form 7460-1 (Notice of Proposed Construction or Alternation) will be submitted to the FAA prior to construction.

#### 6.2.2 Transportation Network

The **No Action Alternative** would have no direct impacts to the roadway network or traffic operations on I-95 because there would be no change to the existing environment.

The **Proposed Action Alternative** would not increase the capacity of I-95, would not widen the road, and would not change the lane or shoulder configuration where Toll Locations 1 and 2 will be constructed. Vehicles would not have to slow down or stop at the toll locations. However, there would be short-term traffic impacts at the toll locations during construction. During construction, no detours are anticipated and there would be at least one lane open for traffic. Therefore, minor, short-term traffic impacts at the toll locations may occur, but with implementation of traffic management measures, direct impacts to the transportation network from the Proposed Action Alternative would be minor.

The potential for indirect impacts to the transportation network resulting from diversion traffic is assessed in Section 6.3.2.

### **6.2.3 Farmland/Soils**

The **No Action Alternative** would have no direct impacts to farmland because there would be no change to the existing environment.

The **Proposed Action Alternative** is located entirely within the existing I-95 ROW. Therefore, the Proposed Action Alternative would have no impact to prime, unique, or statewide important farmland.

### **6.2.4 Wetlands and Other Waters of the U.S. and State**

The **No Action Alternative** would have no direct impacts to wetlands or other waters of the U.S. and State because there would be no change to the existing environment.

The **Proposed Action Alternative** would have no impacts to waters of the U.S. At the Wood River, communication and electrical conduit for the tolling system would be carried on the bridge and no in-water work is proposed. Therefore, no Section 404 permit is required. At Toll Location 1, the Proposed Action Alternative would temporarily impact approximately 3,965 SF of state-jurisdictional, 200-foot Riverbank wetlands. At this location, trenching is proposed within portions of the wetland resources that are characterized as managed roadway shoulder. There are no permanent impacts associated with the foundations for the gantries and the cabinets with fenced areas at Toll Locations 1 and 2.

To minimize impacts, conduit would be installed either by direct bury methods or narrow trenching that would be back filled and seeded to match existing conditions. All disturbed areas would be stabilized and reseeded to restore them to existing conditions. CFS would be installed to limit sedimentation into the wetlands. When a river or waterway needs to be crossed in order to reach the utility connection, conduit would be attached to the bridge from the deck and no in-water work is proposed. With implementation of proposed minimization measures, impacts to wetland resources from the Proposed Action Alternative would be minor.

As discussed in Chapter 9, coordination has been carried out with RIDEM to identify required permits.

### **6.2.5 Floodplains**

The **No Action Alternative** would have no direct impacts to floodplains because there would be no change to the existing environment.

While portions of the Project are located within the FEMA-mapped floodplain, the **Proposed Action Alternative** would have no impact to floodplains because construction activities will take place above the flood elevation and will not alter the base flood elevation.

#### **6.2.6 Groundwater Resources, Aquifers, and Reservoirs**

The **No Action Alternative** would have no direct impacts to groundwater resources, aquifers, or reservoirs because there would be no change to the existing environment.

The **Proposed Action Alternative** would result in a slight increase in impervious surface (160 SF total) through the construction of concrete pads for utility cabinets (approximately 50 SF per toll location) and gantry foundations (approximately 20 SF per gantry). Foundations for the gantries would be augered to minimize excavation and land disturbance, which would also minimize the potential for erosion. CFS would provide erosion control and identify the LOD. The minimal increase in impervious surface would not result in a measurable increase to stormwater runoff or an effect on groundwater recharge.

Groundwater quality would be protected during construction with the implementation of standard erosion controls. The selected contractor would be required to maintain work sites and project equipment to prevent spills or erosion. LOD for trenching, which consists of managed roadway shoulders, would be stabilized and restored. Coordination with the EPA is ongoing to ensure the risk of groundwater contamination to the Pawcatuck Basin is minimized to the extent practical. With the implementation of standard best management practices, the Proposed Action Alternative would not impact groundwater resources, aquifers, or reservoirs.

#### **6.2.7 Open Space, Section 4(f), and Section 6(f) Properties**

The **No Action Alternative** would have no direct impacts to open space, Section 4(f), or Section 6(f) properties because there would be no change to the existing environment.

The **Proposed Action Alternative** would not result in any restrictions on activities and access to open space parcels and other parks, National Heritage Corridors, historic sites, or recreational areas during construction of the Project. The gantries and conduit connections would be within the roadway ROW and within existing areas of high volume traffic and associated normal highway noise. Therefore, the Proposed Action Alternative would have no impact to open space or other recreational properties, and would not result in a use of a Section 4(f) property. No other Section 4(f) reviews or approvals are necessary. As discussed in Section 5.8, there are no Section 6(f) properties in the vicinity of the LOD.

#### **6.2.8 Wild, Scenic, and Recreational Rivers**

The **No Action Alternative** would have no direct impacts to wild, scenic or recreational rivers because there would be no change to the existing environment.

While there are no designated wild, scenic, or recreational rivers within or adjacent to the Project, the Wood River is currently being assessed for designation. The **Proposed Action Alternative** would not conduct any in-water work, and communication and electrical conduit for the tolling system would be carried on the bridge. For this reason, the Proposed Action Alternative would not impact the Wood River and would not preclude it from designation as a wild, scenic, or recreational river.

### ***6.2.9 Federal Threatened or Endangered Species, State Natural Heritage Species, and Migratory Birds***

The **No Action Alternative** would have no direct impacts to federally-listed species, State Natural Heritage Species, or migratory birds because there would be no change to the existing environment.

Under the **Proposed Action Alternative** the gantries and conduit connections would be within currently managed areas of the roadway ROW, and within existing areas of high volume traffic and associated normal highway noise. With these limited impacts, the Project is not anticipated to adversely impact State Natural Heritage Species. In addition, a Consistency letter was generated under the December 15, 2016 “Revised Programmatic Biological Opinion for Transportation Projects within the Range of Indiana Bat and the Northern Long-eared Bat” (USFWS 2015). Based on the limited impacts of the Project, a determination of “may affect, not likely to adversely affect” was made. RIDOT formally submitted a Concurrence Verification on August 31, 2017. The USFWS has 14 calendar days to notify RIDOT if they do not concur. Documents generated by the IPaC consultation process are provided in **Appendix C**.

There is potential for limited construction-related impacts to migratory birds from the Project due to the minor vegetation removal to construct the gantries and construction-related noise. However, the amount of vegetation removed or trimmed in comparison to the surrounding area and available habitat would be minimal. In addition, species that may currently nest near the I-95 corridor are likely to be acclimated to the presence of human and vehicular activity.

### ***6.2.10 Historic and Archeological Resources***

The **No Action Alternative** would have no direct impacts to historic and archeological resources because there would be no change to the existing environment.

Under the **Proposed Action Alternative** the gantries and conduit connections would be within currently managed areas of the roadway ROW. Although the Section 106 consultation process is ongoing, based on available information assembled from archival sources, RIHPHC site files, and a review of aerial photography, the Project is anticipated to result in no adverse effect to historic or archeological resources. A summary of resources is provided below by toll location, and Section 106 correspondence is provided in **Appendix D**.

Section 6.3.8 assesses the potential for impacts to historic or archeological resources from diversion traffic.

#### **Toll Location 1**

No historic properties would be affected by the construction at Toll Location 1. The archeological sensitivity of the APE for archeological resources at Toll Location 1 is assessed as low or none. The disturbance associated with the clearing and construction of the ROW for I-95 has compromised the integrity of the soils. The potential for identifying archeological resources in meaningful contexts is low and the construction of Toll Location 1 would have no impact on archeological resources. If construction extends beyond the LOD, archeological survey may be warranted. Construction of Toll Location 1 would have no direct impact on the three historic cemeteries, RD23 (Brown Cemetery), RD49 (Hoxsie Lot), and RD58 (Enos Lot), as these

properties are located outside of the LOD and would be shielded by vegetation, topography, and distance.

### **Toll Location 2**

There is one aboveground resource, the Tefft Hill Trail Natural District, within the APE. However, this historic property and any properties outside of the APE would be shielded by vegetation, topography, and distance. The archeological sensitivity of the APE for archeological resources at Toll Location 2 is assessed as low or none. The disturbance associated with the clearing and construction of the ROW for I-95 has compromised the integrity of the soils. The potential for identifying archeological resources in meaningful contexts is low. A 2014 archeological survey conducted by PAL at the Tefft Hill Trail Bridges Nos. 059201 and 059221 confirmed the disturbed nature of soils within the I-95 corridor. However, the close proximity of a recorded site (RI 0718) needs to be taken into consideration and, if construction occurs outside the currently identified LOD, archeological investigations may be warranted.

#### **6.2.11 Environmental Justice**

No minority or low-income populations have been identified that would be adversely impacted by the **No Action Alternative** or the **Proposed Action Alternative**. Therefore, in accordance with the provisions of EO 12898 and FHWA Order 6640.23A, no further environmental justice analysis is required.

The potential for impacts to environmental justice and other vulnerable populations resulting from diversion traffic is assessed in Section 6.3.

#### **6.2.12 Social**

The **No Action Alternative** would have no direct impacts to communities or facilities because there would be no change to the existing environment.

Under the **Proposed Action Alternative** toll systems would be constructed within the I-95 ROW. No direct impacts from the toll systems on social or community resources are expected. The toll systems would be located in the highway ROW, generally far from neighborhoods or municipal facilities. Implementation of the Project would not disrupt access to or enjoyment of any community facility, would not impact vulnerable populations, and would not impact the numerous community facilities in the study area.

The potential for impacts to social or community resources resulting from diversion traffic is assessed in Section 6.3.7.

#### **6.2.13 Visual Resources**

The **No Action Alternative** would have no direct impacts to visual resources because there would be no change to the existing environment.

The **Proposed Action Alternative** would construct gantries comparable to other vertical features in the vicinity of the transportation corridor, such as standard highway sign supports. The visual impact of the gantry system at Location 1 to boaters and other recreational users of the Wood River will be minimal or non-existent because of the topography and the nature of the vegetation.

The river is well below the elevation of the road. The dense vegetation and mature trees adjacent to the road and the Wood River will shield the view of the gantries. Therefore, the Proposed Action Alternative would have no impact on visual resources.

#### ***6.2.14 Air Quality***

The **No Action Alternative** would have no direct impacts to air quality because there would be no change to the existing environment.

The **Proposed Action Alternative** would construct an electronic toll system and would not require the stopping or slowing of trucks to collect the tolls. Therefore, there would be no new or increased pollutant emissions, including MSAT emissions, above the No Action Alternative.

The potential for air quality impacts resulting from diversion traffic is assessed in Section 6.3.4.

#### ***6.2.15 Noise / Vibration***

The **No Action Alternative** would not result in noise or vibration impacts because there would be no change to the existing environment.

The **Proposed Action Alternative** would not result in long-term noise impacts along the I-95 corridor and would have no vibratory impacts. The toll system is electronic and does not require the stopping or slowing of trucks to collect the tolls, so there would be no noise increases above existing conditions. The Project would temporarily elevate noise levels in the vicinity of the Project due to construction activities. Temporary noise from construction activities would depend on the different types of equipment used, the distance between construction noise sources and sensitive noise receptors, and the timing and duration of noise-generating activities.

Construction activities would be temporary and would mostly occur during normal daytime hours. Adjacent areas are not expected to be exposed to construction noise for a long duration and any extended disruption of normal daytime activities is not expected. If required, coordination would be conducted with local agencies to secure necessary construction permits which may include variances for any nighttime construction work and/or exceedance of any maximum thresholds specified in local ordinances.

The potential for noise and vibration impacts resulting from diversion traffic is assessed in Section 6.3.5.

#### ***6.2.16 Economic Impact on Trucks Assessed with Tolls***

The **No Action Alternative** would not result in economic impacts because there would be no change to the existing conditions and no tolls would be assessed.

To evaluate the **Proposed Action Alternative** for economic impacts, this section focuses on the economic impact of the tolls assessed on a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers at Toll Locations 1 and 2. Although RIDOT has not approved specific toll rates for Toll Locations 1 and 2 at this time, for the purposes of this analysis, a conservative range from \$3.50 to \$4.50 per toll location is assumed.

In addition, the following limits on the assessments of tolls upon the same individual tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers with RFID will apply.

- Tolls are limited to once per toll facility, per day in each direction;
- Tolls are limited to a \$20 total for a border-to-border through trip on I-95 from Connecticut to Massachusetts; and
- Tolls will not exceed \$40 per day.

Based on these factors, the assessment of tolls would range from \$3.50 to \$4.50 if passing through only one toll location in the same day, and range from \$14.00 to \$18.00 if passing through both toll locations in both directions in the same day. As part of the *Investment-Grade T&R Study*, a stated preference (SP) survey was conducted. Using discrete choice modeling techniques, the resulting SP data was then used to understand truck drivers' value-of-time (VOT) or willingness-to-pay (WTP) for any potential travel time savings and other benefits of not diverting. If a driver perceived that the impacts of the tolls are too severe, they would seek alternate routes to avoid the tolls.

Based on this analysis, although tolls implemented by the Proposed Action Alternative would add an additional expense for drivers, the rates have been formulated to balance a driver's VOT and expenses to reduce potential diversions such that sufficient revenue is generated, and yet no substantial impact to drivers of a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers would occur.

The potential for economic impacts resulting from diversion traffic is assessed in Section 6.3.10.

### **6.2.17 Hazardous Materials**

The **No Action Alternative** would have no direct impacts to hazardous materials because there would be no change to the existing environment.

No hazardous materials sites were identified within or adjacent to the LOD. Therefore, the **Proposed Action Alternative** would have no impact on hazardous materials. The contract bid documents will require the contractor to properly dispose of any construction debris materials. If contaminated soils are encountered during construction, they will be disposed in accordance with all applicable regulations.

## **6.3 Indirect Impacts**

### **6.3.1 Introduction**

Indirect impacts are those caused by the Project but occur later in time or farther removed in distance but are still reasonably foreseeable. Indirect impacts may include growth-inducing effects (e.g., land opened to new development) and other effects such as traffic and related effects on air, noise, and community cohesion.

The affected environment and potential indirect impacts resulting from traffic diversions are discussed in this section and include the transportation network; local infrastructure; air quality;

noise and vibration; social resources; historic and archeological resources; open space, Section 4(f), and Section 6(f) properties; and toll assessments.

The **No Action Alternative** has no traffic diversions and, therefore, would have no indirect impacts.

### ***6.3.2 Impacts of Diversions on Transportation Network***

Implementation of tolling on an existing roadway network can sometimes result in a shift of travel behavior wherein some drivers travel on a different route in order to avoid paying a toll. The potential shift of vehicles away from the tolled facilities is referred to as “toll diversion.” A screening analysis was conducted to determine whether impacts would occur along potential diversion routes as a result of increased truck traffic created by trucks diverting to avoid the tolls.

An approximately 9-mile stretch of RI Route 3 has been identified in the *Investment-Grade T&R Study* as a potential route for a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers attempting to avoid tolls (truck diversion) at Toll Locations 1 and 2. The route, shown in **Figure 6-1**, runs on RI Route 3 from Woodville Alton Road in the south, to RI Route 102 in the north.

Traffic impacts were analyzed relating to levels of service, speeds, and delays on this route due to potential truck diversions after the implementation of tolling at Toll Locations 1 and 2. Peak rates of flow are related to hourly volumes through the use of the peak-hour factor. This factor is defined as the ratio of total hourly volume to the peak rate of flow within the hour. The volume to capacity (V/C) ratio is the ratio of current flow rate to capacity of the facility. It is an indicator of the quality of the operations at an intersection. The delay encountered by a traveler at a signalized intersection constitutes an intersection control delay.

The analysis of existing and future operating characteristics of a facility is also measured using level of service (LOS) to provide an indication of the ability of the facility to satisfy both existing and future travel demand. LOS is a quantitative measure of the quality of service of a transportation facility. The LOS measure is stratified into six letter grades, “A” through “F” with “A” being the best and “F” being the worst. Each roadway facility type has a defined method for assessing capacity and LOS, which is based on a set of performance measures. Travel speed and density on freeways, delay at signalized intersections, and speed and ability to pass on rural two-lane highways are examples of performance measures that characterize the conditions of a facility.

For the analysis of traffic impacts due to potential truck diversions at Toll Locations 1 and 2, traffic volume data, fleet mix data, and signal timing data, where applicable, was compiled and evaluated from Toll Locations 1 and 2 and the corresponding Diversion Route 1. These data were collected from various sources, including RIDOT, the *Investment-Grade T&R Study*, and independent traffic count and turning movement count data collection efforts for this specific analysis.

### **Traffic Impact Methodology**

Jacobs conducted a traffic impact analysis for Diversion Route 1, which compares Base Year 2016 traffic conditions along Diversion Route 1 with a Pro Forma (as if Toll Locations 1 and 2

were in operation) Tolloed 2016 condition. Base Year 2016 was used as the basis for comparison between current (existing, non-tolloed facility) and Pro Forma tollod conditions. Base Year 2016 was chosen because the analysis in the *Investment-Grade T&R Study* utilizes the Rhode Island regional travel demand model, which is based on the data from 2016.

An analysis was also made for future year 2040, both without tolling (Future No Toll 2040) and with heavy truck tolling implemented (Future Tolloed 2040).

Separate analyses were, therefore, made for the following:

- Base Year 2016 – No Toll
- Pro Forma Tolloed 2016 – Tolloed
- Future No Toll 2040 – No Toll
- Future Tolloed 2040 – Tolloed

Based on the signalized intersection controls along the study corridor, along with the actual traffic data, the roadway facility type, and roadway characteristics (number of lanes, speed limits, etc.), Diversion Route 1 was separated into two major roadway segments. Each roadway segment analyzed adequately represents the character of its entire roadway segment. Analyses were made for these two major roadway segments along Diversion Route 1 (shown in **Figure 6-2**) as follows:

- Segment 1, between Woodville Alton Road and RI Route 138; and
- Segment 2, between RI Route 138 and RI Route 102.

Signal timing was obtained from RIDOT and used for the analyses for the two major signalized intersections along Diversion Route 1 (also shown in **Figure 6-2**):

- RI Route 138 at RI Route 3; and
- RI Route 102 at RI Route 3.

Traffic and signal timing data were compiled and evaluated, where applicable, for Toll Locations 1 and 2 and the corresponding Diversion Route 1. These data were collected from various sources, including RIDOT, *Investment-Grade T&R Study*, and independent traffic count and turning movement count data collection efforts for this specific analysis. These data were used to prepare an existing daily traffic flow profile along RI Route 3. This existing traffic flow profile was used to complete the V/C and LOS analyses of existing conditions for the Base Year 2016 – No Toll scenario.

Jacobs received 2016 potential truck diversion volumes from the *Investment-Grade T&R Study*. The truck diversion volumes for Diversion Route 1 were then applied to the Base Year 2016 – No Toll scenario to create the Pro Forma Tolloed 2016 traffic scenario.

An analysis was also made for future year 2040. For the Future No Toll 2040, growth rates were applied to the Base Year 2016 – No Toll scenario to create the Future No Toll 2040 scenario. Potential tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers

diversions from the *Investment-Grade T&R Study* were then applied to create the Future Tolloed 2040 scenario.

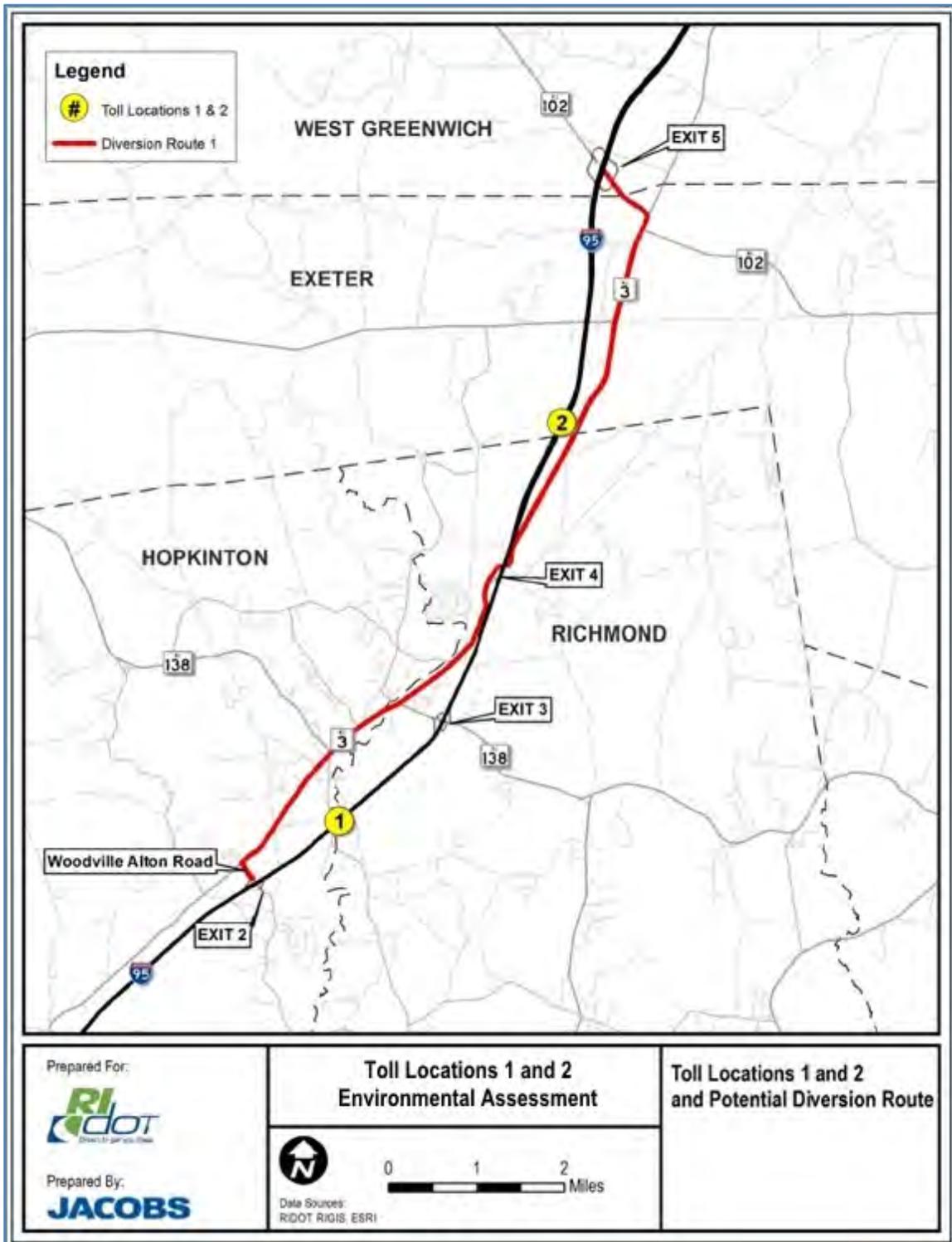


Figure 6-1. Toll Locations 1 and 2 and Diversion Route 1

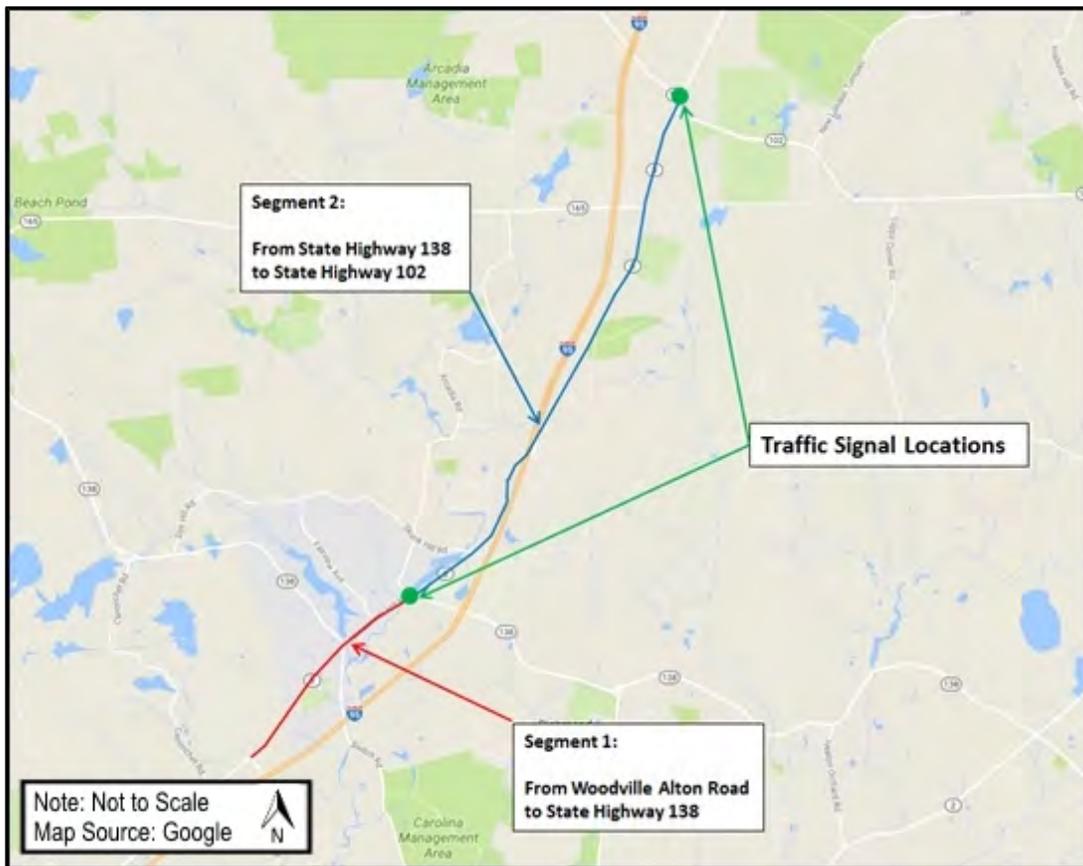


Figure 6-2. Diversion Route 1 Segments and Signals

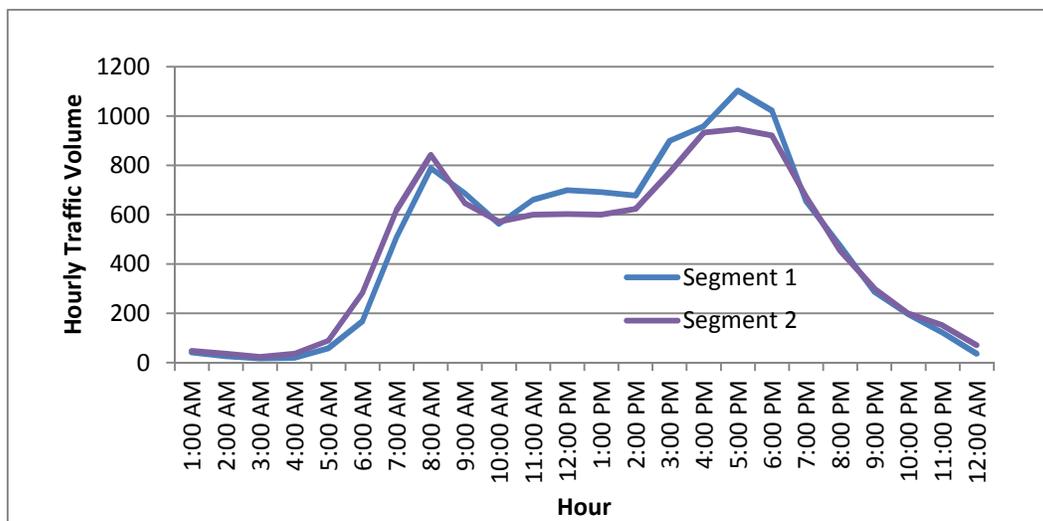
### Traffic Impact Analyses

The 2016 and 2040 conditions analyses were conducted for the two roadway segments using Highway Capacity Software (HCS) and Synchro 10, which are industry-standard and accepted implementation of the Highway Capacity Manual (HCM) procedures. The operating conditions of RI Route 3 were evaluated using ARTPLAN 2012, an arterial LOS tool that is included in the HCS 2010 software suite. ARTPLAN is an emulation of the 2010 HCM software for the LOS measurement for an arterial roadway facility. The use of ARTPLAN entails the mathematical operations among average annual daily traffic (AADT) volume and traffic, roadway, and signalization variables. Synchro 10 was used to analyze signalized intersections along the study corridor.

### Diversion Route 1, Existing and Future Estimated Traffic

The 24-hour traffic counts recently collected for this specific analysis were used as a basis for the analyses for the 2016 existing conditions. These traffic volumes are comparable to RIDOT database 2015 traffic volumes. **Figure 6-3** displays the 24-hour traffic profile for each segment analyzed along Diversion Route 1 (RI Route 3). The 24-hour counts were collected at four locations along RI Route 3. There are significantly higher volumes on two short segments,

between Spring Street and RI Route 138 (Main Street) and between RI Route 165 and RI Route 102 (Victory Highway). These segments with higher volumes were used in the analysis. Based on the actual traffic data, which showed higher peak volumes in the northbound direction, the northbound peak direction was analyzed.



**Figure 6-3. Weekday Two-way Traffic Volume Profile along Diversion Route 1**

The future year 2040 analyses incorporated the information contained within the Base Year 2016 dataset and projected these volumes for 2040. The 2040 volumes were developed by comparing Louis Berger estimates of total non-toll AADT for 2016 versus 2040. Between the period of 2016 and 2040, growth was determined to be 22 percent. Jacobs applied this period growth of 22 percent to the diversion analyses 2016 non-toll dataset to create a 2040 non-toll dataset for diversion analyses. **Table 6-1** shows the Base Year 2016 and estimated Future Year 2040 traffic profile data for each individual Diversion Route 1 segment analyzed.

**Table 6-1. Base Year 2016 and Estimated Future Year 2040 Traffic Profile Data**

Diversion Route 1 Segment	2016 Traffic Volumes				2040 Traffic Volumes			
	No Toll				No Toll			
	Total Day	Peak-hour			Total Day	Peak-hour		
	2-way Volume	1-way Peak Direction Volumes			2-way Volume	1-way Peak Direction Volumes		
	Total Veh.	Total Veh.	Trucks	% Truck	Total Veh.	Total Veh.	Trucks	% Truck
Segment 1 (Woodville Alton Road to RI Route 138)	11,352	607	36	6	13,381	741	44	6
Segment 2 (RI Route 138 to RI Route 102)	11,036	584	35	6	13,495	720	43	6

### Estimated Truck Diversion

**Table 6-2** shows the 4:00 pm to 5:00 pm peak hour estimated truck diversions from Toll Locations 1 and 2 to Diversion Route 1 that was used in the analyses. These hourly data are derived from the truck diversion volumes presented in *Appendix C, Tables C-4 and C-5*, of the *Investment-Grade T&R Study* and hourly counts.

**Table 6-2. Peak-Hour (4:00 pm to 5:00 pm) Estimated Truck Diversion from Toll Locations 1 and 2 to Diversion Route 1**

Diversion Route 1 Segment	2016 Truck Diversion		2040 Truck Diversion	
	NB/EB	SB/WB	NB/EB	SB/WB
Segment 1 (Woodville Alton Road to RI Route 138)	10	9	5	4
Segment 2 (RI Route 138 to RI Route 102)	10	9	5	4

Source: Investment-Grade T&R Study

In order to analyze the operational impacts relating to LOS, speeds, and delays of the truck diversions on Diversion Route 1, the 2016 and 2040 directional peak hour diverted truck traffic volumes were added to the 2016 and 2040 no-toll volumes, respectively. The diverted trucks were added to the non-tolled (2016 and 2040) to estimate tolled (2016 and 2040) scenario volumes. The estimated traffic volume data are summarized in **Table 6-3**.

**Table 6-3. Summary of Actual 2016 and Estimated 2040 Traffic Profile Data, without and with Truck Toll Diversion Estimates**

Diversion Route 1 Segment	2016 Traffic Volumes					2040 Traffic Volumes				
	No Toll					No Toll				
	Total Day	Peak-hour				Total Day	Peak-hour			
	2-way Volume	1-way Peak Direction Volumes				2-way Volume	1-way Peak Direction Volumes			
	Total Veh.	Total Veh.	Trucks	Total Veh.	Trucks	Total Veh.	Total Veh.	Trucks	Total Veh.	Trucks
Segment 1 (Woodville Alton Road to RI Route 138)	11,352	607	36	617	46	13,381	741	44	746	49
Segment 2 (RI Route 138 to RI Route 102)	11,036	584	35	594	45	13,495	720	43	725	48

### Results

**Table 6-4** provides a summary of results for the Diversion Route 1 traffic analyses.

**Table 6-4. Traffic Analysis Results**

Diversion Route 1 Segment	Year	Intersection Results				Segment Results	
		Condition	V/C Ratio	Delay (sec)	LOS	Speed (mph)	LOS
Segment 1 (Woodville Alton Road to RI Route 138)	2016	Base Year 2016 – No Toll	0.84	16.3	B	30.5	A
		Base Year 2016 – Tolloed	0.84	16.5	B	30.2	B
	2040	Future No Toll 2040	0.89	21.4	C	27.8	B
		Future Tolloed 2040	0.89	22.0	C	27.7	B
Segment 2 (RI Route 138 to RI Route 102)	2016	Base Year 2016 – No Toll	0.54	10.6	B	32.5	A
		Base Year 2016 – Tolloed	0.55	11.1	B	32.5	A
	2040	Future No Toll 2040	0.64	11.6	B	32.1	A
		Future Tolloed 2040	0.65	11.7	B	32.1	A

### Conclusion

The intersection analyses show that there would only be a slight increase in delay at the study intersections along Diversion Route 1 in both analysis years 2016 and 2040 due to the addition of truck diversion traffic. The increase in delay would be less than one second at either signalized intersection. This slight increase in delay would be imperceptible to the drivers of the route. The roadway segment analyses show an insignificant reduction in average speed (less than 0.5 mph) along Diversion Route 1. This reduction in speed would be imperceptible to the drivers of the route.

Based on the findings presented above, the **Proposed Action Alternative** would not result in indirect traffic impacts on Diversion Route 1.

### 6.3.3 Impacts of Diversions on Local Infrastructure

All diversions are anticipated to occur on existing routes currently used by a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers. The potential for indirect impacts to infrastructure (roads and bridges) resulting from increases in truck volumes was considered. Any truck traffic that diverts to avoid tolls at Toll Locations 1 and 2 would use existing roads that currently allow for these classes of truck. The bridges located along Diversion Route 1 (Wyoming, Hope Valley, and Canonchet) have no weight restrictions. As described in Section

6.3.2, the volume of truck traffic estimated to divert to any given roadway is small (ranging from 4 to 10 additional trucks at Peak Hour). This small increase in truck traffic along Diversion Route 1 is not expected to accelerate the deterioration of these bridges, nor require the acceleration of their scheduled repairs and maintenance. For these reasons, the **Proposed Action Alternative** would not result in indirect impacts to local infrastructure.

#### ***6.3.4 Impacts of Diversions on Air Quality***

An air quality screening analysis was performed to screen regional indirect air quality impacts resulting from toll diversions (Jacobs 2017b). Air quality impacts may stem from both direct and indirect pollutant emission sources. While direct pollutant emissions occur at the same time or place as a proposed project, indirect emissions occur at a different time or place. This air quality screening analysis assessed reasonably foreseeable changes to indirect emission sources stemming from the Project. Although the proposed Project would not affect total regional traffic volumes, a portion of the tolled tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers may divert from Toll Locations 1 and 2 to alternate non-tolled routes to avoid the tolls. Indirect pollutant emissions from these traffic diversions were assessed by capturing reasonably foreseeable changes to real-world vehicle operation activities (e.g., idling, braking and acceleration) and the total vehicle miles traveled (VMT) as a result of the Project. These factors combine to affect the rate at which vehicles emit air pollutants. Through the use of the latest available vehicle emissions modeling system, this analysis developed pollutant emission inventories to quantify the extent of effects the proposed Project would have on regional ambient air quality.

This analysis includes a qualitative assessment of the expected effects on MSAT emissions per EPA and FHWA guidance in the context of changes to VMT and travel speed distribution in response to the proposed Project.

#### **Methodology**

All projects that affect criteria pollutant emissions and are proposed within maintenance or nonattainment areas must demonstrate conformity with emission targets established in the controlling SIP. As the proposed Project would not expand transportation network capacity in Rhode Island, conformity with the SIP would be demonstrated under the General Conformity rule established in 40 CFR 93.153 for nonattainment areas located inside an ozone transport region. By demonstrating that project-related emissions would not exceed the *de minimis* criteria of 50 tons for VOC and 100 tons for NO<sub>x</sub> in the year during which emissions from the Project are expected to be greatest on an annual basis, a SIP conformity determination may be made to ensure that the proposed Project would neither delay timely attainment nor create new violations of the NAAQS.

To demonstrate that indirect air quality effects from the proposed Project would conform to the SIP, annual vehicular pollutant inventories were developed to represent the change in VOC and NO<sub>x</sub> emissions between the Future No Toll 2040 and Future Toll 2040 scenarios. Although the calculation of annual pollutant inventories is not required by the General Conformity rule for criteria pollutants that are in attainment of the NAAQS, CO and PM inventories have also been developed and shown in this EA for comparison purposes. The Project would affect only the regional distribution of existing truck traffic without adding any new capacity to the

transportation network. Therefore, the Project would have low potential MSAT effects and result in no appreciable difference in overall MSAT emissions.

The latest state-of-the-science and EPA-approved Motor Vehicle Emission Simulator (MOVES version 2014a) was used to calculate the annual pollutant emission inventories for both the Future No Toll 2040 and Future Toll 2040 scenarios. The MOVES model calculates emission inventories by performing a series of calculations that reflect real-world seasonal variability and vehicle operating processes in order to estimate total exhaust and evaporative emissions (i.e., fuel system permeation, age-related tank leaks, and fuel vapor loss) for all on-road vehicles including cars, trucks, motorcycle, and buses. Contextual MOVES data specific to the Rhode Island highway network—including vehicle fleet age and roadway travel speed distribution, VMT assignment timeframes, drive-activity cycles, formulation and market share of fuel types—are consistent with the latest county-level planning assumptions developed by RIDEM for SIP conformity determinations in Washington County where proposed Toll Locations 1 and 2 and Diversion Route 1 would be located.

The *Investment-Grade T&R Study* identifies the potential size of the tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers population that may choose to divert away from each proposed tolling location. Based on the population size identified in that study, the total weekday VMT corresponding to truck diversions from Toll Locations 1 and 2 to Diversion Route 1 was estimated and annualized for input into MOVES. County-level MOVES input data provided by RIDEM are then applied in the model to account for monthly, daily, and hourly VMT patterns, travel speed variations, as well as seasonal temperature adjustments that affect the rate of vehicle pollutant emissions. The resulting No Toll and Toll scenario MOVES outputs effectively isolates the total annual criteria pollutant emissions corresponding to potential truck diversions in response to the tolling.

In order to facilitate a worst-case assessment of potential future air quality impacts, year 2016 population size estimates for diverted trucks and year 2016 vehicle emission rates were used in the MOVES model to maximize total diversion VMT and, correspondingly, the pollutant emission potential of the proposed Project. Details on year 2016 population size data for diverted trucks are presented in the *Traffic Screening Impact Screening Analysis for Toll Locations 1 and 2 and Diversion Route 1 Technical Memorandum* (Jacobs 2017a). It is expected that the population of trucks diverting to local roadways would be largest in year 2016 as natural traffic growth would lead to more congestion on the local roadway network, thereby discouraging diversion from Toll Locations 1 and 2 where travel times would be faster. Similarly, due to implementation of joint U.S. Department of Transportation and EPA fuel economy and emissions regulations for medium and heavy duty vehicles, year 2016 pollutant emission rates would be greater than those of vehicles manufactured in subsequent years which would be subject to more stringent standards and become slowly integrated into the heavy truck fleet over time.

### **Analysis of Future Pollutant Inventories**

**Table 6-5** below summarizes the anticipated change in VMT stemming from Diversion Route 1 associated with Tolling Locations 1 and 2 as described in the traffic screening analysis (Jacobs 2017a). The total trip length in the No Toll scenario, as estimated by segmenting I-95 at Toll

Locations 1 and 2, is slightly longer than traveling on Diversion Route 1 in the Toll scenario by 0.29 miles, which was estimated by similarly segmenting RI Route 3.

**Table 6-5. Diversion Route 1 Worst-case Traffic Assumptions and MOVES Modeling Inputs**

Diversion Route	Daily Truck Diversion Population*	No Toll Scenario		Toll Scenario	
		Trip Length (miles)	Annual VMT*	Trip Length (miles)	Annual VMT*
1	354	9.41	984,352	9.12	954,016

\*Based on traffic year 2016 weekday diversion population estimates and annualization factors developed by the *Investment-Grade T&R Study*.

Based on the above input Project parameters, year 2016 annual emission inventories were developed for each criteria pollutant in the MOVES model and are shown in **Table 6-6** below. Since pollutant emissions generally increase as average vehicle travel speed decreases, the change in emissions between the No Toll and Toll scenarios is mainly due to differences in vehicle operation activities, which the MOVES model takes into account by incorporating drive-cycle and travel speed assumptions developed by RIDEM for each county based on roadway type. Whereas trips made by the truck diversion population in the No Toll scenario take place on restricted-access highways at predominantly free-flow speeds, the same vehicle trips diverted to unrestricted local roadways in the Toll scenario would be characterized by increased congestion with more frequent occurrences of vehicle acceleration and deceleration activities at near-idling speeds that increase criteria pollutant emissions. Although total emissions from the diverted truck population in the Toll scenario would be slightly higher than in the No Toll scenario for all criteria pollutants, the increases would be insignificant at less than one percent of General Conformity *de minimis* emission thresholds.

**Table 6-6. Comparison of Predicted Worst-case Emission Inventories and De Minimis Emission Thresholds**

Criteria Pollutant	General Conformity <i>De Minimis</i> Emissions Threshold (tons/year)	Total Emissions from Truck Diversion Population (tons/year)		Magnitude of Toll Emissions per <i>De Minimis</i> Threshold
		No Toll Scenario	Toll Scenario	
CO	100	0.29	0.32	0.3%
PM <sub>2.5</sub>	100	0.02	0.03	0.03%
NO <sub>x</sub>	100	0.47	0.55	0.6%
VOC	50	0.04	0.05	0.1%

The amount of MSAT emitted by the proposed Project would be proportional to VMT. In the Toll scenario, trip length would decrease by 0.29 miles, or 3 percent less than the No Toll scenario as shown in **Table 6-5** above. Although this decrease would lead to overall lower MSAT emissions in the Toll scenario, localized MSAT emissions would slightly increase due to new diversion VMT along RI Route 3 from Toll Locations 1 and 2. Regardless of the increased VMT, MSAT emissions would likely be lower than present levels in later years as a result of EPA's national control programs that are projected to reduce annual MSAT emissions by over 90 percent between 2010 and 2050 according to the *Updated Interim Guidance on Mobile Source Air Toxic Analysis in NEPA Documents* (FHWA 2016). Local conditions may differ from these national projections in terms of fleet mix and turnover, VMT growth rates, and local control measures. However, the magnitude of the EPA-projected reductions is so great (even after accounting for VMT growth) that MSAT emissions are likely to be lower in future years at virtually all locations. As there may be localized areas where VMT would increase, and other areas where VMT would decrease, it is possible that localized increases and decreases in MSAT emissions may occur. However, even if these increases do occur, they too would be substantially reduced in the future due to implementation of EPA's vehicle and fuel regulations.

### **Summary of Findings**

The proposed Project would indirectly affect emissions of criteria air pollutants in the region due to potential heavy truck traffic diverting from Toll Locations 1 and 2 on restricted-access highways to the unrestricted-access diversion route roadway (i.e., RI Route 3). Based on worst-case MOVES modeling of diverted truck emissions per pollutant inventories developed to assess the corresponding change in vehicle speed and operation activities (e.g., idling, braking, and acceleration) and VMT, total annual pollutant emissions related to the Toll scenario of the Project would be below *de minimis* annual emission limits established by General Conformity requirements (40 CFR 93.153) for all criteria pollutants of concern. Total pollutant emissions in the Toll scenario in year 2016, which is the year during which total emissions from the Project is expected to be the greatest on an annual basis, are predicted to be less than 1 percent of *de minimis* emission thresholds. As such, the proposed Project would not cause or contribute to new violations of any CO and PM<sub>2.5</sub> NAAQS, nor worsen the existing violation of the 2008 8-hour ozone NAAQS. For future MSAT emissions in the Toll scenario, it is expected there would be reduced MSAT emissions in the immediate area of potential diversion routes, relative to the No Toll scenario, due to EPA's MSAT reduction programs. As such, the **Proposed Action Alternative** would have no adverse effect on ambient air quality and would conform to all regional air quality attainment goals and commitments expressed in the Rhode Island SIP.

### **6.3.5 Impacts of Diversions on Noise and Vibration**

#### **Analysis of Noise Impacts**

A noise screening analysis was conducted to determine whether noise impacts would occur along Diversion Route 1 as a result of increased truck traffic created by trucks potentially avoiding Toll Locations 1 and 2 (Jacobs 2017c). In typical urban, suburban and highway environments, changes in noise of 1 dBA (A-weighted decibel) to 2 dBA are generally not perceptible. However, it is widely accepted that people are able to begin to detect sound level increases of 3 dBA in these environments. A change in noise levels of 3 dBA or more would be considered

perceptible by the human ear. Therefore, an increase of 3 dBA was used as a threshold of change requiring more detailed analysis.

The noise screening analysis used the FHWA Traffic Noise Model (TNM) 2.5 to predict traffic noise levels for the No Action Alternative (baseline) and Proposed Action Alternative. The noise model inputs included roadways and receptors based on flat ground, traffic volume projections, fleet mix, and vehicular speeds. Site characteristics such as topography were not included in the model. Representative receptor points (based on various distances) were modelled to determine noise level contours. The purpose of a basic flat model was to develop noise contours based on worst case peak hour truck diversion instead of conducting detailed noise modelling along each diversion route. For Diversion Route 1, both roadway segments (identified in the traffic analyses) were modelled to show noise levels along different roadway types and where the posted speed limits change. The diversion route segments were modelled using the peak hour directional traffic volumes during the time when diversion of trucks is highest. This traffic data was applied to both directions of travel for a worst-case scenario.

Analysis of 2040 noise levels was not conducted since 2040 diversion volumes are projected to be lower than 2016 diversion volumes. Therefore, since diversion volumes are higher in 2016, this would be the worst-case analysis year.

### **Traffic Data**

A traffic analysis was completed for potential Diversion Route 1 (RI Route 3). The highest peak hour and peak direction was selected for the traffic analysis using information (including amount of diverting trucks) from various sources including RIDOT, the *Investment-Grade T&R Study*, and independent traffic count and turning movement count data collected for the traffic analysis. More detailed information on traffic can be found in the *Traffic Impact Screening Analysis for Toll Locations 1 and 2 and Diversion Route 1 Technical Memorandum* (Jacobs 2017a).

Although the traffic analysis shown in Section 6.3.2 focused on the highest peak hour of traffic, the peak hour during the time when the diversion of trucks is highest was used for this noise screening analysis. This method was used to capture the highest potential noise level increase. **Table 6-7** summarizes the traffic data used for the noise screening analysis. The table shows the peak hour two-way traffic volumes including the diversion of trucks.

**Table 6-7. 2016 Worst-case Peak Hour Two-Way Directional Traffic and Posted Speed Limits**

Diversion Route 1 Segment	Total Number of Travel Lanes	Posted Speed Limit (mph)	2016 No Toll (peak direction only)		2016 Toll (peak direction only)	
			Automobiles	Heavy Trucks (%)	Automobiles	Heavy Trucks (%)
Segment 1 (Woodville Alton Road to RI Route 138)	2 Lanes Undivided	25	495	32 (6%)	495	49 (9%)
Segment 2 (RI Route 138 to RI Route 102)	4 Lanes Undivided	40	399	26 (6%)	399	43 (10%)

Note: peak hour was assumed from 2:00 pm to 3:00 pm.

### Noise Screening Analysis Results

**Table 6-8** summarizes the results of the noise screening analysis for both no toll and toll conditions for year 2016. Noise levels are anticipated to increase as a result of potential diversions of trucks due to the implementation of tolling at Toll Locations 1 and 2.

Segment 1 consists of a two-lane undivided roadway with a posted speed limit of 25 mph. Noise sensitive receptors mostly include moderate-density single-family residential dwellings and are located approximately 25 feet and beyond from the center of the nearest travel lane.

Segment 2 consists of a four-lane undivided roadway with a posted speed limit of 40 mph. Noise sensitive receptors mostly include low-density single-family residential dwellings and are located approximately 50 feet and beyond from the center of the nearest travel lane.

Based on this screening analysis, an increase of 3 dBA or more is not anticipated. This analysis is based on worst-case peak-hour direction assumptions and actual noise levels are likely to be lower.

**Table 6-8. Worst-case Noise Level Screening Results for Diversion Route 1 (RI Route 3)**

Receptor Points	Distance from Center of Nearest Travel Lane	2016 No Toll Noise Level dBA	2016 Toll Noise Level dBA	Difference between No Toll and Toll Conditions (+/-)
<b>Segment 1: RI Route 3 from Woodville Alton Road to RI Route 138 (2 lanes 25 mph)</b>				
R1	25 feet	65.8	67.2	+1.4
R2	50 feet	62.6	64.0	+1.4

Receptor Points	Distance from Center of Nearest Travel Lane	2016 No Toll Noise Level dBA	2016 Toll Noise Level dBA	Difference between No Toll and Toll Conditions (+/-)
R3	100 feet	57.9	59.4	+1.5
R4	200 feet	53.6	55.2	+1.6
R5	400 feet	48.7	50.3	+1.6
<b>Segment 2: RI Route 3 from RI Route 138 to RI Route 102 (4 lanes 40 mph)</b>				
R1	25 feet	67.2	68.3	+1.1
R2	50 feet	64.5	65.7	+1.2
R3	100 feet	60.6	61.9	+1.3
R4	200 feet	56.1	57.5	+1.4
R5	400 feet	49.9	51.5	+1.6

### Noise Impact Conclusions

Noise levels are anticipated to increase under the **Proposed Action Alternative** as a result of truck diversions. However, increases in noise levels are not anticipated to exceed 3 dBA. Actual noise levels are likely to be lower than those projected above in **Table 6-8** since these results are based on a worst-case scenario. In addition, shielding by other intervening objects within the propagation path such as dwelling units, buildings, and/or topography has not been accounted for in the model and would reduce noise levels further.

### Analysis of Vibration Impacts

Although there are no federal requirements directed specifically to highway traffic induced traffic, a literature review was performed in response to concerns regarding the potential for vibration impacts to historic structures. The following analysis of vibration impacts was performed utilizing the Federal Transit Administration's (FTA) vibration guidance set forth in *Transit Noise and Vibration Impact Assessment* (FTA 2006). Because this Project is associated with tractor or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers, the FTA construction criteria was used to assess the potential for both operational and construction vibration impacts. **Table 6-9** shows the construction vibration damage criteria from the FTA *Noise and Vibration Impact Assessment* manual.

**Potential Vibration Damage**

The FTA manual also sets forth vibration limits for potential vibration damage to neighboring buildings. These limits are also included in Table 6-9 for various types of buildings, and shows that the most stringent vibration level that could potentially cause damage to a building is 90 VdB.

**Table 6-9. Construction Vibration Damage Criteria**

<b>Building Category</b>	<b>PPV, in/sec</b>	<b>Approximate L<sub>v</sub><sup>*</sup></b>
I. Reinforced-concrete, steel or timber (no plaster)	0.5	102
II. Engineered concrete and masonry (no plaster)	0.3	98
III. Non-engineered timber and masonry buildings	0.2	94
IV. Buildings extremely susceptible to vibration damage	0.12	90

\* Root-mean-square (RMS) velocity in decibels, VdB re 1 micro-in/sec

Source: FTA 2006

Typical measured vibration levels from construction equipment are presented below in **Table 6-10** which shows that loaded construction trucks have a vibration level of 86 VdB at a distance of 25 feet from the source. This level is below the most stringent criteria for potential structural damage of 90 VdB. Additionally, the vibration levels from loaded construction trucks are conservative when compared to trucks that typically operate on the interstate highway. Therefore, operational vibration levels would be even lower.

**Table 6-10. Vibration Source Levels for Construction Equipment**

<b>Equipment</b>	<b>Peak Particle Velocity at 25 ft, in/sec</b>	<b>Approximate L<sub>v</sub><sup>*</sup> at 25 ft</b>
Pile Driver (impact)	upper range	1.518
	Typical	0.644
Pile Driver (sonic)	upper range	0.734
	Typical	0.17
Clam shovel drop (slurry wall)	0.202	94
Hydromill (slurry wall)	in soil	0.008
	in rock	0.017
Vibratory Roller	0.21	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drilling	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

\* Root-mean-square velocity levels in decibels, VdB re 1 micro-in/sec

Source: FTA 2006

Based on this research, there is no potential for vibration damage to any buildings as a result of the **Proposed Action Alternative**.

### ***6.3.7 Impacts of Diversions on Social Resources***

Indirect impacts on community resources, property values, local mobility, pedestrian and cyclist mobility, and community cohesion typically are the result of new or relocated roads, new destinations attracting significant traffic, relocated interchanges and ramps, or other major changes in accessibility. Construction of the Project would not alter accessibility, change land use patterns, widen or modify roads or intersections, or take property.

The intersection and segment analyses discussed in Section 6.3.2 show that there would only be a slight increase in delay at the study intersections along Diversion Route 1 and this increase would be imperceptible to the drivers of the route. The roadway segment analyses also show an insignificant reduction in average speed along Diversion Route 1, which would also be imperceptible to local drivers of the route.

The volume of truck traffic (existing and diverted) would not affect access to community facilities, would not cause any displacement, would have no effect on property values, and would not be numerous enough to negatively impact the enjoyment of pedestrians and cyclists using these routes. For these reasons, the **Proposed Action Alternative** would not result in measurable impacts to social resources.

### ***6.3.8 Impacts of Diversions on Historic and Archeological Resources***

As discussed in Section 5.11.2, there are numerous historic properties listed, determined eligible, or potentially eligible, for listing in the National Register that are located along Diversion Route 1 that may be affected by the increase in truck traffic.

Based on the available information assembled from RIHPHC site files and the field review, any potential increase in large commercial vehicle traffic on Diversion Route 1 would have no adverse effect on the historic properties, historic cemeteries, or resources that have not been evaluated and may be eligible for listing in the National Register. RI Route 3 is now used by large commercial vehicles and any potential increase in truck traffic is not expected to result in an increase in direct (vibration) or indirect (noise, visual, air quality) impacts to these resources. Therefore, the **Proposed Action Alternative** would have no adverse effect on historic or archeological resources.

### ***6.3.9 Impacts of Diversions on Open Space, Section 4(f), and Section 6(f) Properties***

Diversion Route 1 is located on an existing roadway (RI Route 3) currently used by trucks. The potential for indirect impacts to open space resources, including Section 4(f) properties and conservation land and recreation areas, from increases in truck volumes was considered (as discussed in Chapter 5, there are no Section 6(f) properties). The following analysis considers Diversion Route 1 and volumes discussed previously in 6.3.2.

As shown in the traffic analyses, the volume of truck traffic likely to divert is small. This limited increase in truck traffic along Diversion Route 1 would not increase, limit, or change access to any open space parcel. As previously discussed, there may be negligible to minor increases in noise and air emissions from the small increase in truck traffic. However, no physical

encroachment on open space, Section 4(f) properties, or other conservation or recreation areas would occur. For these reasons, the **Proposed Action Alternative** would not substantially impair the activities, features, or attributes that qualify Section 4(f) properties located along RI Route 3 for protection. No other Section 4(f) reviews or approvals are necessary. In addition, the Project would not result in adverse, indirect impacts to open space or other conservation land and recreation areas.

### ***6.3.10 Impact of Diversions on Trucks Assessed with Tolls***

This section discusses the impacts to drivers of a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers that choose to leave the I-95 corridor to avoid the assessment of tolls at Toll Locations 1 and 2.

Although RI Route 3 runs roughly parallel to I-95 and the distance of the Diversion Route 1 is similar to I-95, I-95 is designed for interstate commerce and the efficient movement of goods. The *Investment-Grade T&R Study* reports that data collected on both Diversion Route 1 and I-95 suggests that on average the diversion route would take six minutes longer than I-95. RI Route 3 has limited signalized intersections and is not congested, so the time of day is not a major factor and there are no limitations on the trucks using this route (e.g., no posted bridges or difficult turning movements). The toll rates assigned to Toll Locations 1 and 2 will be fixed in recognition of the diversion travel time and the trucker's VOT and expenses. Therefore, the impact of the **Proposed Action Alternative** on truckers seeking to use Diversion Route 1 would be minor and at their own discretion.

The cumulative impact of tolling on trucks is discussed below in Section 6.4.

## **6.4 Cumulative Impacts**

This section analyzes the cumulative impacts of the Proposed Action Alternative when added to other past, present, and reasonably foreseeable future actions.

To determine the overall health of each resource within the cumulative study area, information was reviewed from RIDOT, the RIGIS database, Environmental Systems Research Institute, community coordination, available community GIS databases, literature searches, and site investigations, as well as input received from agencies and stakeholders, and actions taken by others. The environmental impacts of other past, present, and reasonably foreseeable projects and plans (which includes the No Action Alternative) were considered in light of the impacts of the Proposed Action Alternative to determine whether cumulative impacts could occur. Ultimately, a resource was only considered for cumulative impact analysis if the Proposed Action's incremental contribution to cumulative impacts on a resource was deemed to be substantial enough to potentially affect the overall health of the resource such that a significant cumulative impact may result.

The following resources are present within the LOD or Diversion Route 1 corridor but would experience either no impact or negligible impacts from the Proposed Action Alternative and, therefore, would add no measurable contribution to cumulative impacts and are not considered further in the cumulative impact analysis: land use; transportation network; farmland/soils; wetlands and other waters of the U.S. and State; floodplains; groundwater resources, aquifers and

reservoirs; open space, Section 4(f), and Section 6(f) properties; wild, scenic, and recreational rivers; federal threatened and endangered species, state natural heritage species, and migratory birds; historic and archeological resources; environmental justice populations; social resources; visual resources; noise/vibration; and hazardous materials.

Due to the nature of these resources and the methods for assessing impacts upon them, the prior assessment of direct and indirect impacts has already considered and accounted for cumulative effects on these resources. For example, the traffic and revenue forecast discussed in the *Investment-Grade T&R Study* was developed using a customized version of the Rhode Island Statewide Model (RISM). RISM is a four-step travel demand model developed and maintained by the Rhode Island Statewide Planning Program that covers the state of Rhode Island plus bordering communities in Connecticut and Massachusetts. RISM includes population and household forecasts based on statewide and municipal population projections, as well as employment forecasts developed specifically for the RISM. Therefore, the assumptions which form the basis for the impact analysis on traffic, air quality, and noise for example, are founded on regional socioeconomic and demographic data, and rely on a travel demand model (with adjustment and customization) that reflects current and future conditions.

### ***Cumulative Impacts of Proposed Action***

The principal document used to support the cumulative impact analysis on tractor or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers is the *Investment-Grade T&R Study*, from which several observations can be drawn. As previously discussed in Section 6.2.16, a SP survey was conducted as part of the study. Using discrete choice modeling techniques, the resulting SP data was used to understand truck drivers' VOT or WTP for any potential travel time savings and other benefits of not diverting to a non-tolled roadway. The potential effect of long distance through movement diversions around the state of Rhode Island was also evaluated, and it was determined that no alternative route provides a competitive advantage over the tolled I-95 route through Rhode Island. Fifty-eight percent of the SP survey respondents used a tolled road or bridge as part of their current trip. The SP survey also indicated that the median driver income is estimated at approximately \$74,000 (implying an hourly wage of approximately \$35 an hour), and 18 percent of drivers reported incomes of at least \$100,000. The *Investment-Grade T&R Study (Louis Berger)* indicates that 55.8 percent of truck trips are entirely within Rhode Island, 38.5 percent have only one trip end in Rhode Island, and 5.5 percent are through trips that have neither trip end in Rhode Island.

There are several financial variables that frame the parameters for assessing the cumulative impacts of the toll assessments, including:

- Toll rates at Toll Locations 1 and 2 are assumed to range from \$3.50 to \$4.50;
- Tolls are limited to once per toll facility, per day in each direction;
- Tolls are limited to a \$20 total for a border-to-border through trip on I-95 from Connecticut to Massachusetts; and
- Tolls will not exceed \$40 per day.

From these variables and observations, the following conclusions can be drawn. The existing (baseline) economic impact of existing tolls on a tractor or truck tractor as defined in 23 CFR

658.5, pulling a trailer or trailers is difficult to assess since the specific origins, destinations, and intermediate routes of all trucks passing through Rhode Island are unknown. However, the SP survey indicated that over 50 percent of these drivers are already paying tolls in other states and would therefore experience cumulative impacts from the Proposed Action Alternative. As discussed in Section 6.2.16, the impact of the Proposed Action Alternative would range from \$3.50 to \$18.00 per day to the same individual tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers, and the cumulative impact to these same trucks using RFID technology is capped by legislation at \$20 for through trips on I-95, and \$40 maximum per day in Rhode Island.

Tolls will not be assessed at Toll Locations 1 and 2 under the **No Action Alternative**. However, existing toll assessments at other toll locations outside the state of Rhode Island will continue to be paid.

The **Proposed Action Alternative** would add an additional expense for drivers, many of whom are already paying tolls at other locations. However, the toll rates at Toll Locations 1 and 2 have been formulated to balance a driver's VOT and expenses, including the consideration of tolls at other locations, such that no significant economic impact to drivers of a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers would occur.

## Chapter 7 Public Involvement

A Public Involvement Plan (PIP) identifies outreach goals and objectives for public involvement and is developed for the specific circumstances of a given transportation project. The PIP that has been developed for this Project focuses on information exchange and education. It has been prepared by RIDOT in cooperation with FHWA pursuant to RI Gen L § 24-8-1.7 and in accordance with FHWA regulations governing coordination, public involvement and project development found in 23 CFR 771.111. The PIP is provided in **Appendix E** and builds off the public involvement process and input received from the public preceding the passing of *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016*.

Early activities have focused on reconnaissance and understanding stakeholder issues and concerns. A database of stakeholders and other interested and/or potentially affected parties has been created. Key-person interviews with officials and residents of Hopkinton, Richmond, and Exeter have begun. Public information pieces have been drafted.

Early outreach activities of the PIP included:

- Initial Project Notification Letters. Discussed in Chapter 8.
- Stakeholder Interviews. Outreach via telephone was made with town planners, local commission members, and other stakeholders with an interest in the Project.
- Project Web Page. RIDOT's RhodeWorks website was expanded to include a page dedicated to the Project and include key facts about the Project, proposed schedule, a comment form, and instructions on how to sign up for updates and keep up to date.
- Fact Sheet. A Fact Sheet with key information about the Project is available on the website and was sent to Hopkinton, Richmond, and Exeter planners. The Fact Sheet will continue to be disseminated to interested and affected parties.

### Public and Agency Review of EA

In coordination with the FHWA, the RIDOT circulated a Notice of Availability of the November 1, 2017 EA to all appropriate agencies, departments, commissions, and other branches of government at the federal, state, and local level. The notice advised recipients of where and how the EA can be viewed (in electronic or hard copy format), how to submit written comments on the EA and its contents, and included notification of the public hearing. Copies of the notification letters are included in Appendix G.

The RIDOT also notified the general public of availability of the EA through newspaper advertisements (placed in the *Westerly Sun* and the *Providence Journal*) and on the Department's official website (where the EA was also made available for viewing or download). Members of the public were invited to submit written comments on the EA by email, comment form, or letter. Notification of the public hearing was also provided in the notice. The notices were published on November 6, 2017 (included in Appendix G).

The RIDOT accepted comments from stakeholders and the general public for a 30-day period following publication of the EA through December 6, 2017. Documentation of the comments received during the review period and RIDOT responses are included in Appendix G.

### Public Hearing

During the public comment period for the EA, RIDOT held a public hearing and workshop to provide agencies, stakeholders, and the public an opportunity to comment on the EA. The hearing was held on November 21, 2017, 6:00PM at the Chariho Middle School. Notice of the Hearing was included in the Notice of Availability of the EA and Public Hearing/Workshop letter sent to all appropriate agencies, departments, commissions, and other branches of government at the federal, state, and local level, and published for the general public in the *Westerly Sun* and *Providence Journal* on November 6, 2017. The notice was published a second time on November 16, 2017 (Appendix G).

The public workshop preceded the public hearing and consisted of a presentation, display graphics on easels (available in Appendix G). A full copy of the EA was also made available. The workshop was presented by David Fish, RIDOT Chief Engineer.

The Public Hearing was opened after the workshop at 6:36 PM, and was administered by John Igliazzi, Legal Counsel for RIDOT. All comments were transcribed formally by Allied Court Reporters, Inc. for RIDOT. A total of 17 people provided oral comments at the hearing. The transcript, sign in sheet, and RIDOT responses are included in Appendix G.

## **Chapter 8 Agency Coordination**

Initial Project Notification Letters for the RhodeWorks Bridge Tolling Program were sent to federal, state, and local agencies, tribes, and organizations statewide (see list below). Because the Program is statewide, the purpose of the initial letters was to introduce the RhodeWorks Bridge Tolling Program in its entirety and solicit interest and concern from these agencies and organizations as the toll locations are designed, studied, and evaluated. Subsequent to the Initial Project Notification Letters, and following RIDOT's decision to advance only Toll Locations 1 and 2 at this time, additional letters for the Section 106 consultation process were sent to RIHPHC, Tribal Historic Preservation Officers (THPOs) for four Native American Tribes, and the three communities involved at Toll Locations 1 and 2.

### **Federal Agencies**

NPS Wild and Scenic Rivers Program  
EPA REGION 1 - New England Sole Source Aquifer program

### **Native American Tribes**

Mashantucket Pequot THPO  
Narragansett THPO  
Wampanoag Tribe of Gay Head/Aquinnah THPO  
Mashpee Wampanoag Tribe THPO

### **State Agencies**

RI Department of Environmental Management  
RI Historical Preservation and Heritage Commission

### **City and Town**

Cranston Historic District Commission  
Cranston Historical Society  
Cranston Planner  
Cumberland Historic District Commission  
Cumberland Town Planner  
East Providence Historical Society  
East Providence Historic District Commission  
East Providence Planner  
Exeter Town Planner  
Exeter Historical Association, Inc.  
Hopkinton Historical Association  
Hopkinton Historic District Commission  
Hopkinton Town Planner  
Johnston Town Planner  
Johnston Historical Society  
Lincoln Town Planner  
Blackstone Valley Historical Society

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Preservation Society of Pawtucket  
Pawtucket Historic District Commission  
Pawtucket Planner  
Providence Historic District Commission  
Providence Preservation Society  
Providence Planner  
North Smithfield Historic District Commission  
North Smithfield Planner  
Warwick Historical Society  
Warwick Historic District Commission  
Warwick Planner  
Richmond Town Planner  
Richmond Historical Society

**Organizations and Associations**

Blackstone Heritage Corridor Inc.  
Woonasquatucket River Watershed Council  
Wood-Pawcatuck Watershed Association

## Chapter 9 Permitting and Regulatory Review

This chapter identifies the federal and state environmental permits, regulatory reviews, and approvals that apply to the Project. A discussion of the requirements and the status of Project compliance are provided.

### 9.1 National Historic Preservation Act Section 106 Consultation

Section 106 of the NHPA requires federal agencies to consider the effects of undertakings on historic properties listed in or eligible for inclusion in the National Register. The NHPA is implemented through a consultation process between federal and state agencies and other parties assessing effects of projects on historic properties.

RIDOT's Resources Oversight Program, Office of Historic & Cultural Review in coordination with FHWA, prepared the Section 106 documentation for this Project based on technical reports prepared by PAL. Section 106 consultation letters were sent to RIHPHC (the State Historic Preservation Officer in Rhode Island), THPOs, and other consulting parties. FHWA will make a Section 106 finding of effect for the undertaking (Project) and request concurrence from the RIHPHC and comments from the THPOs and other consulting parties prior to finalizing the NEPA determination for this Project. Section 106 correspondence is provided in **Appendix D**. Due to the sensitive nature of the information contained in the Section 106 correspondence, some of the supporting memos are restricted from public review per confidentiality provisions in Section 304 of the NHPA.

### 9.2 Endangered Species Act Section 7 Consultation

A species list was obtained pursuant to Section 7 of the ESA which fulfills the requirement for federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action". The Official Species List was provided by the New England Ecological Services Field Office in Concord, New Hampshire. The list identified the NLEB as the only species within the area of the proposed Project. There are no critical habitats with or near the Project.

A Consistency letter was generated under the December 15, 2016 "Revised Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and the Northern Long-eared Bat." Based on the Project information, a determination of "may affect, not likely to adversely affect" was made. RIDOT formally submitted a Concurrence Verification on August 31, 2017 as required. The USFWS has 14 calendar days to notify RIDOT if they do not concur. Documents generated by the IPaC consultation process are provided in **Appendix C**.

### 9.3 EPA Sole Source Aquifer Program

The SSA Program is authorized by Chapter 1424(e) of the Safe Drinking Water Act of 1974. Designation of an aquifer as a "sole source aquifer" provides additional protection to the aquifer by giving the EPA authority to review all proposed federal financially-assisted projects which

have the potential to contaminate the SSA area. The reviews are designed to reduce the risk of groundwater contamination. A Project Notification letter was sent to the SSA Coordinator to inform the office of the Project. A copy of the EA will be made available to the EPA.

#### **9.4 Wild and Scenic Rivers Act**

As previously discussed, the Wild and Scenic Rivers Act establishes a method for evaluating and providing federal protection for certain free-flowing rivers, preserving them and their immediate environments for the use and enjoyment of present and future generations. The Wood River in Hopkinton was designated by Congress as a Study River. A Project Notification letter was sent to the Wild and Scenic Rivers Program office and the Wood-Pawcatuck Watershed Association. A copy of the EA will also be made available.

#### **9.5 Clean Water Act Section 401**

Coordination has been carried out with the RIDEM Office of Water Resources regarding permit requirements for the Project as discussed in Section 9.9.

#### **9.7 Title VI of the Civil Rights Act and Executive Order 12898**

Title VI prohibits discrimination in federally-assisted programs and requires that no person in the United States of America shall, on the grounds of race, color, or national origin (including limited-English proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.

EO 12898 directs agencies to avoid disproportionately high health or environmental impacts in minority and low-income neighborhoods.

The PIP and other Project information products developed for the Project are in compliance with Title VI and EO 12898.

#### **9.8 National Pollution Discharge Elimination System (NPDES)**

The NPDES permit program addresses water pollution by regulating point sources that discharge pollutants to waters of the U.S. The NPDES stormwater program requires permits for discharges from construction activities that disturb one or more acres, and discharges from smaller sites that are part of a larger common plan of development or sale.

The contractor will be responsible for preparing necessary documents and obtaining the NPDES permit if necessary.

#### **9.9 Rhode Island Fresh Water Wetlands Act**

The Rhode Island Fresh Water Wetlands Act authorizes RIDEM, Office of Water Resources to preserve and regulate the freshwater wetlands of the State for the public benefits that they provide.

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Wetland resources, as defined in the *Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act (2014)*, are located either adjacent to or within 200 feet of the LOD for Toll Locations 1 and 2.

A Request for Regulatory Applicability (RRA) was submitted to RIDEM for the toll locations. A subsequent Request for Preliminary Determination was submitted for Location 2. Permitting is summarized in Table 9-1 and provided in Appendix B.

<b>Table 9-1. Wetland Permitting</b>			
<b>Toll Location</b>	<b>RIDEM RRA Determination</b>	<b>RIDEM RPD Determination</b>	<b>Status</b>
1	Permit not required.	NA	Review Complete. No Permit Required
2	Further application (RPD <sup>1</sup> ) required.	Permit not required.	Review Complete. No Permit Required

<sup>1</sup>RPD: Request for Preliminary Determination

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## **Chapter 10 Distribution List**

The EA was made available in hard copy in local libraries and town/city halls of communities listed below. The EA was also posted on the RIDOT website. Notice of the Public Hearing and availability of the EA was made by public notice in several newspapers, such as the *Westerly Sun*, *Providence Journal*, and *Providence en Español*.

- Hopkinton
- Richmond
- Exeter

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## **APPENDICES**

- Appendix A Memoranda of Understanding (MOUs) for Toll Location 1 and 2**
- Appendix B Wetland Reports and Permitting Determinations**
- Appendix C Section 7 Consultation Documents**
- Appendix D Section 106 Correspondence**
- Appendix E Public Involvement Plan**
- Appendix F Diversion Analysis Technical Memos**
- Appendix G Notice of Availability, Comment Period, and Public Hearing/Workshop**

**Environmental Assessment**  
**Toll Locations 1 and 2**

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**Appendix A**

**Memoranda of Understanding (MOUs)**

**Executed MOUs for Toll Locations 1 and 2 are provided in Appendix A.**

**Environmental Assessment**  
**Toll Locations 1 and 2**

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MEMORANDUM OF UNDERSTANDING  
by and between the  
FEDERAL HIGHWAY ADMINISTRATION RHODE ISLAND DIVISION OFFICE  
and the  
RHODE ISLAND DEPARTMENT OF TRANSPORTATION (RIDOT)

WHEREAS, the RIDOT desires to reconstruct the Wood River Bridge #040401 which carries Interstate 95 over Wood River and Mechanic Street in the Towns of Hopkinton and Richmond (hereinafter referred to as the "Toll Project"); and

WHEREAS, the RIDOT desires to implement tolls on large commercial vehicles or "tractor trailers" using an open road tolling structure using one or more gantries to collect tolls on the Wood River Bridge (hereinafter referred to as the "Toll Facility"); and

WHEREAS, the Division and RIDOT desire to enter into this MOU in order to reflect the mutual understanding that 23 U.S.C. 129(a) applies to the Toll Project; and

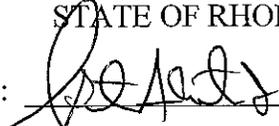
WHEREAS, 23 U.S.C. 129(a)(1)(E) allows for Federal participation in reconstruction or replacement of a toll-free bridge or tunnel and conversion of the bridge or tunnel to a toll facility; and

NOW THEREFORE, the Division and RIDOT hereby agree as follows:

1. The Toll Project meets the toll eligibility requirements of 23 U.S.C. 129(a) (1).
2. RIDOT shall comply with all requirements of 23 U.S.C. 129(a), as amended, with respect to the Toll Project and the operation of the Toll Facility.

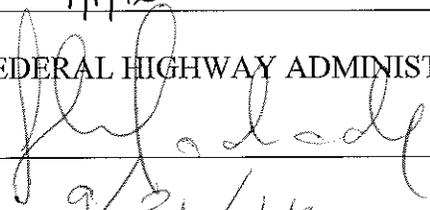
IN WITNESS THEREOF, the parties hereto have caused this MOU to be duly executed, on the date of the last signature below.

STATE OF RHODE ISLAND DEPARTMENT OF TRANSPORTATION

BY: 

DATE: 9/1/16

FEDERAL HIGHWAY ADMINISTRATION RHODE ISLAND DIVISION

BY: 

DATE: 9/21/16

MEMORANDUM OF UNDERSTANDING  
by and between the  
FEDERAL HIGHWAY ADMINISTRATION RHODE ISLAND DIVISION OFFICE  
and the  
RHODE ISLAND DEPARTMENT OF TRANSPORTATION (RIDOT)

WHEREAS, the RIDOT is reconstructing the Teft Hill Trail Bridge northbound and southbound #059201/21 which carries Interstate 95 over Teft Hill Trail in Exeter, RI and is reconstructing Baker Pines Bridge #059301 which carries Interstate 95 over Route 3 in Richmond, RI, (hereinafter referred to as the "Toll Project"); and

WHEREAS, the RIDOT desires to implement tolls on large commercial vehicles or "tractor trailers" using an open road tolling structure using one or more gantries to collect tolls on Teft Hill Trail Bridge and Baker Pines Bridge (hereinafter referred to as the "Toll Facility"); and

WHEREAS, the Division and RIDOT desire to enter into this MOU in order to reflect the mutual understanding that 23 U.S.C. 129(a) applies to the Toll Project; and

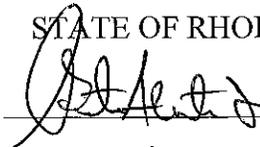
WHEREAS, 23 U.S.C. 129(a)(1)(E) allows for Federal participation in reconstruction or replacement of a toll-free bridge or tunnel and conversion of the bridge or tunnel to a toll facility; and

NOW THEREFORE, the Division and RIDOT hereby agree as follows:

1. The Toll Project meets the toll eligibility requirements of 23 U.S.C. 129(a) (1).
2. RIDOT shall comply with all requirements of 23 U.S.C. 129(a), as amended, with respect to the Toll Project and the operation of the Toll Facility.

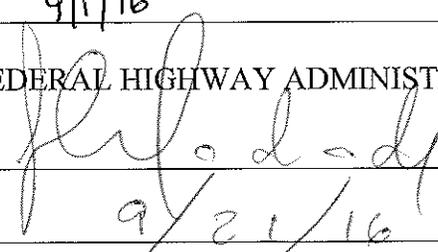
IN WITNESS THEREOF, the parties hereto have caused this MOU to be duly executed, on the date of the last signature below.

STATE OF RHODE ISLAND DEPARTMENT OF TRANSPORTATION

BY: 

DATE: 9/1/16

FEDERAL HIGHWAY ADMINISTRATION RHODE ISLAND DIVISION

BY: 

DATE: 9/21/16

## **Appendix B**

### **Wetland Reports and Permitting Determinations**

**The following documents are provided in Appendix B:**

- **Wetland Field Memo Toll Location 1**
- **Wetland Field Memo Toll Location 2**
- **RIDEM Determination for the Request for Regulatory Applicability for Toll Location 1**
- **RIDEM Determination for the Request for Regulatory Applicability for Toll Location 2**
- **RIDEM Determination for the Request for preliminary Determination for Toll Location 2**

**Environmental Assessment**  
**Toll Locations 1 and 2**

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**Jacobs Engineering Group Inc.**  
343 Congress St.  
Boston, MA 02210 U.S.A.  
1.617.242.9222 Fax: 1.617.242.9824

## Memorandum

TO: Lars H. Carlson, Ph.D., PWS  
Jacobs Planning and Environmental Group Leader

FROM: Michael Turgeon, Senior Environmental Scientist, Jacobs Engineering

DATE: December 9, 2016

SUBJECT: RIDOT Tolling Location 1  
Wetland Resource Areas in Richmond and Hopkinton RI

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### Introduction

This Memo has been prepared to identify the wetland resources present in the vicinity of the above referenced project and support the associated Request for Regulatory Applicability (RRA). It documents the results of field delineation work to determine the presence of jurisdictional wetlands within the project limits. Wetland delineation flagging has been located by field survey and is shown on figures in Attachment 1 and construction plans in Attachment 4 of the RRA.

### Methodology

A desktop review of available wetland map sources was conducted to prepare for field investigations and identify wetland resources in the vicinity of the project. The U.S. Fish and Wildlife Service National Wetland Inventory maps of Rhode Island were used to initially locate wetland resources. Floodplain areas were determined from the FEMA FIRM Mapping Panel 44009C0152H, dated 10/19/10, a 100 year flood elevation of 68 feet NGVD and site topography. Vegetated wetland areas within the proposed Limit of Disturbance (LOD) and within 200 feet of the LOD were field inspected and flagged by Jacobs wetland scientists Tess Paganelli and Michael Turgeon on September 15, 2016. These wetland resource boundaries are depicted on the construction plan.

The wetland delineation was conducted in accordance with the US Army Corps of Engineers Wetland Delineation Manual (January 1987) and the July 16, 2014 Rules and Regulations Governing the Administration and Enforcement of the R.I. Freshwater Wetlands Act (Rules). Acrylic blue flagging was used to mark the Ordinary High Water Mark (OHWM) of the eastern and western banks of the Wood River and the southern boundary of the swamp east of the river and north of I-95. Flags numbered JEG-LA-A1 through JEG-LA-A4 mark the OHWM of the eastern bank of the river. Flags numbered JEG-LA-B1 through JEG-LA-B3 mark the OHWM of the western bank of the river. Flags numbered JEG-LA-C1 through JEG-LA-C5 mark the southern limit of the swamp. Flags were surveyed and located on the site design plans. Field work was conducted in Richmond (gantry location) and in Hopkinton (conduit work). Based on this flagging, other wetland resources such as Riverbank and Perimeter Wetlands were determined by scaled offset and have been indicated on the Plan.

## **Wetland Descriptions**

The Department of Environmental Management (RIDEM) regulates activities in freshwater wetlands through the Freshwater Wetlands Program and Rules. Wetlands include vegetated wetlands such as swamps, marshes, emergent and forested wetlands. Other regulated wetland types included flowing water, floodplains and perimeter and riverbank wetlands. Perimeter and riverbank wetlands are upland areas adjacent to wetlands of a certain size.

### *Wood River*

The Wood River (Photo 1) is a River with a channel that is greater than ten feet wide. Since flowing bodies of water having a width of ten feet or more have, per the Rules, a Riverbank Wetland (discussed below), the OHWM was field delineated to determine the edge of the River. No work is proposed directly in the Wood River. I-95 is carried over the Wood River and Mechanic Street via the Wood River Bridge.



**Photo 1 Wood River Looking North, Upstream of I-95 Bridge**

### *200-Foot Riverbank Wetlands*

Riverbank Wetland is defined as the area of land within either 200 feet or 100 feet of the edge of a flowing body of water (i.e. river, stream, intermittent stream). Rivers having a width of ten feet or more have a 200-foot Riverbank. The OHWM determines the edge. The OHWM associated with both banks of the Wood River was flagged to establish the 200-foot Riverbank Wetland. The Riverbank Wetland at this location includes both undisturbed and previously disturbed areas. Trenching for conduit associated with extending power to the gantries is proposed within previously disturbed portions of this resource.

Vegetation noted along the eastern bank of the River included: red maple (*Acer rubrum*), sweet pepperbush (*Clethra alnifolia*), and poison ivy (*Toxicodendron radicans*). The western bank has similar vegetation. Other vegetation noted within the undisturbed forested habitat includes: white pine (*Pinus strobus*), red maple (*Acer rubrum*), white oak (*Quercus alba*), mountain laurel (*Kalmia latifolia*), white ash (*Fraxinus americana*), New York fern (*Thelypteris noveboracensis*), Pennsylvania sedge (*Carex pensylvanica*). Please see the attached RIDEM Wetland Edge Delineation Data Form for additional information.

Within the project limits, the 200-foot Riverbank Wetland associated with the eastern and western banks of the Wood River consists of previously disturbed areas. Undisturbed forested habitat, shown in Photo 1 is not within the LOD for the project. The disturbed areas within the 200-foot Riverbank Wetlands are characterized by the mowed shoulders and paved surfaces of Mechanic Street and I-95 as well as the I-95 Bridge over the Wood River and Mechanic Street.

### *Swamp*

A swamp (Photo 2) is located to the north of I-95. The southern edge was field delineated to establish the 50-foot Perimeter Wetland (discussed below). Vegetation noted within the swamp included: white pine (*Pinus strobus*) red maple (*Acer rubrum*), mountain laurel (*Kalmia latifolia*), sweet pepperbush (*Clethra alnifolia*), and highbush blueberry (*Vaccinium corymbosm*). Please see the attached RIDEM Wetland Edge Delineation Data Form for additional information.



**Photo 2. Edge of Swamp closest to project limits, looking North.**

### *Perimeter Wetland*

A Perimeter Wetland (also called Area of Land Within 50 feet) is a regulated freshwater wetland consisting of the area of land within 50 feet of the edge of any bog, marsh, swamp or pond as defined by the Rules.

The southern boundary of the swamp (discussed above) was used to scale off the limits of the perimeter wetland. Trenching for conduit associated with extending power to the gantries is proposed within or in close proximity to this resource.

The 50-foot Perimeter Wetland includes forested upland habitat and the northern edge of the mowed shoulder of I-95. It is overlapped by the eastern 200-foot Riverbank Wetland associated with the Wood River. Vegetation noted within the undisturbed area within the 50-foot Perimeter included: white pine (*Pinus strobus*), white oak (*Quercus alba*), and Pennsylvania sedge (*Carex pensylvanica*). Please see the attached RIDEM Wetland Edge Delineation Data Form for additional information.

### *Floodplain Wetlands*

Floodplain, as defined by the Rules, is the land area adjacent to a river or other flowing body of water that is likely to be covered with flood waters resulting from a 100-year frequency storm. The 100-year flood elevation in the project area is 68 feet NGVD. Although mapping indicates

that the project location is within the 100-year floodplain, the bridge, road and embankment where work will take place is well above the flood elevation.

**Findings**

RIDEM regulated freshwater wetlands identified within 200 feet of the project limits include:

- River (greater than 10 feet wide)
- 200-Foot Riverbank Wetland
- Swamp
- 50-Foot Perimeter Wetland
- Floodplain Wetlands

The LOD for Location 1 is within some of the wetland areas regulated by RIDEM. Table 1 summarizes the wetlands at Location 1.

<b>Table 1. Summary of Regulated Wetlands at Location 1</b>			
<b>Wetland Type</b>	<b>Location</b>	<b>Delineation</b>	<b>LOD In Resource</b>
River	Wood River OHWM	JEG-LA-A1 - A4 and B1 - B3	No
Swamp	North of I-95	JEG-LA-C1 - C5	No
200-foot Riverbank	Wood River East and West Bank	As scaled	Yes
50 foot Perimeter Wetland	Swamp	As scaled	Yes
Floodplain Wetland	Areas below elevation 68' NGVD	FEMA FIRM Panel # 44009C0152H dated 10/19/10	No

RIDEM Wetland Edge Delineation Data Forms

Wetland Edge Delineation Data Form (WETLAND)

Applicant: RIDOT

Wetland No. LA-A + LA-B

Project: Tolling Location 1

Flag No. Sequence: A1-A4  
B1-B3

City/Town: Hopkinton - Richmond

Date: 9/15/16

Vegetation: List the three dominant species in each vegetative strata along with their NWI status:

<u>Tree</u>	<u>Indicator Status</u>	<u>Herbs</u>	<u>Indicator Status</u>
1. Acer rubrum (Red maple)	FAC	1.	
2.		2.	
3.		3.	
<u>Saplings/Shrubs</u>		<u>Woody Vines</u>	
1. Clethra alnifolia (Sweet pepper bush)	FAC	1. Toxicodendron radicans (poison ivy)	FAC
2.		2.	
3.		3.	

List other vegetative species noted which may have affected determination of the wetland edge: \_\_\_\_\_

Soil: SCS Soil Survey Mapping Unit: Rippowam fine sandy loam  
On Hydric Soils List?  (Y/N) yes

Soil Profile (Note wetland flag no. nearest soil test pit): A3

Horizon	Depth	Matrix Color	Mottling Description	Depth to Saturation	Depth to Free Water
River Channel					0

Other hydrological indicators (e.g. water marks, drainage patterns, root rhizospheres, etc.; see Appendix 4(A)(4) of the Rules): \_\_\_\_\_

Landscape position:  
Altered/atypical situation? (describe)

Comments: river bank wetland, LA-A marks the eastern edge of the bank, LA-B marks the western edge of the bank.

Wetland Edge Delineation Data Form (UPLAND)

Applicant: RIDOT  
 Project: Tolling Location 1  
 City/Town: Hopkinton-Richmond

Wetland No. LA-A + LA-B  
 Flag No. Sequence: A1-A4  
 B1-B3  
 Date: 9/15/16

Vegetation: List the three dominant species in each vegetative strata along with their NWI status:

<u>Tree</u>	<u>Indicator Status</u>
1. Pinus strobus (white pine)	FACU
2. Acer rubrum (red maple)	FAC
3. Quercus alba (white oak)	FACU

<u>Herbs</u>	<u>Indicator Status</u>
1. Thelypteris noveboracensis (M Fern)	FAC
2. Carex pensylvanica (Pennsylvania sedge)	UPL
3.	

Saplings/Shrubs

1. Pinus strobus (white pine)	FACU
2. Kalmia latifolia (mountain laurel)	FACU
3. Fraxinus americana (white ash)	FACU

Woody Vines

- 
- 
- 

List other vegetative species noted which may have affected determination of the wetland edge: \_\_\_\_\_

Soil: SCS Soil Survey Mapping Unit: Udorthents  
 On Hydric Soils List? (Y/N) No

Soil Profile (Note wetland flag no. nearest soil test pit): A1

Horizon	Depth	Matrix Color	Mottling Description	Depth to Saturation	Depth to Free Water
O <sub>f</sub>	1-0				
A	0-5	10YR 3/3			
B	5-15	10YR 6/7			

Other indicators exhibiting an absence of wetland hydrology (e.g. absence of water marks, lack of redoximorphic features, lack of oxidized rhizospheres, etc.):  
 \_\_\_\_\_

Landscape position:  
Altered/atypical situation? (describe)  
 \_\_\_\_\_

Comments: adjacent to roadway, previously disturbed.  
 \_\_\_\_\_

Wetland Edge Delineation Data Form (WETLAND)

Applicant: RIDOT

Wetland No. LA-C

Project: Tolling Location 1

Flag No. Sequence: C1-C5

City/Town: Hopkinton-Richmond

Date: 9/15/16

Vegetation: List the three dominant species in each vegetative strata along with their NWI status:

<u>Tree</u>	<u>Indicator Status</u>	<u>Herbs</u>	<u>Indicator Status</u>
1. Acer rubrum (red maple)	FAC	1.	
2. Pinus strobus (white pine)	FACU	2.	
3.		3.	

Saplings/Shrubs

1. Vaccinium corymbosum (highbush blueberry) FACW
2. Clethra alnifolia (sweet pepper bush) FAC
3. Kalmia latifolia (mountain laurel) FACU

Woody Vines

- 1.
- 2.
- 3.

List other vegetative species noted which may have affected determination of the wetland edge: \_\_\_\_\_

Soil: SCS Soil Survey Mapping Unit: Rippowam fine sandy loam + hinchley loamy sand  
 On Hydric Soils List? (Y/N) yes - R<sub>2</sub> NO - H<sub>2</sub>C

Soil Profile (Note wetland flag no. nearest soil test pit): C3

Horizon	Depth	Matrix Color	Mottling Description	Depth to Saturation	Depth to Free Water
O <sub>i</sub>	2-0				
A	0-5	10Yr 3/2			
B	5-10	10Yr 7/2	10Yr 6/5		
B	10-15	10Yr 3/1	10Yr 5/8		

Other hydrological indicators (e.g. water marks, drainage patterns, root rhizospheres, etc.; see Appendix 4(A)(4) of the Rules): \_\_\_\_\_

Landscape position: \_\_\_\_\_

Altered/atypical situation? (describe) \_\_\_\_\_

Comments: \_\_\_\_\_

Wetland Edge Delineation Data Form (UPLAND)

Applicant: RIDOT

Wetland No. LA-C

Project: Tolling Location 1

Flag No. Sequence: C1-C5

City/Town: Hopkinton-Richmond

Date: 9/15/14

Vegetation: List the three dominant species in each vegetative strata along with their NWI status:

<u>Tree</u>	<u>Indicator Status</u>
1. Pinus strobus (white pine)	FACU
2. Quercus alba (white oak)	FACU
3.	

<u>Herbs</u>	<u>Indicator Status</u>
1. Carex pensylvanica (pennsylvanica sedge)	UPL
2.	
3.	

<u>Saplings/Shrubs</u>	
1. Pinus strobus (white pine)	FACU
2.	
3.	

<u>Woody Vines</u>
1.
2.
3.

List other vegetative species noted which may have affected determination of the wetland edge: \_\_\_\_\_

Soil: SCS Soil Survey Mapping Unit: Udorthents  
 On Hydric Soils List? (Y/N) No

Soil Profile (Note wetland flag no. nearest soil test pit): \_\_\_\_\_

Horizon	Depth	Matrix Color	Mottling Description	Depth to Saturation	Depth to Free Water
Oe	2-0				
A	0-1	10Yr 4/3			
B	1-12	10Yr 6/6			

Other indicators exhibiting an absence of wetland hydrology (e.g. absence of water marks, lack of redoximorphic features, lack of oxidized rhizospheres, etc.):  
 \_\_\_\_\_

Landscape position:  
Altered/atypical situation? (describe)  
 \_\_\_\_\_

Comments:  
 \_\_\_\_\_



**Jacobs Engineering Group Inc.**  
343 Congress St.  
Boston, MA 02210 U.S.A.  
1.617.242.9222 Fax: 1.617.242.9824

## Memorandum

TO: Lars H. Carlson, Ph.D., PWS  
Jacobs Planning and Environmental Group Leader

FROM: Michael Turgeon, Senior Environmental Scientist, Jacobs Engineering

DATE: December 9, 2016

SUBJECT: RIDOT Tolling Location 2  
Wetland Resource Areas in Exeter RI

---

### Introduction

This Memo has been prepared to identify the wetland resources present in the vicinity of the above referenced project and support the associated Request for Regulatory Applicability (RRA). It documents the results of field delineation work to determine the presence of jurisdictional wetlands within the project limits. Wetland delineation flagging has been located by field survey and is shown on figures in Attachment 1 and construction plans in Attachment 4 of the RRA.

### Methodology

A desktop review of available wetland map sources was conducted to prepare for field investigations and identify wetland resources in the vicinity of the project. The U.S. Fish and Wildlife Service National Wetland Inventory maps of Rhode Island were used to initially locate wetland resources. FEMA FIRM Mapping Panel Number 44009C0070H, dated 10/19/10, was utilized to determine that floodplain wetlands are not present within the project area. Vegetated wetland areas within close proximity to the Limit of Disturbance (LOD) were field inspected and flagged by Jacobs wetland scientists Tess Paganelli and Michael Turgeon on September 15, 2016. These wetland resource boundaries are depicted on the construction plan.

The wetland delineation was conducted in accordance with the US Army Corps of Engineers Wetland Delineation Manual (January 1987) and the July 16, 2014 Rules and Regulations Governing the Administration and Enforcement of the R.I. Freshwater Wetlands Act (Rules). Field work was conducted in Exeter RI. Acrylic blue flagging was used to mark the Ordinary High Water Mark (OHWM) of a stream that is conveyed under I-95 between the rest areas on both sides of I-95 and Tefft Hill Trail and the wetland boundary for an Emergent Plant Community located to the north of the LOD in the mowed shoulder of I-95 south. Flags numbered JEG-LB-A1 through JEG-LB-A8 mark the OHWM of the bank of the stream on the west side of I-95 upstream of where it enters a 36 inch reinforced concrete pipe (RCP) culvert. Flags numbered JEG-LB-B1 through JEG-LB-B4 mark the OHWM of the stream on the east side of I-95 where it flows from the 24 inch RCP flared end culvert. Flags numbered JEG-LB-C1 through JEG-LB-C3 mark the northern and southern limits of the Emergent Plant Community adjacent to the northern limits of the LOD in the shoulder of I-95 south. Flags were surveyed and located on the site design plans. Based on this flagging, Riverbank Wetlands were determined by scaled offset and have been indicated on the Plan.

## **Wetland Descriptions**

The Department of Environmental Management (RIDEM) regulates activities in freshwater wetlands through the Freshwater Wetlands Program and Rules. Wetlands include vegetated wetlands such as swamps, marshes, emergent and forested wetlands. Other regulated wetland types included flowing water, floodplains and perimeter and riverbank wetlands. Perimeter and riverbank wetlands are upland areas adjacent to wetlands of a certain size.

### *Stream South of Tefft Hill Trail*

A stream with a channel less than 10 feet wide enters a 36 inch RCP culvert between the rest area for I-95 north and Tefft Hill Trail. (Photo 1) The channel was dry on September 15 and averaged 7 feet in width. Since flowing bodies of water having a width of less than ten feet, per the Rules, have a 100-foot Riverbank Wetland (discussed below), the OHWM was field delineated to determine the inner edge of the Riverbank Wetland. No work is proposed directly in the Stream or the Riverbank Wetland associated with the stream. I-95 is carried over the Stream via a culvert.



**Photo 1 Stream and 36" Culvert West of I-95 Looking East**

---

The Stream is conveyed under I-95 and exits a 24 inch RCP flared end culvert into a channel less than 10 feet wide on the east side of I-95 south. The channel was dry on September 15 and averaged 5 feet in width. Since flowing bodies of water having a width of less than ten feet, per the Rules, have a 100-foot Riverbank Wetland (discussed below), the OHWM was field delineated to determine the inner edge of the Riverbank Wetland. No work is proposed directly in the Stream or the Riverbank Wetland associated with the stream.

#### *100-Foot Riverbank Wetlands*

Riverbank Wetland is defined as the area of land within either 200 feet or 100 feet of the edge of a flowing body of water (i.e. river, stream, intermittent stream). Rivers having a width of less than ten feet have a 100-foot Riverbank Wetland. The OHWM determines the inner edge. The OHWM of the stream on both sides of I-95 was flagged to establish the 100-foot Riverbank Wetlands associated with the Stream. The Riverbank Wetland at these locations is characterized by undisturbed and previously disturbed areas. No work is proposed within these resources.

Vegetation noted along the Stream east of I-95 included: beech (*Fagus grandifolia*), sweet birch (*Betula lenta*), black oak (*Quercus velutina*) and sarsaparilla (*Aralia nudicaulis*). Vegetation noted along the Stream west of I-95 included: red maple (*Acer rubrum*), sweet pepperbush (*Clethra alnifolia*), poison ivy (*Toxicodendron radicans*), Virginia creeper (*Parthenocissus quinquefolia*), and Canada goldenrod (*Solidago canadensis*).

#### *Emergent Plant Community*

An Emergent Plant Community less than one acre in size (Photo 2) is located to the north of the LOD within the mowed shoulder of I-95 south. The southern and northern limits of the 5 foot wide wetland were field delineated to ensure that no work would be conducted within the wetland. Since the area of the Emergent Plant Community is less than one acre, there is no perimeter wetland associated with it. Vegetation noted within the Emergent Plant Community included: soft rush (*Juncus effuses*) and smartweed, (*Polygonum hydropiperoides*). Please see the attached RIDEM Wetland Edge Delineation Data Form for additional information.



**Photo 2. Edge of Emergent Plant Community closest to project limits, looking North.**

## Findings

RIDEM regulated freshwater wetlands identified near the project limits include:

- Stream (Less than 10 feet wide)
- 100-Foot Riverbank Wetlands
- Emergent Plant Community (Less than 1 acre)

The LOD for Location 2 is not within wetland areas regulated by RIDEM. Table 1 summarizes the wetlands near Location 2.

<b>Table 1. Summary of Regulated Wetlands at Location 2</b>			
<b>Wetland Type</b>	<b>Location</b>	<b>Delineation</b>	<b>LOD In Resource</b>
Stream	West of I-95 north OHWM	JEG-LB-A1 - A8	No
Stream	East of I-95 south OHWM	JEG-LB-B1 - B4	No
100-foot Riverbank Wetland	West of I-95 north	As scaled	No
100-foot Riverbank Wetland	East of I-95 north	As scaled	No
Emergent Plant Community	North of LOD in mowed shoulder of I- 95 south	JEG-LB- C1-C3	No



RIDEM Wetland Edge Delineation Data Forms

Wetland Edge Delineation Data Form (WETLAND)

Applicant: RIDOT

Wetland No. LB-C

Project: Taling Location 2

Flag No. Sequence: C1-C3

City/Town: Exeter

Date: 9/15/16

Vegetation: List the three dominant species in each vegetative strata along with their NWI status:

<u>Tree</u>	<u>Indicator Status</u>	<u>Herbs</u>	<u>Indicator Status</u>
1.		1. Juncus effusus (soft rush)	OBL
2.		2. Polygonum punctatum (dotted smartweed)	OBL
3.		3.	
<u>Saplings/Shrubs</u>		<u>Woody Vines</u>	
1.		1.	
2.		2.	
3.		3.	

List other vegetative species noted which may have affected determination of the wetland edge: \_\_\_\_\_

Soil: SCS Soil Survey Mapping Unit: Binghamton - Charlton complex  
On Hydric Soils List? (Y/N) N

Soil Profile (Note wetland flag no. nearest soil test pit): C3

Horizon	Depth	Matrix Color	Mottling Description	Depth to Saturation	Depth to Free Water
Oa	2-6				
A	0-8	10Yr 4/3	10Yr 5/2		
			10Yr 5/7		
B	8-12	10Yr 4/6	no mottles		

Other hydrological indicators (e.g. water marks, drainage patterns, root rhizospheres, etc.; see Appendix 4(A)(4) of the Rules):  
\_\_\_\_\_

Landscape position:  
Altered/atypical situation? (describe)  
\_\_\_\_\_

Comments: perched drainage swale  
\_\_\_\_\_  
\_\_\_\_\_

Wetland Edge Delineation Data Form (UPLAND)

Applicant: RIDOT

Wetland No. LB - C

Project: Tolling Location 2

Flag No. Sequence: C7 - C3

City/Town: Exeter

Date: 9/15/16

Vegetation: List the three dominant species in each vegetative strata along with their NWI status:

<u>Tree</u>	<u>Indicator Status</u>
1. <i>Fagus grandifolia</i> (beech)	FACU
2. <i>Betula lenta</i> (sweet birch)	FACU
3.	

<u>Herbs</u>	<u>Indicator Status</u>
1. <i>Aralia nudicaulis</i> (sarsaparilla)	FACU
2.	
3.	

<u>Saplings/Shrubs</u>
1. <i>Quercus velutina</i> (blackoaks) UPL
2.
3.

<u>Woody Vines</u>
1.
2.
3.

List other vegetative species noted which may have affected determination of the wetland edge: \_\_\_\_\_

Soil: SCS Soil Survey Mapping Unit: Udorthents - urban land complex X  
 On Hydric Soils List? (Y/N) N

Soil Profile (Note wetland flag no. nearest soil test pit): C3

Horizon	Depth	Matrix Color	Mottling Description	Depth to Saturation	Depth to Free Water
	0-12	10YR 3/3			

Other indicators exhibiting an absence of wetland hydrology (e.g. absence of water marks, lack of redoximorphic features, lack of oxidized rhizospheres, etc.):

Landscape position:  
Altered/atypical situation? (describe)

Comments:





**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**OFFICE OF WATER RESOURCES**  
235 Promenade Street  
Providence, Rhode Island 02908

July 5, 2017

RI Department of Transportation  
Meredith Brady, Administrator of Planning  
Two Capitol Hill  
Providence, RI 02903

**Re:** Application No. 17-0141 in reference to the location below:

On Interstate 95 at Wood River Bridge #040401, project limits extending along I-95 from approximately 30 feet west of Mechanic Street to 820 feet east of the Wood River, and approximately 115 feet northeast along Mechanic Street from the bridge, Hopkinton, RI

Dear Ms. Brady

Attached is the determination concerning your Request for Regulatory Applicability under the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act. Also enclosed is one copy of the site plans stamped received by the Office of Water Resources on June 14, 2017 depicting the project that was reviewed.

If the determination is that a permit under the subject regulations is not required, please note that other federal, state, or local permits may be required prior to proceeding with your project. Also note that for projects or activities determined to be exempt from permitting requirements, certain general restrictions and best management practices still apply, including placement and maintenance of erosion and sediment controls, in accordance with Rule 6.01 in order to ensure protection of wetland resources.

If you have any questions concerning the determination, please feel free to contact me at (401) 222-6820, ext. 7402.

Sincerely,

Charles A. Horbert, Program Supervisor  
Office of Water Resources  
Freshwater Wetlands Program

Enclosure:     Determination  
                  Site Plans

ec:     Thomas Cabana, PE, Jacobs Engineering

**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF WATER RESOURCES/FRESHWATER WETLANDS PROGRAM**

235 Promenade Street, Providence, RI 02908

Telephone: 401-222-6820, Telecommunication Device for the Deaf: 401-222-4462

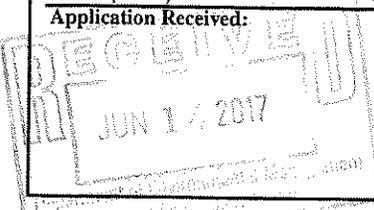
**REQUEST FOR REGULATORY APPLICABILITY FORM**

Please type or print

**PART A Purpose of Application:**

Use this application form only if you desire confirmation that your proposed project does not require a permit under the Freshwater Wetlands Rules. (see Rules 5.02, 7.01, 7.02 and 8.04 for a description of application types, submittal requirements and application outcomes.) Please be informed that many projects or activities occurring outside of wetlands may directly or indirectly alter the character of wetlands. Applicants proposing development in undisturbed areas in or near wetlands should use the Request for Preliminary Determination (Rule 9) and General Application Form to obtain a suitable determination in cases where applicability of the Freshwater Wetlands Rules is likely.

**AGENCY USE ONLY**  
Application No: 17-0146  
Application Received: JUN 14 2017



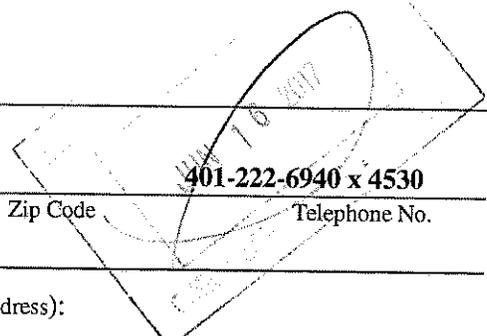
**PART B Applicant Information:**

Applicant's Name (see Rules 7.02): Rhode Island Department of Transportation, Planning Division

*Note: The applicant must be the owner of the property or easement which is the subject of this application or must be the government agency or entity with power of condemnation over such property or easement.*

Applicant's Mailing Address:

Two Capitol Hill - Room 350 A  
Street/Road P.O. Box  
Providence RI 02903 401-222-6940 x 4530  
City/Town State Zip Code Telephone No.



Applicant's Email Address: Meredith.brady@dot.ri.gov

Location of Property subject to this Application (if different from mailing address):

Hopkinton and Richmond Interstate 95 at Wood River Bridge #040401  
City/Town Street Abutting Site Street address number (if applicable)

Project limits extend along I-95 from approximately 30 ft. west of Mechanic Street to 820 ft. east of the Wood River and along Mechanic Street approximately 115 ft. northeast.

Nearest street intersection and its distance and direction from site

Nearest utility pole number(s): N/A Direction to site from abutting street: N      S      E      W     

Tax Assessor's Plat(s) and Lot No.(s): N/A

Recorded Plat (s) and Lots No.(s) (if no Tax Assessor Plat and Lots available): N/A

**PART C General Information and Checklist**

- Any previous application for this site? Yes      No  Provide Application No(s)
- Any previous enforcement action for this site? Yes      No  Provide File No(s)
- Fee Enclosed - \$150.00 made payable to the General Treasurer of Rhode Island Check No: N/A
- Attach 3 copies of plan illustrating the current and proposed conditions of the property and location of wetlands.
- Attach written project description including purpose, size, and area(s) on the property where project is proposed.
- Attach photograph(s) of the current site conditions where work is proposed.

**PART D Professional's Certification** (if any):

*Note: The prime professional (e.g. engineer, biologist, landscape architect, etc.) who participated in the submission and/or preparation of this Application and supporting must sign below.*

I hereby certify that I have been authorized by the applicant to prepare documentation to be submitted in support of this Application; that such documentation is in accordance with the *Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act*; and that such documentation is true, accurate and complete to the best of my knowledge.

Professional's Name (print): Thomas R. Cabana, PE Title: Senior Project Manager

Address: 166 Valley Street, Bldg. 6, Suite 101 Providence, Rhode Island 02909 d/b/a: Jacobs Engineering

Professional's Signature: *TR Cabana* Date: 6/12/17

Professional's Email Address: thomas.cabana@jacobs.com Tel. 401.272.1969 ext. 29

**PART E Applicant's Certification/Authorization**

I hereby certify that I have requested and authorized the investigation, compilation, and submission of all the information, in whatever form, contained in this Application; that I have personally examined and am familiar with the information submitted herein; and that such information is true, accurate and complete to the best of my knowledge. I hereby authorize RIDEM personnel access to the property for purposes of observing conditions pertinent to this application, consistent with the RIDEM Administrative Inspection Guidelines. (See DEM website - Office of Compliance and Inspection for copy). Note any instructions or special concerns for access here:

Applicant's Signature: *Meredith Brady* Title (if applicable): Administrator of Planning

Print Name Signed Above: Meredith Brady Date: 6/12/17

**DO NOT WRITE BELOW THIS LINE**

**Rhode Island Department of Environmental Management Determination**

To Applicant:

In accordance with Rule 8.04, DEM issues the following determination concerning your proposed project based on reliance on the above information and accompanying attachments to your application. Be advised that any change in your project, or the existence of property characteristics that differ from descriptions that were provided to the DEM, may invalidate this determination:

- Permit not required – you may proceed with your project.
- Freshwater Wetland Rules are not applicable to the project as proposed. *in part*
- Project is exempt as proposed and described. *in part*
- Further application required - you may **NOT** proceed with your project.
- Alteration of freshwater wetland is proposed.
- Unable to make an applicability determination based on information provided.

Staff Comment: Only portion of project in wetland areas is for utility connections, which is exempt under Rule 6.10.

DEM authorized staff *Charles A. Herbert* Date: 7/5/17





**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**OFFICE OF WATER RESOURCES**  
235 Promenade Street  
Providence, Rhode Island 02908

July 5, 2017

RI Department of Transportation  
Meredith Brady, Administrator of Planning  
Two Capitol Hill  
Providence, RI 02903

**Re:** Application No. 17-0142 in reference to the location below:

Interstate 95 at Tefft Hill Trail Bridge #05920121, project limits extend along I-95 from the Tefft Hill Trail Bridge to approximately 620 feet north and approximately 87 feet westerly and 95 feet easterly along Tefft Hill Trail to existing power connections, Exeter, RI

Dear Ms. Brady:

Attached is the determination concerning your Request for Regulatory Applicability under the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act. As noted therein, the material submitted is insufficient to allow a determination as to whether alterations to wetland areas will occur and whether a permit would be required.

If you have any questions concerning the determination, please feel free to contact me at (401) 222-6820, ext. 7402.

Sincerely,

A handwritten signature in cursive script that reads "Charles A. Horbert".

Charles A. Horbert, Program Supervisor  
Office of Water Resources  
Freshwater Wetlands Program

Enclosure: Determination

ec: Thomas R. Cabana, PE, Jacobs Engineering

**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF WATER RESOURCES/FRESHWATER WETLANDS PROGRAM**

235 Promenade Street, Providence, RI 02908

Telephone: 401-222-6820, Telecommunication Device for the Deaf: 401-222-4462

**REQUEST FOR REGULATORY APPLICABILITY FORM**

Please type or print

**PART A Purpose of Application:**

Use this application form only if you desire confirmation that your proposed project does not require a permit under the Freshwater Wetlands Rules. (see Rules 5.02, 7.01, 7.02 and 8.04 for a description of application types, submittal requirements and application outcomes.) Please be informed that many projects or activities occurring outside of wetlands may directly or indirectly alter the character of wetlands. Applicants proposing development in undisturbed areas in or near wetlands should use the Request for Preliminary Determination (Rule 9) and General Application Form to obtain a suitable determination in cases where applicability of the Freshwater Wetlands Rules is likely.

17-0142

**AGENCY USE ONLY**

Application No: \_\_\_\_\_

Application Received: \_\_\_\_\_

JUN 14 2017

Department of Environmental Management  
Permit Application Unit

**PART B Applicant Information:**

Applicant's Name (see Rules 7.02): Rhode Island Department of Transportation, Planning Division

*Note: The applicant must be the owner of the property or easement which is the subject of this application or must be the government agency or entity with power of condemnation over such property or easement.*

Applicant's Mailing Address:

Two Capitol Hill - Room 350 A  
 Street/Road P.O. Box  
Providence RI 02903  
 City/Town State Zip Code  
401-222-6940 x 4530  
 Telephone No.

Applicant's Email Address: Meredith.brady@dot.ri.gov

Location of Property subject to this Application (if different from mailing address):

Exeter Interstate 95 at Tefft Hill Trail Bridge #059201/21  
 City/Town Street-Abutting Site-Street address number (if applicable)

**Project limits extend along I-95 from the Tefft Hill Trail Bridge to approximately 620 feet north and along Tefft Hill Trail approximately 87 feet westerly and 95 feet easterly to existing power connections.**

Nearest street intersection and its distance and direction from site

Nearest utility pole number(s): N/A Direction to site from abutting street: N \_\_\_\_\_ S \_\_\_\_\_ E \_\_\_\_\_ W \_\_\_\_\_

Tax Assessor's Plat(s) and Lot No.(s): N/A

Recorded Plat (s) and Lots No.(s) (if no Tax Assessor Plat and Lots available): N/A

**PART C General Information and Checklist**

- Any previous application for this site? Yes \_\_\_\_\_ No  Provide Application No(s) \_\_\_\_\_
- Any previous enforcement action for this site? Yes \_\_\_\_\_ No  Provide File No(s) \_\_\_\_\_
- Fee Enclosed - \$150.00 made payable to the General Treasurer of Rhode Island Check No. NA
- Attach 3 copies of plan illustrating the current and proposed conditions of the property and location of wetlands.
- Attach written project description including purpose, size, and area(s) on the property where project is proposed.
- Attach photograph(s) of the current site conditions where work is proposed.

**PART D** Professional's Certification (if any):

Note: The prime professional (e.g. engineer, biologist, landscape architect, etc.) who participated in the submission and/or preparation of this Application and supporting must sign below.

I hereby certify that I have been authorized by the applicant to prepare documentation to be submitted in support of this Application; that such documentation is in accordance with the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act; and that such documentation is true, accurate and complete to the best of my knowledge.

Professional's Name (print): Thomas R. Cabana, PE Title: Senior Project Manager

Address: 166 Valley Street, Bldg. 6, Suite 101 Providence, Rhode Island 02909 d/b/a: Jacobs Engineering

Professional's Signature: [Signature] Date: 6/12/17

Professional's Email Address: thomas.cabana@jacobs.com Tel. 401.272.1969 ext. 29

**PART E** Applicant's Certification/Authorization

I hereby certify that I have requested and authorized the investigation, compilation, and submission of all the information, in whatever form, contained in this Application; that I have personally examined and am familiar with the information submitted herein; and that such information is true, accurate and complete to the best of my knowledge. I hereby authorize RIDEM personnel access to the property for purposes of observing conditions pertinent to this application, consistent with the RIDEM Administrative Inspection Guidelines. (See DEM website - Office of Compliance and Inspection for copy). Note any instructions or special concerns for access here:

Applicant's Signature: [Signature] Title (if applicable): Administrator of Planning

Print Name Signed Above: Meredith Brady Date: 6/12/17

**DO NOT WRITE BELOW THIS LINE**

**Rhode Island Department of Environmental Management Determination**

To Applicant:

In accordance with Rule 8.04, DEM issues the following determination concerning your proposed project based on reliance on the above information and accompanying attachments to your application. Be advised that any change in your project, or the existence of property characteristics that differ from descriptions that were provided to the DEM, may invalidate this determination:

- Permit not required – you may proceed with your project.
  - Freshwater Wetland Rules are not applicable to the project as proposed.
  - Project is exempt as proposed and described.
- Further application required - you may **NOT** proceed with your project .
  - Alteration of freshwater wetland is proposed.
  - Unable to make an applicability determination based on information provided.

Staff Comment: It cannot be ruled out that alterations to nearby wetland (emergent plant community) will occur, based on the materials submitted.

DEM authorized staff Charles A. Herbert Date: 7/5/17





RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF WATER RESOURCES  
235 Promenade Street  
Providence, Rhode Island 02908

December 1, 2017

RIDOT, Planning Division  
Meredith Brady, Administrator  
2 Capitol Hill, Room 350A  
Providence, RI 02903-1124

**Re:** Application No. 17-0267 in reference to the location below:

On Interstate 95 approximately 500 feet north of the Tefft Hill Trail Bridge, and immediately south of the Mile 11.0 marker, Exeter, RI

Dear Ms. Brady:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program, ("Program") has completed its review of your proposed two (2) gantry structures, associated concrete pads, guardrails and associated landscaping as illustrated and detailed on site plans submitted with your application. The site plans referenced by this letter and on file with this Program were received on November 7, 2017.

Our inspection reveals that freshwater wetlands regulated by the DEM are present on or in close proximity to the subject property. Review of your proposed project, however, reveals that this project does not represent an alteration to these freshwater wetlands. It is our determination therefore that a permit for this project pursuant to the Freshwater Wetland Act (Rhode Island General Law Section 2-1-18 *et seq.*) or the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act is not required. This Determination **is specific to the proposed site alterations illustrated and detailed on site plans on file with this Program** and is further predicated on the following:

1. Adequate measures are employed during and after site alterations to control soil erosion and to prevent any sediment from such erosion being deposited in any freshwater wetlands. You should consult the Rhode Island Soil Erosion and Sediment Control Handbook for appropriate methods to control erosion and prevent sediment from leaving your project site.
2. This determination does not authorize you to modify your project in such a way as to result in the following:
  - a. An increase in the rate and/or volume of surface water runoff flowing into, or draining or diverting from these wetlands; or
  - b. A diversion of groundwater into or away from these wetlands; or
  - c. A modification to the quality of water reaching these wetlands, which could change their natural character.

Please note that this Determination is specific to this proposed project as illustrated on the reviewed site plans, is valid for four (4) years from the date of issue, and does not remove your obligation to obtain any local, state or federal approvals or permits required by ordinance or law.

Kindly be advised that this determination is not equivalent to a determination of the type or extent of freshwater wetlands on the subject property. Should you wish to obtain such verification, you may submit an application in accordance with the Rules.

Modification to your project which would result in an alteration, or allowing your project to result in an alteration, to freshwater wetlands requires a permit from this Program. Unauthorized alterations to freshwater wetlands are subject to enforcement action.

Enclosed please find one (1) copy of your site plans stamped by this Program. Please contact Andrew Charpentier of this Office (telephone: 401-222-6820, ext.7414) should you have any questions.

Sincerely,



Charles A. Horbert, Program Supervisor  
Office of Water Resources  
Freshwater Wetlands Program  
CAH/AC/ac

Enclosure: Reviewed Site Plan

cc: Thomas R. Cabana, P.E., Jacobs Engineering Group, Inc.

**Appendix C**

**Section 7 Consultation Documents**

**Environmental Assessment**  
**Toll Locations 1 and 2**

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## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New England Ecological Services Field Office  
70 Commercial Street, Suite 300  
Concord, NH 03301-5094  
Phone: (603) 223-2541 Fax: (603) 223-0104  
<http://www.fws.gov/newengland>

In Reply Refer To:

August 29, 2017

Consultation Code: 05E1NE00-2017-SLI-2570

Event Code: 05E1NE00-2017-E-05605

Project Name: Rhode Island Department of Transportation Tolling Facilities

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the

human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New England Ecological Services Field Office**

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

## Project Summary

Consultation Code: 05E1NE00-2017-SLI-2570

Event Code: 05E1NE00-2017-E-05605

Project Name: Rhode Island Department of Transportation Tolling Facilities

Project Type: \*\* OTHER \*\*

Project Description: Scope: The Rhode Island Department of Transportation (RIDOT) proposes to construct toll systems at two locations (Location 1 and Location 2) on Interstate 95 (I-95) in Hopkinton, Richmond, and Exeter, Rhode Island to implement a large commercial vehicle-only tolling program. The toll system at each proposed location will be located within the existing highway right-of-way, approximately 15-20 feet from the existing edge of pavement. Each toll location will be comprised of one or more gantries, conduit for both communication and electrical connections, a roadside cabinet on a concrete pad, and an additional safety guardrail. The cameras and detectors will be on the gantry that will span the roadway.

Ground disturbance will be very limited, and the project will not involve the clearcutting of any trees or vegetation. The conduit will be installed either by direct bury methods or narrow trenching that will be backfilled and seeded to match existing conditions. There will be a slight increase in impervious surface due to the concrete pad for the utility cabinets and the gantry foundations. Foundations for the gantries will be augured to minimize excavation and land disturbance, which will also minimize potential for erosion. Compost filter socks will provide erosion control and identify the limit of disturbance.

There are no state wetlands or federal wetlands within the project area. The entire state of Rhode Island is within the range of the Northern Long-Eared Bat (NLEB), but construction of the toll locations will not involve tree cutting. There are no hazardous materials located within or adjacent to the project area.

Location - Toll Location 1 is located in Hopkinton and Richmond, Rhode Island and Toll Location 2 is located in Exeter, Rhode Island.

Size: The limit of disturbance (LOD) is the area of direct impacts for any project-related work associated with construction of the tolling locations, including paving, excavation, grading, trenching, staging, construction, and utility connections at the two proposed locations. The LOD for

Location 1 is 36,508.57 ft<sup>2</sup> of existing maintained operational roadway shoulder. The LOD for Location 2 is 40,629.90 ft<sup>2</sup> of existing maintained operational roadway shoulder. Some trucks may divert to State Route 3. The length of diversion route is 13.21 miles. No construction is proposed on the diversion route.

Timing: Construction of the 2 toll locations is anticipated to begin in late fall or early winter of 2017.

**Project Location:**

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/41.49468367530811N71.71725442764216W>



Counties: Washington, RI

## Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

### Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

### Critical habitats

There are no critical habitats within your project area under this office's jurisdiction.





# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New England Ecological Services Field Office  
70 Commercial Street, Suite 300  
Concord, NH 03301-5094  
Phone: (603) 223-2541 Fax: (603) 223-0104  
<http://www.fws.gov/newengland>

IPaC record locator: 938-9414417

August 30, 2017

Subject: Consistency letter for the 'Rhode Island Department of Transportation Tolling Facilities' project under the December 15, 2016 FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated to verify that the **Rhode Island Department of Transportation Tolling Facilities** (Proposed Action) may rely on the concurrence provided in the December 15, 2016 FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*). Based on the information you provided (Project Description repeated below), you have determined that the Proposed Action is within the scope, and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, and is not likely to adversely affect the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*). Consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required.

The validity of this not likely to adversely affect determination is contingent upon a representative from the lead Federal action agency or a designated non-federal representative formally submitting a concurrence verification to the Service.

To submit a project for concurrence verification, the lead Federal action agency or designated non-federal representative should log into IPaC using their agency email account and click "Submit a project for verification". They will need to enter the record locator **938-9414417**.

If the Proposed Action may affect any other federally-listed or proposed species or designated critical habitat, additional consultation between the lead Federal action agency and this Office is required. Please advise the lead Federal action agency for the Proposed Action accordingly.





## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New England Ecological Services Field Office  
70 Commercial Street, Suite 300  
Concord, NH 03301-5094  
Phone: (603) 223-2541 Fax: (603) 223-0104  
<http://www.fws.gov/newengland>

In Reply Refer To:

August 31, 2017

Consultation code: 05E1NE00-2017-I-2570

Event Code: 05E1NE00-2017-E-05637

Project Name: Rhode Island Department of Transportation Tolling Facilities

Subject: Concurrence verification letter for the 'Rhode Island Department of Transportation Tolling Facilities' project under the December 15, 2016 FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated to verify that the **Rhode Island Department of Transportation Tolling Facilities** (Proposed Action) may rely on the concurrence provided in the December 15, 2016, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*). Based on the information you provided (Project Description repeated below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, and is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*).

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or northern long-eared bat in a manner or to an extent not considered in the PBO, further

review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, or any designated critical habitat, additional consultation is required. In either of these circumstances, please contact this Office.

---

## **Project Description**

The following project name and description was collected in IPaC as part of the endangered species review process.

### **Name**

Rhode Island Department of Transportation Tolling Facilities

---

## Description

**Scope:** The Rhode Island Department of Transportation (RIDOT) proposes to construct toll systems at two locations (Location 1 and Location 2) on Interstate 95 (I-95) in Hopkinton, Richmond, and Exeter, Rhode Island to implement a large commercial vehicle-only tolling program. The toll system at each proposed location will be located within the existing highway right-of-way, approximately 15-20 feet from the existing edge of pavement. Each toll location will be comprised of one or more gantries, conduit for both communication and electrical connections, a roadside cabinet on a concrete pad, and an additional safety guardrail. The cameras and detectors will be on the gantry that will span the roadway.

Ground disturbance will be very limited, and the project will not involve the clearcutting of any trees or vegetation. The conduit will be installed either by direct bury methods or narrow trenching that will be backfilled and seeded to match existing conditions. There will be a slight increase in impervious surface due to the concrete pad for the utility cabinets and the gantry foundations. Foundations for the gantries will be augured to minimize excavation and land disturbance, which will also minimize potential for erosion. Compost filter socks will provide erosion control and identify the limit of disturbance.

There are no state wetlands or federal wetlands within the project area. The entire state of Rhode Island is within the range of the Northern Long-Eared Bat (NLEB), but construction of the toll locations will not involve tree cutting. There are no hazardous materials located within or adjacent to the project area.

**Location -** Toll Location 1 is located in Hopkinton and Richmond, Rhode Island and Toll Location 2 is located in Exeter, Rhode Island.

**Size:** The limit of disturbance (LOD) is the area of direct impacts for any project-related work associated with construction of the tolling locations, including paving, excavation, grading, trenching, staging, construction, and utility connections at the two proposed locations. The LOD for Location 1 is 36,508.57 ft<sup>2</sup> of existing maintained operational roadway shoulder. The LOD for Location 2 is 40,629.90 ft<sup>2</sup> of existing maintained operational roadway shoulder. Some trucks may divert to State Route 3. The length of diversion route is 13.21 miles. No construction is proposed on the diversion route.

**Timing:** Construction of the 2 toll locations is anticipated to begin in late fall or early winter of 2017.

---

## Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect, the endangered Indiana bat and/or the threatened Northern long-eared bat; therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the December 15, 2016 FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

---

## Qualification Interview

1. Is the project within the range of the Indiana bat<sup>[1]</sup>?

[1] See [Indiana bat species profile](#)

**Automatically answered**

*No*

2. Is the project within the range of the Northern long-eared bat<sup>[1]</sup> (NLEB)?

[1] See [Northern long-eared bat species profile](#)

**Automatically answered**

*Yes*

3. Which Federal Agency is the lead for the action?

*A) Federal Highway Administration (FHWA)*

4. Are *all* project activities limited to non-construction activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, property inspections, planning and technical studies, property sales, property easements, and equipment purchases)

*No*

5. Are *all* project activities completely within the existing road/rail surface<sup>[1]</sup> (e.g., road line painting)?

[1] Road surface is defined as the driving surface and shoulders (may be pavement, gravel, etc.) and rail surface is defined as the edge of the rail ballast.

*Yes*

6. Will the project raise the road profile **above the tree canopy** within 1,000 feet of known summer habitat (based on documented roosts and/or captures)?

*No*

7. Does the project include percussives or other activities (not including the removal of trees) that will increase noise levels above existing traffic/background levels?

*No*

---

8. Is there any suitable summer habitat<sup>[1]</sup> for Indiana Bat or NLEB within the project area? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

*No*

9. Does the project include any ground disturbing activities?

*Yes*

10. Is the project located within a karst area?

*No*

11. Will the project include any type of activity that could impact a **known** hibernaculum<sup>[1]</sup>, or impact a karst feature (e.g., sinkhole, losing stream, or spring) that could result in effects to a **known** hibernaculum?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

*No*

12. Does the project include any activities **within** 0.5 miles of an Indiana bat and/or NLEB hibernaculum<sup>[1]</sup>?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

*Yes*

13. Does the project include any activities **greater than** 0.5 miles from an Indiana bat and/or NLEB hibernaculum<sup>[1]</sup>?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

*Yes*

14. Does the project include any activities **greater than** 300 feet from existing road/rail surfaces?

*No*

---

15. Does the project include slash pile burning?

*No*

16. Does the project include any bridge removal and/or replacement activities?

*No*

17. Does the project include any bridge maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

*No*

18. Does the project include the removal and/or replacement of any structures other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

*No*

19. Does the project include maintenance activities of any structures other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

*No*

20. Will the project involve the use of **temporary** lighting during the construction/maintenance activities?

*Yes*

21. **Lighting AMM 1**

Will *all* temporary lighting be directed away from suitable habitat during the active season?

*Yes*

22. Will the project install new (or replace existing) **permanent** lighting?

*No*

23. Will the use of temporary or permanent lighting increase illumination *within suitable habitat* above ambient conditions?

*No*

---

**24. General AMM 1**

Will the project ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

*Yes*

## Project Questionnaire

1. Have you made a No Effect determination for all other species indicated on the FWS IPaC generated species list?

*No*

2. Have you made a May Affect determination for any other species on the FWS IPaC generated species list?

*No*

## Avoidance And Minimization Measures (AMMs)

These measures **were accepted** as part of this determination key result:

### GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

### LIGHTING AMM 1

Direct temporary lighting away from suitable habitat during the active season.

## Additional Avoidance And Minimization Measures (AMMs)

These measures **are not required** for this project as described:

### TREE REMOVAL AMM 1

Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to the extent practicable to avoid tree removal in excess of what is required to implement the project safely.

Note: Tree Removal AMM 1 is an avoidance measure, the full implementation of which may not always be practicable. In such cases, projects may still be NLAA as long as Tree Removal AMMs 2, 3, and 4 are implemented.

---

#### TREE REMOVAL AMM 2

Apply time of year (TOY) restrictions for tree removal<sup>[1]</sup> when bats are not likely to be present.

[1] Coordinate with the local Service Field Office for appropriate dates.

#### TREE REMOVAL AMM 3

Ensure tree removal is limited to that specified in project plans. Install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits. Ensure that contractors understand clearing limits and how they are marked in the field.

#### TREE REMOVAL AMM 4

Do not cut down documented Indiana bat or NLEB roosts (that are still suitable for roosting) or trees within 0.25 miles of roosts, or documented foraging habitat at any time of year.

#### TREE REMOVAL AMM 5

Avoid conducting tree removal within documented Indiana bat roosting/foraging habitat<sup>[1]</sup> or travel corridors<sup>[2]</sup> from May 1-July 31.

[1] Documented roosting or foraging habitat – for the purposes of this BA, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.

[2] Documented travel corridor - for the purposes of this BA, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) tree corridors located directly between documented roosting and foraging habitat.

#### TREE REMOVAL AMM 6

Minimize tree removal within suitable Indiana bat habitat (no documented habitat) from May 1-July 31 in the following manner:

- 1) Limit clearing such that all trees can be visually assessed.
- 2a) Conduct visual emergence surveys if trees are greater than or equal to 9 inches diameter at breast height (dbh).
  - If no bats are observed, proceed with clearing the following day.
  - If bats observed, modify project to conduct tree removal after August 1.

OR

2b) If trees are <9 inches dbh, no emergence survey required.

---

#### TREE REMOVAL AMM 7

Avoid removing documented NLEB maternity roosts and trees within 150 feet of those roosts from June 1-July 31.

#### BRIDGE AMM 1

To completely avoid direct effects to roosting bats, perform any bridge repair, retrofit, maintenance, and/or rehabilitation work during the winter hibernation period<sup>[1]</sup>.

[1] Coordinate with the local Service Field Office for appropriate dates.

#### BRIDGE AMM 2

If construction activity is planned during the active season, perform a bridge assessment<sup>[1]</sup> for presence of bats.

[1] See User Guide Appendix D for [bridge assessment guidance](#)

#### BRIDGE AMM 3

If bridge assessment for bats suggests presence of bats, ensure activity will not disturb bats.

#### BRIDGE AMM 4

If bridge assessment for bats suggests presence of a small number of bats (5)6, conduct bridge repair, retrofit, maintenance, and/or rehabilitation work (including activity with percussives) outside of pup season (June 1- July 31) AND keep the light localized in the evening while the bats are feeding, starting one hour after sunset and ending one hour before daylight, excluding the hours between 10 p.m. and midnight<sup>[1]</sup>.

[1] Keeley and Tuttle (1999) indicated peak night roost usage is between 10:00 p.m. to midnight.

#### BRIDGE AMM 5

Ensure suitable roosting sites remain after any bridge work. Suitable roosting sites may be incorporated into the design of a new bridge.

#### STRUCTURE AMM 1

If the goal of the project is to exclude bats from the structure, coordinate with your local Service Field Office and follow the Acceptable Management Practices for Bat Control Activities in Structures guidance document ([White-nose Syndrome Conservation and Recovery Working Group 2015](#)).

---

## STRUCTURE AMM 2

Perform *all* maintenance and/or repair work during the winter hibernation period<sup>[1]</sup> unless a hibernating colony of bats is present.

[1] Coordinate with the local Service Field Office for appropriate dates.

## STRUCTURE AMM 3

If maintenance and/or repair work will be performed outside of the winter hibernation period, determine if work will occur in an area with roosting bats. If there is observed bat activity (or signs of frequent bat activity), Transportation Agencies/State Departments of Transportation (DOTs) will conduct maintenance activity or similar structure alteration when bats are not present (i.e., foraging) or in a manner that will not disturb them.

## STRUCTURE AMM 4

If roosting bats or signs of roosting bats are observed, Transportation Agencies/State DOTs will avoid removing the structure.

Note: If there are concerns about human health/safety/property coordinate with a nuisance wildlife control officer and the local USFWS Field Office.

## LIGHTING AMM 2

Use downward-facing, full cut-off<sup>[1]</sup> lens lights, and direct lighting away from suitable habitat when installing new or replacing existing permanent lights; or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society<sup>[2][3]</sup>, the goal is to be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.

[1] Refer to [Luminaire classification for controlling stray light](#)

[2] Refer to [Fundamentals of Lighting - BUG Ratings](#)

[3] Refer to [The BUG System—A New Way To Control Stray Light](#)

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#### HIBERNACULA AMM 1

For projects located within karst areas, on-site personnel will use best management practices<sup>[1]</sup>, secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula. Where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography.

[1] Coordinate with the appropriate Service Field Office on recommended best management practices for karst in your state.

---

## **Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat**

This key was last updated in IPaC on April 03, 2017. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [revised programmatic biological opinion for transportation projects dated December 15, 2016](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

---



## **U.S. Fish & Wildlife Service Contact List**

### **Determination key office contact information**

#### **Assistant Director-Ecological Services**

5275 Leesburg Pike, Ms: Es  
Falls Church, VA 22041-3803  
(703) 358-2171

### **Offices with jurisdiction over project area**

#### **New England Ecological Services Field Office**

70 Commercial Street, Suite 300  
Concord, NH 03301-5094  
(603) 223-2541

---

## **Appendix D**

### **Section 106 Correspondence**

**Environmental Assessment**  
**Toll Locations 1 and 2**

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U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Rhode Island Division**

June 15, 2017

380 Westminster Street, Rm 601  
Providence, RI 02903  
401-528-4541  
401-528-4542 Fax

In Reply Refer To:  
HEC-RI

Mr. John Brown, Tribal Historic Preservation Officer  
Narragansett Indian Tribal Historic Preservation Office  
Long House  
4425-A, South County Trail  
Charlestown, RI 02813

Subject: RhodeWorks Bridge Tolling Program  
Toll Gantry Construction at Statewide Locations  
**Project Notification**

Dear Mr. Brown:

The Rhode Island Department of Transportation (RIDOT) proposes to construct and implement the RhodeWorks Bridge Tolling Program (Project). The Project includes construction of toll gantries at 13 tolling locations and implementation of large, commercial truck-only tolling on selected bridges across the state. The Bridge Tolling Program is part of RhodeWorks, a statewide initiative to fund the rebuilding and improvement of bridge and highway infrastructure across the state of Rhode Island.

This project will be supported in part with federal funds from the US Department of Transportation, Federal Highway Administration (FHWA). This correspondence has been transmitted to you in accordance with the National Environmental Policy Act of 1969 (NEPA) regarding project notification and early coordination. The FHWA is the lead federal agency for this project and RIDOT is preparing an Environmental Assessment (EA) for NEPA compliance which is expected to be available for review later this year. Your involvement in this effort is based on previous project reviews carried out by RIDOT (on behalf of FHWA) concerning transportation projects occurring in Rhode Island locations identified by your office as ancestral land.

As this project is federally-funded, Section 106 of the National Historic Preservation Act of 1966, as amended (*36 CFR § 800*) is also applicable and the Section 106 consultation will shortly be initiated by the FHWA under separate cover. The Section 106 review process will be summarized and included in the EA.

The Bridge Tolling Program consists of 13 tolling locations to collect toll revenue from large commercial trucks which travel across bridge structures associated with the tolling locations. The tolling locations for the Bridge Tolling Program are located along six major highway corridors (I-95, I-195, and I-295, US Route 6, RI Route 146, and RI Route 10) as shown on the enclosed Project Location Map and listed below. Each tolling location has been established by RIDOT to collect revenue to support reconstruction and maintenance of identified bridge(s). Tolls will be charged to large trucks only, as mandated by "The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016" which includes policies which identify specific maximum daily tolls and daily limits charged per tolling location. Revenue collection will be accomplished via electronic means only (no cash option) using Radio Frequency Identification (RFID) and video capture.

### Tolling Locations

Location 1	Hopkinton and Richmond		Location 8	Johnston
Location 2	Exeter		Location 9	Cumberland
Location 3	Warwick		Location 10	Providence and East Providence
Location 4	Providence		Location 11	Lincoln
Location 5	<i>Not included in this Project. Will be subject of a supplemental EA process sometime in the future.</i>		Location 12	North Smithfield
Location 6	Pawtucket		Location 13	Providence
Location 7	Cranston		Location 14	Providence

Minimal environmental impacts are anticipated. The toll system at each tolling location will be located within the existing operational right-of-way and approximately 15-20 feet from the existing edge of pavement. Each tolling location will consist of one or more gantries, conduits for both communication and electrical connections, a roadside cabinet on a concrete pad and installation of additional guardrail. The cameras and detectors will be on the gantry that will span the roadway.

Ground disturbance will be limited. The conduits will be installed either by direct bury methods or narrow trenching that will be back filled and loam and seeded to match existing conditions. There will be a slight increase in impervious surface due to the concrete pad for the utility cabinets. Foundations for the gantries will be augured to minimize excavation and land disturbance, which will also minimize the potential for erosion. The area required for contractor's storage and staging will be located in maintained areas of the roadway right-of-way.

FHWA requests that you review the project information and transmit any comments that you may have at your earliest convenience. Your response will assist RIDOT in preparing the EA for the project.

Should you have any questions or require additional information, please contact me at 401-528-4577.

Sincerely,



Mr. Carlos E. Padilla-Fresse  
Program Delivery Supervisor

Enclosure



Prepared For:



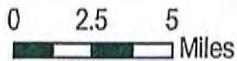
Prepared By:



## RHODEWORKS BRIDGE TOLLING PROGRAM



Data Sources:  
RIDOT, RIGIS, ESRI



PROJECT LOCATION





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Rhode Island Division**

June 15, 2017

380 Westminster Street, Rm 601  
Providence, RI 02903  
401-528-4541  
401-528-4542 Fax

In Reply Refer To:  
HEC-RI

Ms. Ramona Peters  
Tribal Historic Preservation Officer  
Mashpee Wampanoag Tribe  
483 Great Neck Road South  
Mashpee, MA 02649

Subject: RhodeWorks Bridge Tolling Program  
Toll Gantry Construction at Statewide Locations  
**Project Notification**

Dear Ms. Peters:

The Rhode Island Department of Transportation (RIDOT) proposes to construct and implement the RhodeWorks Bridge Tolling Program (Project). The Project includes construction of toll gantries at 13 tolling locations and implementation of large, commercial truck-only tolling on selected bridges across the state. The Bridge Tolling Program is part of RhodeWorks, a statewide initiative to fund the rebuilding and improvement of bridge and highway infrastructure across the state of Rhode Island.

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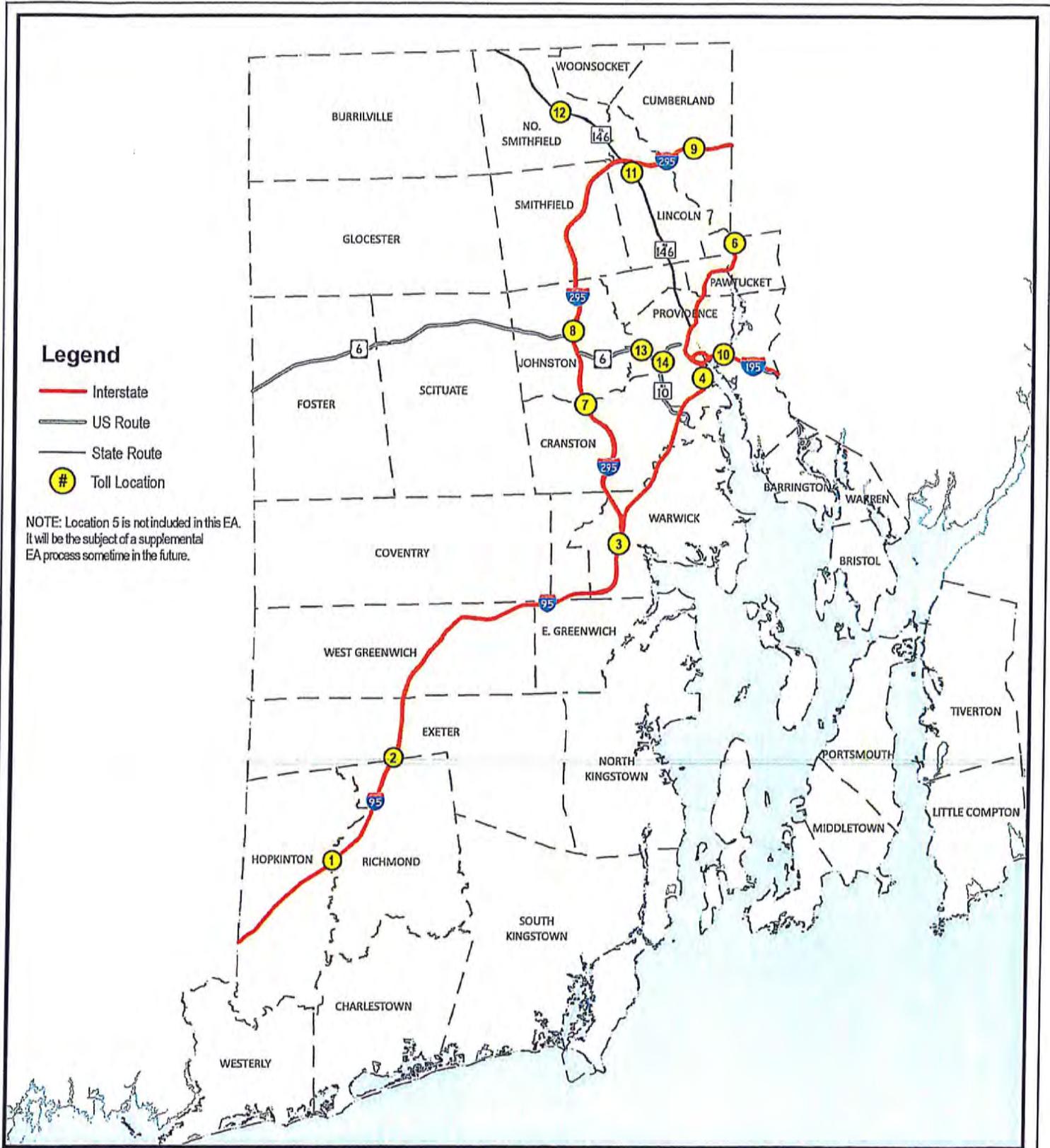
Should you have any questions or require additional information, please contact me at 401-528-4577.

Sincerely,



Mr. Carlos E. Padilla-Fresse  
Program Delivery Supervisor

Enclosure



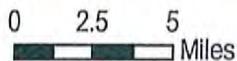
Prepared For:



Prepared By:



## RHODEWORKS BRIDGE TOLLING PROGRAM



Data Sources:  
RIDOT, RIGIS, ESRI

PROJECT LOCATION





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Rhode Island Division**

June 15, 2017

380 Westminster Street, Rm 601  
Providence, RI 02903  
401-528-4541  
401-528-4542 Fax

In Reply Refer To:  
HEC-RI

Ms. Marissa Turnbull, Tribal Historic Preservation Officer  
Natural Resources Protection & Regulatory Affairs  
Mashantucket Pequot Tribal Nation  
550 Trolley Line Blvd.  
Mashantucket, CT 06338

Subject: RhodeWorks Bridge Tolling Program  
Toll Gantry Construction at Statewide Locations  
**Project Notification**

Dear Ms. Turnbull:

The Rhode Island Department of Transportation (RIDOT) proposes to construct and implement the RhodeWorks Bridge Tolling Program (Project). The Project includes construction of toll gantries at 13 tolling locations and implementation of large, commercial truck-only tolling on selected bridges across the state. The Bridge Tolling Program is part of RhodeWorks, a statewide initiative to fund the rebuilding and improvement of bridge and highway infrastructure across the state of Rhode Island.

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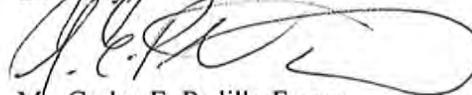
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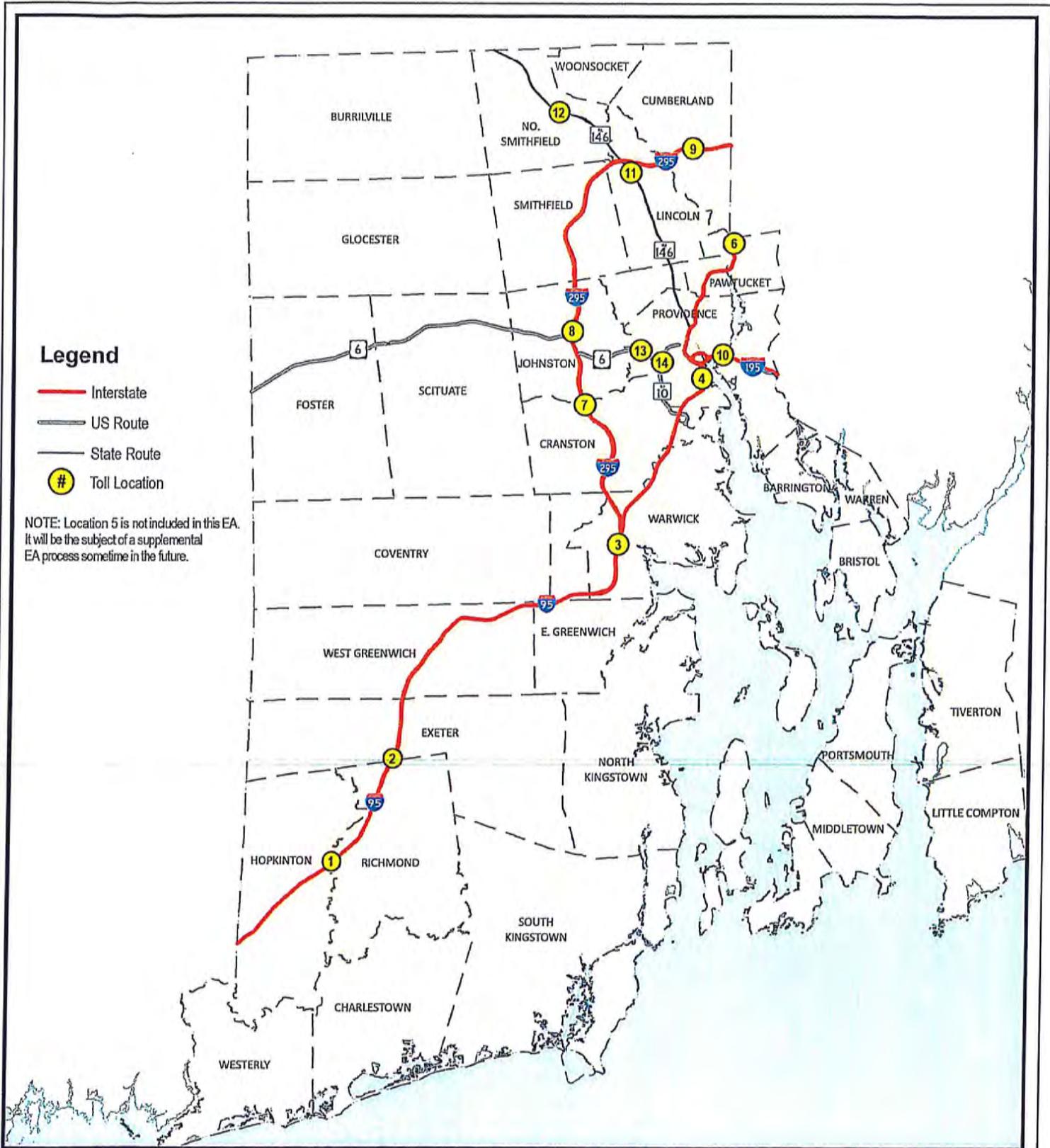
Should you have any questions or require additional information, please contact me at 401-528-4577.

Sincerely,



Mr. Carlos E. Padilla-Fresse  
Program Delivery Supervisor

Enclosure



Prepared For:



Prepared By:



## RHODEWORKS BRIDGE TOLLING PROGRAM



Data Sources:  
RIDOT, RIGIS, ESRI



PROJECT LOCATION





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Rhode Island Division**

June 15, 2017

380 Westminster Street, Rm 601  
Providence, RI 02903  
401-528-4541  
401-528-4542 Fax

In Reply Refer To:  
HEC-RI

Ms. Bettina M. Washington  
Tribal Historic Preservation Officer  
Wampanoag Tribe of Gay Head/Aquinnah  
20 Black Brook Road  
Aquinnah, MA 02535

Subject: RhodeWorks Bridge Tolling Program  
Toll Gantry Construction at Statewide Locations  
**Project Notification**

Dear Ms. Washington:

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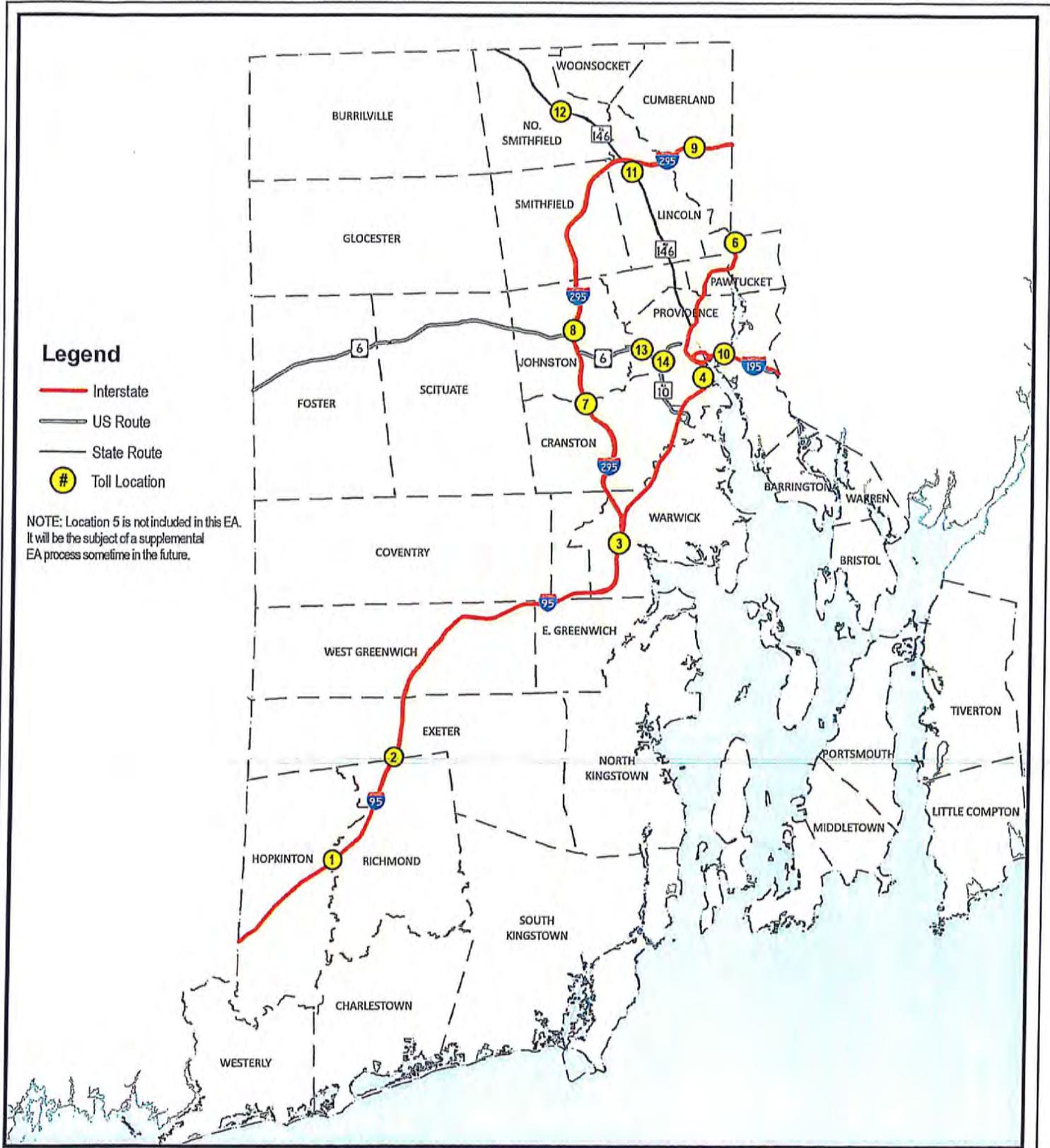
Should you have any questions or require additional information, please contact me at 401-528-4577.

Sincerely,



Mr. Carlos E. Padilla-Fresse  
Program Delivery Supervisor

Enclosure



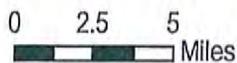
Prepared For:



Prepared By:



## RHODEWORKS BRIDGE TOLLING PROGRAM



Data Sources:  
RIDOT, RIGIS, ESRI

**PROJECT LOCATION**





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Rhode Island Division**

September 12, 2017

380 Westminister Street, Rm 601  
Providence, RI 02903  
401-528-4541  
401-528-4542 Fax

In Reply Refer To:  
HEC-RI

Ms. Marissa Turnbull, Tribal Historic Preservation Officer  
Natural Resources Protection & Regulatory Affairs  
Mashantucket Pequot Tribal Nation  
550 Trolley Line Blvd.  
Mashantucket, CT 06338

Subject: RhodeWorks Bridge Tolling Program:  
Toll Gantry Construction at Statewide Locations  
**Revised NEPA and Section 106 Scopes and  
Due Diligence Reviews and Recommendation of Effect for:  
Toll Location Nos. 1 and 2, Exeter, Hopkinton and Richmond  
Diversion Route - Exeter, Hopkinton and Richmond**

Dear Ms. Turnbull:

In FHWA's previous correspondence, we indicated that the NEPA and Section 106 processes would both include ALL 13 statewide toll locations constituting "the Project". By this letter, we are informing you that the Project "scope" has been revised as follows: at this time, in accordance with NEPA, one Environmental Assessment (EA) will be prepared for Toll Locations 1 and 2 only since it has been determined that these two locations together have logical termini and independent utility meeting the requirements set forth in 23 CFR 771.111(f); the Section 106 review process will be conducted and completed in tandem with the NEPA process for just these two toll locations. The NEPA and Section 106 review processes for the remaining 11 statewide locations will be addressed separately.

Therefore, with respect to Section 106 review for Toll Locations 1 and 2: in accordance with 36 CFR §800.3 (of "Protection of Historic Properties"), regulations of the federal Advisory Council on Historic Preservation, on behalf of the Federal Highway Administration (FHWA), RIDOT had initiated the Section 106 review process and project notification correspondence (dated July 13, 2017) was transmitted to consulting parties including your office.

Per 36 CFR § 800.4(a) - Determine Scope of Identification Efforts, as part of RIDOT's efforts (per the July 13, 2017 correspondence), RIDOT proposed the "area of potential effect" (APE) and sought information and project review comments from consulting parties to identify any historic properties in the APE. RIDOT also authorized the Public Archaeology Laboratory, Inc. (PAL) to conduct a Due Diligence Review to identify historic properties within the APE for Toll Location No. 1 in Hopkinton and Richmond near the Wood River Valley Bridge (RIDOT Bridge No. 040401) and Toll Location No. 2 in Exeter near the Tefft Hill Trail Bridges (RIDOT Bridge Nos. 059201 and 059221). PAL has also conducted a Due Diligence Review for an associated Diversion Route: Woodville Alton Road, Route 3 (Main Street/Nooseneck Hill Road) and Route 102 between Exit 2 and Exit 5 on I-95 that has been identified as a potential travel route used by heavy commercial vehicles to avoid Toll Locations 1 and 2. The APE for the Diversion Route was developed by RIDOT in consultation with the RIHPHC.

Enclosed for your review and comment are the two Section 106 Documentation Form -1s (one for each Toll Location and the associated Divergent Route) and PAL's three Technical Memoranda summarizing the results of the due diligence reviews for each Toll Location and the Divergence Route. The two Section 106 Documentation Form 1s list all of the historic properties that have been identified in the APEs.

Based on the results of PAL's reviews and assessing potential project impacts on historic properties, RIDOT has examined the Criteria of Adverse Effects as found in 36 CFR § 800.5(b) – Assessment of adverse effect, and RIDOT is making the recommendation that as none of the criteria of adverse effects apply, then the construction of gantries at Toll Location Nos. 1 and 2, and the increased heavy commercial vehicle traffic on the Diversion Route will have “no adverse effect” on historic properties.

Please provide us with any comments that you may within 30 days of receipt of this letter. Should you have any questions or require additional information, please contact me at 528-4577.

Sincerely,

Enclosures



Carlos E. Padilla-Fresse  
Program Delivery Supervisor



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Rhode Island Division**

September 12, 2017

380 Westminister Street, Rm 601  
Providence, RI 02903  
401-528-4541  
401-528-4542 Fax

In Reply Refer To:  
HEC-RI

Mr. John Brown, Tribal Historic Preservation Officer  
Narragansett Indian Tribal Historic Preservation Office  
Long House  
4425-A, South County Trail  
Charlestown, RI 02813

Subject: RhodeWorks Bridge Tolling Program:  
Toll Gantry Construction at Statewide Locations  
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In FHWA's previous correspondence, we indicated that the NEPA and Section 106 processes would both include ALL 13 statewide toll locations constituting "the Project". By this letter, we are informing you that the Project "scope" has been revised as follows: at this time, in accordance with NEPA, one Environmental Assessment (EA) will be prepared for Toll Locations 1 and 2 only since it has been determined that these two locations together have logical termini and independent utility meeting the requirements set forth in 23 CFR 771.111(f); the Section 106 review process will be conducted and completed in tandem with the NEPA process for just these two toll locations. The NEPA and Section 106 review processes for the remaining 11 statewide locations will be addressed separately.

Therefore, with respect to Section 106 review for **Toll Locations 1 and 2**: in accordance with 36 CFR §800.3 (of "Protection of Historic Properties"), regulations of the federal Advisory Council on Historic Preservation, on behalf of the Federal Highway Administration (FHWA), RIDOT had initiated the Section 106 review process and project notification correspondence (dated July 13, 2017) was transmitted to consulting parties including your office.

Per 36 CFR § 800.4(a) - *Determine Scope of Identification Efforts*, as part of RIDOT's efforts (per the July 13, 2017 correspondence), RIDOT proposed the "area of potential effect" (APE) and sought information and project review comments from consulting parties to identify any historic properties in the APE. RIDOT also authorized the Public Archaeology Laboratory, Inc. (PAL) to conduct a Due Diligence Review to identify historic properties within the APE for Toll Location No. 1 in Hopkinton and Richmond near the Wood River Valley Bridge (RIDOT Bridge No. 040401) and Toll Location No. 2 in Exeter near the Tefft Hill Trail Bridges (RIDOT Bridge Nos. 059201 and 059221). PAL has also conducted a Due Diligence Review for an associated Diversion Route: Woodville Alton Road, Route 3 (Main Street/Nooseneck Hill Road) and Route 102 between Exit 2 and Exit 5 on I-95 that has been identified as a potential travel route used by heavy commercial vehicles to avoid Toll Locations 1 and 2. The APE for the Diversion Route was developed by RIDOT in consultation with the RIHPHC.

Enclosed for your review and comment are the two Section 106 Documentation Form -1s (one for each Toll Location and the associated Divergent Route) and PAL's three *Technical Memoranda* summarizing the results of the due diligence reviews for each Toll Location and the Divergence Route. The two Section 106 Documentation Form 1s list all of the historic properties that have been identified in the APEs.

Based on the results of PAL's reviews and assessing potential project impacts on historic properties, RIDOT has examined the *Criteria of Adverse Effects* as found in *36 CFR § 800.5(b) – Assessment of adverse effect*, and RIDOT is making the recommendation that as none of the *criteria of adverse effects* apply, then the construction of gantries at Toll Location Nos. 1 and 2, and the increased heavy commercial vehicle traffic on the Diversion Route will have “no adverse effect” on historic properties.

Please provide us with any comments that you may within 30 days of receipt of this letter. Should you have any questions or require additional information, please contact me at 528-4577.

Sincerely,

Enclosures



Carlos E. Padilla-Fresse  
Program Delivery Supervisor



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

August 28, 2017

Ashley Hahn-Sweet, Town Planner  
Exeter Town Hall  
675 Ten Rod Road  
Exeter, RI 02822

Re: RhodeWorks Bridge Tolling Program  
Toll Gantry Construction at Statewide Locations  
RIC No. 2017-OT-002  
**Due Diligence Review and Recommendation of Effect:**  
**Toll Location No. 2, Exeter**  
**Diversion Route No. 1, Exeter, Hopkinton, and Richmond**

Dear Ms. Hahn-Sweet:

In accordance with 36 CFR §800.3 (of "Protection of Historic Properties"), regulations of the federal Advisory Council on Historic Preservation, on behalf of the Federal Highway Administration (FHWA), RIDOT initiated the Section 106 review process for the above referenced transportation project by our project notification correspondence dated June 29, 2017, to your organization.

Per 36 CFR § 800.4 – *Identification of historic properties*, as part of RIDOT's efforts to identify historic properties in the area of potential effect (APE), RIDOT authorized The Public Archaeology Laboratory, Inc. (PAL) to conduct a Due Diligence Review to identify historic properties within the APE for Toll Location No.2 in Exeter near the Tefft Hill Trail Bridges (RIDOT Bridge Nos. 059201 and 059221). PAL has also conducted a Due Diligence Review for Diversion Route No. 1: Route 3 (Main Street/Nooseneck Hill Road) between Exit 2 and Exit 5 on I-95 that has been identified as a potential travel route used by heavy commercial vehicles to avoid Toll Locations 1 and 2.

Enclosed for your review and comment are PAL's *Technical Memoranda* summarizing the results of these due diligence reviews. Based on the results of PAL's review and per 36 CFR § 800.5(b) – *Assessment of adverse effect*, RIDOT's opinion is that the construction of Toll Location No. 2, and the increased heavy commercial vehicle traffic on Diversion Route No.1 will have "no adverse effect" on historic properties and we are requesting your concurrence per Section 106 of the National Historic Preservation Act of 1966, as amended.

Please provide us with any comments that you may within 30 days of receipt of this letter. Should you have any questions or require additional information, please contact me at 222-2023, x 4040.

Sincerely,

David W. Fish, P.E.  
Acting Administrator of Project Management

Enclosures

cc: Army, Brady, Fiset, Gannon, Hébert, McGinn, Rocchio, Waugh, C. Padilla-Fresse-FHWA and file, all w/o enclosures



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

August 28, 2017

Sheila Reynolds-Boothroyd, President  
Exeter Historical Association  
159 Old Voluntown Road  
Exeter, RI 02822

Re: RhodeWorks Bridge Tolling Program  
Toll Gantry Construction at Statewide Locations  
RIC No. 2017-OT-002  
**Due Diligence Review and Recommendation of Effect:**  
**Toll Location No. 2, Exeter**  
**Diversion Route No. 1, Exeter, Hopkinton, and Richmond**

Dear Ms. Reynolds-Boothroyd:

In accordance with 36 CFR §800.3 (of "Protection of Historic Properties"), regulations of the federal Advisory Council on Historic Preservation, on behalf of the Federal Highway Administration (FHWA), RIDOT initiated the Section 106 review process for the above referenced transportation project by our project notification correspondence dated June 29, 2017, to your organization.

Per 36 CFR § 800.4 – *Identification of historic properties*, as part of RIDOT's efforts to identify historic properties in the area of potential effect (APE), RIDOT authorized The Public Archaeology Laboratory, Inc. (PAL) to conduct a Due Diligence Review to identify historic properties within the APE for Toll Location No.2 in Exeter near the Tefft Hill Trail Bridges (RIDOT Bridge Nos. 059201 and 059221). PAL has also conducted a Due Diligence Review for Diversion Route No. 1: Route 3 (Main Street/Nooseneck Hill Road) between Exit 2 and Exit 5 on I-95 that has been identified as a potential travel route used by heavy commercial vehicles to avoid Toll Locations 1 and 2.

Enclosed for your review and comment is a revised *Section 106 Documentation Form-1* and PAL's *Technical Memoranda* summarizing the results of these due diligence reviews. Based on the results of PAL's review and per 36 CFR § 800.5(b) – *Assessment of adverse effect*, RIDOT's opinion is that the construction of Toll Location No. 2, and the increased heavy commercial vehicle traffic on Diversion Route No.1 will have "no adverse effect" on historic properties and we are requesting your concurrence per Section 106 of the National Historic Preservation Act of 1966, as amended.

Please provide us with any comments that you may within 30 days of receipt of this letter. Should you have any questions or require additional information, please contact me at 222-2023, x 4040.

Sincerely,

David W. Fish, P.E.  
Acting Administrator of Project Management

Enclosures

cc: Army, Brady, Fisetta, Gannon, Hébert, McGinn, Rocchio, Waugh, C. Padilla-Fresse-FHWA and file,  
all w/o enclosures



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

August 28, 2017

Mr. Jeffrey Emidy, Acting Executive Director  
Rhode Island Historical Preservation & Heritage Commission  
Old State House  
150 Benefit Street  
Providence, Rhode Island 02903

Attention: Ms. Michaela Jergensen

Re: RhodeWorks Bridge Tolling Program  
Toll Gantry Construction at Statewide Locations  
RIC No. 2017-OT-002  
**Due Diligence Review and Recommendation of Effect:  
Toll Location Nos. 1 and 2, Exeter, Hopkinton and Richmond  
Diversion Route 1, Exeter, Hopkinton, and Richmond**

Dear Mr. Emidy:

In accordance with 36 CFR §800.3 (of "Protection of Historic Properties"), regulations of the federal Advisory Council on Historic Preservation, on behalf of the Federal Highway Administration (FHWA), RIDOT initiated the Section 106 review process for the above referenced transportation project by our project notification correspondence dated June 29, 2017, to your organization.

Per 36 CFR § 800.4 – *Identification of historic properties*, as part of RIDOT's efforts to identify historic properties in the area of potential effect (APE), RIDOT authorized The Public Archaeology Laboratory, Inc. (PAL) to conduct a Due Diligence Review to identify historic properties within the APE for Toll Location No. 1 in Hopkinton and Richmond near the Wood River Valley Bridge (RIDOT Bridge No. 040401) and Toll Location No.2 in Exeter near the Tefft Hill Trail Bridges (RIDOT Bridge Nos. 059201 and 059221). PAL has also conducted a Due Diligence Review for Diversion Route No 1: Route 3 (Main Street/Nooseneck Hill Road) between Exit 2 and Exit 5 on I-95 that has been identified as a potential travel route used by heavy commercial vehicles to avoid Toll Locations 1 and 2.

Enclosed for your review and comment is a revised *Section 106 Documentation Form-1* and PAL's *Technical Memoranda* summarizing the results of these due diligence reviews. Based on the results of PAL's review and per 36 CFR § 800.5(b) – *Assessment of adverse effect*, RIDOT's opinion is that that the construction of Toll Location Nos. 1 and 2, and the increased heavy commercial vehicle traffic on Diversion Route No.1 will have "no adverse effect" on historic properties and we are requesting your concurrence per Section 106 of the National Historic Preservation Act of 1966, as amended.

Please provide us with any comments that you may within 30 days of receipt of this letter. Should you have any questions or require additional information, please contact me at 222-2023, x 4040.

Sincerely,

David W. Fish, P.E.  
Acting Administrator of Project Management

Enclosures

cc: Army, Brady, Fiset, Gannon, Hébert, McGinn, Rocchio, Waugh, C. Padilla-Fresse-FHWA and file,  
all w/o enclosures



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

August 28, 2017

Juliana Berry, Town Planner  
Richmond Planning Department  
5 Richmond Townhouse Road  
Wyoming, Rhode Island 02898

Re: RhodeWorks Bridge Tolling Program  
Toll Gantry Construction at Statewide Locations  
RIC No. 2017-OT-002  
**Due Diligence Review and Recommendation of Effect:  
Toll Location No. 1, Hopkinton and Richmond  
Diversion Route 1, Exeter, Hopkinton, and Richmond**

Dear Ms. Berry:

In accordance with 36 CFR §800.3 (of "Protection of Historic Properties"), regulations of the federal Advisory Council on Historic Preservation, on behalf of the Federal Highway Administration (FHWA), RIDOT initiated the Section 106 review process for the above referenced transportation project by our project notification correspondence dated June 29, 2017, to your organization.

Per 36 CFR § 800.4 – *Identification of historic properties*, as part of RIDOT's efforts to identify historic properties in the area of potential effect (APE), RIDOT authorized The Public Archaeology Laboratory, Inc. (PAL) to conduct a Due Diligence Review to identify historic properties within the APE for Toll Location No. 1 in Hopkinton and Richmond near the Wood River Valley Bridge (RIDOT Bridge No. 040401) and Toll Location No.2 in Exeter near the Tefft Hill Trail Bridges (RIDOT Bridge Nos. 059201 and 059221). PAL has also conducted a Due Diligence Review for Diversion Route No 1: Route 3 (Main Street/Nooseneck Hill Road) between Exit 2 and Exit 5 on I-95 that has been identified as a potential travel route used by heavy commercial vehicles to avoid Toll Locations 1 and 2.

Enclosed for your review and comment is a revised *Section 106 Documentation Form-1* and PAL's *Technical Memoranda* summarizing the results of these due diligence reviews. Based on the results of PAL's review and per 36 CFR § 800.5(b) – *Assessment of adverse effect*, RIDOT's opinion is that that the construction of Toll Location No. 1 and the increased heavy commercial vehicle traffic on Diversion Route No.1 will have "no adverse effect" on historic properties and we are requesting your concurrence per Section 106 of the National Historic Preservation Act of 1966, as amended.

Please provide us with any comments that you may within 30 days of receipt of this letter. Should you have any questions or require additional information, please contact me at 222-2023, x 4040.

Sincerely,

David W. Fish, P.E.  
Acting Administrator of Project Management

Enclosures

cc: Army, Brady, Fiset, Gannon, Hébert, McGinn, Rocchio, Waugh, C. Padilla-Fresse-FHWA and file, all w/o enclosures



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

August 28, 2017

David G. Johnson, President  
Richmond Historical Society  
1 Shadow Ridge Drive  
Carolina, Rhode Island 02812

Re: RhodeWorks Bridge Tolling Program  
Toll Gantry Construction at Statewide Locations  
RIC No. 2017-OT-002  
**Due Diligence Review and Recommendation of Effect:  
Toll Location No. 1, Hopkinton and Richmond  
Diversion Route 1, Exeter, Hopkinton, and Richmond**

Dear Mr. Johnson:

In accordance with 36 CFR §800.3 (of "Protection of Historic Properties"), regulations of the federal Advisory Council on Historic Preservation, on behalf of the Federal Highway Administration (FHWA), RIDOT initiated the Section 106 review process for the above referenced transportation project by our project notification correspondence dated June 29, 2017, to your organization.

Per 36 CFR § 800.4 – *Identification of historic properties*, as part of RIDOT's efforts to identify historic properties in the area of potential effect (APE), RIDOT authorized The Public Archaeology Laboratory, Inc. (PAL) to conduct a Due Diligence Review to identify historic properties within the APE for Toll Location No. 1 in Hopkinton and Richmond near the Wood River Valley Bridge (RIDOT Bridge No. 040401) and Toll Location No.2 in Exeter near the Tefft Hill Trail Bridges (RIDOT Bridge Nos. 059201 and 059221). PAL has also conducted a Due Diligence Review for Diversion Route No 1: Route 3 (Main Street/Nooseneck Hill Road) between Exit 2 and Exit 5 on I-95 that has been identified as a potential travel route used by heavy commercial vehicles to avoid Toll Locations 1 and 2.

Enclosed for your review and comment is a revised *Section 106 Documentation Form-1* and PAL's *Technical Memoranda* summarizing the results of these due diligence reviews. Based on the results of PAL's review and per 36 CFR § 800.5(b) – *Assessment of adverse effect*, RIDOT's opinion is that that the construction of Toll Location No. 1 and the increased heavy commercial vehicle traffic on Diversion Route No.1 will have "no adverse effect" on historic properties and we are requesting your concurrence per Section 106 of the National Historic Preservation Act of 1966, as amended.

Please provide us with any comments that you may within 30 days of receipt of this letter. Should you have any questions or require additional information, please contact me at 222-2023, x 4040.

Sincerely,

David W. Fish, P.E.  
Acting Administrator of Project Management

Enclosures

cc: Army, Brady, Fiset, Gannon, Hébert, McGinn, Rocchio, Waugh, C. Padilla-Fresse-FHWA and file, all w/o enclosures



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

August 28, 2017

Richard Prescott, Chairman  
Hopkinton Historic District Commission  
Hopkinton Town Hall, 1 Town House Road  
Hopkinton, RI 02833

Re: RhodeWorks Bridge Tolling Program  
Toll Gantry Construction at Statewide Locations  
RIC No. 2017-OT-002  
**Due Diligence Review and Recommendation of Effect:  
Toll Location No. 1, Hopkinton and Richmond  
Diversion Route 1, Exeter, Hopkinton, and Richmond**

Dear Mr. Prescott:

In accordance with 36 CFR §800.3 (of "Protection of Historic Properties"), regulations of the federal Advisory Council on Historic Preservation, on behalf of the Federal Highway Administration (FHWA), RIDOT initiated the Section 106 review process for the above referenced transportation project by our project notification correspondence dated June 29, 2017, to your organization.

Per 36 CFR § 800.4 – *Identification of historic properties*, as part of RIDOT's efforts to identify historic properties in the area of potential effect (APE), RIDOT authorized The Public Archaeology Laboratory, Inc. (PAL) to conduct a Due Diligence Review to identify historic properties within the APE for Toll Location No. 1 in Hopkinton and Richmond near the Wood River Valley Bridge (RIDOT Bridge No. 040401) and Toll Location No.2 in Exeter near the Tefft Hill Trail Bridges (RIDOT Bridge Nos. 059201 and 059221). PAL has also conducted a Due Diligence Review for Diversion Route No 1: Route 3 (Main Street/Nooseneck Hill Road) between Exit 2 and Exit 5 on I-95 that has been identified as a potential travel route used by heavy commercial vehicles to avoid Toll Locations 1 and 2.

Enclosed for your review and comment is a revised *Section 106 Documentation Form-1* and PAL's *Technical Memoranda* summarizing the results of these due diligence reviews. Based on the results of PAL's review and per 36 CFR § 800.5(b) – *Assessment of adverse effect*, RIDOT's opinion is that that the construction of Toll Location No. 1 and the increased heavy commercial vehicle traffic on Diversion Route No.1 will have "no adverse effect" on historic properties and we are requesting your concurrence per Section 106 of the National Historic Preservation Act of 1966, as amended.

Please provide us with any comments that you may within 30 days of receipt of this letter. Should you have any questions or require additional information, please contact me at 222-2023, x 4040.

Sincerely,

David W. Fish, P.E.  
Acting Administrator of Project Management

Enclosures

cc: Army, Brady, Fisette, Gannon, Hébert, McGinn, Rocchio, Waugh, C. Padilla-Fresse-FHWA and file,  
all w/o enclosures



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

August 28, 2017

Mr. Richard Prescott, President  
Hopkinton Historical Association  
124 Woodville Road  
Hope Valley, RI 02832

Re: RhodeWorks Bridge Tolling Program  
Toll Gantry Construction at Statewide Locations  
RIC No. 2017-OT-002  
**Due Diligence Review and Recommendation of Effect:  
Toll Location No. 1, Hopkinton and Richmond  
Diversion Route 1, Exeter, Hopkinton, and Richmond**

Dear Mr. Prescott:

In accordance with 36 CFR §800.3 (of "Protection of Historic Properties"), regulations of the federal Advisory Council on Historic Preservation, on behalf of the Federal Highway Administration (FHWA), RIDOT initiated the Section 106 review process for the above referenced transportation project by our project notification correspondence dated June 29, 2017, to your organization.

Per 36 CFR § 800.4 – *Identification of historic properties*, as part of RIDOT's efforts to identify historic properties in the area of potential effect (APE), RIDOT authorized The Public Archaeology Laboratory, Inc. (PAL) to conduct a Due Diligence Review to identify historic properties within the APE for Toll Location No. 1 in Hopkinton and Richmond near the Wood River Valley Bridge (RIDOT Bridge No. 040401) and Toll Location No.2 in Exeter near the Tefft Hill Trail Bridges (RIDOT Bridge Nos. 059201 and 059221). PAL has also conducted a Due Diligence Review for Diversion Route No 1: Route 3 (Main Street/Nooseneck Hill Road) between Exit 2 and Exit 5 on I-95 that has been identified as a potential travel route used by heavy commercial vehicles to avoid Toll Locations 1 and 2.

Enclosed for your review and comment is a revised *Section 106 Documentation Form-1* and PAL's *Technical Memoranda* summarizing the results of these due diligence reviews. Based on the results of PAL's review and per 36 CFR § 800.5(b) – *Assessment of adverse effect*, RIDOT's opinion is that that the construction of Toll Location No. 1 and the increased heavy commercial vehicle traffic on Diversion Route No.1 will have "no adverse effect" on historic properties and we are requesting your concurrence per Section 106 of the National Historic Preservation Act of 1966, as amended.

Please provide us with any comments that you may within 30 days of receipt of this letter. Should you have any questions or require additional information, please contact me at 222-2023, x 4040.

Sincerely,

David W. Fish, P.E.  
Acting Administrator of Project Management

Enclosures

cc: Army, Brady, Fisetite, Gannon, Hébert, McGinn, Rocchio, Waugh, C. Padilla-Fresse-FHWA and file, all w/o enclosures



**Appendix E**

**Public Involvement Plan**

**Environmental Assessment**  
**Toll Locations 1 and 2**

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Bridge Toll System Project

# **Public Involvement Plan for the Environmental Assessment**

**For Toll Locations 1 and 2**

June 28, 2017



## **Public Involvement Plan**

### Bridge Toll System Project EA Activities

#### **Background**

A Public Involvement Plan is prepared to identify the outreach goals and objectives of the public involvement program. Goals and objectives of any public involvement plan derive from the specific circumstances of a given transportation plan or project.

This Public Involvement Plan has been developed for the Bridge Tolling Gantry Project and focuses on information exchange and education. It has been prepared by the Rhode Island Department of Transportation (RIDOT) in cooperation with the Federal Highway Administration (FHWA) pursuant to Rhode Island General Law Section 24-8-1.7 and in accordance with FHWA regulations governing coordination, public involvement and project development found in 23 CFR 771.111.

#### **Public Involvement Goals**

The purpose of this Plan is centered on three main goals:

- Create general public awareness of the project;
- Provide information and education about the proposed project; and
- Define the EA and opportunities for public comments and review.

#### **Principles**

The following principles will guide the project team in its outreach efforts:

- Pay attention and reach out to those who typically don't participate in transportation programs, including tailoring outreach to people who, as a result of national origin, have limited English proficiency (Title VI of the Civil Rights Act of 1964; Executive Order #13166).
- Provide clear, concise and accurate information to the public and respond to inquiries to facilitate useful and timely input and feedback (23 CFR 771.111).
- Ensure public information is available on the project web page in electronically accessible formats (Section 508 of the Rehabilitation Act of 1973, as amended).

## Public Involvement Activities and Timing

Public involvement activities were selected to meet the basic need for open communication among RIDOT, stakeholders and the public. Activities will be undertaken at the start of the EA process to identify the individuals, organizations and communities to be reached.

Public involvement activities will be timed to be most effective. Early activities focus on reconnaissance and understanding stakeholder issues and concerns. Some activities will be done continually, such as updating the database and issues log. Other activities focus on building awareness of the project, providing information and details as they are developed, and responding to questions and inquiries. Outreach activities when the draft EA is available for public review focus on distributing the document, answering questions about the process and content, publicizing the availability of the EA and its key findings, and holding a public hearing.

The following summarizes the activities anticipated to occur during the development and review of the EA and identifies the lead party or parties for carrying out specific activities.

### Public Involvement Activities

**Stakeholder identification:** Identify key stakeholders, members of the public; elected or appointed officials; agencies; and organizations who will be or perceive they will be affected (23 CFR 771.111[a]; RIDOT Rules and Regulations Regarding Public Participation for Federal Aid Highway Projects, 7.02).

**Database:** Build and maintain a database of people and groups that will be contacted during the EA process.

**Fact Sheet:** Develop a two-page fact sheet that explains the project in basic terms and with graphics and post on the website, e-mail and mail to stakeholders for distribution to their networks.

**Web page:** RIDOT's website will provide access to public information and review documents. Documents with the exception of design plans and construction documents posted to RIDOT's project web page will comply with Sect. 508 of the Rehabilitation Act of 1973 (as amended). A comment form and sign-up form will be provided. RIDOT will retrieve comments and entries. All comments will be forwarded to Jacobs for cataloguing.

**Outreach to underserved populations & organizations:** Investigate and implement effective ways to reach out to and communicate with traditionally underserved populations and groups. (Title VI of the Civil Rights Act of 1964).

**Provide information to those with speech, hearing or vision impairments:** Prepare and make available materials for members of the public with disabilities comparable to those made available to those who do not have a disability. Alternate formats will be available on request. (Section 508, as amended; RIDOT ADA Transition Plan, Sept. 2016).

**Rendering of a gantry:** Jacobs will prepare a rendering of the proposed gantries.

**Bi-lingual public information pieces:** All notices, Fact Sheets, meeting handouts will be translated into Spanish.

**Legal Notice and other Public Hearing Notices:** Send a combined Notice of Availability of the draft EA with notice of the public hearing to The Providence Journal, Westerly Sun and Projo en Espanol.

**Website:** Update website to add the draft EA and notice of the public hearing.

**EA public hearing:** Hold a public hearing on the draft EA at an accessible location after the document has been available for at least 15 days.

The public hearing will be widely noticed 15 days before the public hearing date and again

five days before. Notices will be mailed to local and regional media, local governments, and state and federal agencies and will include a statement that all information developed in reference to the proposed project will be available upon request for public inspection and copying (RIDOT Rules and Regulations Regarding Public Participation for Federal Aid Highway Projects, 7.05).

An informal “open house” session will immediately precede the public hearing for attendees to view the plans and the draft EA. The open house will be announced in the public hearing notice as a supplemental public hearing activity with no presentation (RIDOT Rules and Regulations Regarding Public Participation for Federal Aid Highway Projects, 7.06).

A scripted PowerPoint presentation will be prepared to review the background; purpose of and need for the project; and the impacts. The public will be given the opportunity to provide comments, written and oral, and the proceedings will be recorded by a RIDOT public hearing stenographer. Written comments submitted to RIDOT at the hearing or within 30 days of the EA’s availability will be treated as part of the official hearing record. The hearing transcript will be posted on the website.



## **Appendix F**

### **Technical Memos**

**The following technical memos are provided in Appendix F:**

- 1. Traffic Impact Screening Analyses for Toll Locations 1 and 2; and Diversion Route 1 September 25, 2017, Jacobs;**
- 2. Air Quality Screening Analyses for Toll Locations 1 and 2 and Diversion Route 1, September 18, 2017, Jacobs;**
- 3. Noise Screening Analysis for Toll Locations 1 and 2 and Diversion Route 1, September 18, 2017, Jacobs,**
- 4. Technical Memorandum, RIDOT Truck Vibration Literature Review, September 18, 2017, Cross-Spectrum Acoustics**

**Environmental Assessment**  
**Toll Locations 1 and 2**

---

2 Penn Plaza, Suite 0603  
New York, New York 10121  
United States  
T +1.212.944.2000  
F +1.212.302.4645  
[www.jacobs.com](http://www.jacobs.com)

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<b>Subject</b>	<b>Traffic Impact Screening Analysis for Toll Locations 1 and 2 and Diversion Route 1</b>	<b>Project Name</b>	Environmental Assessment Toll Locations 1 and 2
<b>Attention</b>	Dan Waugh, RIDOT; Jay McGinn RIDOT	<b>Project No.</b>	WTXT9300
<b>From</b>	Tahir Rashid; Liz Horta, Jacobs		
<b>Date</b>	September 25, 2017		

---

### Executive Summary

- The Rhode Island Department of Transportation (RIDOT) proposes to construct toll systems at two locations (Toll Locations 1 and 2) along Interstate 95 (I-95) in the southwestern part of Rhode Island. These toll systems are necessary for the successful implementation of RIDOT's Bridge Tolling Program.
- Only tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers would be tolled at these toll locations.
- Jacobs was tasked to analyze traffic impacts relating to levels of service, speeds, and delays on diversion routes due to potential truck diversions after the implementation of tolling.
- Jacobs used the potential truck diversion volumes developed by Louis Berger, as presented in their report, entitled "*Rhode Island Department of Transportation Investment-Grade Truck Tolling Study*" (the "T&R Report").
- For the analysis of traffic impacts due to potential tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers diversions at Toll Locations 1 and 2, Jacobs compiled and evaluated traffic and signal timing data, where applicable, from Toll Locations 1 and 2 (I-95) and the corresponding Diversion Route 1 (RI Route 3). These data were collected from various sources,

including RIDOT, Louis Berger, and independent traffic count and turning movement count data collection efforts for this specific analysis.

- Analyses to assess the traffic impacts along Diversion Route 1 were made for the 'worst case' peak hour, which was determined to be between 4:00 pm and 5:00 pm. This worst case was determined by an examination of the hourly traffic patterns, by direction, along Diversion Route 1.
- The intersection and roadway analyses have been performed using Synchro 10 and ARTPLAN 2012 software.
- No-Build (2016 and 2040) intersection and roadway conditions analyses were performed along Diversion Route 1.
- Build conditions (2016 and 2040) analyses were then performed along Diversion Route 1 with the estimated diversion of trucks added to the Diversion Route after the implementation of tolling.
- For roadway segments, average speed (miles/hour) was used as a measure of effectiveness (MOE). For intersections, average delay per vehicle (seconds/vehicle), and volume to capacity ratios were used as MOEs. The level of service (LOS) was then determined using the MOE and HCM guidelines to analyze operating conditions of different scenarios.
- The changes in MOEs were determined between the existing conditions and the estimated tolled conditions along Diversion Route 1.
- The intersection analysis shows that there would only be a slight increase in delay (less than one second) at the study intersections along Diversion Route 1 in both analysis years 2016 and 2040 due to the addition of diverted truck traffic.
- The roadway segment analysis show that there would only be a slight decrease in average speed (less than 0.5 mph) along Diversion Route 1 in both analysis years 2016 and 2040 due to the addition of diverted truck traffic.
- **Therefore, implementation of the proposed toll program at Toll Locations 1 and 2 should not result in significant traffic impacts on Diversion Route 1.**

**Introduction**

The Rhode Island Department of Transportation (RIDOT) proposes to construct and operate toll systems at two locations (Toll Locations 1 and 2) along Interstate 95 (I-95) in the southwestern part of Rhode Island (Figure 1).

The toll system would be an All Electronic Toll (AET) system. This system allows vehicles to pay the toll at highway speed. The toll system at each proposed toll location will be located within the existing highway right-of-way and approximately 15-20 feet from the existing edge of pavement. The proposed toll systems will be used to collect toll revenue from tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers travelling across select bridges associated with the toll locations.

In accordance with the National Environmental Policy Act (NEPA), RIDOT is preparing an Environmental Assessment (EA) to evaluate the potential direct, indirect, and cumulative impacts of construction and implementation of the toll systems at Toll Locations 1 and 2. This screening analysis was conducted to determine whether impacts would occur along potential diversion routes as a result of increased truck traffic created by tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers diverting to avoid the tolls.

An approximately 9-mile stretch of RI Route 3 has been identified as a potential route for tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers attempting to avoid tolls at Toll Locations 1 and 2. The route, shown in Figure 1, runs on RI Route 3 from Woodville Alton Road in the South, to RI Route 102 in the north.

Jacobs was tasked to analyze traffic impacts relating to levels of service, speeds, and delays on diversion routes due to potential truck diversions after the implementation of tolling.

Peak rates of flow are related to hourly volumes through the use of the peak-hour factor. This factor is defined as the ratio of total hourly volume to the peak rate of flow within the hour. The volume to capacity (V/C) ratio is the ratio of current flow rate to capacity of the facility. It is an indicator of the quality of the operations at an intersection. The delay encountered by a traveler at a signalized intersection constitutes an intersection control delay.

The analysis of existing and future operating characteristics of a facility is also measured using LOS to provide an indication of the ability of the facility to satisfy both existing and future travel demand. LOS is a quantitative measure of the quality of service of a transportation facility. The LOS measure is stratified into six letter grades, "A" through "F" with "A" being the best and "F" being the worst. Each roadway facility type has a defined method for assessing capacity and level of service, which is based on a set of performance measures. Travel speed and density on freeways, delay at

signalized intersections, and speed and ability to pass on a rural two-lane highways are examples of performance measures that characterize the conditions of a facility.

Table 1 and Table 2 present the criteria used to evaluate the Levels of Service in this analysis for signalized intersections and roadway segments, respectively.

Table 1: Signalized Intersections

Level of Service	Average Control Delay Per Vehicle (seconds)
A	0 - 10
B	10 - 20
C	20 - 35
D	35 - 55
E	55 - 80
F	>80

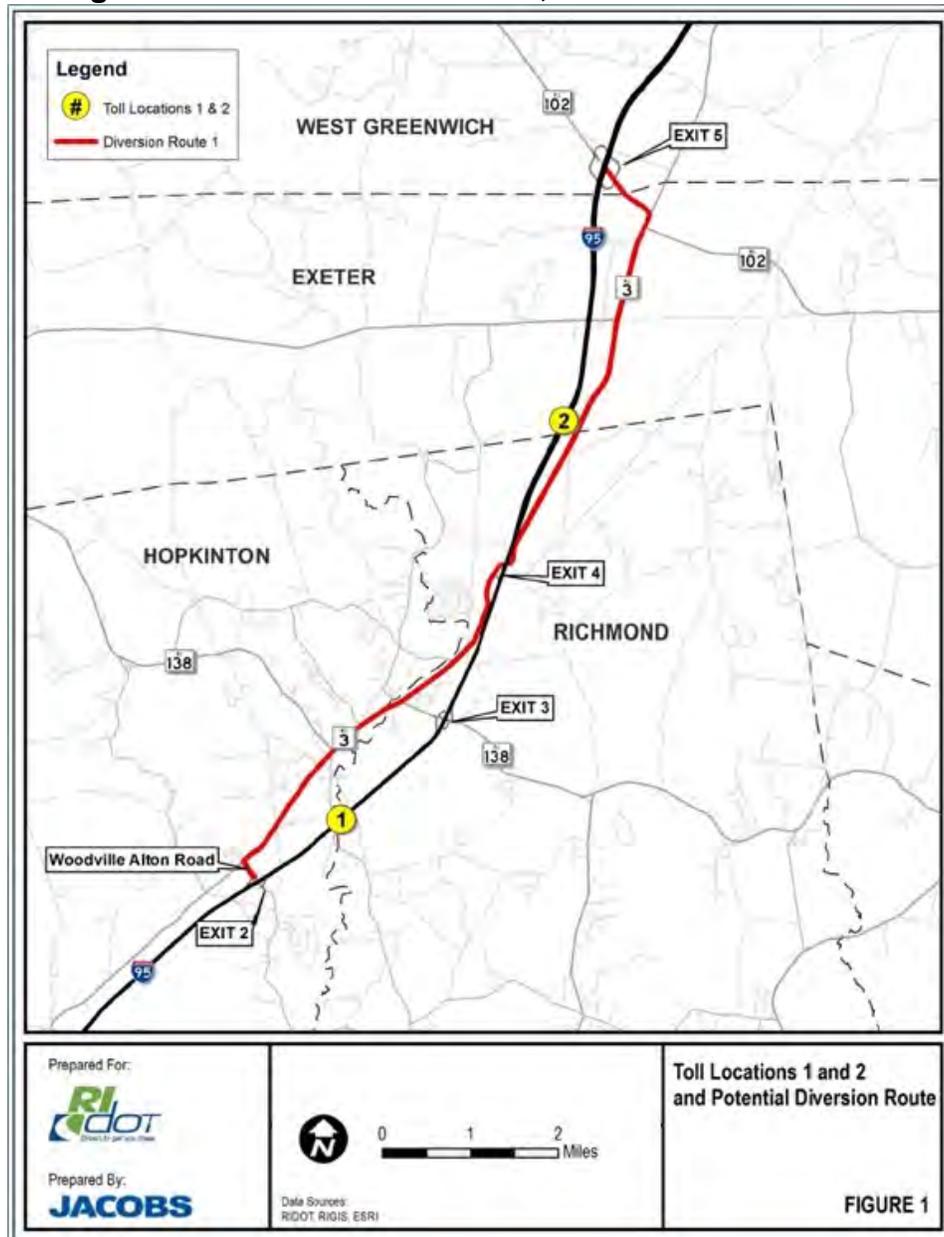
Table 2: Arterial Street Class II

Level of Service	Average Travel Speed mile/hour
A	>28
B	>22 ≤ 28
C	>17 ≤ 22
D	>13 ≤ 17
E	>10 ≤ 13
F	≤10

Figure 1 shows Toll Locations 1 and 2, and the approximate 10-mile stretch of Diversion Route 1.

For the analysis of traffic impacts due to potential tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers diversions at Toll Locations 1 and 2, Jacobs compiled and evaluated traffic volume data, fleet mix data, and signal timing data, where applicable, from Toll Locations 1 and 2 and the corresponding Diversion Route 1. These data were collected from various sources, including RIDOT, Louis Berger and their report entitled “*Rhode Island Department of Transportation Investment-Grade Truck Tolling Study*” (the “*T&R Report*”), and independent traffic count and turning movement count data collection efforts for this specific analysis.

**Figure 1: Toll Locations 1 and 2; and Diversion Route 1**



**Traffic Impact Methodology**

Jacobs conducted a traffic impact analysis for Diversion Route 1, which compares Base Year 2016 traffic conditions along Diversion Route 1 with a Pro Forma (as if tolling were implemented) Tolloed 2016 condition. Base Year 2016 was used as the basis for comparison between current (existing, non-tolled facility) and pro-forma (as if the toll project were in operation) tolled conditions. Base Year 2016 was chosen because Louis

Berger's (the T&R Consultant) truck diversion analysis utilizes the Rhode Island regional travel demand model, which is based on the data from 2016.

An analysis was also made for future year 2040, both without tolling (Future No Toll 2040) and with tolling implemented (Future Tolloed 2040).

Separate analyses were, therefore, made for the following:

- Base Year 2016 – No Toll
- Pro Forma Tolloed 2016– Tolloed
- Future No Toll 2040 – No Toll
- Future Tolloed 2040 – Tolloed

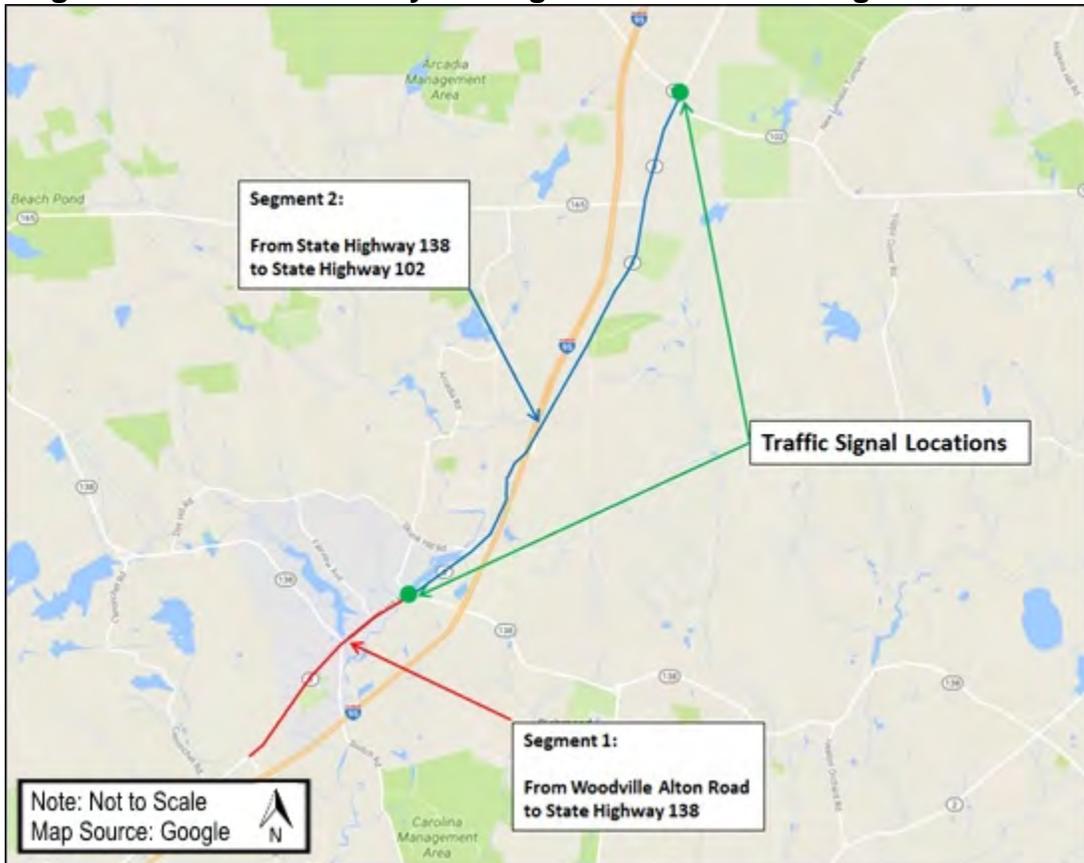
Based on the signalized intersection controls along the study corridor, along with the actual traffic data and the roadway facility type and roadway characteristics (number of lanes, speed limits, etc.), Diversion Route 1 was separated into two major roadway segments. Each roadway segment analyzed adequately represents the character of its entire roadway segment. Analyses were made for these two major roadway segments along Diversion Route 1 (shown in Figure 2) as follows:

- Segment 1, between Woodville Alton Road and RI Route 138
- Segment 2, between RI Route 138 and RI Route 102

Signal timing was obtained from RIDOT and used for the analyses for the two major signalized intersections along Diversion Route 1 (also shown in Figure 2):

- RI Route 138 at RI Route 3
- RI Route 102 at RI Route 3

**Figure 2: RI Route 3 Analyses Segments and Traffic Signal Locations**



Jacobs compiled and evaluated traffic and signal timing data, where applicable, for Toll Locations 1 and 2, and the corresponding Diversion Route 1. These data were collected from various sources, including RIDOT, Louis Berger, and independent traffic count and turning movement count data collection efforts for this specific analysis. Jacobs used these data to prepare an existing daily traffic flow profile along RI Route 3. This existing traffic data was used in the analysis of existing conditions for the Base Year 2016 – No Toll scenario.

Jacobs received 2016 potential truck diversion volumes from the Louis Berger T&R Report. The truck diversion volumes for Diversion Route 1 were then applied to the Base Year 2016 – No Toll scenario to create the Pro Forma Tolloed 2016 traffic scenario.

An analysis was also made for future year 2040. For the Future No Toll 2040, growth rates were applied to the Base Year 2016 – No Toll scenario to create the Future No Toll 2040 scenario. Potential truck diversions from the Louis Berger T&R Report were then applied to create the Future Tolloed 2040 scenario.

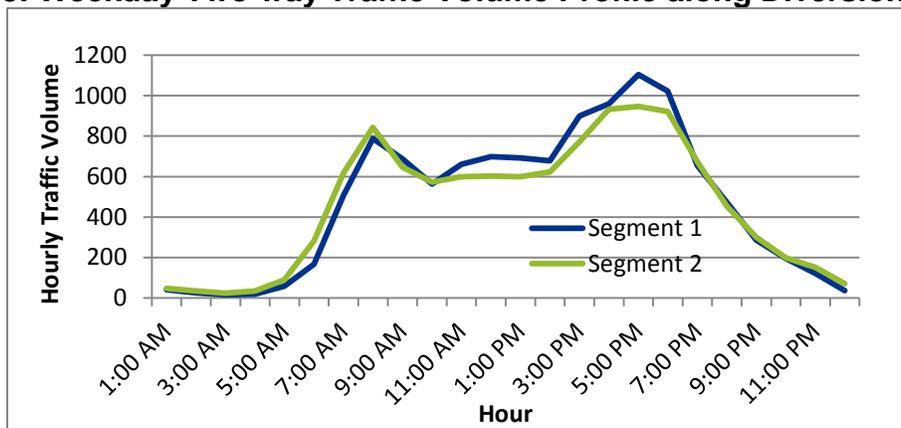
### Traffic Impact Analyses

The 2016 and 2040 conditions analyses were conducted for the two roadway segments using Highway Capacity Software (HCS) and Synchro 10, which are industry-standard and accepted implementation of the Highway Capacity Manual (HCM) procedures. The operating conditions of RI Route 3 were evaluated using ARTPLAN 2012, an arterial LOS tool that is included in the HCS 2010 software suite. ARTPLAN is an emulation of the 2010 HCM software for the LOS measurement for an arterial roadway facility. The use of ARTPLAN entails the mathematical operations among average annual daily traffic (AADT) volume and traffic, roadway, and signalization variables. Synchro 10 was used to analyze signalized intersections along the study corridor.

### Diversion Route 1, Existing and Future Estimated Traffic

Jacobs started with 24-hour independent traffic count data, collected for this specific analysis. These traffic volumes are comparable to RIDOT database 2015 traffic volumes. These 24-hour traffic counts were used as a basis for our analyses for the 2016 existing conditions. Figure 3 displays the 24-hour traffic profile from the recently-collected traffic data for each segment analyzed along Diversion Route 1 (RI Route 3).

**Figure 3: Weekday Two-way Traffic Volume Profile along Diversion Route 1**



The future year 2040 analyses incorporated the information contained within the Base Year 2016 dataset grew them to 2040, as determined by comparing Louis Berger estimates of total non-toll AADT for 2016 versus 2040. Jacobs applied this period growth, found it to 22 percent for the period 2016 to 2040, to the diversion analyses 2016 non-toll dataset to create a 2040 non-toll data set for diversion analyses.

Table 3 shows the Base Year 2016 and estimated Future Year 2040 traffic profile data for each individual Diversion Route 1 segment analyzed.

**Table 3: Summary of Base Year 2016 and Estimated Future Year 2040 Traffic Profile Data**

RI Route 3 Segment	2016 Traffic Volumes				2040 Traffic Volumes			
	No Toll				No Toll			
	Total Day	Peak-Hour			Total Day	Peak-Hour		
	2-Way Volume	1-Way Peak Direction Volumes			2-Way Volume	1-Way Peak Direction Volumes		
	Total Veh.	Total Veh.	Trucks	% Truck	Total Veh.	Total Veh.	Trucks	% Truck
From Woodville Alton Road to State Highway 138	11,352	607	36	6%	13,881	741	44	6%
From State Highway 138 to State Highway 102	11,036	584	35	6%	13,495	720	43	6%

**Estimated Truck Diversion**

The following Table 4 shows the 4:00 pm to 5:00 pm peak hour estimated truck diversions from Toll Locations 1 and 2 to the Diversion Route 1 that was used in our analyses. These hourly data are derived from the truck diversion volumes presented in the Louis Berger T&R report Appendix C tables C-4 and C-5 and hourly traffic counts.

**Table 4: 4:00 pm to 5:00 pm Peak-Hour Estimated Truck Diversion from Toll Locations 1 and 2 to Diversion Route 1\***

RI Route 3 Segment	2016 Truck Diversion*		2040 Truck Diversion*	
	Peak-Hour		Peak-Hour	
	NB/EB	SB/WB	NB/EB	SB/WB
From Woodville Alton Road to State Highway 138	10	9	5	4
From State Highway 138 to State Highway 102	10	9	5	4

\*Louis Berger Report

In order to analyze the operational impacts relating to levels of service, speeds, and delays of the trucks on the study corridor, the 2016 and 2040 directional peak hour diverted truck traffic volumes were added to the 2016 and 2040 no-toll volumes, respectively. The trucks that diverted were added to the non-tolled (2016 and 2040) to estimate tolled (2016 and 2040) scenario volumes. The estimated traffic volume data are summarized in Table 5.

**Table 5: Summary of Actual 2016 and Estimated 2040 Traffic Profile Data, without and with Truck Toll Diversion Estimates**

RI Route 3 Segment	2016 Traffic Volumes					2040 Traffic Volumes				
	No Toll		Toll			No Toll		Toll		
	Total Day	Peak-Hour	Peak-Hour			Total Day	Peak-Hour	Peak-Hour		
	2-Way Volume	1-Way Peak Direction Volumes				2-Way Volume	1-Way Peak Direction Volumes			
	Total Veh.	Total Veh.	Trucks	Total Veh.	Trucks	Total Veh.	Total Veh.	Trucks	Total Veh.	Trucks
From Woodville Alton Road to State Highway 138	11,352	607	36	617	46	13,881	741	44	746	49
From State Highway 138 to State Highway 102	11,036	584	35	594	45	13,495	720	43	725	48

**Results**

A summary of the results for the traffic analyses along Diversion Route 1 is shown in Table 6.

**Table 6: Analysis Results**

RI Route 3 Segment	Year	Intersection Results				Segment Results	
		Condition	V/C Ratio (Max)	Delay (sec)	LOS	Speed (mph)	LOS
Between Woodville and Alton Road and State 138	2016	Base Year 2016 - No Toll	0.84	16.3	B	30.5	A
		Base Year 2016 – Tolled	0.84	16.5	B	30.2	A
	2040	Future No Toll 2040	0.89	21.4	C	27.8	B
		Future Tolled 2040	0.89	22.0	C	27.7	B
Between RI Route 138 and RI Route 102	2016	Base Year 2016 - No Toll	0.54	10.6	B	32.5	A
		Base Year 2016 – Tolled	0.55	11.1	B	32.5	A
	2040	Future No Toll 2040	0.64	11.6	B	32.1	A
		Future Tolled 2040	0.65	11.7	B	32.1	A

**Conclusion**

The intersection analyses show that there would only be a slight increase in delay at the study intersections along Diversion Route 1 in both analysis years 2016 and 2040 due to the addition of diverted truck traffic. The increase in delay would be less than one second at either signalized intersection. This slight increase in delay would be imperceptible to the drivers of the route.

The roadway segment analyses show an insignificant reduction in average speed (less than 0.5 mph) along Diversion Route 1. This reduction in speed would be imperceptible to the drivers of the route.

**Implementation of the proposed toll program at Toll Locations 1 and 2 should not result in significant traffic impacts on Diversion Route 1.**

**Environmental Assessment**  
**Toll Locations 1 and 2**

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<b>Subject</b>	<b>Air Quality Screening Analysis For Toll Locations 1 and 2 and Diversion Route 1</b>	<b>Project Name</b>	Environmental Assessment Toll Locations 1 and 2
<b>Attention</b>	Dan Waugh, RIDOT; Jay McGinn, RIDOT	<b>Project Number</b>	WTXT9300
<b>From</b>	Miles Cheang Environmental Planner		
<b>Date</b>	September 18, 2017		
<b>Copies to</b>	Jay Johns, Jacobs; Dieckmann Cogill, Jacobs; Jeff Berna, Jacobs		

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### 1. Introduction

The Rhode Island Department of Transportation (RIDOT) proposes to construct and operate toll systems at two locations (Toll Locations 1 and 2) along Interstate 95 (I-95) in the southwestern part of Rhode Island (Figure 1).

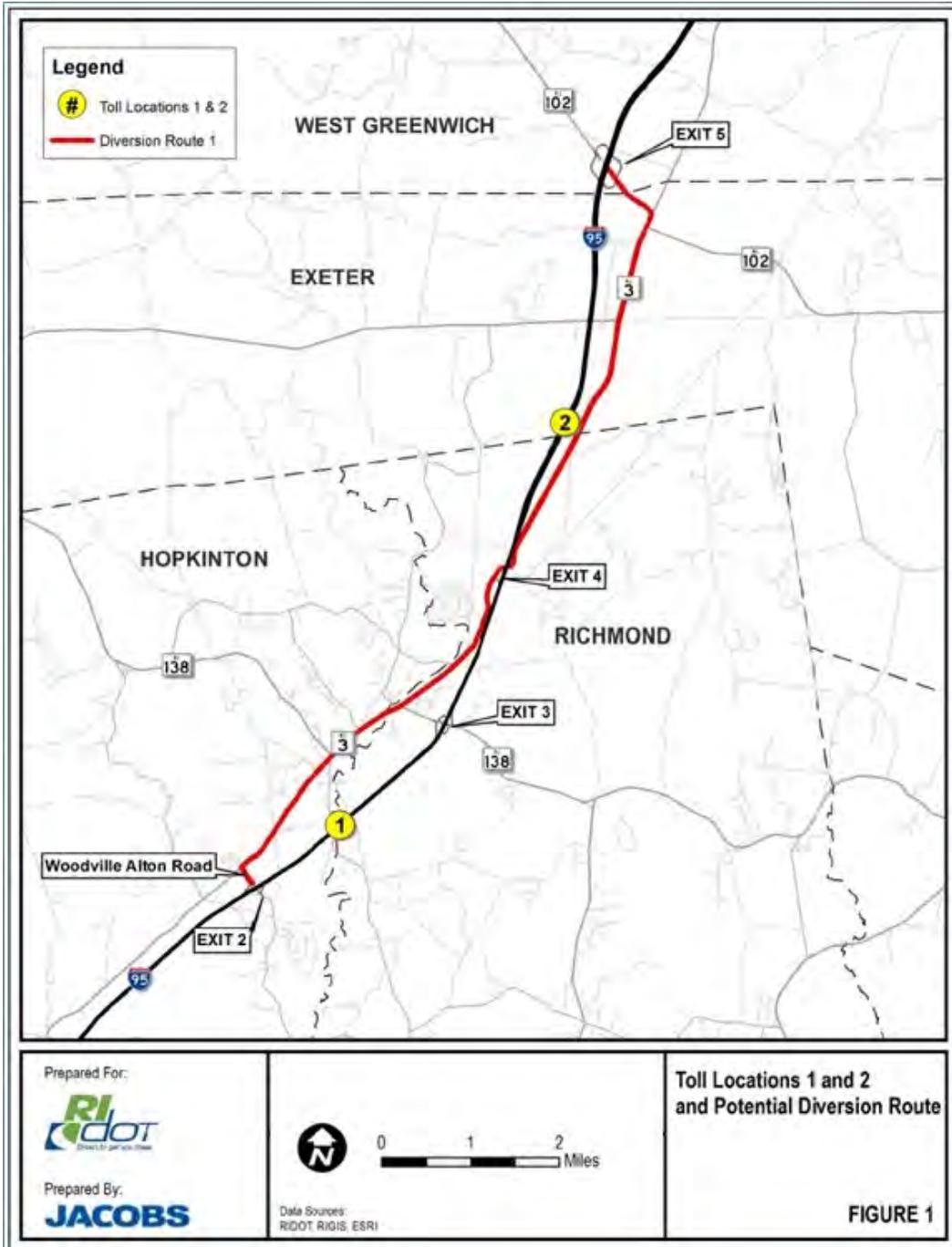
The toll system would be an All Electronic Toll (AET) system. This system allows vehicles to pay the toll at highway speed. The toll system at each proposed toll location will be located within the existing highway right-of-way and approximately 15-20 feet from the existing edge of pavement. The proposed toll systems will be used to collect toll revenue from a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers travelling across select bridges associated with the toll locations.

In accordance with the National Environmental Policy Act (NEPA), RIDOT is preparing an Environmental Assessment (EA) to evaluate the potential direct, indirect, and cumulative impacts of construction and implementation of the toll systems at Toll Locations 1 and 2. This screening analysis was conducted to determine whether impacts would occur along potential diversion routes as a result of increased truck traffic created by tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers diverting to avoid the tolls.

An approximately 9-mile stretch of RI Route 3 has been identified as a potential route for trucks attempting to avoid tolls at Toll Locations 1 and 2. The route, shown in Figure 1, runs on RI Route 3 from Woodville Alton Road in the South, to RI Route 102 in the north.

For Toll Locations 1 and 2 and Diversion Route 1

Figure 1 : Project Location Map



## **2. Purpose of Air Quality Screening Analysis**

The purpose of this air quality screening analysis is to screen potential regional indirect air quality impacts resulting from potential toll diversions. Air quality impacts may stem from both direct and indirect pollutant emission sources. While direct pollutant emissions occur at the same time or place as a proposed project, indirect emissions occur at a different time or place. This air quality screening analysis assessed reasonably foreseeable changes to indirect emission sources stemming from the Project. Although the proposed Project would not affect total regional traffic volumes, a portion of tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers may divert from the proposed toll locations to alternate non-tolled routes for travel across the state of Rhode Island. Indirect pollutant emissions from these traffic diversions were assessed by capturing reasonably foreseeable changes to real-world vehicle operation activities (e.g., idling, braking and acceleration) and the total vehicle miles traveled (VMT) across the state as a result of the Project. These factors combine to affect the rate at which vehicles emit air pollutants. Through the use of the latest available vehicle emissions modeling system, this analysis developed pollutant emission inventories to quantify the extent of effects the proposed Project would have on regional ambient air quality.

It is anticipated that no new direct pollutant emissions at proposed tolling locations would occur from implementation of the tolling program. Furthermore, the proposed Project would result in net improvements to ambient air quality near tolling locations should tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers divert away from the proposed toll locations.

This analysis includes a qualitative assessment of the expected effects on mobile source air toxics (MSAT) emissions per the United States Environmental Protection Agency (USEPA) and the Federal Highway Administration (FHWA) guidance in the context of changes to VMT and travel speed distribution in response to the proposed Project.

## **3. Regulatory Framework**

The Clean Air Act and its amendments (CAAA) provide the primary basis for the regulation of air pollutant emissions. To prevent adverse health effects and protect the public welfare, the USEPA has established National Ambient Air Quality Standards (NAAQS) for certain pollutants, called criteria pollutants, which have been adapted verbatim by Rhode Island as state emission standards. These standards accompany a mandate for each state to continually maintain attainment of, or demonstrate progress toward attainment of the NAAQS. Areas in maintenance or nonattainment of the NAAQS are required to develop a State Implementation Plan (SIP) detailing commitments by which the state will attain the NAAQS for each violating pollutant.

As the proposed project affects only vehicular emissions, the criteria pollutants of concern are carbon monoxide (CO,) fine particulate matter (PM<sub>2.5</sub>,) and the combination of volatile organic compounds and nitrogen oxides (VOC and NO<sub>x</sub>) emissions which advects downwind and reacts to form ground-level ozone. In addition to criteria pollutants, the emission of MSAT is also of concern to the proposed tolling program as diesel PM emitted by tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers is the dominant component of MSAT emissions, making up 50 to 70 percent of priority MSAT pollutants.

The proposed Project is located in an air quality region designated by the USEPA as in attainment area of CO and PM<sub>2.5</sub> NAAQS, signifying that an impact analysis of these criteria pollutants is not warranted as no exceedances of national or state ambient air quality standards are present in Rhode Island. Furthermore, as documented in the *Rhode Island 2016 Annual Monitoring Network Plan*, localized levels of ambient CO were measured at 80 percent to 89 percent below the eight-hour NAAQS, while PM<sub>2.5</sub> concentrations were measured at 35 percent below the 24-hour NAAQS. As such, it would be highly unlikely for indirect Project emissions of either CO or PM<sub>2.5</sub> to increase by the margin of change needed in order to approach the NAAQS and potentially adversely affect the public health and welfare of local communities along anticipated diversion routes. The formation of ground-level ozone in the state of Rhode Island, however, has been classified by the USEPA as in moderate nonattainment of the 2008 eight-hour ozone standard. As a result, the proposed Project is subject to SIP conformity provisions and related analysis requirements of the CAAA for regional emissions of ozone precursor pollutants, VOC and NO<sub>x</sub>.

#### **4. Methodology**

All projects that affect criteria pollutant emissions and are proposed within maintenance or nonattainment areas must demonstrate conformity with emission targets established in the controlling SIP. As the proposed Project would not expand transportation network capacity in Rhode Island, conformity with the SIP would be demonstrated under the General Conformity rule established in 40 CFR 93.153 for nonattainment areas located inside an ozone transport region. By demonstrating that project-related emissions would not exceed the *de minimis* criteria of 50 tons for VOC and 100 tons for NO<sub>x</sub> in the year during which emissions from the Project is expected to be greatest on an annual basis, a SIP conformity determination may be made to ensure that the proposed Project would neither delay timely attainment nor create new violations of the NAAQS.

To demonstrate that indirect air quality effects from the proposed Project would conform to the SIP, annual vehicular pollutant inventories were developed to represent the change in VOC and NO<sub>x</sub> emissions between the future No Toll and future Toll scenarios. Although the calculation of annual pollutant inventories is not required by the General Conformity rule for criteria pollutants that are in attainment of the NAAQS, CO and PM inventories have also been developed and shown in this memo for comparison purposes. In addition, this analysis includes a qualitative assessment of the expected effects on MSAT emissions per USEPA and FHWA guidance in the context of changes to VMT and travel speed distribution. As the proposed Project would affect only the regional distribution of existing tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers without adding any new capacity to the transportation network, the proposed project would have low potential MSAT effects and result in no appreciable difference in overall MSAT emissions.

The latest state-of-the-science and USEPA-approved Motor Vehicle Emission Simulator (MOVES version 2014a) was used to calculate the annual pollutant emission inventories for both the future No Toll and future Toll scenarios. The MOVES model calculates emission inventories by performing a series of calculations that reflect real-world seasonal variability and

vehicle operating processes in order to estimate total exhaust and evaporative (i.e., fuel system permeation, age-related tank leaks and fuel vapor loss) emissions for all on-road vehicles including cars, trucks, motorcycle, and buses. Contextual MOVES data specific to the Rhode Island highway network—including vehicle fleet age and roadway travel speed distribution, VMT assignment timeframes, drive-activity cycles, formulation and market share of fuel types—are consistent with the latest county-level planning assumptions developed by the Rhode Island Department of Environmental Management (RIDEM) for SIP conformity determinations in Washington County where proposed Toll Locations 1 and 2 and Diversion Route 1 would be located.

The Louis Berger Group conducted the *RIDOT Investment-Grade Truck Tolling Study Final Report* for the Rhode Island transportation network that identifies the potential size of the population of tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers that may choose to divert away from each proposed tolling location. Based on the population size identified in that study, the total weekday vehicle miles traveled (VMT) by corresponding to truck diversions from the proposed toll locations to the un-tolled local roadway network was estimated and annualized for input into MOVES. County-level MOVES input data provided by RIDEM are then applied in the model to account for monthly, daily and hourly VMT patterns, travel speed variations, as well as seasonal temperature adjustments that affect the rate of vehicle pollutant emissions. The resulting No Toll and Toll scenario MOVES outputs effectively isolates the total annual criteria pollutant emissions corresponding to potential truck diversions in response to the proposed tolling program. In order to facilitate a worst-case assessment of potential future air quality impacts, year 2016 population size estimates for diverted trucks and year 2016 vehicle emission rates were used in the MOVES model to maximize total diversion VMT and, correspondingly, the pollutant emission potential of the proposed Project. Details on year 2016 population size data for diverted trucks are presented in the *Traffic Screening Analysis Technical Memorandum* (Jacobs, 2017;) it is expected that the population of trucks diverting to local roadways would be largest in year 2016 as natural traffic growth would lead to more congestion on the local roadway network, thereby discouraging diversion away from the proposed tolled bridges where travel times would be faster. Similarly, due to implementation of joint United States Department of Transportation (USDOT) and EPA fuel economy and emissions regulations for medium and heavy duty vehicles, year 2016 pollutant emission rates would be greater than those of vehicles manufactured in subsequent years which would be subject to more stringent standards and become slowly integrated into the truck fleet over time.

## 5. Analysis of Future Pollutant Inventories

Table 5.1 below summarizes the anticipated change in VMT stemming from Diversion Route 1 associated with Tolling Locations 1 and 2 as described in the traffic screening analysis (Jacobs, 2017.) The total trip length in the No Toll scenario, as estimated by segmenting I-95 at Toll Locations 1 and 2, is slightly longer than traveling on Diversion Route 1 in the Toll scenario by 0.29 miles, which was estimated by similarly segmenting RI Route 3.

**Table 5.1 : Diversion Route 1 Worst-case Traffic Assumptions and MOVES Modeling Inputs**

Diversion Route	Daily Truck Diversion Population*	No Toll Scenario		Toll Scenario	
		Trip Length (miles)	Annual VMT*	Trip Length (miles)	Annual VMT*
1	354	9.41	984,352	9.12	954,016

\*Based on traffic year 2016 weekday diversion population estimates and annualization factors developed by the Louis Berger *RIDOT Investment-Grade Truck Tolling Study Final Report, 2017*.

Based on the above input project parameters, year 2016 annual emission inventories were developed for each criteria pollutant in the MOVES model and shown in Table 5.2 below. Since pollutant emissions generally increase as average vehicle travel speed decreases, the change in emissions between the No Toll and Toll scenarios is mainly due to differences in vehicle operation activities, which the MOVES model takes into account by incorporating drive-cycle and travel speed assumptions developed by RIDEM for each county based on roadway type. Whereas trips made by the truck diversion population in the No Toll scenario take place on restricted-access highways at predominantly free-flow speeds, the same vehicle trips diverted to unrestricted local roadways in the Toll scenario would be characterized by increased congestion with more frequent occurrences of vehicle acceleration and deceleration activities at near-idling speeds that increase criteria pollutant emissions. Although total emissions from the diverted truck population in the Toll scenario would be slightly higher than in the No Toll scenario for all criteria pollutants, the increases would be insignificant at less than one percent of General Conformity *de minimis* emission thresholds.

**Table 5.2 : Comparison of Predicted Worst- Case Emission Inventories and De Minimis Emission Thresholds**

Criteria Pollutant	General Conformity <i>De Minimis</i> Emissions Threshold (tons/year)	Total Emissions from Truck Diversion Population (tons/year)		Magnitude of Toll Emissions per <i>De Minimis</i> Threshold
		No Toll Scenario	Toll Scenario	
CO	100	0.29	0.32	0.3%
PM <sub>2.5</sub>	100	0.02	0.03	0.03%
NO <sub>x</sub>	100	0.47	0.55	0.6%
VOC	50	0.04	0.05	0.1%

The amount of MSAT emitted by the proposed Project would be proportional to VMT in the Toll scenario, which would decrease by 0.29 miles, or three percent less than the No Toll scenario as shown in Table 5.1 above. Although this decrease in VMT would lead to overall lower MSAT emissions in the Toll scenario, localized MSAT emissions would slightly increase due to new diversion VMT along RI Route 3 from Toll Locations 1 and 2. Regardless of the increased VMT, MSAT emissions will likely be lower than present levels in later years as a result of EPA's national control programs that are projected to reduce annual MSAT emissions by over 90 percent between 2010 and 2050 (Updated Interim Guidance on Mobile Source Air Toxic

Analysis in NEPA Documents, Federal Highway Administration, October 12, 2016.) Local conditions may differ from these national projections in terms of fleet mix and turnover, VMT growth rates, and local control measures. However, the magnitude of the EPA-projected reductions is so great (even after accounting for VMT growth) that MSAT emissions are likely to be lower in future years at virtually all locations. As there may be localized areas where VMT would increase, and other areas where VMT would decrease, it is possible that localized increases and decreases in MSAT emissions may occur. However, even if these increases do occur, they too will be substantially reduced in the future due to implementation of EPA's vehicle and fuel regulations.

## **6. Summary of Findings**

The proposed Project would indirectly affect emissions of criteria air pollutants in the region due to potential tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers traffic diverting from proposed Toll Locations 1 and 2 on restricted-access highways to the unrestricted-access diversion route roadway (i.e., RI Route 3). Based on worst case MOVES modeling of diverted truck emissions per pollutant inventories developed to assess the corresponding change in vehicle speed and operation activities (e.g., idling, braking and acceleration) and VMT, total annual pollutant emissions related to the Toll scenario of the proposed Project would be below *de minimis* annual emission limits established by 40 CFR 93.153 General Conformity requirements for all criteria pollutants of concern. Total pollutant emissions in the Toll scenario in year 2016, which is the year during which total emissions from the Project is expected to be the greatest on an annual basis, are predicted to be less than one percent of *de minimis* emission thresholds. As such, the proposed Project would not cause or contribute to new violations of any CO and PM<sub>2.5</sub> NAAQS, nor worsen the existing violation of the 2008 eight-hour ozone NAAQS. For future MSAT emissions in the Toll scenario, it is expected there would be reduced MSAT emissions in the immediate area of potential diversion routes, relative to the No Toll scenario, due to EPA's MSAT reduction programs. As such, the proposed Project would have no adverse effect on ambient air quality and would conform to all regional air quality attainment goals and commitments expressed in the Rhode Island SIP.

Although local inhalable PM, CO and dust concentrations are concerns stemming from construction activities related to toll gantries, any temporary increase in emissions would be self-correcting once the project is completed. Air quality conformity requirements do not apply to effects from short-term construction activities. Therefore, modeling analyses of short-term elevated emissions are not warranted, and the temporary effects of project construction on local and regional air quality would not be significant. During the construction phase of the project, effective control measures to limit airborne PM and dust during construction would be taken, including the wetting of exposed soil, covering of trucks and other dust sources, and other best practice means as practicable.

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<b>Subject</b>	<b>Noise Screening Analysis For Toll Locations 1 and 2 and Diversion Route 1</b>	<b>Project Name</b>	Environmental Assessment Toll Locations 1 and 2
<b>Attention</b>	Dan Waugh, RIDOT; Jay McGinn, RIDOT	<b>Project Number</b>	WTXT9300
<b>From</b>	Dana Ragusa		
<b>Date</b>	September 18, 2017		
<b>Copies to</b>	Jay Johns, Jacobs; Dieckmann Cogill, Jacobs; Jeff Berna, Jacobs		

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### Introduction

The Rhode Island Department of Transportation (RIDOT) proposes to construct and operate toll systems at two locations (Toll Locations 1 and 2) along Interstate 95 (I-95) in the southwestern part of Rhode Island (Figure 1).

The toll system would be an All Electronic Toll (AET) system. This system allows vehicles to pay the toll at highway speed. The toll system at each proposed toll location will be located within the existing highway right-of-way and approximately 15-20 feet from the existing edge of pavement. The proposed toll systems will be used to collect toll revenue from tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers travelling across select bridges associated with the toll locations.

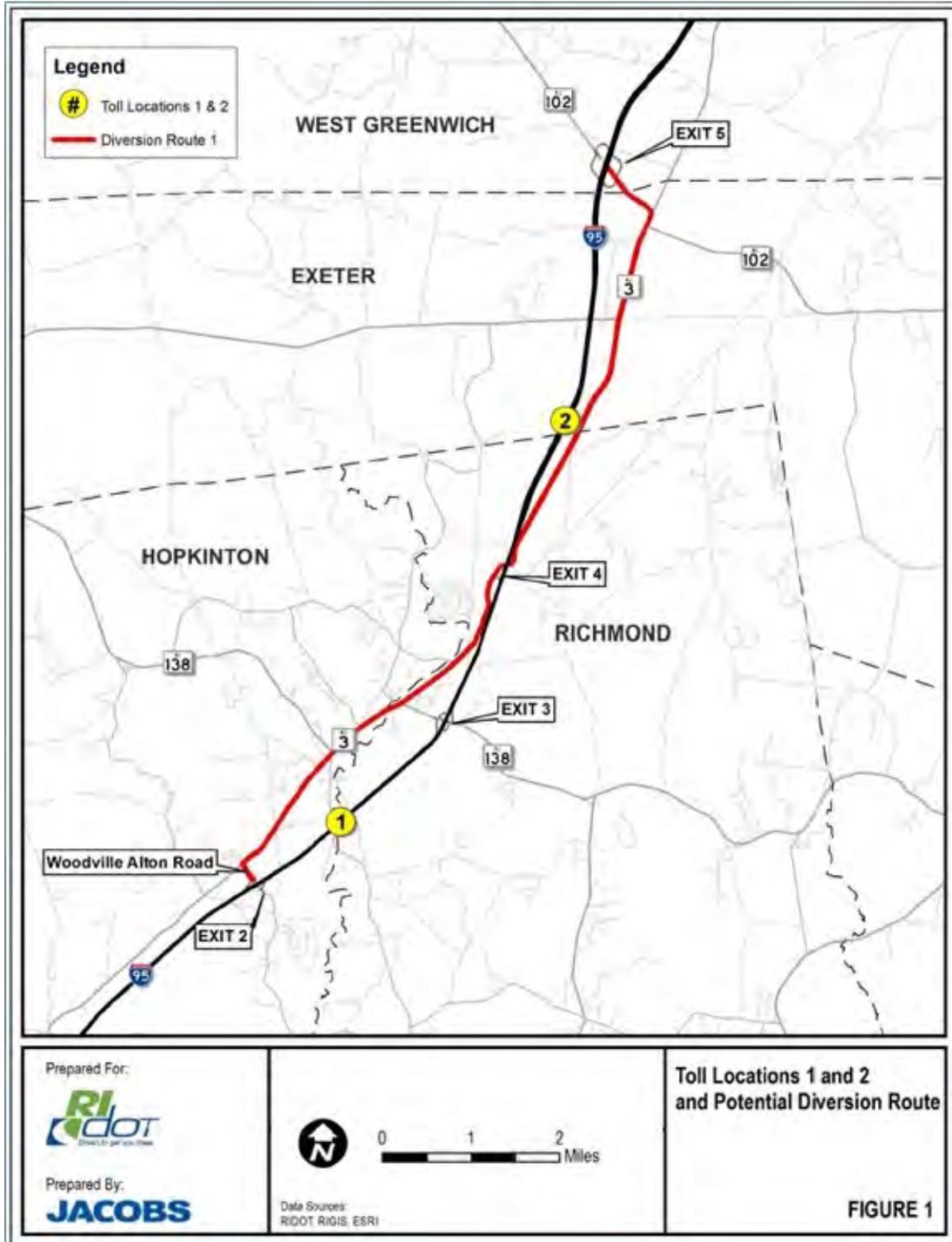
In accordance with the National Environmental Policy Act (NEPA), RIDOT is preparing an Environmental Assessment (EA) to evaluate the potential direct, indirect, and cumulative impacts of construction and implementation of the toll systems at Toll Locations 1 and 2. This screening analysis was conducted to determine whether impacts would occur along potential diversion routes as a result of increased truck traffic created by tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers diverting to avoid the tolls.

An approximately 9-mile stretch of RI Route 3 has been identified as a potential route for tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers attempting to avoid tolls at Toll Locations 1 and 2. The route, shown in Figure 1, runs on RI Route 3 from Woodville Alton Road in the South, to RI Route 102 in the north.

### Purpose of Noise Screening Analysis

A noise screening analysis was conducted to determine whether noise impacts would occur along the potential diversion route as a result of increased truck traffic created by tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers potentially avoiding tolls at the toll locations.

For Toll Locations 1 and 2 and Diversion Route 1  
1



**Figure 1: Project Location Map****Noise Fundamentals**

The term noise is generally used to describe unwanted sound. Sound is defined as a form of energy transmitted by vibrations in the air that are received by the ear through sense of hearing. The terms noise and sound are used synonymously.

Sound from roadway traffic is generated primarily by the tires, engine, and exhaust system of vehicles. Sound is measured in sound pressure levels (SPL). The most common unit of measurement is a decibel, dB. For the purposes of environmental studies, the A-weighted scale on a common sound level instrument is used since this scale closely approximates the range of frequencies an average human ear can detect. The A-weighted noise levels are defined as dBA.

In typical urban, suburban and highway environments, changes in noise of 1 dB to 2 dB are generally not perceptible. However, it is widely accepted that people are able to begin to detect sound level increases of 3 dB in these environments. Further, a 5 dB increase is generally perceived as a distinctly noticeable increase, and a 10 dB increase is generally perceived as a doubling of loudness. However, a doubling of loudness is not the same as doubling the volume of traffic on a highway. If traffic volumes were to double on a highway, it is generally accepted that this would result in a 3 dB increase in sound and would generally be perceived as barely detectable.

Traffic sound levels can vary due to changing number, type, and speed of vehicles. Therefore, traffic noise is typically measured as a single value and used to represent the average or equivalent sound level expressed as Leq.

Sound that reaches a receptor can be affected by divergence which is the spreading of sound waves from a sound source. Generally, sound levels for a point source (construction activities) and line source (continuous traffic) will decrease by 6 dBA and 3 dBA for each doubling of distance, respectively.

**Methodology**

According to the Federal Highway Administration (FHWA) noise policy, Type III projects are those that do not meet the criteria of Type I or II projects and do not require a noise analysis. This project does not meet the definition of a Type I project which generally involves adding capacity, construction of new through lanes or auxiliary lanes, changes in the horizontal or vertical alignment of the roadway or exposure of noise sensitive land uses to a new or existing highway noise source. Expansion or new construction of weigh stations, rest stops, and toll plazas require analysis as Type I projects. However, this project would not add a new toll plaza due to the use of all electronic tolling (AET) technology. Therefore, this project would be classified as a Type III project not requiring a noise analysis. However, the FHWA noise policy does not preclude state agencies from conducting a noise analysis of a proposed project. Although traffic noise would not be a new noise source along the diversion routes, the diversion of truck traffic could change existing noise conditions along some routes. Therefore, a noise screening analysis was conducted to determine if an increase in traffic noise levels would result from implementation of the proposed tolling program.

As discussed above, a change in noise levels of 3 dBA or more would be considered perceptible by the human ear. Therefore, an increase of 3 dBA was used as a threshold of change requiring more detailed analysis.

The noise screening analysis used the FHWA Traffic Noise Model (TNM) 2.5 to predict traffic noise levels with implementation of the proposed tolling program and without. The noise model inputs included roadways and receptors based on flat ground, traffic volume projections, fleet mix, and vehicular speeds. Site characteristics such as topography were not included in the model. Representative receptor points (based on various distances) were modelled to determine noise level contours. The purpose of a basic flat model was to develop noise contours based on worst case peak hour truck diversion instead of conducting detailed noise modelling along each diversion route. For Diversion Route 1, both roadway segments were modelled to show noise levels along different roadway types and where the posted speed limits change. The diversion route segments were modelled using the peak hour directional traffic volumes during the time when diversion of trucks is highest. This traffic data was applied to both directions of travel for a worst case scenario.

Analysis of 2040 noise levels was not conducted since 2040 diversion volumes are lower than 2016 diversion volumes. Therefore, since diversion volumes are higher in 2016, this would be the worst case analysis year.

### **Traffic Data**

Jacobs conducted a traffic analysis for Toll Locations 1 and 2 (I-95) and the corresponding potential Diversion Route 1 (RI Route 3). The highest peak hour and peak direction was selected for the traffic analysis using information (including amount of diverting trucks) from various sources including RIDOT, the Louis Berger report entitled *RIDOT Investment-Grade Truck Tolling Study Final Report* as well as independent traffic count and turning movement count data collected for the traffic analysis. More detailed information on traffic can be found in the *Analysis of Traffic Impact due to Toll Diversion Technical Memorandum* (Jacobs, 2017).

Although the traffic analysis focused on the highest peak hour of traffic, the peak hour during the time when the diversion of trucks is highest was used for this noise screening analysis in order to capture the highest potential noise level increase. Table 1 below summarizes the traffic data used for the noise screening analysis for Toll Locations 1 and 2 corresponding Diversion Route 1. The table shows the peak hour 2-Way traffic volumes including the diversion of trucks.

**Table 1: 2016 Worst-case Peak Hour 2-Way Traffic and Posted Speed Limits**

<u>Segment</u>	<u>Total Number of Travel Lanes</u>	<u>Posted Speed Limit (mph)</u>	<u>2016 No Toll</u>		<u>2016 Toll</u>	
			<u>Peak Direction Only</u>			
			<u>Automobiles</u>	<u>Diverted Trucks (%)</u>	<u>Automobiles</u>	<u>Diverted Trucks (%)</u>
From Woodville Alton Road to RI Route 138	2 Lanes Undivided	25	900	54 (6%)	917	84 (9%)
From RI Route 138 to Ri Route 102	4 Lanes Undivided	40	722	46 (6%)	789	76 (10%)

**Noise Screening Analysis Results**

Table 2 summarizes the results of the noise screening analysis for both no toll and toll conditions for year 2016. Noise levels are anticipated to increase as a result of potential diversions of tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers due to the implementation of the proposed tolling program at Toll Location 1 and 2. However, noise levels are not anticipated to exceed the increase threshold of 3 dBA.

Segment 1 includes RI Route 3 from Woodville Alton Road to RI ROUTE 138. This segment consists of a two lane undivided roadway with a posted speed limit of 25 miles per hour (mph). Noise sensitive receptors mostly include moderate density single family residential dwellings and are located approximately 25 feet and beyond from the center of the nearest travel lane.

Segment 2 includes RI Route 3 from RI ROUTE 138 to RI ROUTE 102. This segment consists of a four lane undivided roadway with a posted speed limit of 40 mph. Noise sensitive receptors mostly include low density single family residential dwellings and are located approximately 50 feet and beyond from the center of the nearest travel lane.

Based on this screening analysis, significant noise impacts (3 dBA or more) are not anticipated since this analysis is based on worst case peak hour direction assumptions and actual noise levels are likely to be lower.

**Table 2: Worst-case Noise Level Screening Results for Diversion Route 1 (RI Route 3)**

<u>Receptor Points</u>	<u>Distance from center of nearest travel lane</u>	<u>2016 No Toll Noise Level dBA</u>	<u>2016 Toll Noise Level dBA</u>	<u>Difference between No Toll and Toll conditions (+/-)</u>
Segment 1: RI Route 3 from Woodville Alton Road to RI ROUTE 138 (2 lanes 25 mph)				
R1	25 feet	65.8	67.2	+1.4
R2	50 feet	62.6	64.0	+1.4
R3	100 feet	57.9	59.4	+1.5
R4	200 feet	53.6	55.2	+1.6
R5	400 feet	48.7	50.3	+1.6

Segment 2: RI Route 3 from RI Route 138 to RI Route 102 (4 lanes 40 mph)				
R1	25 feet	67.2	68.3	+1.1
R2	50 feet	64.5	65.7	+1.2
R3	100 feet	60.6	61.9	+1.3
R4	200 feet	56.1	57.5	+1.4
R5	400 feet	49.9	51.5	+1.6

**Construction**

Ground disturbance related to the construction of the toll systems would be limited. Conduit would be installed either by direct bury methods or narrow trenching that would be back filled and seeded to match existing conditions. There would be a slight increase in impervious surface due to the concrete pad for the utility cabinets. Foundations for the gantries would be augured to minimize excavation and land disturbance, which would also minimize the potential for erosion. The area required for contractor’s storage and staging would be located in maintained areas of the roadway right-of-way.

Construction activities associated with the proposed Project could temporarily elevate noise levels in the proposed project area. Noise resulting from construction activities would depend on the different types of equipment used, the distance between construction noise sources and sensitive noise receptors, and the timing and duration of noise-generating activities. Construction could generate noise from diesel powered vehicles. According to the FHWA Construction Noise Handbook (FHWA, August 2006), noise levels from diesel powered vehicles range from 74 dBA to 81 dBA at a distance of 50 feet.

Construction activities would be temporary and would mostly occur during normal daytime hours when occasional loud noises are more tolerable. None of the receptors are expected to be exposed to construction noise for a long duration; therefore, any extended disruption of normal daytime activities is not expected. Coordination will be conducted with local agencies to secure necessary construction permits which may include variances for any nighttime construction work and/or exceedance of any maximum thresholds specified in local ordinances.

**Conclusions**

Significant noise impacts are not anticipated as a result of construction and operation of the toll systems at Toll Locations 1 and 2. Noise levels are anticipated to increase as a result of potential diversions of tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers due to the implementation of the proposed tolling program at Toll Location 1 and 2. However, noise levels are not anticipated to exceed the increase threshold of 3 dBA. Actual noise levels are likely to be lower than those projected above in Table 2 since these results are based on a worst case scenario. In addition, shielding by other intervening objects within the propagation path such as dwelling units, buildings, and/or topography has not been accounted for in the model. More detailed analysis of noise impacts is not recommended at this time. If the assumptions for this noise screening analysis are modified, additional analysis is recommended to assess potential changes to the noise screening analysis and the conclusions provided herein.



Cross-Spectrum Acoustics Inc.

25A Granby Street  
East Longmeadow, MA 01028

1500 District Avenue, Suite 1011  
Burlington, MA 01803

## TECHNICAL MEMORANDUM

To: Dieckmann Cogill, Jacobs Engineering Group Inc.

From: Scott Edwards, Cross-Spectrum Acoustics Inc.

Date: September 15, 2017

Project Reference: RIDOT Truck Vibration Literature Review  
CSA Project No. J2017-1600

This technical memorandum summarizes a literature review conducted by Cross-Spectrum Acoustics Inc. (CSA) on truck vibration and the potential for vibration impact from trucks diverting to local streets as part of the proposed RhodeWorks Bridge Tolling at Toll Locations 1 and 2. A discussion of background information is provided in Section 1 and the potential for vibration impact and damage are described in Section 2.

### 1. BACKGROUND

The Rhode Island Department of Transportation (RIDOT) proposes to construct and operate toll systems at two locations (Toll Locations 1 and 2) along Interstate 95 (I-95) in the southwestern part of Rhode Island.

The toll system would be an All Electronic Toll (AET) system. This system allows vehicles to pay the toll at highway speed. The toll system at each proposed toll location will be located within the existing highway right-of-way and approximately 15-20 feet from the existing edge of pavement. The proposed toll systems will be used to collect toll revenue from tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers travelling across select bridges associated with the toll locations.

In accordance with the National Environmental Policy Act (NEPA), RIDOT is preparing an Environmental Assessment (EA) to evaluate the potential direct, indirect, and cumulative impacts of construction and implementation of the toll systems at Toll Locations 1 and 2.

This literature review was conducted to determine the potential for vibration impacts along possible diversion routes as a result of increased truck traffic created by trucks diverting to avoid the tolls.

### 2. POTENTIAL VIBRATION ANNOYANCE AND DAMAGE

Highway traffic projects do not typically have the potential for vibration impact. The Federal Highway Administration (FHWA) is the governing federal agency for all highway improvement projects, such as the Rhode Island Department of Transportation's (RIDOT) RhodeWorks Bridge Tolling Program. The FHWA does not include any vibration impact assessment requirements in any of their guidance. Furthermore, the US Code of Federal Regulations Part 772 (23 CFR 772) contains Appendix G titled, "Highway Traffic-Induced Vibration" that explicitly states the following:

"There are no federal requirements directed specifically to highway traffic induced vibration. All studies the highway agencies have done to assess the impact of operational traffic induced vibrations have shown that both measured and predicted vibration levels are less than any known criteria for structural damage to buildings. In fact, normal living activities (e.g., closing doors, walking across floors, operating appliances) within a building have been shown to create greater levels of vibration than highway traffic."

The Federal Transit Administration (FTA) sets forth vibration limits for potential vibration damage to neighboring buildings in *Transit Noise and Vibration Impact Assessment*, Final Report FTA-VA-90-1003-06,

May 2006. These limits are presented below in Table 1 for various types of buildings. Table 1 shows that the most stringent vibration level that could potentially cause damage to a building is 90 VdB.

**Table 1. Construction Vibration Damage Criteria (Source: FTA, 2006)**

Building Category	PPV, in/sec	Approximate L <sub>v</sub> *
I. Reinforced-concrete, steel or timber (no plaster)	0.5	102
II. Engineered concrete and masonry (no plaster)	0.3	98
III. Non-engineered timber and masonry buildings	0.2	94
IV. Buildings extremely susceptible to vibration damage	0.12	90

\*RMS velocity in decibels, VdB re 1 micro-in/sec

Typical measured vibration levels from construction equipment are presented below in Table 2. Table 2 shows that loaded construction trucks have a vibration level of 86 VdB at a distance of 25 feet from the source. This level is below the most stringent criteria for potential structural damage of 90 VdB. Additionally, the vibration levels from loaded construction trucks are conservative when compared to trucks that typically operate on the interstate highway.

**Table 2. Vibration Source Levels for Construction Equipment (Source: FTA, 2006)**

Equipment		PPV at 25 ft, in/sec	Approximate L <sub>v</sub> * at 25 ft
Pile Driver (impact)	upper range	1.518	112
	typical	0.644	104
Pile Driver (sonic)	upper range	0.734	105
	typical	0.17	93
Clam shovel drop (slurry wall)		0.202	94
Hydromill (slurry wall)	in soil	0.008	66
	in rock	0.017	75
Vibratory Roller		0.21	94
Hoe Ram		0.089	87
Large bulldozer		0.089	87
Caisson drilling		0.089	87
Loaded trucks		0.076	86
Jackhammer		0.035	79
Small bulldozer		0.003	58

\* RMS velocity in decibels, VdB re 1 micro-in/sec

Based on our research, there is no potential for vibration damage to any buildings as a result of trucks diverting onto local roads to avoid tolls on the interstate highway.

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## **Appendix G**

### **Notice of Availability, Comment Period, and Public Hearing/Workshop**

**The following items are provided in Appendix G:**

1. Notice of Availability letters
2. Web site Notice
3. News Paper Cut Sheets from November 6, 2017 and November 16, 2017
4. Public Hearing Presentation Boards
5. Public Hearing Presentation
6. Sign In Sheet – blank
7. Comment form -blank
8. Sign In Sheet from Public Hearing
9. Public Hearing Transcript
10. All other comments received during public comment period
11. Response to comments

**Environmental Assessment**  
**Toll Locations 1 and 2**

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**G.1      Notice of Availability letters**

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Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Carlos Padilla-Fresse  
Rhode Island Division Federal Highway Administration  
380 Westminster Street, Suite 601  
Providence, RI 02903

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Padilla-Fresse,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

The EA evaluates the impacts of construction and implementation of the toll systems at Toll Locations 1 and 2. The direct, indirect, and cumulative impacts of the project have been analyzed. The purpose of the project is to construct toll systems at Toll Locations 1 and 2 and assess tolls on tractors or truck tractors, as defined in 23 CMR 658.5, pulling a trailer or trailers at the toll locations. The EA evaluates the No Action Alternative and the Proposed Action Alternative.

The EA is available for review and download on the following RIDOT website <http://www.dot.ri.gov/projects/tollingprogram>. Reference copies of the EA will be available for public review beginning November 6, 2017, at the following locations:

**Hopkinton**

Ashaway Free Library  
15 Knight Street

Langworthy Public Library  
24 Spring Street

Hopkinton Town Hall

**Exeter**

Exeter Public Library  
773 Ten Rod Road

Exeter Town Hall  
675 Ten Rod Road

1 Town House Road

**Richmond**

Clark Memorial Library  
7 Pinehurst Drive

Richmond Town Hall  
5 Richmond Townhouse Road

**Providence**

Rhode Island Department of Transportation  
Division of Project Management  
Two Capitol Hill, Room 260

Federal Highway Administration-  
Rhode Island Division  
380 Westminster Street, Suite 601

Hard copies of the EA and/or electronic copies may be requested through the undersigned by mail at Rhode Island Department of Transportation, Two Capitol Hill, Providence, Rhode Island 02903, or by email at [david.fish@dot.ri.gov](mailto:david.fish@dot.ri.gov).

The meeting hall is accessible to persons with disabilities. RIDOT provides reasonable accommodations and/or language assistance free of charge upon request, as available. For accommodation or language assistance, please contact RIDOT's Title VI Coordinator [dina.i.quezada@dot.ri.us](mailto:dina.i.quezada@dot.ri.us). Requests should be made at least 48 hours before the hearing.

We invite you to review the EA and supporting technical memoranda. Comments will be accepted until December 6, 2017. Comments may be submitted by mail or email to me using the contact information above.

Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Ms. Michaela Jergensen  
Rhode Island Historical Preservation & Heritage Commission  
Old State House 150 Benefit Street  
Providence, RI 02903

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Jergensen,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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We invite you to review the EA and supporting technical memoranda. Comments will be accepted until December 6, 2017. Comments may be submitted by mail or email to me using the contact information above.

Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Jim Lamphere  
Hopkinton Town Planner  
Hopkinton Town Hall, 1 Town House Road  
Hopkinton, RI 02833

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Lamphere,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Richard Prescott  
Hopkinton Historical Association  
PO Box 37  
Hopkinton, RI 02832

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Prescott,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Richard Prescott  
Hopkinton Historic District Commission  
Hopkinton Town Hall, 1 Town House Road  
Hopkinton, RI 02833

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Prescott,

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The EA evaluates the impacts of construction and implementation of the toll systems at Toll Locations 1 and 2. The direct, indirect, and cumulative impacts of the project have been analyzed. The purpose of the project is to construct toll systems at Toll Locations 1 and 2 and assess tolls on tractors or truck tractors, as defined in 23 CMR 658.5, pulling a trailer or trailers at the toll locations. The EA evaluates the No Action Alternative and the Proposed Action Alternative.

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Langworthy Public Library  
24 Spring Street

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**Exeter**  
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773 Ten Rod Road

Exeter Town Hall  
675 Ten Rod Road

1 Town House Road

**Richmond**

Clark Memorial Library  
7 Pinehurst Drive

Richmond Town Hall  
5 Richmond Townhouse Road

**Providence**

Rhode Island Department of Transportation  
Division of Project Management  
Two Capitol Hill, Room 260

Federal Highway Administration-  
Rhode Island Division  
380 Westminster Street, Suite 601

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We invite you to review the EA and supporting technical memoranda. Comments will be accepted until December 6, 2017. Comments may be submitted by mail or email to me using the contact information above.

Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Chief David S. Palmer  
Hopkinton Police Department  
406 Woodville Rd.  
Hopkinton, RI 02833

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Chief Palmer,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Ms. Sheila Reynolds-Boothroyd  
Exeter Historical Association  
159 Old Voluntown Road  
Exeter, RI 02822

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Reynolds-Boothroyd,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Kevin P. McGovern  
Exeter Town Council  
675 Ten Rod Road  
Exeter, RI 02822

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. McGovern,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Daniel W. Patterson  
Exeter Town Council  
675 Ten Rod Road  
Exeter, RI 02822

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Patterson,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Raymond A. Morrissey, Jr.  
Exeter Town Council  
675 Ten Rod Road  
Exeter, RI 02822

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Morrissey, Jr.,

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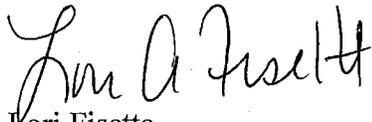
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Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Calvin A. Ellis  
Exeter Town Council  
675 Ten Rod Road  
Exeter, RI 02822

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Ellis,

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Manager, Project Management  
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Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
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November 6, 2017

Mr. Francis T. Maher, Jr.  
Exeter Town Council  
675 Ten Rod Road  
Exeter, RI 02822

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Maher, Jr.,

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Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Fire Chief  
Exeter Fire District  
305 Ten Rod Rd.  
Exeter, RI 02852

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

To the Exeter Fire Chief ,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Exeter Public Works Department  
175 South County Trail  
Exeter, RI 02822

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

To Whom it May Concern,

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Fax 401-222-3905

November 6, 2017

Ms. Ashley Hahn-Sweet  
Exeter Town Hall  
675 Ten Rod Road  
Exeter, RI 02822

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Hahn-Sweet,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

The EA evaluates the impacts of construction and implementation of the toll systems at Toll Locations 1 and 2. The direct, indirect, and cumulative impacts of the project have been analyzed. The purpose of the project is to construct toll systems at Toll Locations 1 and 2 and assess tolls on tractors or truck tractors, as defined in 23 CMR 658.5, pulling a trailer or trailers at the toll locations. The EA evaluates the No Action Alternative and the Proposed Action Alternative.

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24 Spring Street

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675 Ten Rod Road

1 Town House Road

**Richmond**

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7 Pinehurst Drive

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5 Richmond Townhouse Road

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Rhode Island Department of Transportation  
Division of Project Management  
Two Capitol Hill, Room 260

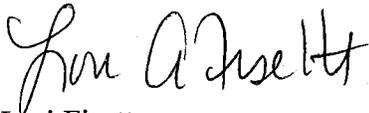
Federal Highway Administration-  
Rhode Island Division  
380 Westminster Street, Suite 601

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We invite you to review the EA and supporting technical memoranda. Comments will be accepted until December 6, 2017. Comments may be submitted by mail or email to me using the contact information above.

Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. David G. Johnson  
Richmond Historical Society  
1 Shadow Ridge Drive  
Carolina, RI 02812

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Johnson,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Ms. Juliana Berry  
Richmond Planning Department  
5 Richmond Townhouse Road  
Wyoming, RI 02898

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Berry,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Fire Chief  
Richmond-Carolina Fire District  
208 Richmond Townhouse Rd.  
Carolina, RI 02812-1038

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

To the Richmond-Carolina Fire Chief,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Chief Elwood M. Johnson  
Richmond Police Department  
1168 Main St. PO Box 203  
Wyoming, RI 02898

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Chief Johnson,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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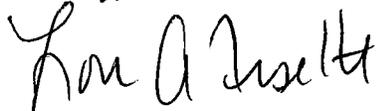
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Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Paul Michaud  
Richmond Town Council  
5 Richmond Townhouse Road  
Wyoming, RI 02898

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Michaud,

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Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Mark Trimmer  
Richmond Town Council  
5 Richmond Townhouse Road  
Wyoming, RI 02898

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Trimmer,

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Ronald Newman  
Richmond Town Council  
5 Richmond Townhouse Road  
Wyoming, RI 02898

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Newman,

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Rich Nassaney  
Richmond Town Council  
5 Richmond Townhouse Road  
Wyoming, RI 02898

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

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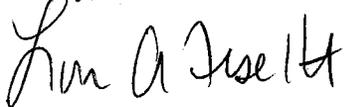
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Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
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November 6, 2017

Mr. Gary Wright  
Richmond Town Council  
5 Richmond Townhouse Road  
Wyoming, RI 02898

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
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Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Frank Landolfi  
Hopkinton Town Council  
Hopkinton Town Hall, 1 Town House Road  
Hopkinton, RI 02833

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Landolfi,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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675 Ten Rod Road

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5 Richmond Townhouse Road

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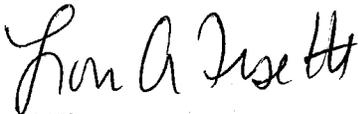
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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Thomas Buck  
Hopkinton Town Council  
Hopkinton Town Hall, 1 Town House Road  
Hopkinton, RI 02833

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Buck,

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Ms. Sylvia Thompson  
Hopkinton Town Council  
Hopkinton Town Hall, 1 Town House Road  
Hopkinton, RI 02833

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Thompson,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. David Husband  
Hopkinton Town Council  
Hopkinton Town Hall, 1 Town House Road  
Hopkinton, RI 02833

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Husband,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Ms. Barbara Capalbo  
Hopkinton Town Council  
Hopkinton Town Hall, 1 Town House Road  
Hopkinton, RI 02833

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Capalbo,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Brian M. Daniels  
Rhode Island League of Cities and Towns  
One State Street, Suite 502  
Providence, RI 02908

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Daniels,

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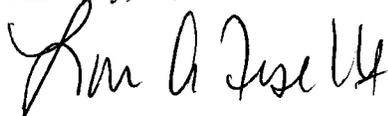
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Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Fire Chief  
Ashaway Fire Department  
213 Main St. PO Box 44  
Ashaway, RI 02804

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

To the Ashaway Fire Chief,

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Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Fire Chief  
Hope Valley Wyoming Fire District  
996 Main St.  
Hope Valley, RI 02832

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

To the Hope Valley Wyoming Fire Chief,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Rhode Island Department of Transportation



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Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Christopher J. Fox  
Wood-Pawcatuck Watershed Association  
203 Arcadia Rd.  
Hope Valley, RI 02832

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Fox,

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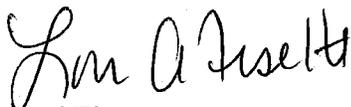
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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Ms. Teresa Ann Tanzi  
District 34  
57 Hillcrest Road  
Wakefield, RI 02879

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Tanzi,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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24 Spring Street

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5 Richmond Townhouse Road

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Rhode Island Department of Transportation  
Division of Project Management  
Two Capitol Hill, Room 260

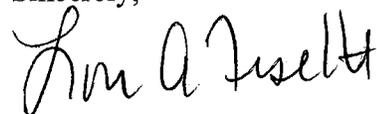
Federal Highway Administration-  
Rhode Island Division  
380 Westminster Street, Suite 601

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We invite you to review the EA and supporting technical memoranda. Comments will be accepted until December 6, 2017. Comments may be submitted by mail or email to me using the contact information above.

Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Ms. Marion Gold  
RI Public Utilities Commission  
89 Jefferson Blvd.  
Warwick, RI 02888

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Gold,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Ms. Abigail Anthony  
RI Public Utilities Commission  
89 Jefferson Blvd.  
Warwick, RI 02888

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Anthony,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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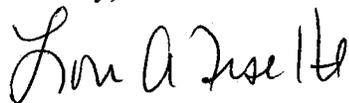
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Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Ms. Margaret Curran  
RI Public Utilities Commission  
89 Jefferson Blvd.  
Warwick, RI 02888

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Curran,

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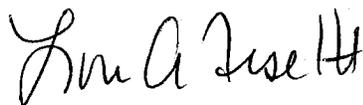
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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Jeffrey Emidy  
Rhode Island Historical Preservation & Heritage Commission  
Old State House 150 Benefit Street  
Providence, RI 02903

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Emidy,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Jared Rhodes  
Rhode Island Statewide Planning Program  
One Capitol Hill, Third Floor  
Providence, RI 02908

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Rhodes,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Ms. Janet Coit  
RI DEM  
235 Promenade Street  
Providence, RI 02908

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Coit,

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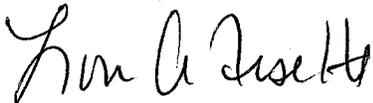
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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Ray Studley  
Rhode Island Public Transit Authority  
705 Elmwood Ave.  
Providence, RI 02907

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Studley,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Commander Maj. Sonny B. Avichal  
US. Army Corps of Engineers - New England District  
696 Virginia Road  
Concord, MA 01742

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Commander Avichal,

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Manager, Project Management  
Rhode Island Department of Transportation



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Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Ms. Wendi Weber  
US Fish & Wildlife Service - Northeast Regional Office  
300 Westgate Center Dr.  
Hadley, MA 01035

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Weber,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Senator Jack Reed

One Exchange Terrace, Suite 408  
Providence, RI 02903-1744

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Senator Reed,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Rhode Island Department of Transportation



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Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Senator Sheldon Whitehouse

170 Westminster St, Suite 200  
Providence, RI 02903

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Senator Whitehouse,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Providence, RI 02903

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November 6, 2017

Congressman James Langevin

300 Centerville Rd. #200  
Warwick, RI 02886

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Congressman Langevin,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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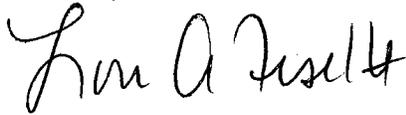
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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Ken Moraff  
Office of Ecosystem Protection - US Environmental Protection Agency - USEPA Region 1 New England  
5 Post Office Square Mail Code: OEP06-5  
Boston, MA 02109-3912

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Moraff,

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Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Ted Lavery  
EPA New England Headquarters  
5 Post Office Square Suite 100  
Boston, MA 02109-3912

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Lavery,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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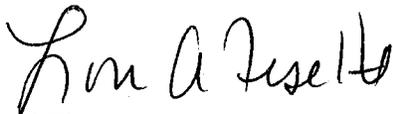
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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. R. Phou Vongkhamdy  
USDA Natural Resources Conservation Service  
60 Quaker Lane, Suite 40  
Warwick, RI 02886

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Vongkhamdy,

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Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Ms. Jamie Fosburgh  
National Park Service Wild and Scenic Rivers Program  
15 State St.  
Boston, MA 02109

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Ms. Fosburgh,

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Providence, RI 02903

Office 401-222-2450  
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November 6, 2017

EPA Office of Ground Water and Drinking Water  
1200 Pennsylvanian Ave, N.W. Mail Code: 4606M  
Washington, DC 20460

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

To Whom it May Concern,

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Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Mr. Lawrence Taft  
Audubon Society of Rhode Island  
12 Sanderson Road  
Smithfield, RI 02917

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Mr. Taft,

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Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Rep. Brian Kennedy

P.O. Box 1001  
Richmond, RI 02875

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Rep. Kennedy,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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The EA is available for review and download on the following RIDOT website <http://www.dot.ri.gov/projects/tollingprogram>. Reference copies of the EA will be available for public review beginning November 6, 2017, at the following locations:

**Hopkinton**

Ashaway Free Library  
15 Knight Street

Langworthy Public Library  
24 Spring Street

Hopkinton Town Hall

**Exeter**

Exeter Public Library  
773 Ten Rod Road

Exeter Town Hall  
675 Ten Rod Road

1 Town House Road

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Clark Memorial Library  
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5 Richmond Townhouse Road

**Providence**

Rhode Island Department of Transportation  
Division of Project Management  
Two Capitol Hill, Room 260

Federal Highway Administration-  
Rhode Island Division  
380 Westminster Street, Suite 601

Hard copies of the EA and/or electronic copies may be requested through the undersigned by mail at Rhode Island Department of Transportation, Two Capitol Hill, Providence, Rhode Island 02903, or by email at [david.fish@dot.ri.gov](mailto:david.fish@dot.ri.gov).

The meeting hall is accessible to persons with disabilities. RIDOT provides reasonable accommodations and/or language assistance free of charge upon request, as available. For accommodation or language assistance, please contact RIDOT's Title VI Coordinator [dina.i.quezada@dot.ri.us](mailto:dina.i.quezada@dot.ri.us). Requests should be made at least 48 hours before the hearing.

We invite you to review the EA and supporting technical memoranda. Comments will be accepted until December 6, 2017. Comments may be submitted by mail or email to me using the contact information above.

Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Rep. Justin K. Price

214 Shannock Village Rd.  
Richmond, RI 02875

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Rep. Price,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Rhode Island Department of Transportation  
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Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Sen. Elaine Morgan

82 Smith St.  
Providence, RI 02903

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Sen. Morgan,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Clark Memorial Library  
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**Providence**

Rhode Island Department of Transportation  
Division of Project Management  
Two Capitol Hill, Room 260

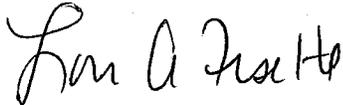
Federal Highway Administration-  
Rhode Island Division  
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Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

Office 401-222-2450  
Fax 401-222-3905

November 6, 2017

Rep. Julie Casimiro

329 Wickham Rd.  
North Kingston, RI 02852

Re: Environmental Assessment for Proposed Toll Systems at Toll Locations 1 and 2  
Interstate Route 95 (I-95)  
Hopkinton, Richmond, and Exeter, RI

Dear Rep. Casimiro,

The Rhode Island Department of Transportation (RIDOT), in conjunction with the Federal Highway Administration, announces the release of the Environmental Assessment (EA) for proposed toll systems at Toll Locations 1 and 2 on Interstate Route 95 (I-95) in the towns of Hopkinton, Richmond, and Exeter, Rhode Island (Proposed Action). RIDOT solicits comments on the EA document by Wednesday, December 6, 2017. A Public Hearing will be held at the Chariho Middle School Auditorium, 455 B Switch Rd. in Richmond on Tuesday, November 21, 2017, at 6 p.m.

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Sincerely,



Lori Fisette  
Manager, Project Management  
Rhode Island Department of Transportation

**G.2      Web site Notice**

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## Press Releases

# RIDOT Posts Environmental Assessment for First Toll Locations

In accordance with the National Environmental Policy Act (NEPA), the Rhode Island Department of Transportation (RIDOT) today posted for public comment its Environmental Assessment (EA) for Toll Locations 1 and 2. [TRANSPARENCY](#) (<http://www.transparency.ri.gov/>) [PRESS](#) ([/press/](#))

The Federal Highway Administration (FHWA) has acknowledged that the Environmental Assessment can be made available for public comment. Following the public comment period and once the comments are incorporated into the report, the FHWA will examine it further to determine if a full Environmental Impact Statement is warranted.

Toll Locations 1 and 2 are both located along Interstate 95 (I-95) in the southwestern part of Rhode Island. Each toll location functions independently of one another and is associated with the reconstruction or replacement of specific bridges in accordance with the Rhode Island Bridge Replacement, Reconstruction, and Maintenance Fund state law known as RhodeWorks and consistent with requirements set forth in 23 C.F.R 129.

The bridges at locations 1 and 2 are the Wood River Valley Bridge, the northbound and southbound Tefft Hill Trail Bridges, and the Baker Pines Bridge. The proposed toll systems at Toll Locations 1 and 2 will be used to collect toll revenues from tractor or truck tractors as defined in 23 C.F.R. 658.5, pulling a trailer or trailers and contained in RhodeWorks.

The Environmental Assessment will be posted on the RIDOT website and in public venues in the towns close to the tolling locations on November 6. These locations are:

### Hopkinton

Ashaway Free Library, 15 Knight Street, Hopkinton, RI; Langworthy Public Library, 24 Spring Street, Hopkinton, RI; Town Hall, 1 Town House Road, Hopkinton, RI

### Exeter

Exeter Public Library, 773 Ten Rod Road, Exeter, RI; Exeter Town Hall, 675 Ten Rod Road, Exeter, RI

 (/index.php)  
Richmond

Clark Memorial Library, 7 Pinehurst Dr., Richmond, RI; Richmond Town Hall, 5 Richmond Townhouse Rd., Richmond, RI

## Providence

Rhode Island Department of Transportation, Division of Project Management, Two Capitol Hill, Room 260, Providence, RI; Federal Highway Administration, 380 Westminster St., Providence, RI

RIDOT also will host a workshop and public hearing on the Environmental Assessment on Tuesday, November 21 at 6 p.m. at the Chariho Middle School, 455B Switch Road, Richmond.

## Related links

- **Department or agency:** Department of Transportation
- **Online:** <http://www.dot.ri.gov> (<http://www.dot.ri.gov>)
- **Release date:** 11-06-2017

## Share this:





## RhodeWorks Bridge Tolling Program: An Overview

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For decades Rhode Island has had the worst roads and bridges in the nation. That is changing due to the passage of a sweeping piece of legislation known as RhodeWorks which became law in 2016.

RhodeWorks provides for the planning, execution, management and funding to bring the state's infrastructure into a state of good repair. Over a ten-year period, approximately \$4.7 billion dollars will be pumped into the state's economy to fix its roads and bridges and create 6,000 jobs. One tenth of this income will come from commercial truck-only tolling that creates a stable source of funds to augment the state and federal funds that make up the bulk of the Rhode Island Department of Transportation's (RIDOT) budget.

Tolls will be collected along six major highway corridors at twelve locations. Each location is associated with a bridge or bridge group and the tolling revenues will be used to repair or replace the bridge location with which it is associated. RIDOT will repair or replace 35 bridges with this revenue.

Toll rates will be limited to once per toll facility, per day in each direction. Toll rates have not been set yet but will be limited along the I-95 corridor at \$20 for a border-to-border trip from Connecticut to Massachusetts. There also is a daily maximum toll of \$40 per large commercial truck regardless of the number of toll gantries passed. The \$20 and \$40 caps require the use of a radio frequency identification transponder (such as E-ZPass). The RhodeWorks legislation prohibits tolls from being extended to cars or smaller trucks.

RIDOT has contracted with Kapsch TrafficCom to design, build, operate, and maintain the electronic tolling system for ten years. The proposed first tolling gantries will be in the southwestern part of Rhode Island along I-95.

### When Will Tolling Start?

RIDOT has prepared an Environmental Assessment (EA) that describes the potential impacts and benefits of the tolling program and construction of the toll gantries. A public comment period is now underway. FHWA will subsequently issue its determination.

### Who Will Operate the Toll Gantries?

RIDOT selected Kapsch TrafficCom, an Austrian company, to design, build, operate and maintain the system for 10 years. RIDOT will set the toll rates in accordance with the mandates of the legislation.

[Toll Locations 1 & 2 Environmental Assessment](#)

[Toll Rates for Toll Locations 1 & 2](#)

[RhodeWorks Bridge Tolling Project - Locations 1 & 2 Fact Sheet](#)

[Toll Gantry Comment Form](#)

[Investment-Grade Tolling Study](#)

*[Back to top](#)*

Toll Gantry Locations

## Truck-Only Tolling... ☆



## Future Toll Gantry Example



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# BRIDGE TOLLING PROJECT: TOLL LOCATIONS 1 AND 2



Fact Sheet – September 2017

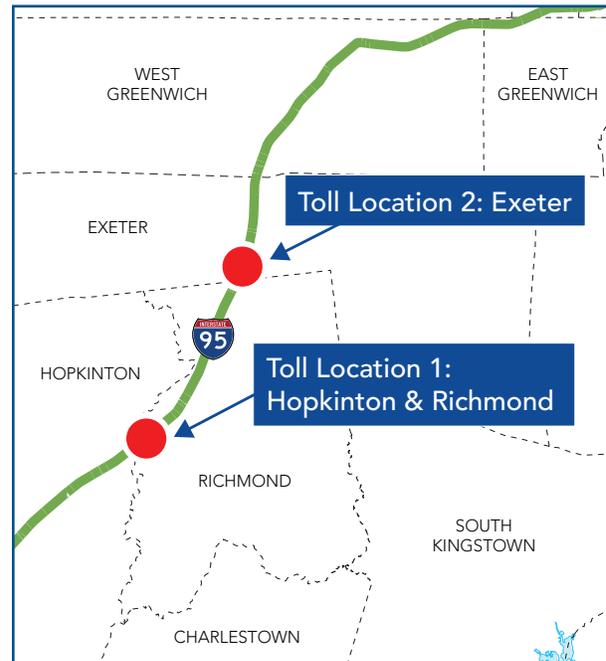
## New Truck Tolls Advancing

Rhode Island Department of Transportation's (RIDOT) RhodeWorks program includes charging a toll on large commercial trucks only (Vehicle Class 8 and higher) to help fund repairs to Rhode Island's roads and bridges.



Wood River Valley Bridge in disrepair.

The first two toll gantries will be built at Toll Locations 1 and 2 at the southern end of I-95. Tolls from Toll Location 1 will be used to repair the Wood River Valley Bridge, a functionally obsolete I-95 bridge over Mechanic Street and the Wood River in Hopkinton/Richmond. The new Tefft Hill Trail Bridges and the bridge over Baker Pines Road on I-95 will be funded by tolls from Toll Location 2. Because Toll Locations 1 and 2 are geographically close, they share a likely diversion route and the potential impacts are being evaluated by RIDOT in one Environmental Assessment (EA). Potential impacts of the remaining toll systems will be addressed in subsequent environmental documentation. Federal Highway Administration will review the findings in the EA and make a determination about impacts.



RIDOT is currently studying potential impacts of tolls at Toll Locations 1 and 2.

## Who Will Operate the Toll Gantries?

RIDOT selected Kapsch TrafficCom to design, build, operate and maintain the system for 10 years. RIDOT will set the toll rates in accordance with the mandates of the legislation.

## RhodeWorks Bridge Tolling Program: An Overview

RIDOT's comprehensive funding program, the RhodeWorks bridge toll system program will charge a toll on **large commercial trucks (vehicle class 8 and higher)**. Toll rates have not been set, but tolls on commercial trucks with Radio-frequency identification (RFID) are limited to once per toll facility, per day in each

direction. Tolls for commercial trucks are also limited to a \$20 total for a border-to-border through trip on I-95 from Connecticut to Massachusetts and will not exceed \$40 per day for RFID equipped vehicles.



Rural toll gantry rendering.

The legislation authorizing the tolling specifically prohibits tolls on cars and smaller trucks.

Truck tolls will be collected along I-95. Construction of the project will allow RIDOT to collect tolls to help pay for bridge repairs and expedite the improvements.

Rhode Island ranks last in the U.S. in overall bridge condition. Increased revenue from tolls, federal funds and other revenue sources will allow RIDOT to repair and rebuild over 150 structurally deficient bridges and make repairs to 500 more bridges over 10 years. Without the new revenue, about half of the state's bridges will be structurally deficient by 2025. The state will realize significant savings by addressing the problem now instead of waiting.

### How Will Tolls Be Collected?

New technology has eliminated the need for toll plazas where vehicles stop or slow to pay. The toll gantries will be erected at up to 14 locations across the state near bridges that will be rehabilitated or replaced as part of the RhodeWorks program. The toll gantry will be equipped with devices to read a truck's transponder and deduct the toll. Trucks without a transponder will be billed by mail using a camera that records license plates.

### Sign Up for Tolling Project Updates and Information on Construction Activities

For more information or to sign up for e-mail notices during construction visit RhodeWorks at <http://www.dot.ri.gov/rhodeworks>.

### Tell us what you think!

Fill out the comment form on the RhodeWorks web page to send a comment or ask a question.

RIDOT operates its programs, services, and activities in compliance with federal nondiscrimination laws. If you have questions or concerns, please contact the Title VI Coordinator [dina.i.quezada@dot.ri.gov](mailto:dina.i.quezada@dot.ri.gov).

RIDOT lleva a cabo sus programas, servicios y actividades en conformidad con las leyes federales contra la discriminación. Si tiene preguntas o dudas contacte a RIDOT oficina de derechos civiles/Title VI, [dina.i.quezada@dot.ri.gov](mailto:dina.i.quezada@dot.ri.gov).

Esta hoja informativa está disponible en español en internet <http://www.dot.ri.gov/rhodeworks>.



## Send Us Your Questions And Feedback.

Please fill out the form below completely or send separate comments to the mailing address or fax number shown. Responses to questions will also be posted in Frequently Asked Questions.

### Your Contact Information

\*First Name:

\*Last Name:

\*Company:

\*Address:

\*City:  \*State:

\*Zip Code:

Phone:

\*Email:

\*Confirm Email:

*Please provide a valid email address in order for us to reply.*

Enter Your Questions and Comments:

\* Required field

Clear

Submit

Use online form or mail or fax comments to:

Bridge Toll  
System Project  
RIDOT  
Two Capitol Hill  
Providence, RI 02903

Fax:  
401-222-3435

Attention:  
Daniel Waugh

Emails sent to RIDOT are a matter of public record subject to release, if requested.



**G.3 News Paper Cut Sheets from November 6, 2017 and November 16, 2017**

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MIDDLE EAST

# Saudi arrests consolidate power grab

By Abdullah Al-Shihri and Aya Batrawy  
The Associated Press

RIYADH, Saudi Arabia — Saudi Arabia's heir to the throne is overseeing an unprecedented wave of arrests of dozens of the country's most powerful princes, military officers, influential businessmen and government ministers — some potential rivals or critics of the crown prince

now consolidating his power. Among those taken into custody overnight Saturday in the purported anti-corruption sweep were billionaire Prince Alwaleed bin Talal, one of the world's richest men with extensive holdings in Western companies, as well as two of the late King Abdullah's sons. The arrest of senior princes upends a longstanding tradition among the ruling Al Saud family to keep their disagreements private in an effort to show strength and unity in the face of Saudi Arabia's many tribes and factions. It also sends a message that the 32-year-old crown prince,

Mohammed bin Salman, has the full backing of his father, King Salman, to carry out sweeping anti-corruption reforms targeting senior royals and their business associates, who have long been seen as operating above the law. Reports suggested those detained were being held at the Ritz Carlton in Riyadh, which only days earlier hosted a major investment conference that the crown prince attended with global business titans. A Saudi official told The Associated Press that other five-star hotels across the capital were also being used to hold some of

those arrested. The Ritz Carlton had no availability for bookings until Dec. 1, 2017 — a possible sign that an investigation of this scale could take weeks. Marriott International said in a statement that it is currently evaluating the situation at the Ritz-Carlton in Riyadh, but declined to comment further, citing privacy concerns. A Saudi government official with close ties to security forces said 11 princes and 38 others were being questioned. The official spoke to the AP on condition of anonymity because he was not authorized to speak to the media. The surprise arrests were immediately hailed by pro-government media outlets as the clearest sign yet that Prince Mohammed is keeping his promise to reform

the country, wean its economy from its dependence on oil and liberalize some aspects of the ultraconservative society. The kingdom's top council of clerics issued a public statement overnight saying it is an Islamic duty to fight corruption — essentially giving religious backing to the high-level arrests. It's unclear if the U.S. had any advance word of the arrests. President Donald Trump's son-in-law and White House adviser Jared Kushner and others made an unannounced trip recently to Riyadh. Earlier on Saturday, Trump said he spoke to King Salman, though the White House readout of that call did not include any reference to the impending arrests. The Saudi government says the arrests are part of

a wider effort to increase transparency, accountability and good governance — key reforms needed to attract greater international investments and appease a Saudi public that has for decades complained of rampant government corruption and misuse of public funds by top officials. Surprise moves reshaping the kingdom, however, are likely to worry investors. Among those reportedly taken into custody were two sons of the late King Abdullah: Prince Miteb bin Abdullah, who Saturday evening was ousted from his post as head of the prestigious National Guard tasked with protecting the Al Saud family, and Prince Turki bin Abdullah, who was once governor of Riyadh.

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**RHODE ISLAND DEPARTMENT OF TRANSPORTATION TOLLING PROJECT  
HOPKINTON/RICHMOND AND EXETER (LOCATIONS 1 AND 2)  
NOTICE OF AVAILABILITY OF THE ENVIRONMENTAL  
ASSESSMENT & PUBLIC HEARING/WORKSHOP**

The Rhode Island Department of Transportation (RIDOT) proposes to build and operate toll systems at two locations on I-95 in Hopkinton/Richmond and Exeter (Locations 1 and 2). The proposed toll systems will be used to collect toll revenues from tractor or truck tractors as defined in 23 C.F.R. 658.5, pulling a trailer or trailers. Each toll location functions independently and is associated with the reconstruction or replacement of specific bridges in accordance with the Rhode Island Bridge Replacement, Reconstruction, and Maintenance Fund state law known as RhodeWorks and consistent with requirements set forth in 23 C.F.R. 129.

RIDOT has prepared an Environmental Assessment (EA) that discusses potential project impacts (direct, indirect and cumulative). RIDOT will hold a public hearing to receive public comment and a workshop to provide details on the proposed project and a summary of the EA. Information regarding the public hearing and workshop is shown below.

Date: Tuesday, November 21, 2017  
Time: 6:00 pm  
Place: Chariho Middle School, 455 B Switch Rd., Richmond

The EA is available for review and download on the RIDOT website <http://www.dot.ri.gov/projects/tollingprogram>. Print copies and CD copies are available for review at the following public places from November 6, 2017 through December 6, 2017 during normal business hours.

**Hopkinton**

Ashaway Free Library  
15 Knight St.  
Langworthy Public Library  
24 Spring St.  
Town Hall  
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**Exeter**

Exeter Public Library  
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Clark Memorial Library  
7 Pinehurst Dr.  
Richmond Town Hall  
5 Richmond Townhouse Rd.

**Providence**

Rhode Island Department of Transportation Division of Project Management  
Two Capitol Hill, Room 260  
Federal Highway Administration  
380 Westminster St.

RIDOT welcomes comments on the Environmental Assessment. Please send comments by December 6, 2017, to Peter Alviti Jr., P.E., Director, RIDOT, Two Capitol Hill, Providence, RI 02903, Attn: David Fish, P.E.

The meeting hall is accessible to persons with disabilities. RIDOT provides reasonable accommodations and/or language assistance free of charge upon request, as available. For accommodation or language assistance, please contact RIDOT's Title VI Coordinator [dina.i.quezada@dot.ri.us](mailto:dina.i.quezada@dot.ri.us). Requests should be made at least 48 hours before the hearing.

El Departamento de Transporte de Rhode Island (RIDOT) opera sus programas, servicios y actividades en conformidad con las leyes federales contra discriminación. El auditorio es accesible a las personas con discapacidad. El auditorio es accesible a las personas con discapacidad. Si tiene dudas o preguntas, contacte a RIDOT oficina de derechos civiles/Título VI, [dina.i.quezada@dot.ri.gov](mailto:dina.i.quezada@dot.ri.gov)

David Fish, P.E.  
Chief Engineer of Infrastructure



Department of Transportation  
Two Capitol Hill  
Providence, RI 02903  
401-222-2450  
[www.dot.ri.gov](http://www.dot.ri.gov)

MIDDLE EAST

# Belgian judge to decide next phase in Spain-Catalonia fight

By Raf Casert and Joseph Wilson  
The Associated Press

BRUSSELS — The fight between Spain and Catalonia's separatists reached a Belgian judge on Sunday after the region's deposed leader and four ex-ministers surrendered in Brussels to face possible extradition to Madrid for allegedly plotting a rebellion.

Hours after former Catalan regional president Carles Puigdemont and the others turned themselves in to Belgian authorities, Puigdemont's party put him forward as its leader for an upcoming regional election called by the Spanish government — meaning he could end up heading a campaign from Brussels while he fights a forced return to Spain.

Belgian judicial authorities now have to make a decision rife with diplomatic implications for fellow European



Demonstrators holding banners that read in Catalan "Freedom for the Political Prisoners" gather during a protest against the decision of a judge to jail ex-members of the Catalan government, Sunday at the University square in Barcelona. [MANU FERNANDEZ/THE ASSOCIATED PRESS]

Union members Spain and Belgium and political consequences for Catalonia, the restive Spanish region fighting Madrid for independence.

The five Catalan politicians who fled to Belgium after Spanish authorities removed them from office on Oct. 28 were taken into custody Sunday on European arrest

warrants issued after they failed to show up in Madrid last week for questioning.

A Belgian investigative judge has 24 hours after their voluntary surrenders — until 9:17 a.m. local time on Monday — to decide whether to jail them or let them stay free in Belgium while the extradition process runs its course.

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**EL PROYECTO DE PEAJE DEL DEPARTAMENTO DE TRANSPORTACIÓN  
DE RHODE ISLAND HOPKINTON/RICHMOND Y EXETER (LOCACIÓN 1 AND 2)  
AVISO DE DISPONIBILIDAD DE LA EVALUACIÓN AMBIENTAL Y  
REUNIÓN PÚBLICA / TALLER**

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Hora: 6:00 pm  
Lugar: Chariho Middle School, 455 B Switch Rd, Richmond

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## EDUCATOR Q&A

# Jane Servidio

### What inspired you to become a teacher?

I come from a family of education. My father was a longtime principal of an elementary school, my mother was a sixth-grade teacher and my uncle was a middle school technology teacher. Growing up I heard a great deal of, "Jane, whatever you do, DON'T become a teacher." The turning point happened when I was a teenager and had a summer job as a swimming instructor; a parent of one of my kids asked if I'd ever thought about becoming a teacher because I seemed to be a natural, that's when I had a hint teaching was "in my blood."

### What is most challenging as a teacher? Why?

In teaching, I am always "on" for every student. It's trying to connect with each of my students, and for him or her to know that I have their best interests at heart, encouraging them to strive to do better and not just what is asked. It's helping them realize their own potential, guiding them in the development of their understanding of the world and their part in it, while also facilitating their academic growth. Being in education is not just a job, it's a vocation; it's knowing that you live a different kind of life for the benefit of others.

### What teaching moment is most memorable?

I have memorable moments every day! But this past year in particular was very exciting for me professionally. I am our school's Invention Convention facilitator and this year, for the first time, I had not one, but four students go all the way to nationals in Washington, D.C. — and one our students won in her category! Also, out of 550 teacher applicants, I was chosen to represent Connecticut at the National Summer Teacher Institute, a conference run by the U.S. Patent & Trade Office where teachers become inventors and go through the entire process.

Fifth-grade teacher, North Stonington Elementary School

### More about Jane Servidio

**AGE:** 29, of course!  
**EXPERIENCE:** 25+ years of teaching, including 3rd & 4th grade and remedial reading  
**HOMETOWN:** Mystic  
**EDUCATION:** B.S., Keene State College; M.S. Remedial Reading & Language Arts and Sixth Year Language Arts Consultant, Central Conn. State University; Aetna Fellow with the Connecticut Writing Project  
**FAMILY:** Husband, Steve (teacher at Westerly High School) and daughters Sarah and Anna.

— Catherine Hewitt



North Stonington Elementary School's Jane Servidio. Harold Hanka, The Westerly Sun

**Nominate an educator:** Do you know a teacher who deserves to be profiled? Send an email to news@thewesterlysun.com.

# Mystic woman charged with falsely reporting September home invasion

By Jason Vallee  
Sun staff writer

STONINGTON — A Mystic woman accused of falsely reporting a home invasion turned herself in Tuesday and is scheduled to be arraigned Nov. 22 in New London Superior Court.

Nicole Fustini, 40, of 171 Hewitt Road, was charged with falsely reporting an incident and second-degree reporting a false statement

after Stonington police, fire and ambulance personnel were dispatched to her home on Sept. 10 when she called 911 to report a home invasion.

Fustini told authorities that she woke up in her garage after being knocked out by someone she didn't know.

She had visible but not life-threatening injuries, police said, and was taken Lawrence + Memorial Hos-

pital in New London for treatment.

Detectives determined during a subsequent investigation that Fustini had fabricated the report. Police released a statement Sept. 12 assuring the public that no incident had taken place and there was no threat, but Fustini was not identified until she was arrested Tuesday. A copy of the arrest warrant, which would have further details, was not

immediately available.

Police and court officials suggested Wednesday that the charges stemmed from the commitment of time and resources to the false report, which prompted a two-day investigation, as well as an initial response by members of the Mystic Fire Department and Mystic River Ambulance.

jvallee@thewesterlysun.com

# State stops company from selling raw milk

Officials in Rhode Island have ordered a New York City-based dairy company to halt the sale of raw milk after the unpasteurized product was identified as a contributing factor in causing antibiotic-resistant brucellosis in a New Jersey woman.

Department of Health officials on Wednesday announced the order against Udder Milk, which calls itself the "milk co-op on wheels." Officials said an investigation is underway by several states, the federal Food and Drug Administration, the U.S. Department of Agriculture and the Centers for Disease Control and Prevention to determine where and how the company is getting its raw milk.

Rhode Island officials said that Udder Milk sells online and arranges to have consumers meet delivery drivers at various locations in the Northeast. The transportation or sale of raw milk across state lines is prohibited under state and federal laws.

"Unpasteurized milk may contain dangerous bacteria. Anyone who has become ill after consuming raw milk products should immediately consult a medical professional," Department of Health spokesman Joseph Wendelken said.

Officials said the woman from New Jersey, who tested positive for Brucella RB51 infection, has made a full recovery. Brucella bacteria

are primarily passed among infected animals, Wendelken said, although people can become infected by eating or drinking contaminated raw milk products.

A brucellosis infection can cause a range of symptoms including fever, sweats, chills, weight loss, headache, fatigue, and muscle and joint pain. Symptoms may appear up to six months after exposure, according to the CDC. Some symptoms may persist for prolonged periods or reoccur including fevers, arthritis, swelling of the testicle and scrotum area, heart and/or spleen, depression, neurological symptoms, and chronic fatigue.

Brucella RB51 cannot be

diagnosed through tests commonly used to diagnose the disease, and this strain is resistant to one of the antibiotics commonly used to treat brucellosis in people. From 1993 through 2012, there were 127 outbreaks linked to raw milk that were reported to the CDC, resulting in 1,909 illnesses and 144 hospitalizations.

There have been no cases of brucellosis in Rhode Island in the last five years, Wendelken said.

For more information on brucellosis, visit the CDC website at cdc.gov/brucellosis.

— Jason Vallee

## Police Logs

### WESTERLY

- Robert Martin, 57, of 171 Post Road, Apt. 27, was charged Tuesday on a bench warrant from 3rd Division District Court.
- Heather J. Arnold, 42, of 12 Batterson Way, Apt. B, was charged Tuesday with driving under the influence with an unknown blood alcohol content.
- Ronald J. Jewett, 48, of 33 Fieldstone Way, was charged Tuesday with domestic vandalism and domestic disorderly conduct.
- Cassandra M. Lang, 46, of 33 Fieldstone Way, was charged Tuesday with domestic simple assault or battery and domestic disorderly conduct.
- Jason F. Bull, 43, of 35 Bellevue Ave., was charged Wednesday with domestic simple assault or battery and domestic disorderly conduct.

### RICHMOND

- Noah A. Lionetti, 19, of 1 Poplar Ave., was charged Sunday with misdemeanor shoplifting.
- Arrests are not convictions. The disposition of local arrests may be found on the Rhode Island Judiciary website at [www.courts.ri.gov/](http://www.courts.ri.gov/) and the Connecticut website at [www.jud.ct.gov/crim.htm](http://www.jud.ct.gov/crim.htm).

## RHODE ISLAND DEPARTMENT OF TRANSPORTATION TOLLING PROJECT HOPKINTON/RICHMOND AND EXETER (LOCATIONS 1 AND 2) NOTICE OF AVAILABILITY OF THE ENVIRONMENTAL ASSESSMENT & PUBLIC HEARING/WORKSHOP

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## Briefs

### Police: DUI driver faces more charges after giving false information

RICHMOND — A Cranston woman is facing charges after police said she provided officers with a family member's name in an effort to avoid a traffic ticket, only to have her true identity later come out when she was charged with a DUI.

Mercedes Machado, 26, was charged last week with driving under the influence with an unknown blood alcohol content, refusal to submit to a chemical test, driving without a license and obstructing an officer in the execution of duties.

Machado was stopped on Nov. 8 along South County Trail for a motor vehicle violation. Machado initially told police she did not have a license on her and provided the name and date of birth for a family member when questioned about her identity. Officers said she also showed signs of intoxication and was given a field sobriety test. Police discovered her ID during the subsequent arrest. Police said they learned she did not have an active license.

— Jason Vallee

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REVIEW



Joe Wilson Jr. plays Ebenezer Scrooge in "A Christmas Carol" at Trinity Rep. [MARK TUREK PHOTO]

# Trinity Rep stages a joyful 'Christmas Carol'

By Channing Gray  
Special to the Journal

PROVIDENCE — Trinity Rep has been staging its beloved holiday classic "A Christmas Carol" for four decades, and this anniversary rendition might just be the best ever.

It's traditional enough, but it's got one big plus going for it: joy. Joe Wilson Jr., who likes to play things big, is the perfect Scrooge, who makes the transformation from hardened miser to human being with grace and honesty.

In fact the whole production, directed with warmth by the husband and wife team of Stephen Thorne and Angela Brazil, works so well because much of the spectacle has been stripped away so we can focus on the story.

For one thing, the production has little in the way of sets, thanks to Michael McGarty. For years, the company has been going with massive walls of wood. Now the show is in the round, with just a few props on a center stage.

But more importantly, it makes you feel like you're part of the show, drawn

into the action. You felt that in the hand-clapping musical numbers. And when Wilson awakes from his night with the spirits, he deftly turns a sob into a belly laugh, which had the audience cheering, as though they were hanging on his every move.

Thorne and Brazil also keep the show tight, and do just enough editing to keep it moving without sacrificing too much.

The opening moments find Marley already in his casket, not collapsing on the office floor. Too bad they didn't leave in the scene when the faces of the Cratchit family light up when they get their prize turkey on Christmas morning. All we get is a glowing report from Sofia Borges' Turkey Girl, who brings a report back to Scrooge.

Yes, Turkey Girl. And there is just Mrs. Fezziwig, when Scrooge travels back to visit with his old boss. She's played by Rachael Warren, who just isn't the grandmotherly type.

My one gripe was the long intermission after Scrooge's visit with Anne Scurria's Ghost of Christmas Past. That snapped the

show's momentum.

Over the years, directors have played more and more with the music. And this production has stripped away the Richard Cumming score and gone with jazzier, gospel-inspired tunes.

Orlando Hernandez is euphoric as Ghost of Christmas Present. But his opening tap number never quit. It got to the irritating point where he couldn't take a step without making it a big production.

The Ghost of the Future — played by two women and a man in veils, who arrive on a glowing purple table — was wonderfully spooky. Although there is no gravestone to freak out Scrooge.

Still, the transformation scene is perhaps the company's best, and most convincing, with Wilson waking in the street in the snow. I might have expected Wilson to pull out all the stops for that important moment. But he plays it with such care, with such depth that it can't help but move you.

"A Christmas Carol" runs through Dec. 31 at Trinity Rep, 201 Washington St., Providence.

MASSACHUSETTS

# New center helping trace roots of Jewish population

By Mark Pratt  
The Associated Press

BOSTON — The vibrant and influential history of New England's Jewish population chronicled in a vast repository of documents stored at the New England Historic Genealogical Society is being celebrated Wednesday.

The Jewish Heritage Center at the Boston-based genealogical society is not just a resource for people tracing family roots, but a trove of information for scholars researching the Jewish influence on New England's economy and the history of anti-Semitism. It also preserves the records of

Jewish philanthropies and synagogues.

"The information archived here provides some context and shows what part Jewish immigrants played in growing the community," said Stephanie Call, the center's manager.

The Jewish Heritage Center oversees the archives of the American Jewish Historical Society-New England, which has collaborated with the New England Historic Genealogical Society for several years. Wednesday's reception is the formal celebration of the partnership.

The archives have had several homes in the Boston area over the years, but moving

them to the genealogical society permanently was a natural fit, because it is already considered the premier national resource for genealogists and family historians.

About 1.2 million documents have been digitized as part of an ongoing project to get the records online and available to the public, said Ryan Woods, the genealogical society's senior vice president.

The archives play a critical role in preserving the unique history of Jews in New England, said Jonathan Sarna, a professor of Jewish history at Brandeis University and a member of the Jewish Heritage Center's advisory council.

MASSACHUSETTS DIGEST

BOSTON

## Ex-cop gets 4 years for embezzling from veterans

A former Massachusetts police sergeant has been sentenced to four years in prison for stealing from several disabled veterans whose finances he was appointed to oversee.

Federal prosecutors say 62-year-old Glenn Pearson, of Whitman, used some of the embezzled funds to pay his home mortgage.

Pearson was also sentenced Tuesday to three years of probation, and ordered to pay restitution of more than \$250,000 to the U.S. Department of Veterans Affairs and more than \$825,000 to the Internal Revenue Service. He pleaded

guilty in May to charges including wire fraud and misappropriation by a federal fiduciary.

Prosecutors say Pearson was appointed as a VA fiduciary for eight disabled veterans. He took advantage of that position by misappropriating benefit money out of the accounts of several veterans from 2007 until 2012.

LAWRENCE

## YMCA rooming house resident beaten to death

A tenant of a YMCA rooming house in Massachusetts has been charged with murder in the death of a fellow resident, who apparently was bludgeoned with an aluminum baseball bat.

Sixty-one-year-old Martin

Rodriguez was arraigned Wednesday in the death of 53-year-old Jose Burgos. The prosecution and the defense agreed Rodriguez would be held without bail.

Police say Burgos' body was found Tuesday in his room at a YMCA-run rooming house in Lawrence. Burgos had suffered a massive head wound.

The Associated Press

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**Important Notice!**  
**CITY OF CRANSTON**  
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**PICKUP SCHEDULE**  
**FOR THE WEEK OF**  
**MONDAY, November 20, 2017**

Thursday, November 23 pick up } Will Be on { Friday, November 24  
Friday, November 24 pick up } Saturday, November 25

**ALL TRASH AND RECYCLING MUST BE PLACED AT THE CURB BEFORE 6:15 AM THE DAY OF YOUR PICKUP AND NO SOONER THAN NOON THE DAY BEFORE YOUR SCHEDULED DAY**  
MATTRESSES, BOX SPRINGS AND BULKY WASTE PICKUPS WILL NOW BE COLLECTED BY SCHEDULING PICKUP WITH WASTE MANAGEMENT (1-800-972-4545) TV'S, COMPUTERS AND OTHER ELECTRONICS ARE HAZARDOUS AND MUST BE BROUGHT TO THE CITY'S HIGHWAY FACILITY AT 929 PHENIX AVENUE. OLD PROPANE TANKS, OIL PAINTS, PESTICIDES, ETC. CAN BE DISPOSED OF PROPERLY BY SCHEDULING A FREE DROP OFF AT THE ECO-DEPOT, 942-1430, EXT. 241

**THANK YOU FOR SUPPORTING OUR YARD WASTE AND RECYCLING PROGRAMS AND HELPING US SAVE TAX DOLLARS.**  
If you need any trash or recycling information, checkout our website at [www.cranstonri.com](http://www.cranstonri.com)

ALLAN FUNG  
MAYOR

WASTE MANAGEMENT OF RI  
CRANSTON DIVISION

**Business Spotlight**

**Lefebvre joins WCCU as director of asset quality**

WESTERLY — **Julie A. Lefebvre** has joined the staff of Westerly Community



Lefebvre

Credit Union as director of asset quality. She is responsible for directing all operations within the credit union's collections department.

WCCU said that Lefebvre has more than 18 years experience in the banking industry. She previously was a senior AML analyst (anti-money laundering) with Citizens Bank. She and her husband live in Warwick. She is a mentor with Big Brothers Big Sisters of the Ocean State, and a foster volunteer at Friends of Homeless Animals RI.

**91-year-old WWII vet gets overdue medals**

CRANSTON (AP) — A 91-year-old World War II veteran has been honored in Rhode Island for his service.

U.S. Sen. Jack Reed held a ceremony Friday at Cranston Public Library for James Dowling. The Rhode Island Democrat presented Dowling with medals he earned but never received for his service, including the World War II Victory Medal and Good Conduct Medal.

See Veteran, A6

**Luxury property in Weekapaug sells for \$2 million**

WESTERLY — Randall, Realtors has reported the sale of a luxury home at 19 Knowles Avenue in Weekapaug for \$2,062,428. **Sharon Kinney** of the Watch Hill office of Randall, Realtors represented the buyer. The property includes a Colonial built in 1920 with three bedrooms and two baths, as well as a guest cottage with an additional two bedrooms and 1.5 baths. The home has ocean views and access to private beaches, tennis, sailing and yacht club.

According to town property records, the owner of record was David B. Hiltz. It is assessed at \$1,431,900; the land, a little over a third of

an acre, accounts for more than \$1.2 million of the appraisal. The property has been on the market several times since it last sold for \$2.65 million in 2011, according to Rhode Island State-Wide Multiple Listing Service data reported on the realtor.com website.

**Dottie Nigrelli**, manager of the Watch Hill office of Randall, Realtors, said the sale was ninth transaction worth more than \$1 million that Randall, Realtors Watch Hill associates participated in this year. The listing agent was **Andy Schilke** of Schilke Realty. Randall, Realtors operates five Rhode Island offices and three in Connecticut that are Christie's International Real Estate affiliates, and all specialize in the coastal real estate market.



This home in Weekapaug was recently sold for more than \$2 million.

| Randall, Realtors

**Joyce's**  
**Everyday Gourmet**

**Cider Cured Pork Chops • Chicken Cacciatore**  
**Turkey Pumpkin Chili • Shepherds Pie**  
**Veal Marsala • Stuffed Acorn Squash**  
**Mussels & Clams Spicy Marinara**

**Now taking Thanksgiving Orders!**  
**We will have your Pies, Sides, and other Holiday Traditions here!**  
*Deadline for orders is Saturday, November 18th*

105 Franklin St., Mill Pond Plaza, Westerly, RI  
Stop by Monday-Friday 10-6 • Saturday 10-4

Call for details • 401-596-8700 • Check out our menu online!

**RHODE ISLAND DEPARTMENT OF TRANSPORTATION TOLLING PROJECT**  
**HOPKINTON/RICHMOND AND EXETER (LOCATIONS 1 AND 2)**

**NOTICE OF AVAILABILITY OF THE ENVIRONMENTAL ASSESSMENT & PUBLIC HEARING/WORKSHOP**

The Rhode Island Department of Transportation (RIDOT) proposes to build and operate toll systems at two locations on I-95 in Hopkinton/Richmond and Exeter (Locations 1 and 2). The proposed toll systems will be used to collect toll revenues from tractor or truck tractors as defined in 23 C.F.R. 658.5, pulling a trailer or trailers. Each toll location functions independently and is associated with the reconstruction or replacement of specific bridges in accordance with the Rhode Island Bridge Replacement, Reconstruction, and Maintenance Fund state law known as RhodeWorks and consistent with requirements set forth in 23 C.F.R 129.

RIDOT has prepared an Environmental Assessment (EA) that discusses potential project impacts (direct, indirect and cumulative). RIDOT will hold a public hearing to receive public comment and a workshop to provide details on the proposed project and a summary of the EA. Information regarding the public hearing and workshop is shown below.

Date: Tuesday, November 21, 2017  
Time: 6:00 pm  
Place: Chariho Middle School, 455 B Switch Rd., Richmond

The EA is available for review and download on the RIDOT website <http://www.dot.ri.gov/projects/tollingprogram>. Print copies and CD copies are available for review at the following public places from November 6, 2017 through December 6, 2017 during normal business hours.

<p><b>Hopkinton</b> Ashaway Free Library 15 Knight St. Langworthy Public Library 24 Spring St. Town Hall 1 Town House Rd.</p>	<p><b>Richmond</b> Clark Memorial Library 7 Pinehurst Dr. Richmond Town Hall 5 Richmond Townhouse Rd.</p>
<p><b>Exeter</b> Exeter Public Library 773 Ten Rod Rd. Exeter Town Hall 675 Ten Rod Rd.</p>	<p><b>Providence</b> Rhode Island Department of Transportation Division of Project Management Two Capitol Hill, Room 260 Federal Highway Administration 380 Westminster St.</p>

RIDOT welcomes comments on the Environmental Assessment. Please send comments by December 6, 2017, to Peter Alviti Jr., P.E., Director, RIDOT, Two Capitol Hill, Providence, RI 02903, Attn: David Fish, P.E.

The meeting hall is accessible to persons with disabilities. RIDOT provides reasonable accommodations and/or language assistance free of charge upon request, as available. For accommodation or language assistance, please contact RIDOT's Title VI Coordinator [dina.i.quezada@dot.ri.us](mailto:dina.i.quezada@dot.ri.us). Requests should be made at least 48 hours before the hearing.

El Departamento de Transporte de Rhode Island (RIDOT) opera sus programas, servicios y actividades en conformidad con las leyes federales contra discriminación. El auditorio es accesible a las personas con discapacidad. El auditorio es accesible a las personas con discapacidad. Si tiene dudas o preguntas, contacte a RIDOT oficina de derechos civiles/Título VI, [dina.i.quezada@dot.ri.gov](mailto:dina.i.quezada@dot.ri.gov)

David Fish, P.E.  
Chief Engineer of Infrastructure

Department of Transportation  
Two Capitol Hill  
Providence, RI 02903  
401-222-2450  
[www.dot.ri.gov](http://www.dot.ri.gov)

**PUBLIC NOTICE**  
**TOWN OF CHARLESTOWN**  
**STATE OF RHODE ISLAND**  
**PUBLIC HEARING – BEVERAGE LICENSES**

In accordance with provisions of Title 3, Chapter 7, Section 3-5-17 of the General Laws of the State of Rhode Island, 1956 as amended, notice is hereby given that the following renewal applications for beverage licenses have been made to the Town Council of the Town of Charlestown as follows:

**CLASS A**

**CHARLESTOWN PACKAGE STORE, INC.** d/b/a "Charlestown Wine & Spirits", to apply to premises located at 4625 Old Post Road - Class A. Designated premises: building; storage shed and trailer for storage only; daily November 1 through May 31 from 7:00 am to 10:00 pm, June 1 through October 31 from 7:00 am to 11:00 pm, and until 11:00 pm on eve of legal holiday or on Saturday eve where a legal holiday falls on Monday

**SERRA, RICHARD C.** d/b/a "Rippy's Liquor & Marketplace", to apply to premises located at 4158 South County Trail- Class A. Designated premises: building only; daily from 7:00 am to 10:00 pm

**CLASS B (Victualer) FULL PRIVILEGE**

**BIRDMAR ENTERPRISES, INC.** d/b/a "The Cove", to apply to premises located at 3963 Old Post Road - Class BV Full. Designated premises: restaurant and deck only; daily from 11:30 am to 1:00 am

**CHARLESTOWN WILLOWS** d/b/a "Foster Pier Restaurant", to apply to premises located at 5310 Old Post Road- Class BV Full. Designated premises: restaurant and deck, special wedding area (adjacent to water), clambake house, adjacent to cottage #130, dockside building, and enclosed pool area; daily from 7:30 am to 11:00 am

**MGMR GROUP, INC.** d/b/a/ "Meadow Brook Inn", to apply to premises located at 168 Carolina Back Road- Class BV Full. Designated premises: restaurant and formal garden area only; daily from 9:00 am to 12:00 am

**NORDIC LODGE, INC.** d/b/a/ "The Nordic", to apply to premises located at 178 East Pasquisset Trail - Class BV Full. Designated premises: restaurant and area between rear of restaurant and pond; Wednesday - Friday from 4:00 pm to 11:00 pm, Saturday from 11:00 am to 11:00 pm, and Sunday from 12:00 pm to 9:00 pm

**MIA-ROSE, LLC** d/b/a/ "Wilcox Tavern", to apply to premises located at 5153 Old Post Road- Class BV Full. Designated premises: restaurant and patio area only; 8am-10pm seasonal, 4pm-10pm year round

**MARR, CRAIG T.** d/b/a "The Breachway Grill LLC", to apply to premises located at 1 Charlestown Beach Road - Class BV Full. Designated premises: Indoor Restaurant Space and Outdoor Patio Space only; daily from 11:00 am to 1:00 am

**CHARLESTOWN RATHSKELLER TAVERN, INC.** d/b/a "Charlestown Rathskeller Tavern" to apply to premises located at 489A Old Coach Road - Class BV Full. Designated premises: The main restaurant building and patio adjacent to the tavern entrance on the east side, including the small deck, bocce court and horseshoe court areas; from the southeast corner of the restaurant, to include the spring house, the sauna area and fire pit; the grounds located southwest of the main entrance (west side) to approximately two hundred (200') feet south of the employee parking lot; the open porch and deck on the west side of the restaurant; and from the north side of the restaurant up to the stone wall located approximately ten (10) feet from Old Coach Road. Hours of operation: daily from 11:00 a.m. to 1:00 a.m.

**CLASS B (Victualer) LIMITED**

**C & E PIZZA, INC.** d/b/a "Famous Pizza", to apply to premises located at 3986 Old Post Road - Class BV Limited. Designated premises: restaurant only; daily from 11:00 am to 9:00 pm

**ROBIDEAU ENTERPRISES, LLC** d/b/a "The Old Mill Diner", to apply to premises located at 4349 South County Trail - Class BV Limited. Designated premises: restaurant and deck/patio only; daily from 6:00 am to 8:00 pm

**CLASS B (Tavern)**

**G.J.S.I., INC.** d/b/a G.J.S.I. Tavern and Inn to apply to premises located at 4115 Old Post Road - Class BV Tavern. Designated premises: patio area abutting tavern enclosed by tarmac and stone wall, snack bar and patio area in front of the snack bar/house and lawn abutting the Inn towards the northeast, with no service easterly from tarmac and rear of snack bar to US Route 1; daily from 7:00 am to 1:00 am

**CLASS D**

**DOWNEY WEAVER POST BUILDING ASSOCIATION** d/b/a "Downey Weaver Post No. 34, American Legion", to apply to premises located at 20 Whipple Drive - Class D Club. Designated premises: club building, picnic area and horseshoe pit area only; Daily from 10:00 am to 10:00 pm

Before acting upon the foregoing applications, the Town Council, serving as the Beverage Licensing Board, will hold a **Public Hearing** at the Town Hall, 4540 South County Trail on November 13, 2017 at 7:00 pm or as soon thereafter as the matter may come to be heard. An opportunity shall be granted any remonstrant to make their objections before granting of said applications.

**TOWN OF WESTERLY**  
**RHODE ISLAND**  
**PUBLIC HEARING**

Notice is hereby given pursuant to Rhode Island General Law 45-24-53 that a Public Hearing will be held in the Council Chambers, Town Hall, Westerly, Rhode Island, on Monday, November 13, 2017, at 6:00 o'clock p.m., or as close to that time as possible, in accordance with the Home Rule Charter of the Town of Westerly, to consider the proposed ordinance to amend the Zoning Ordinance as summarized below:

"AN ORDINANCE IN AMENDMENT OF CHAPTER 1439 OF THE GENERAL ORDINANCES OF THE TOWN OF WESTERLY ENTITLED 'RE-ENACT AND RE-ADOPT CHAPTER 1242 ENTITLED 'THE WESTERLY, RHODE ISLAND, ZONING ORDINANCE OF 1998, AS AMENDED'"

The Town of Westerly hereby ordains:

This Proposed Ordinance would amend Section 87.7 of the Zoning Ordinance entitled "Medical Marijuana" by adding standards and guidelines for "Licensed Cultivators," a new type of license authorized through an amendment to the Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act (RIGL 21-28.6-1 et seq.). It would define a "Licensed Cultivator" as a person, co-partnership, entity and corporation, who has been licensed by the department of business regulation to cultivate marijuana pursuant to §21-28.6-16. A licensed cultivator may acquire, possess, cultivate, deliver, or transfer marijuana only to licensed compassion centers. A licensed cultivator shall not be a primary caregiver cardholder and shall not hold a cooperative cultivation license. The amendment would require that the areas used for growing by a licensed cultivator has means of egress consistent with current State Building and Fire Codes for its use and occupancy. Licensed Cultivation shall be prohibited in all zoning districts except industrial zones of the town and only upon the issuance of a special use permit by the Westerly Zoning Board of Review.

The Ordinance shall take effect upon passage.

**Information relative to the above is available for review at the Town Clerk's Office at 45 Broad Street, Westerly, RI between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. The Proposed Ordinance may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment will be presented for comment in the course of the hearing.**

All persons interested in said Proposed Ordinance are invited to be present at the time and place above stated.

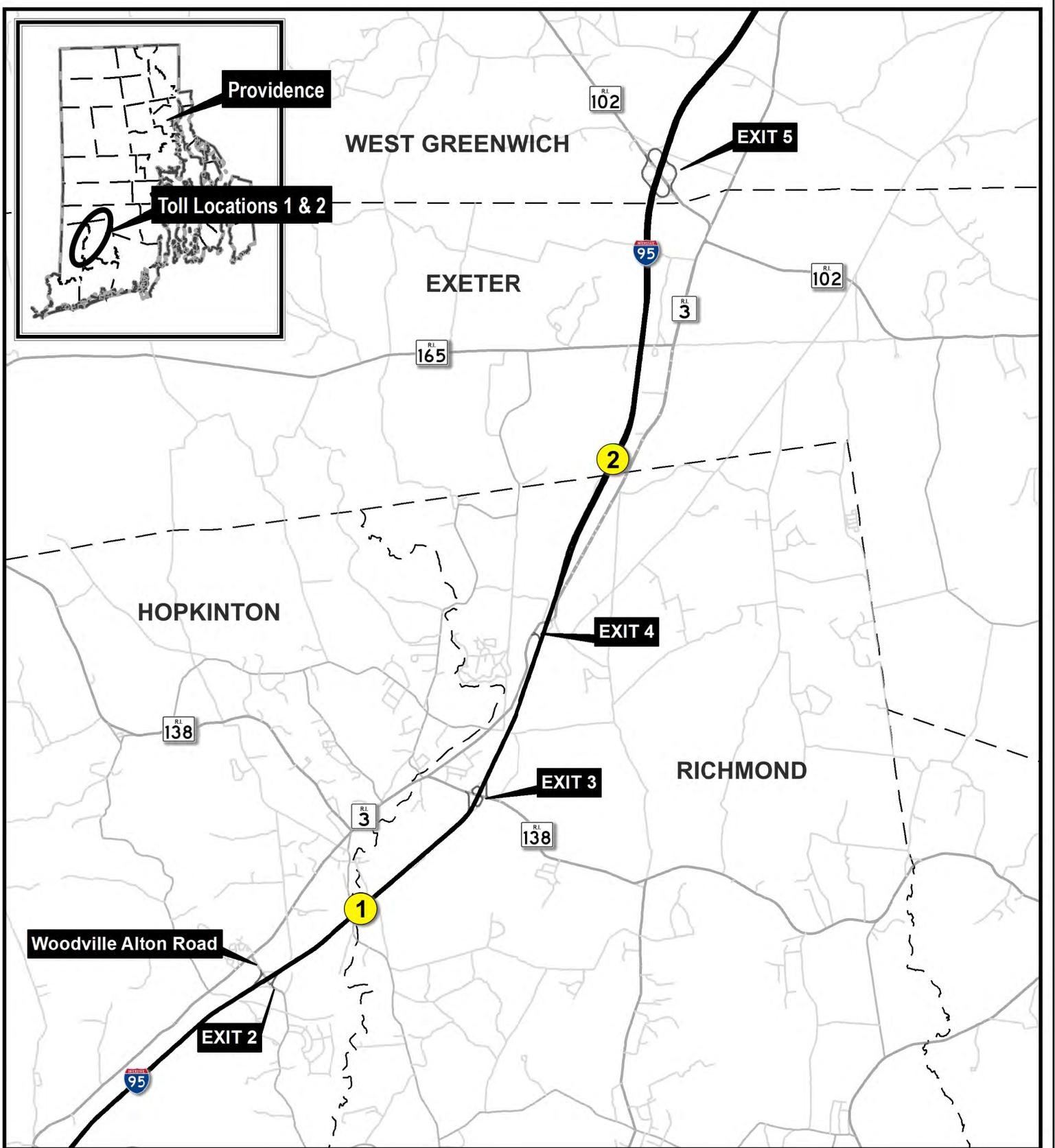
INDIVIDUALS REQUESTING INTERPRETER SERVICES FOR THE HEARING IMPAIRED MUST CALL 348-2500 OR 596-2022 (V/TDD) 72 HOURS IN ADVANCE OF THE HEARING DATE.

Per Order of the Town Council.

ATTEST: Donna L. Giordano, MMC  
Council Clerk  
October 23, 2017

**G.4 Public Hearing Presentation Boards**

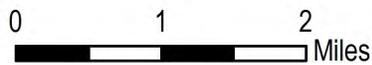
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Prepared For:



Prepared By:



**Legend**

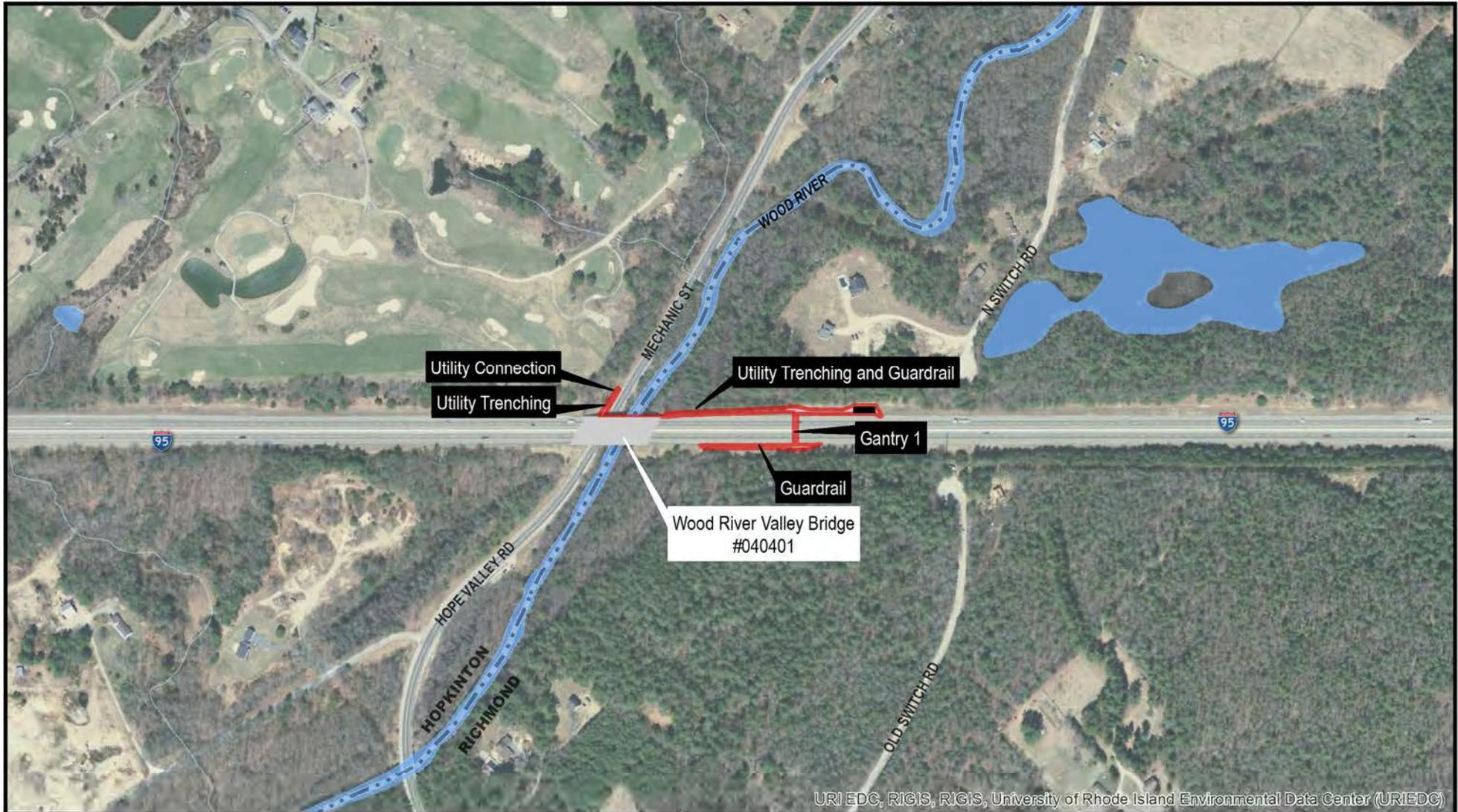
**#** Toll Locations 1 & 2

Data Sources:  
RIDOT, RIGIS, ESRI

**Toll Locations 1 and 2  
Environmental Assessment**

**Project Location**

**FIGURE 1-1**



URI EDG, RIGIS, RIGIS, University of Rhode Island Environmental Data Center (URIEDG)

Prepared for:



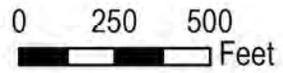
Prepared by:



**Legend**

- Limit of Disturbance
- Proposed Staging Area
- Municipal Boundary

**Toll Locations 1 and 2  
Environmental Assessment**



Data Sources:  
RIDOT, RIGIS  
Environmental Systems Research Institute

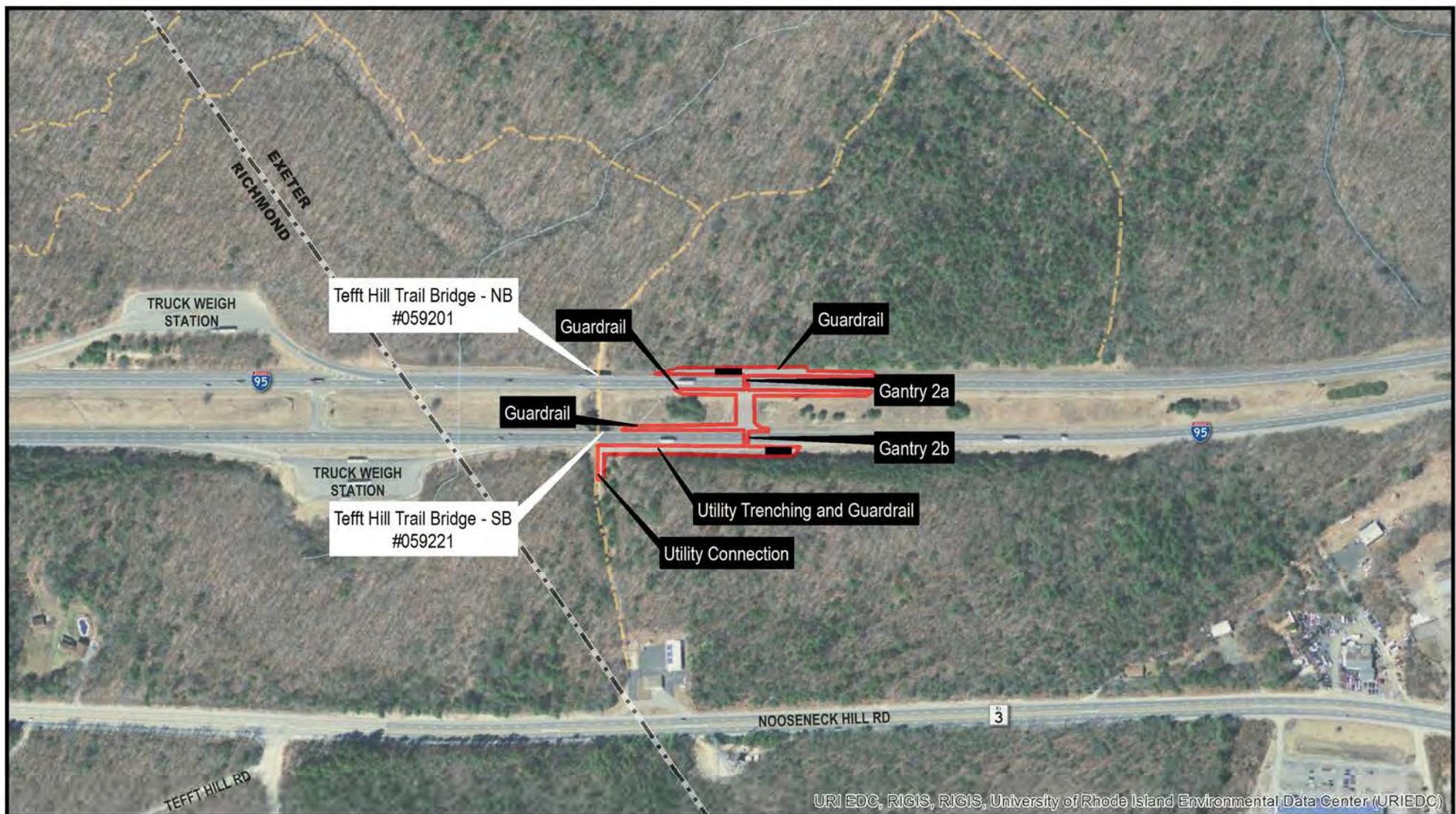
**TOLL LOCATION 1 AND GANTRY 1**

**Hopkinton and Richmond, RI**

**Project Details**

**FIGURE 3-1**





Prepared for:



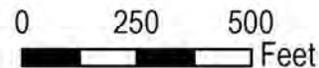
Prepared by:



**Legend**

- Limit of Disturbance
- Proposed Staging Areas
- Trail
- Municipal Boundary

**Toll Locations 1 and 2  
Environmental Assessment**



Data Sources:  
RIDOT, RIGIS  
Environmental Systems Research Institute

**TOLL LOCATION 2  
AND GANTRIES 2a, 2b**

Richmond and Exeter, RI

Project Details

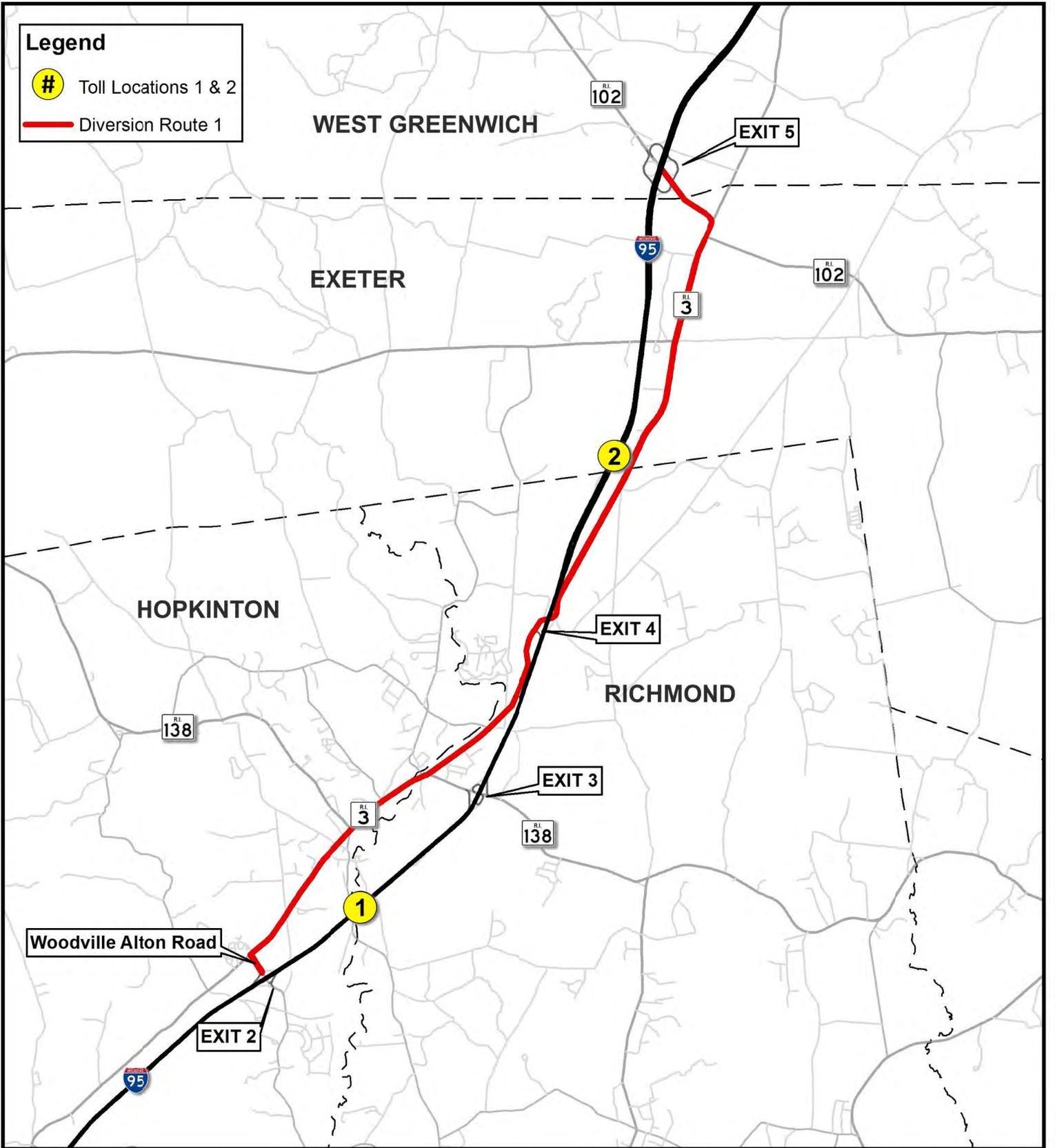
**FIGURE 3-3**



**Legend**

 Toll Locations 1 & 2

 Diversion Route 1



Prepared For:



Prepared By:

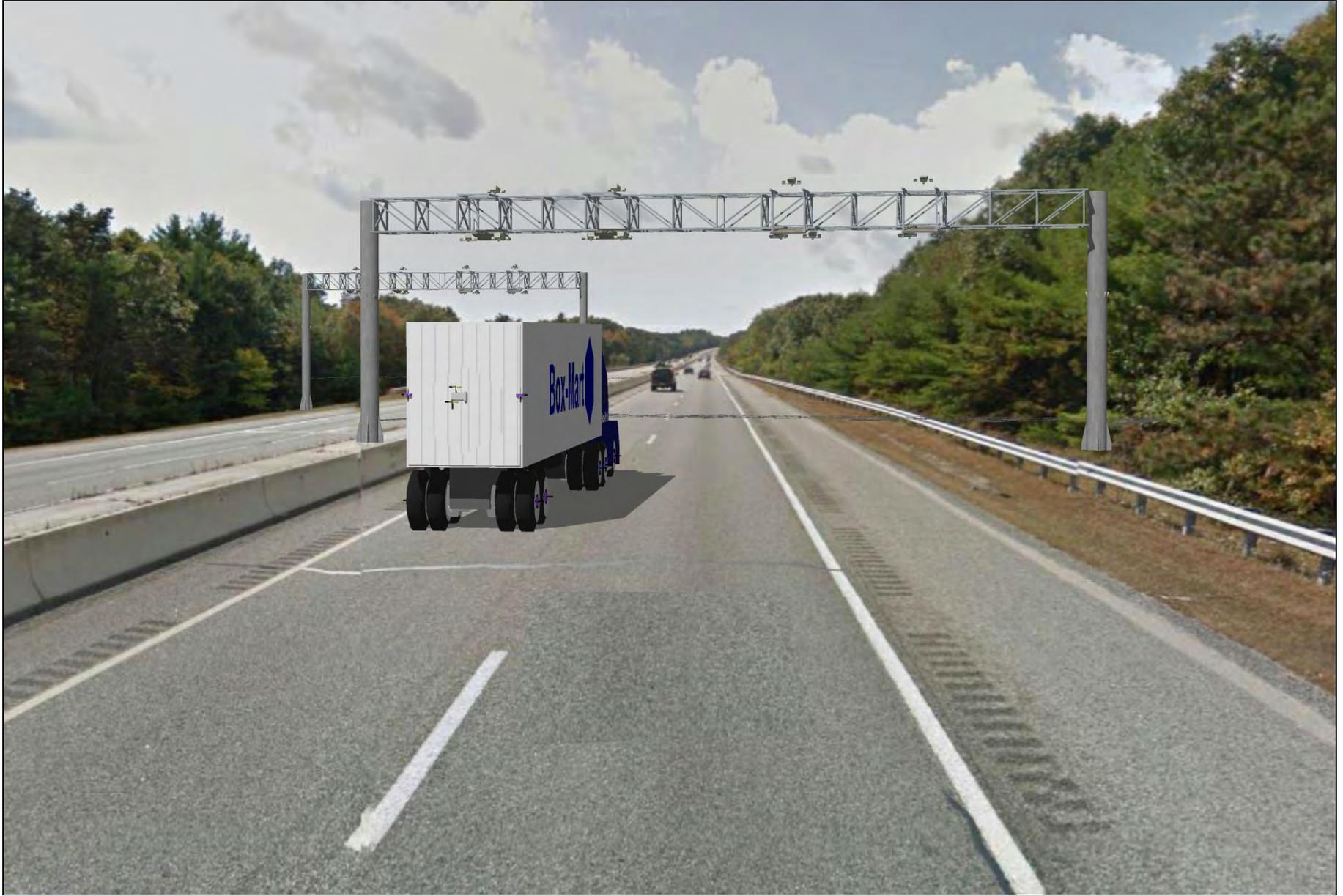


**Toll Locations 1 and 2  
Environmental Assessment**



Data Sources:  
RIDOT, RIGIS, ESRI

**Toll Locations 1 and 2  
and Potential Diversion Route**



**Photo 3-1. Image of Typical Toll Gantry**  
Source: Google; Rendering: Jacobs.

**Table 3-2. Vehicles Subject to Tolls**

GREY SHADING - NON TOLLED VEHICLES		WHITE SHADING - TOLLED VEHICLES	
<p><b>CLASS 1</b> Motorcycles</p> 	<p><b>CLASS 5</b> Two Axle, Six Tire, Single Unit</p>     	<p><b>CLASS 8</b> Four or Less Axle, Single Trailer</p>      	<p><b>CLASS 10</b> Six or More Axle, Single Trailer</p>  
<p><b>CLASS 2</b> Passenger Cars</p>    	<p><b>CLASS 6</b> Three Axle Single Unit</p>    	<p><b>CLASS 9</b> 5-Axle Tractor Semitrailer</p>   	<p><b>CLASS 11</b> Five or Less Axle, Multi-trailer</p>  <p><b>CLASS 12</b> Six Axle, Multi-trailer</p>  
<p><b>CLASS 3</b> Four Tire Single Unit</p>     	<p><b>CLASS 7</b> Four or More Axle Single Unit</p>   	<p><b>CLASS 13</b> Seven or More Axle, Multi-trailer</p>   	<p><b>CLASS 4</b> Buses</p>   

Source: RIDOT

**G.5 Public Hearing Presentation**

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# **ENVIRONMENTAL ASSESSMENT**

**Toll Locations 1 and 2  
Hopkinton, Richmond, and Exeter,  
Rhode Island**



U.S. Department of Transportation  
**Federal Highway Administration**

# Welcome

- Introduction
- Safety
- Workshop/Open House
  - Brief Presentation
  - Large Format Graphic Panels
  - Copies of Environmental Assessment
- Public Hearing
  - Receive Oral Comments
  - Receive Written Comments

# Project Background

- Toll Revenue Studied and Assumed in Planning Process
- RIDOT Asset Management Approach
- The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016

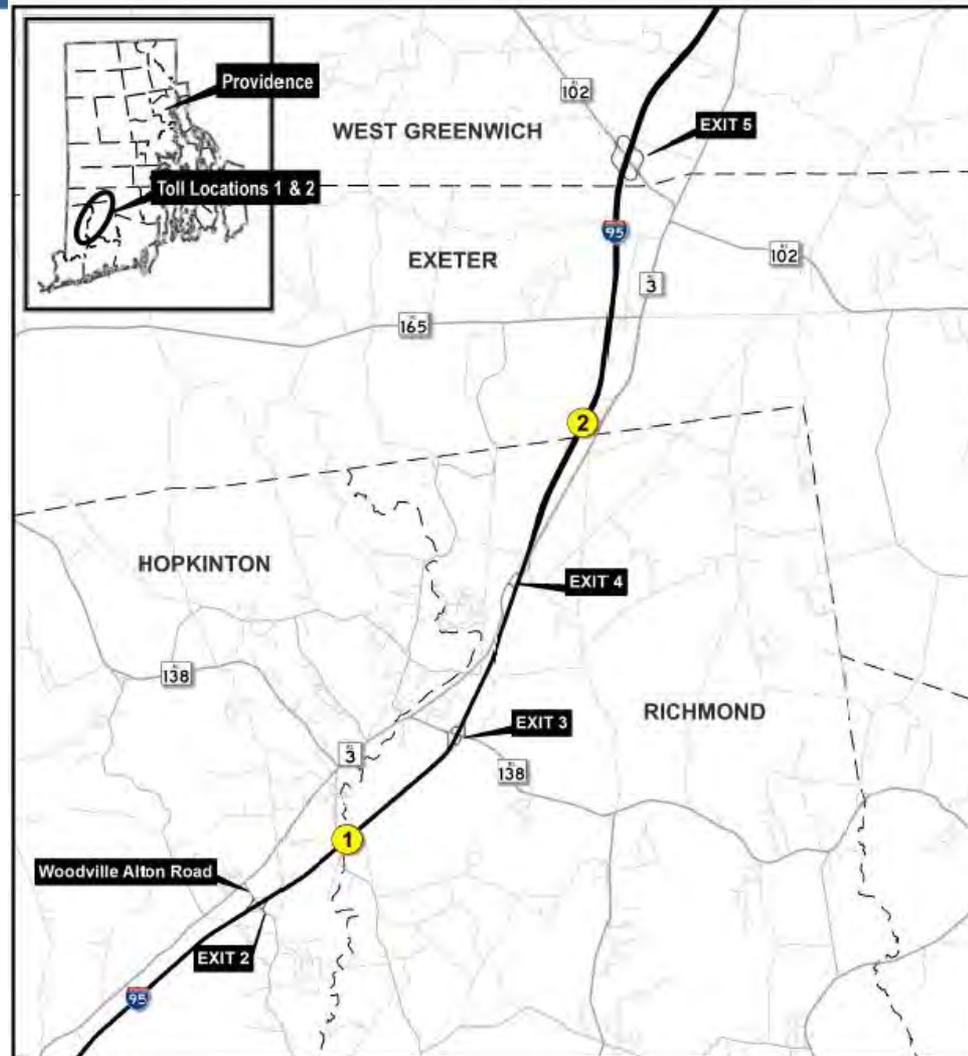
# Purpose of the Project

- Construct toll systems at Toll Locations 1 and 2
- Assess tolls on tractors or truck tractors as defined in 23 CFR 658.5, pulling a trailer or trailers at Toll Locations 1 and 2

# Need for the Project

- Bridges are critical functional elements;
- Statewide backlog of infrastructure needs;
- Federal Performance Measures for Bridge Condition; and
- Insufficient revenue from existing state and federal sources.

# Toll Locations 1 and 2



# Tolled Vehicle Classes

GREY SHADING - NON TOLLED VEHICLES

WHITE SHADING - TOLLED VEHICLES

<p><b>CLASS 1</b> Motorcycles</p> 	<p><b>CLASS 5</b> Two Axle, Six Tire, Single Unit</p> 	<p><b>CLASS 8</b> Four or Less Axle, Single Trailer</p> 	<p><b>CLASS 10</b> Six or More Axle, Single Trailer</p> 
<p><b>CLASS 2</b> Passenger Cars</p>    	   		
<p><b>CLASS 3</b> Four Tire Single Unit</p>     	<p><b>CLASS 6</b> Three Axle Single Unit</p>    	 	<p><b>CLASS 11</b> Five or Less Axle, Multi-trailer</p> 
<p><b>CLASS 4</b> Buses</p>   	<p><b>CLASS 7</b> Four or More Axle Single Unit</p>   	<p><b>CLASS 9</b> 5-Axle Tractor Semitrailer</p>   	<p><b>CLASS 12</b> Six Axle, Multi-trailer</p>  
		<p><b>CLASS 13</b> Seven or More Axle, Multi-trailer</p>   	

# Toll Systems



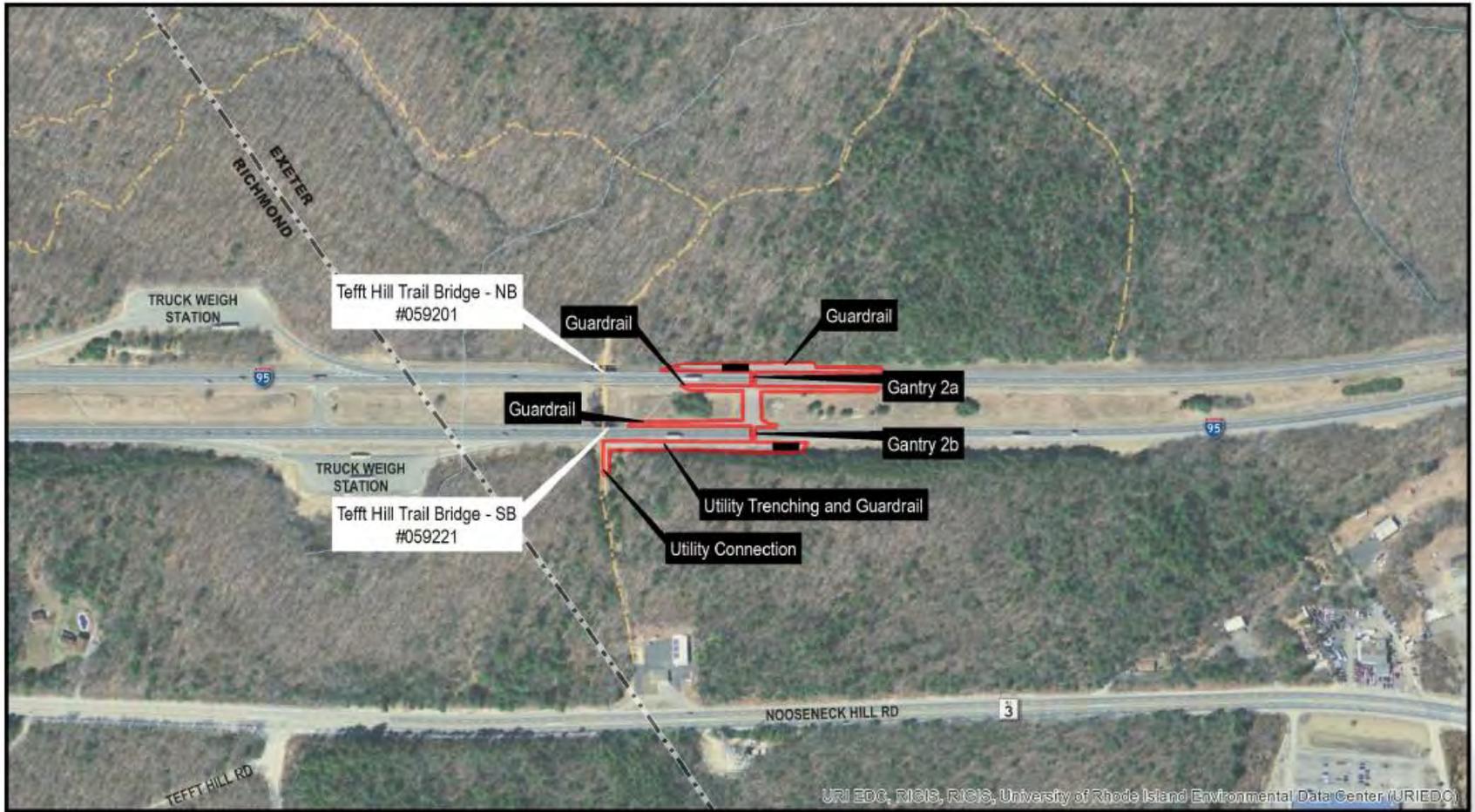
# Toll Location 1

## Gantry 1



# Toll Location 2

## Gantry 2a and 2b

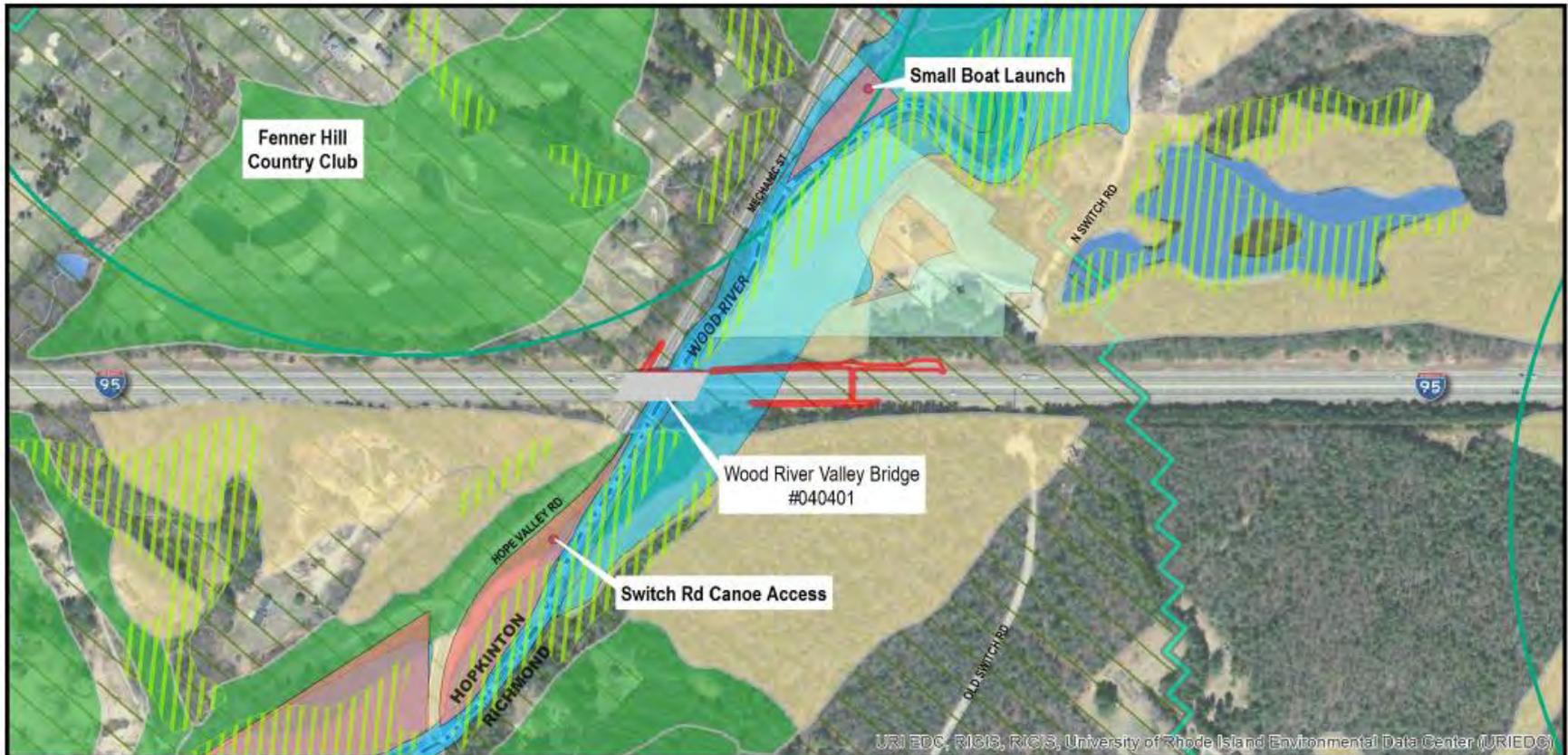






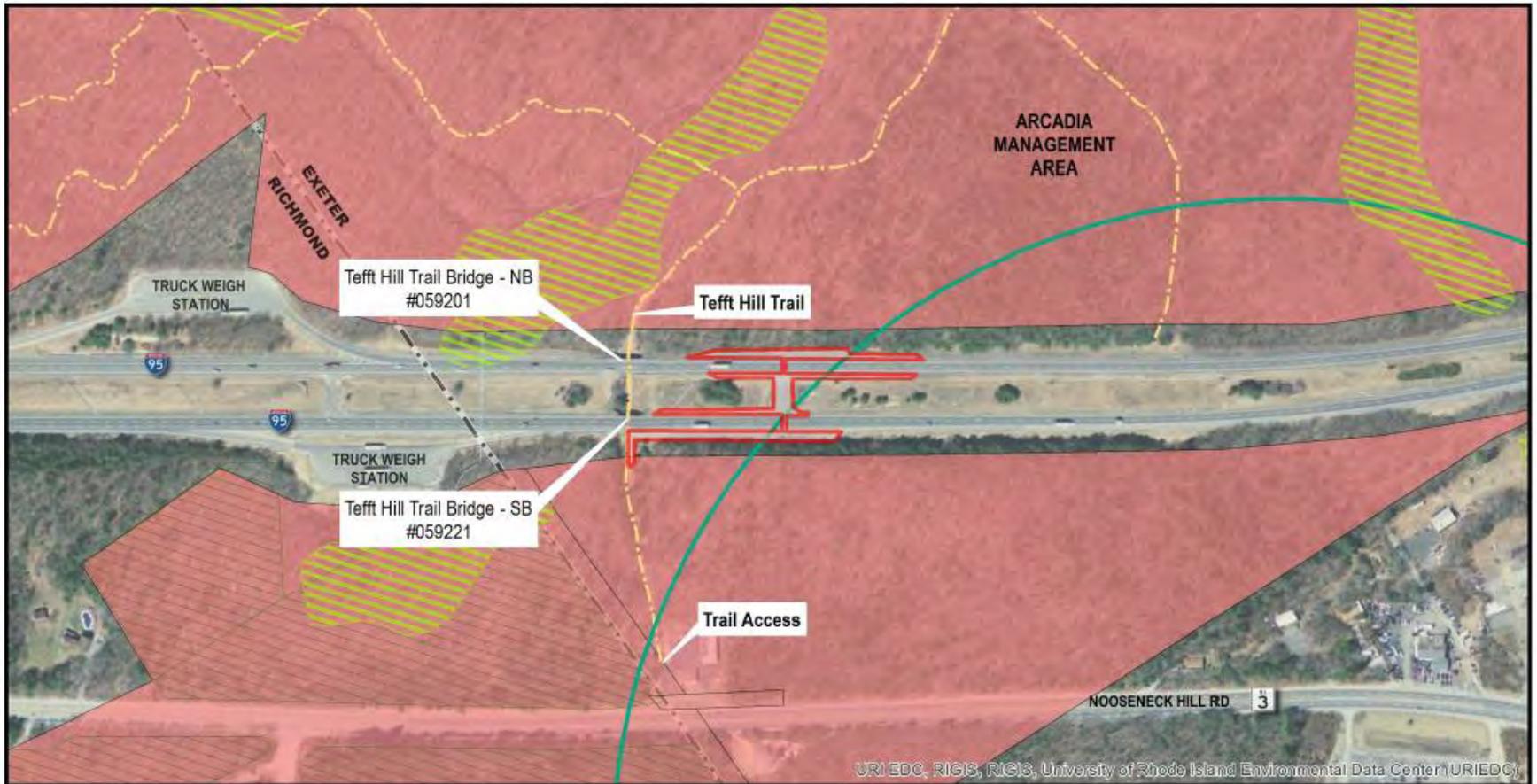
# Toll Location 1

## Environmental Features

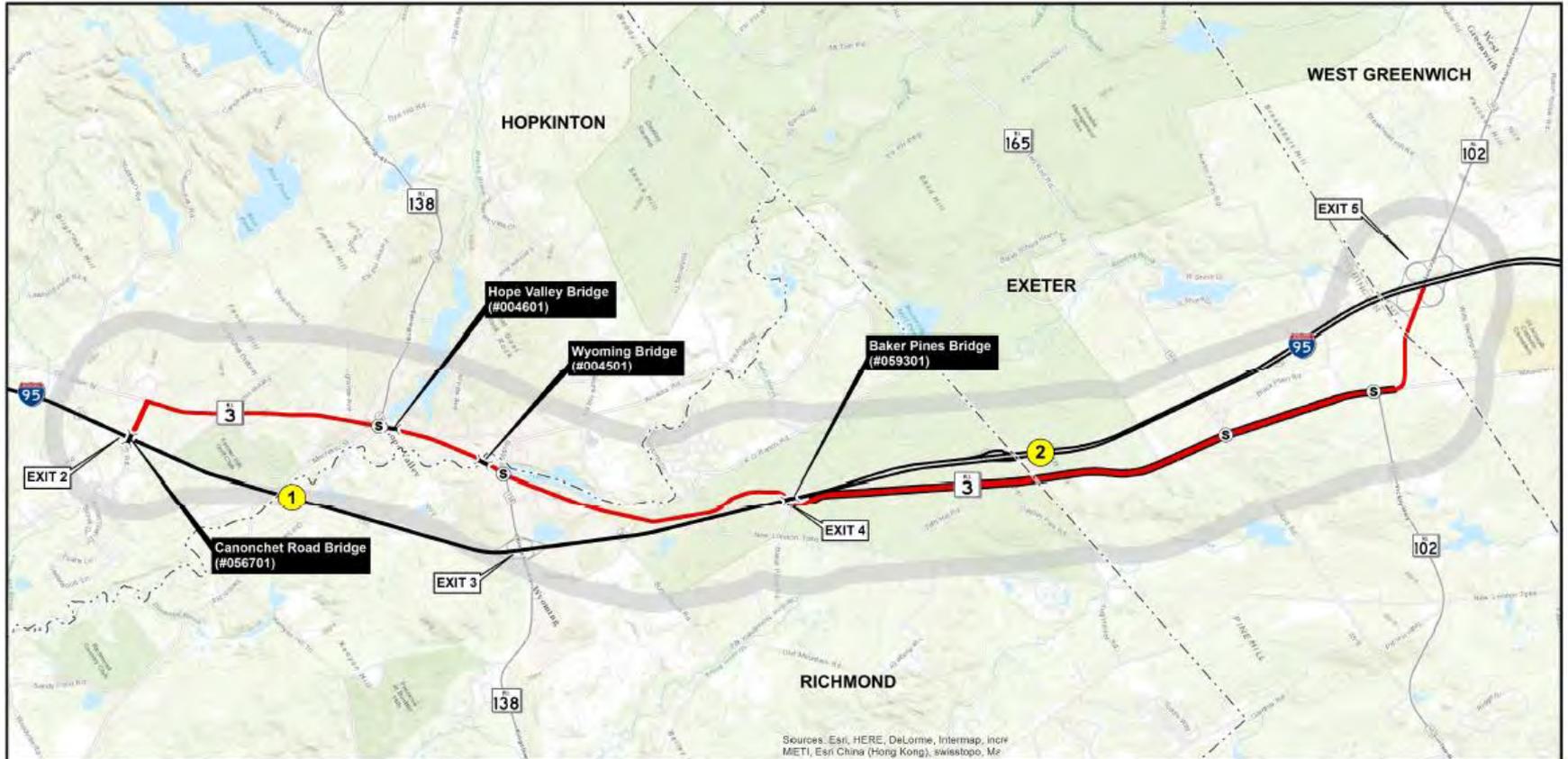


# Toll Location 2

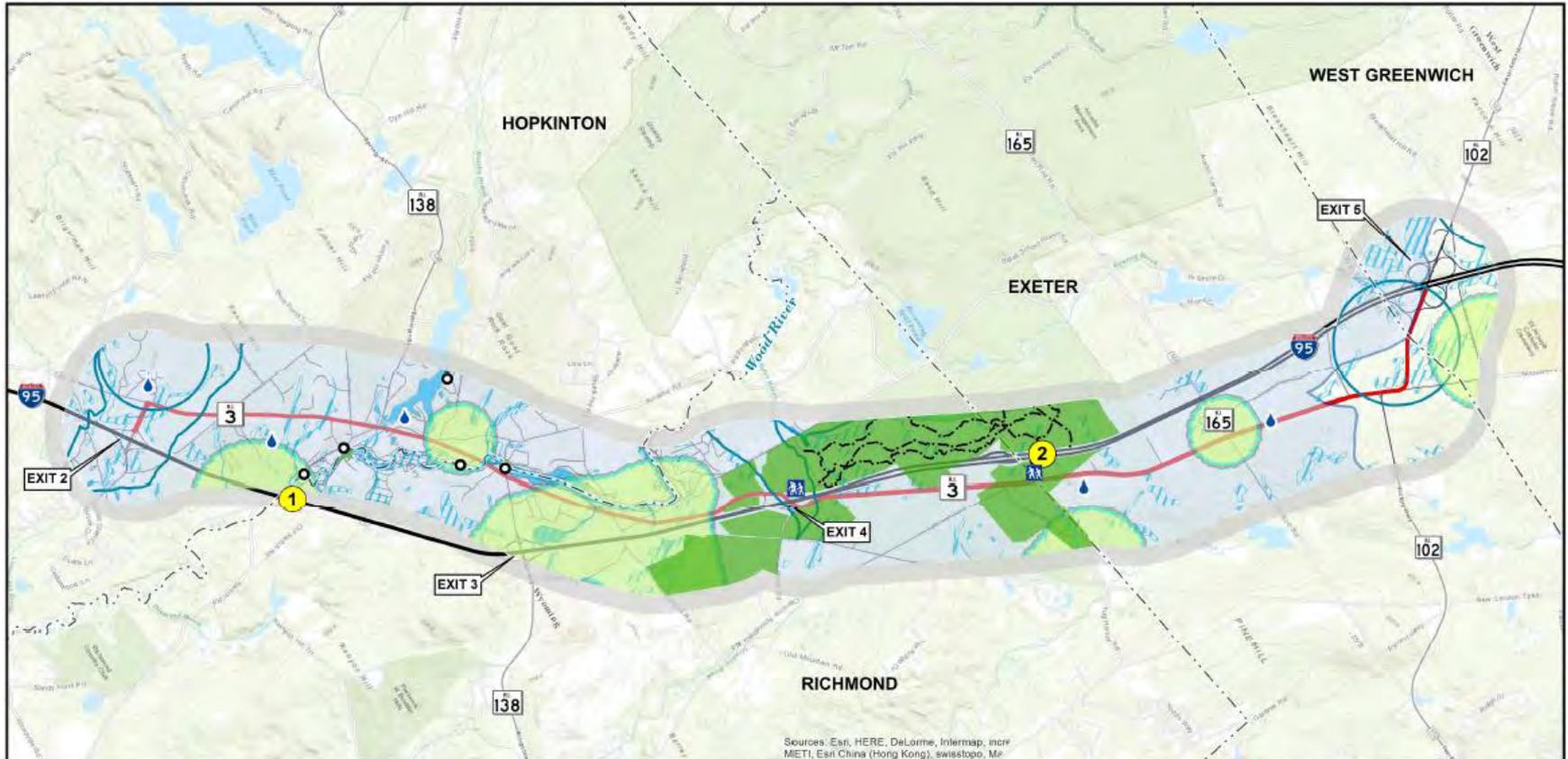
## Environmental Features



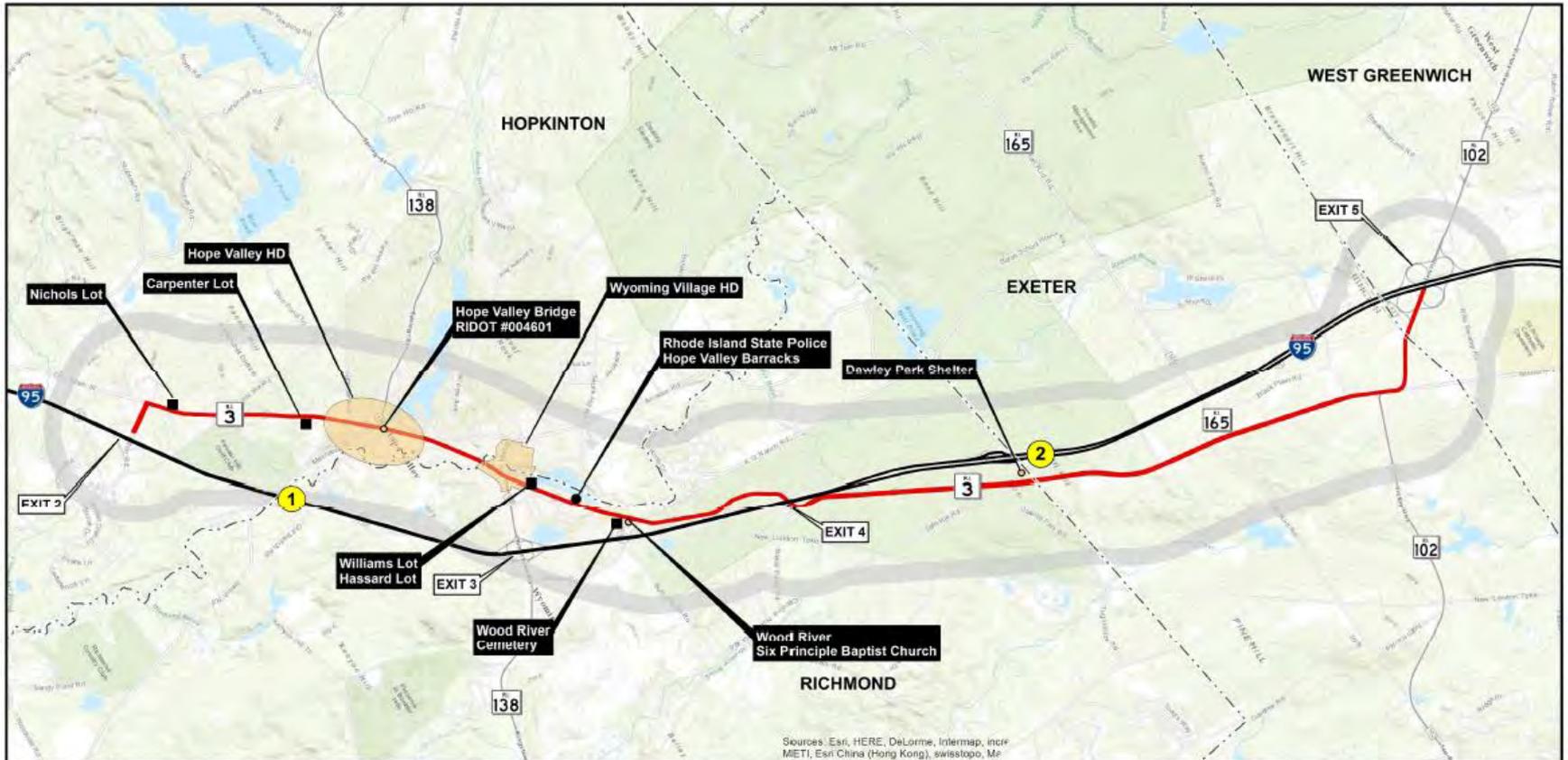
# Diversion Route 1 Infrastructure



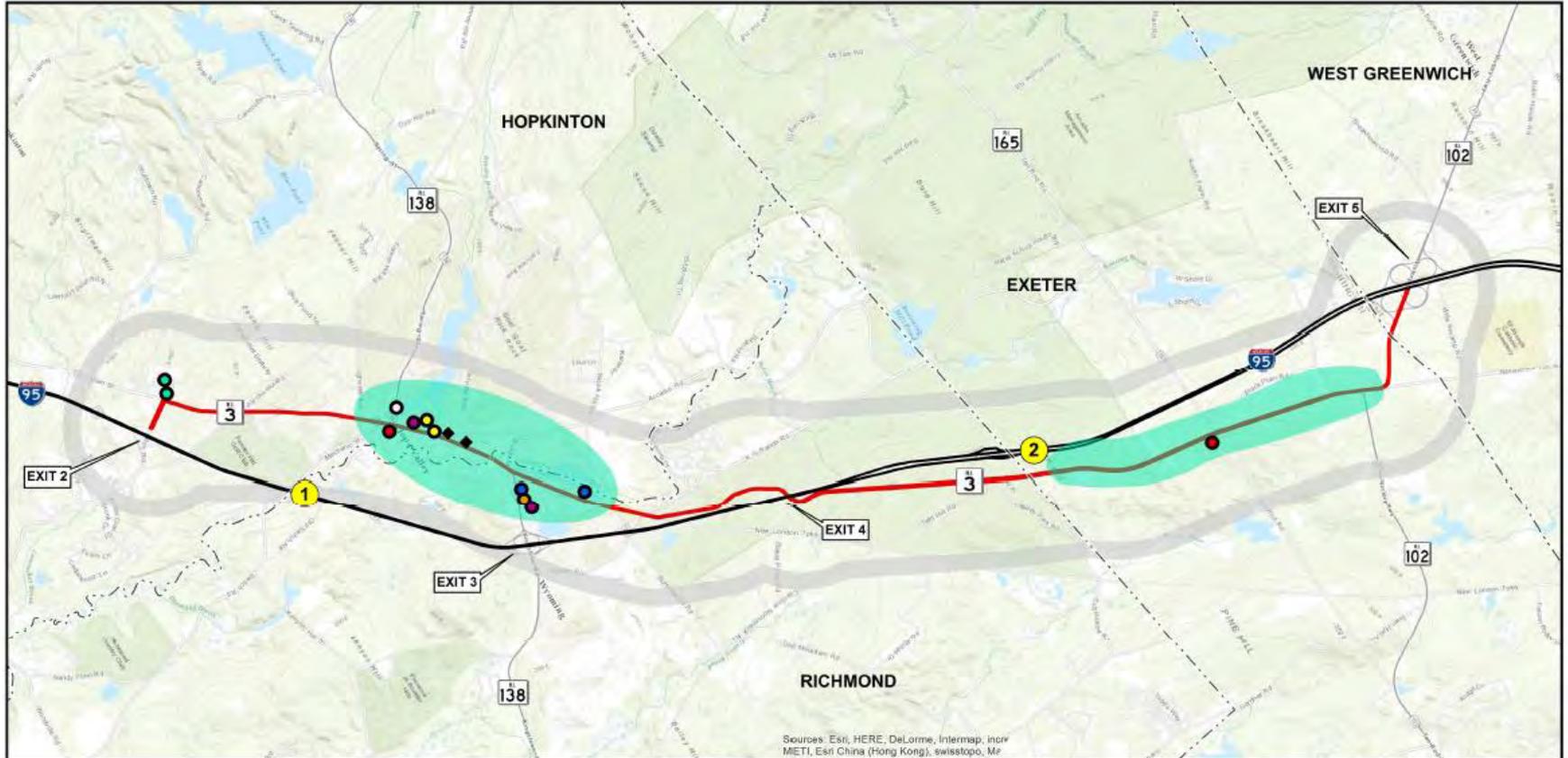
# Diversion Route 1 Environmental Features



# Diversion Route 1 Environmental Features



# Diversion Route 1 Environmental Features



# Resource Categories Evaluated

- Land Use
- Transportation Network
- Wetlands and other Waters of the US
- Floodplains
- Groundwater resources, aquifers, and reservoirs
- Open Space, Section 4(f) and 6(f) properties
- Wild, Scenic, and Recreational Rivers
- Economic Impact on Trucks Assessed with Tolls
- Federal Threatened or Endangered Species, State Natural Heritage Species, and Migratory Birds
- Historic and Archaeological Resources
- Environmental Justice
- Social
- Visual Resources
- Air Quality
- Noise and Vibration
- Hazardous Materials
- Farmland and Soils

# Summary

- Environmental Impacts
  - Toll Locations 1 and 2
  - Diversion Route 1
- Federal Highway Administration Involvement
- Receipt of Public Comments

# Receipt of Comments

- State your name
- State your affiliation
- 3-minute limit per individual

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G.6      **Sign In Sheet – blank**

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**Environmental Assessment**  
**Toll Location 1 and 2**  
Public Hearing  
November 21, 2107

	<b>Name</b>	<b>Affiliation</b>
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G.7      **Comment form –blank**

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**Name:**

**Affiliation:**

**Comments:**

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**G.8 Sign In Sheet from Public Hearing**

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Environmental Assessment  
Toll Location 1 and 2  
Public Hearing  
November 21, 2107

	Name	Affiliation
1	Senator Elaine J. Morgan	RI State Senator
2	Pat Debigare	Citizen
3	Ken Brasier	Citizen
4	James L. P. P. P.	"
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Environmental Assessment  
Toll Location 1 and 2  
Public Hearing  
November 21, 2107

	Name	Affiliation
✓ 49	DARRIN ROTH	American Trucking Associations
✓ 50	Pierre Duval	Resident Town of Richmond
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**Environmental Assessment**  
**Toll Location 1 and 2**  
 Public Hearing  
 November 21, 2107

	Name	Affiliation
✓ 25	Christopher Newell	RI Trucking Assoc
✓ 26	Monique Chanter	stop tolls RI. car
✓ 27	Larry Gilheeny	stop tolls RI. car
✓ 28	Mike Collins	GASPEE
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Environmental Assessment  
Toll Location 1 and 2  
Public Hearing  
November 21, 2107

	Name	Affiliation
✓ 145	Barbara Capallo	HOAK TOWN COUNCIL
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Environmental Assessment  
Toll Location 1 and 2  
Public Hearing  
November 21, 2107

	Name	Affiliation
✓ 169	Denise Poyer	Wood Pawcatuck
✓ 170		Watershed Association
✓ 171	MELANIA VANDER HOOFT	RICHMOND RESIDENT
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Environmental Assessment  
Toll Location 1 and 2  
Public Hearing  
November 21, 2107

	Name	Affiliation
✓ 193	PAUL Michael	Pres. Richmond Town Council
✓ 194	PATRICIA MORGAN	House Minority LDR.
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Environmental Assessment  
Toll Location 1 and 2  
Public Hearing  
November 21, 2107

	Name	Affiliation
73	Bob Quattrocchi	Representative (State)
74	MICHAEL SEARY	RESIDENT
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G.9      **Public Hearing Transcript**

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**In The Matter Of:**  
*Public Hearing*

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*Environmental Assessment of Toll Locations 1 & 2*  
*November 21, 2017*

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**ORIGINAL**

*Min-U-Script® with Word Index*

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF TRANSPORTATION

ORIGINAL

PROCEEDING AT HEARING :  
IN RE :  
PUBLIC HEARING/ :  
ENVIRONMENTAL ASSESSMENT :  
TOLL LOCATIONS 1 AND 2 :

DATE: November 21, 2017  
TIME: 6:00 P.M.  
PLACE: Chariho Middle  
School  
455B Switch Road  
Richmond, RI

BEFORE:

JOHN IGLIOZZI, ESQUIRE, LEGAL COUNSEL FOR DOT

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E-X-H-I-B-I-T-S

NO.	DESCRIPTION	PAGE
A	Speaker Sign-up sheets (7pp) . . . . .	40
B	Environmental Assessment (251pp) . . . . .	40

(COPY COUNT INCLUDES DOUBLE-SIDED COPYING)

1 (COMMENCED AT 6:36 P.M.)

2 MR. IGLIOZZI: Welcome, everybody. So,  
3 first of all, I just want to welcome everyone this  
4 evening. Just a -- first couple of points, per the  
5 town fire marshal, I have to point out where the  
6 exits are. So I'm going to be your friendly  
7 airline helper. The exits are back and forward.  
8 Please make a note of it. Everybody knows where it  
9 is, okay. Second, if you look at my two clerks,  
10 Karen and Brendan, they both have sign-up sheets.  
11 Anybody like to sign up, please sign up and we'll  
12 give you a chance. First thing. Second, tonight  
13 just to do some housekeeping so we understand  
14 what's going on. As you know, this evening on  
15 the -- this is the 21st of November, 2017. And  
16 this evening is the public hearing to receive  
17 public comment on the proposed environmental  
18 assessment for Toll Locations 1 and 2. All of  
19 you, I believe, they have -- have numerous copies  
20 in the room over there. You still have access to  
21 them. So this is what it looks like and it has all  
22 the information in it about what is this proposed  
23 assessment.

24 Second, there is also a sheet, and I'll  
25 have them pass it out if you want it, and this is a

1 sheet, just so you have other places where if you  
2 need to view the EA as they call it or want to send  
3 public comment to, and it just states where it's  
4 available and the location. Anybody needs it, it's  
5 right there. Also, we have at the table the two  
6 clerks have, there is a written comment sheet.  
7 Some people don't like to speak -- come before  
8 publicly. So here's an opportunity also, you can  
9 fill out this sheet. Brendan and Karen, do you  
10 have the sheets available for the public? Okay.  
11 So they have those sheets right there. Okay.

12 Next, we have, as you all know, the notice  
13 was published according to the appropriate process.  
14 Just a copy, if anyone needs one, a copy of at  
15 least from the Journal both in English and Espanol.  
16 Need copies or -- more than welcome to have one.  
17 And, once again, is everybody signed up? If not,  
18 please go to the two clerks. Meanwhile, could one  
19 of the clerks give me the sign-up sheet, please.  
20 And then anybody can sign up.

21 Over to my left, by the way, is the  
22 stenographer. He is sitting across -- close by so  
23 he can understand what I'm saying and hopefully  
24 what all of you are saying. Also, by the way, I  
25 apologize, I've been fighting a bad cold for the

1 past week and a half. So my voice is kind of  
2 raspy. I apology for that. And also, in advance,  
3 if I don't say your name correctly, I apologize  
4 also.

5 What you do is you have three minutes to  
6 speak to put forward your public comment, your  
7 concern, and then we move on to the next person.  
8 I'll read off the name and then we'll go from  
9 there. Okay? Everybody understand where we are?  
10 Thank you.

11 So I guess the first person and what I'll  
12 do is I'll time it. We try to be fair to  
13 everybody. So the first person we have, Senator  
14 Elaine J. Morgan. Please come forward, sit down if  
15 you want, stand. Make sure you speak clearly for  
16 the stenographer.

17 SENATOR MORGAN: Thank you. Very good.  
18 There are some major concerns. One of them, you  
19 don't have these pages -- very nice book by the  
20 way. I'm wondering how much these cost. The  
21 books, are you going to do these for all 15 -- how  
22 many tolls will there be? Fifteen? Oh, you're not  
23 answering questions. Okay. So fourteen -- how  
24 many tolls?

25 MR. IGLIOZZI: This is a public hearing to

1 receive public comment.

2 SENATOR MORGAN: All right. You're going  
3 to get the comments. They're not -- these pages  
4 aren't numbered. But towards the -- three-quarters  
5 of the way through, there is an environmental  
6 determination by DEM saying that they -- they are  
7 saying not to proceed with this project because  
8 there is an environmental impact on the community  
9 or the wetlands. It cannot be ruled out that the  
10 alterations to nearby wetlands -- something plant  
11 community will occur based on the material  
12 submitted. So Charlie -- Charlie Herbert on 7-5-17  
13 did this study and advised not to go -- proceed  
14 with this, number one.

15 Number two, has there been a macroeconomic  
16 impact analysis done? This is going to hurt our  
17 economy. \$40 for a truck a day would equal what,  
18 200 -- if they travel five days a week, it will be  
19 \$200 a week for a truck. Where are they going to  
20 pass that money off to? They're going to have to  
21 make a profit. They will pass that on to us as  
22 consumers in anything they bring in to this state.

23 Thirdly, 395, again, was designed to  
24 bypass Rhode Island. And that is what they will be  
25 using, 395. We'll lose the gas tax that the trucks

6. 1 provide. This is going to hurt our truck stop at  
2 Exit 5, which is a private business. This is going  
3 to have a big impact on them if the trucks don't  
4 come in. It's going to have a big -- it going to  
5 have a big economic devastation to -- milk will be  
6 \$7 a gallon instead of 5 that it is now, 10, there  
7 is no -- furniture, everything, from the shoes you  
8 wear to the clothes on your back to the food we  
9 eat, this is going to have a major impact, and I  
10 can't understand why you people don't see this. We  
11 don't want this. Rhode Island doesn't want this.  
12 And I guess that's it.

13 MR. IGLIOZZI: Thank you.

14 SENATOR MORGAN: Thank you.

15 MR. IGLIOZZI: Next up, is it Pat Debigare  
16 (phonetic).

17 MR. BRASIER: She's asked me to speak for  
18 her, and then I'm next. So that gives me six  
19 minutes.

20 MR. IGLIOZZI: Are you Ken?

21 MR. BRASIER: Yes. My name is Ken  
22 Brasier.

23 MR. IGLIOZZI: You're speaking on behalf  
24 of --

25 MR. BRASIER: Miss Debigare. My concern

1 is as a citizen who lives in Hopkinton area, my  
2 questions that I hope to get some answers for, not  
3 that long ago diesel prices went up dramatically.  
4 Everyone was impacted by that. I can recall truck  
5 drivers circling the State House because of the  
6 cost of diesel fuel going up. That was ostensibly  
7 to fix the bridges. No bridges were fixed. Okay.  
8 At least this time you're fixing the bridges before  
9 you have the money.

10 Why is it starting in the southern part of  
11 the state where the environmental impact will be  
12 the greatest? You already have tons of acres of  
13 impervious concrete and asphalt in the northern  
14 part of the state where there will be no impact.  
15 It always goes to the southern end of the state  
16 whenever anything is bad going to happen. And to  
17 address Senator Morgan's question, what are you  
18 planning on doing if the trucks boycott the state?  
19 Look around this room. Can you point to anything  
20 in this room, anything in your houses that didn't  
21 come here on a truck. You can't do it.

22 You're trying to -- now I'm going to go  
23 for my side. I have some concerns about the  
24 bridges in Hope Valley on Route 3. Those bridges  
25 should have been fixed before these tolls went in

1 and any diversion took place whatsoever. They've  
2 narrowed those bridges down. I understand the one  
3 that's nearest to the Stage Coach Inn is due to be  
4 fixed, but it's going to take two to three years to  
5 fix it. The increased traffic on those bridges is  
6 going to be very detrimental to them.

7 We're in Chariho Middle School. Does  
8 anybody know where Chariho is? It doesn't exist.  
9 It's the towns of Hopkinton, Charleston, and  
10 Richmond. All of those school children travel on  
11 school buses. It's the largest school district in  
12 the state. Those school bus routes are going to be  
13 impacted by this traffic. All of those routes are  
14 going to have to be extended. We're going to have  
15 to put more drivers in place on buses in order to  
16 accommodate the timing to get the kids to school.  
17 Nowhere in this have I seen any thought to that.

18 And, finally, you're trying to get Amazon  
19 to come to the State of Rhode Island. Do you know  
20 how many trucks Amazon uses? One last question.  
21 Is there any other state in which a program similar  
22 to this has been successfully implemented? Thank  
23 you for your time.

24 MR. IGLIOZZI: Thank you, sir. Next, I'm  
25 not sure, is it Pierre?

1 MR. DUVAL: My name is Pierre Duval. I  
2 live in Richmond, Rhode Island.

3 MR. IGLIOZZI: Sir, you have the floor.

4 MR. DUVAL: Well, I'm concerned about the  
5 additional truck traffic, too, that's going to come  
6 through town. I did a little experiment with my  
7 Tom Tom, and I came off the highway, and I started  
8 driving up Route 3, and my Tom Tom being programmed  
9 for the quickest route to Providence had me turn  
10 right where Route 138 branches off of Route 3.  
11 Now, I got my 75-foot, semi tractor trailer, and  
12 I'm driving through Richmond. No place to turn  
13 around. My Tom Tom tells me to turn around at  
14 Meadowbrook Road, a nice little neighborhood. I  
15 can't make the turn because in order to do it, I've  
16 got to traverse onto the other side of the road to  
17 make the turn with my 75-foot trailer. So I can't  
18 turn around there. So I keep going because my Tom  
19 Tom keeps telling me to turn around trying to send  
20 me back to Route 95.

21 The next place it tells me to turn around  
22 is just before town hall, where the little triangle  
23 is and, again, it doesn't look like I can navigate  
24 that with my 75-foot tractor trailer. So I proceed  
25 to Chariho Furniture and I take a left there and

1 another left and now I'm finally headed back to  
2 Route 3; but in all that time, I traverse maybe  
3 four miles inside Richmond, narrow roads. No place  
4 to turn around. I'm a lost tractor trailer driver  
5 trying to avoid the tolls on the highway. How many  
6 people are going to be doing that? That's it.

7 MR. IGLIOZZI: Thank you, sir.

8 Christopher Maxwell.

9 MR. MAXWELL: Thank you. Thank you, sir.

10 Good evening. My name is Chris Maxwell, and I  
11 represent the Rhode Island Trucking Association,  
12 and all local trucking companies adversely affected  
13 by truck-only tolls.

14 Our opposition to this plan from its  
15 introduction in the spring of 2015 is well  
16 documented. Despite the justified rancor that  
17 still exists, our industry's willingness to  
18 contribute to infrastructure improvements remains  
19 steadfast even beyond our existing contributions  
20 which are considerable. In 2016, the trucking  
21 industry in Rhode Island paid roughly \$70 million  
22 in Federal and state roadway taxes. The average  
23 5-axle tractor trailer, the very class of trucks  
24 that would be tolled under the roadworks plan, paid  
25 over \$6,000 in state highway user fees and taxes;

1 and this is in addition to an average of over 9,000  
2 in Federal user fees and taxes. The net effect of  
3 these figures is that the trucking industry paid 29  
4 percent of all taxes owed by Rhode Island motorists  
5 despite trucks representing only 6 percent of  
6 vehicles' mile traveled in the state. These  
7 disproportionate figures directly correlate to the  
8 environmental assessment of truck tolls at  
9 Locations 1 and 2 of this plan.

10           According to the Louis Berger Group's  
11 investment grade tolling study issued on  
12 November 3d, traffic counts at Class A tractor  
13 trailers at the two locations being studied  
14 represented only 2.1 percent of all vehicle  
15 traffic. That includes cars, trucks, everything.  
16 Under this plan, based on the Berger figures, 2  
17 percent of -- two of every one narrow class  
18 vehicles, Class A tractor trailers, would be paying  
19 100 percent of the tolls. This while 98 percent of  
20 all other motorists pay nothing at all.

21           Throughout this debate, the State of Rhode  
22 Island has gone through great lengths to protect  
23 the Rhode Island business owner or at least appear  
24 to be concerned about the effects of this plan.  
25 From failed attempts at tax credits to commercial

1 vehicle fee reductions, the consistent message,  
2 although very inaccurate, has been that this  
3 program will be targeted through truckers -- be  
4 targeting through-truckers. The provision of a \$40  
5 cap for all trucks still remains as part of the  
6 program and in our estimation is quite vulnerable  
7 to a legal challenge. The cap would protect local  
8 businesses by giving them predictability on their  
9 daily toll expenditure. There is great disparity  
10 in the cap protection which favors locally  
11 traveling trucks. The successful challenge and  
12 elimination of the cap would have catastrophic  
13 effects on local businesses, our supply chain  
14 costs, and most importantly our cost of living.  
15 Businesses are counting on this protection and its  
16 legal vulnerability should be vetted.

17 Another false notion that's been sold is  
18 that through-truckers would shoulder the burden of  
19 this proposed tolling. In the proposed tolling  
20 area, the Berger report illustrates yet another  
21 disproportionate burden on truck -- on local truck  
22 traffic. In fact, the Berger studies show that 56  
23 percent of tractor trailer trips in these two areas  
24 are intrastate, while only 6 percent are through  
25 trips. The remaining 38 percent of trips have

17.  
1 either a destination in Rhode Island or are  
2 carrying loads that originate from Rhode Island.  
3 Clearly, Rhode Island truckers will be -- will bear  
4 a far greater burden than through-truckers.

5 The claim by our legislative leaders that  
6 60 percent of the tolling revenue will come from  
7 out-of-state truckers and through-truckers is  
8 dangerously inaccurate. The truth is that 94  
9 percent of the truck traffic in this area is  
10 directly tied to Rhode Island's economy. Again, 94  
11 percent of that original 2 percent truck traffic  
12 count that I mentioned earlier will have a direct  
13 causal relationship to our state's very fragile and  
14 intertwined economy.

15 Let me wrap up my comments by addressing  
16 the need for process and whether an environmental  
17 assessment of two tolling locations in a remote  
18 section of the state is sufficient to find a FONSI  
19 or a Finding of No Significant Impact.

20 As I hopefully demonstrated, the acute  
21 impact on tolling local truck costs in this area  
22 alone are alarming and should raise dire concerns  
23 over the net effects on our living environment. In  
24 a meeting with Rhode Island's Federal highway  
25 administrator, Carlos Machado, in June of 2016, a

(  
18.  
1 meeting in which Mr. Machado afforded my industry  
2 the transparency in information that was lacking  
3 from our local Government and DOT. Mr. Machado  
4 informed me at that time there was a difference of  
5 opinion over whether the environmental assessment  
6 process should be employed or whether this plan  
7 committed a full environmental impact statement.  
8 Mr. Machado favored a full environmental impact  
9 study and RIDOT an environmental assessment. I  
10 wonder what happened. It was evident that RIDOT  
11 felt that the deep dive of a full EIS could  
12 effectively delay this plan's implementation, but  
13 more candidly I believe that RIDOT at this time and  
14 still now wanted to start tolling it ASAP to test  
15 the waters on this yet to be tested tolling model.  
16 By baiting a lawsuit from our industry, they could  
17 test their plan.

(  
19.  
18 In fact, our governor confirmed this in an  
19 interview in April of 2016 when asked on WPRO about  
20 provoking a lawsuit, she responded, and I quote,  
21 "It's something we're thinking about and that I,"  
22 quote, "certainly would want to put up one toll and  
23 not spend a lot of money to test it before putting  
24 up gantries."

(  
25 I have a real problem with this and

1 believe Federal Highways should have concerns over  
2 any governing agency that operates in this fashion,  
3 baiting a lawsuit from an aggrieved industry in  
4 order to assess the legality of legislation. It's  
5 a wonder we're in the shape we are as a state.

6 I close by supporting Director Machado's  
7 initial position, one which summarily dismissed --  
8 was summarily dismissed by RIDOT who ultimately got  
9 their way. A state the size of Rhode Island can  
10 only be served by a full holistic assessment of the  
11 effects of truck-only tolls. This is the smallest  
12 state in the union, 46 miles, border to border,  
13 where everyone knows everyone and everything is  
14 interrelated. This is not Indiana or New York  
15 where we're assessing the effects of one  
16 interstate's toll effects on a large county. This  
17 is 14 gantries with some 33 tolling points, an  
18 untested network whose effects cannot be assessed  
19 by a targeted narrow assessment. There will be a  
20 domino effect on our supply chain, the likes of  
21 which we've never seen, and the cumulative reaction  
22 of our industry needs to be fully vetted and  
23 studied.

24 I close. The University of Rhode Island  
25 professor, Len Lardaro, a well respected voice and

1 authority on our state's economy, consistently  
2 points to a lack of due diligence by our government  
3 leaders that has resulted in our state's failures.  
4 We like to fast track things as a state. Build it  
5 and they will come; but time and time again, they  
6 don't come, and we're left shouldering the burden  
7 of failed programs.

8 Let's heed Dr. Lardaro's extremely  
9 poignant message and warning. The stakes here are  
10 far too high for anything short of a full  
11 environmental impact study of this plan statewide  
12 and in its entirety. This process represents a  
13 level of due diligence that our citizens deserve  
14 and which has been absent far too long. By the  
15 way, Dr. Lardaro has predicted the harmful effects  
16 of truck-only tolling on Rhode Island's economy.  
17 Thank you. I appreciate the time.

18 MR. IGLIOZZI: Monique Chartier.

19 MS. CHARTIER: Thank you. Monique  
20 Chartier, Stoptollsri.com. My concerns are  
21 threefold that I'd like the Federal Government to  
22 hear. First is the entire premise of the necessity  
23 for tolls. Tolls are not necessary. There have  
24 been two studies that have shown that the money can  
25 be found to fix our, quote, unquote "unsafe

1 bridges," within the budget -- within the budget  
2 itself. So tolls, themselves, are unnecessary.

3 Secondly, the idea of taking just two  
4 gantry locations and studying it in a silo is  
5 absurd. This is a statewide program. This is  
6 where trucks come in to the state from Connecticut.  
7 So to try and take this piecemeal and isolate it to  
8 this one location is absurd on its face. And the  
9 third concern that I have is to echo the senator,  
10 Senator Morgan. Toll Gantry Location 2, DEM has

11 issued a do not construct order, essentially, to  
12 boil it down. DEM has said you cannot proceed  
13 because we have not made a wetlands determination  
14 with regard to Toll Gantry Location 2. Therefore,  
15 this environmental assessment isn't complete,  
16 should never have been issued, and we need to  
17 start -- minimally we need to start from day one  
18 and get this environmental assessment right, get  
19 the wetlands determination correct, get DEM to  
20 issue a determination for the wetlands for Location  
21 2 and then proceed once again with the assessment  
22 and the entire process. Thank you very much.

23 MR. IGLIOZZI: Thank you. Larry --

24 MR. GILLHEENEY: Gillheeney. That's me.

25 I oppose it. That's all I have to say. Larry

1 Gillheaney, G-I-L-L-H-E-E-N-E-Y. I'm also with  
2 stoptollsri.com, and the only thing I have to add  
3 to it is we oppose it. Thank you.

4 MR. IGLIOZZI: Next is Mike Collins.

5 MR. COLLINS: Hi. Good evening. Mike  
6 Collins. Gaspee Business Network, and a trucker in  
7 Rhode Island. As we look around the room,  
8 everybody here is a Rhode Island citizen, and we  
9 need to realize that we've all been fed a pile of  
10 BS. Roadworks is a good thing that started off  
11 fixing bridges. All right. But the truckers were  
12 hung out to dry. All right. Made that we did all  
13 this damage and all the rot holes and all the 2 by  
14 4's you see hanging up bridges and everything was  
15 our fault.

16 Three or four months ago, Alviti and I was  
17 on Matt Allen and he clearly says no, the truckers  
18 aren't our fault, but yet we're still hung with all  
19 the damage. All right. Everything you wear,  
20 everything you've got on, you go to the hospital,  
21 the oxygen you breathe is brought to you by us.  
22 All right. Why would you want to screw with your  
23 supply chain? I don't understand this for the life  
24 of me. And if you believe that you think they're  
25 going to stop at us, they're coming for your cars,

24

25  
1 trust me, because they don't have the truck  
2 numbers. You don't have the truck numbers to make  
3 your gantry costs. I know that for a fact because  
4 I've been in this thing up to my elbows for two and  
5 a half years. I testified at the State House about  
6 this, and I listened to all this crap being spewed  
7 to everybody. Enough of this. All right. You  
8 people live down here. You're getting trucks  
9 coming up Route 3, and they're going to say my name  
10 right on the side of them. I'm telling you right  
11 now. All right. All right. That's number one. I  
12 feel bad for that, but on the other aspect, you  
13 know what, I'm second generation truckman in the  
14 State of Rhode Island. I'm trying to save my  
15 business. I employ 40 plus people, and these  
16 bastards are going to put me out of business. All  
17 right. That's all I got to say. Thank you.

18 MR. IGLIOZZI: Darrin Roth.

26.  
19 MR. ROTH: Thank you. My name is Darrin  
20 Roth. I'm with the American Trucking Association.  
21 We're the national representative for the trucking  
22 industry. ATA is very much opposed to the  
23 roadworks tolling proposal. Never before has the  
24 state either tolled trucks only or tolled existing  
25 interstates on a network basis. The proposal is

1 unparalleled in our nation's history and  
2 potentially precedent setting. There is no  
3 previous experience to rely on. No studies of  
4 other states' experience to point to when  
5 determining the potential effects on traffic  
6 congestion, the environment, safety, or the  
7 economy. Neither RIDOT nor FHWA can say today with  
8 confidence what would happen if vehicles traveling  
9 on previously untolled interstates were subjected  
10 to tolling. It is clear that neither the  
11 environmental assessment nor the traffic and  
12 revenue analysis provide these answers. Both are  
13 fatally flawed documents that cannot and should not  
14 lead FHWA to issue a FONSI for Locations 1 on 2.

27. I'll point out the most pressing issues  
15 with these documents and expand in our written  
16 comments. First, a separate EA for Locations 1 and  
17 2 ignores the cumulative effect of full network  
28. tolling. Furthermore, if a FONSI is issued and  
18 RIDOT later proceeds with an EA for the remainder  
19 of the toll gantries, what happens if significant  
20 enough issues are revealed to prevent tolling on  
21 the remainder of the system? What's left is  
22 tolling only at the state's border, which poses a  
23 clear constitutional issue.  
24  
25

1           Second, the environmental route analysis  
2 for Locations 1 and 2 is clearly inadequate. There  
3 are obvious additional routes to which trucks will  
4 divert. This omission by itself renders the EA  
5 effectively unusable. Third, the traffic and  
6 revenue analysis assumes that through-trucks will  
7 be barred from using alternative routes. However,  
8 in August, the state traffic commission rejected  
9 RIDOT's request to impose these restrictions. The  
10 EA's entire analysis assumes that these  
11 restrictions are in place and that as a result,  
12 diversion is reduced by 50 percent. Even though  
13 the traffic and revenue report included a  
14 sensitivity analysis that excluded enforcement  
15 effects, the EA did not consider this alternative  
16 scenario. Again, this admission, by itself,  
17 renders the EA effectively unusable.

18           Fourth, the EA did not consider funding  
19 alternatives other than tolls. RIDOT attempts to  
20 justify this by claiming that tolling is necessary  
21 for the replacement or reconstruction of the three  
22 bridges that are to be tolled due to a lack of  
23 revenue from other sources. However, according to  
24 the most recent transportation improvement plan,  
25 project costs for only the Wood River Valley Bridge

1 are to be paid for with tolls. In fact, of the  
2 roughly \$32 million currently programed for  
3 improvements to these bridges, just \$2 million is  
4 designated as toll revenue. \$2 million represents  
5 less than one half of 1 percent of RIDOT's annual  
6 budget. It is absurd on its face that RIDOT cannot  
7 have identified an alternative revenue source.

8 Finally, the EA does not consider the  
9 possibility of a successful legal challenge to the  
10 tolling structure. The EA should have accounted  
11 for this possibility through its sensitivity  
12 analysis or at a minimum included a legal review.  
13 RIDOT should either be required to produce for  
14 comment a revised EA that addresses the many errors  
15 and deficiencies and looks at the network effects  
16 of tolls at all proposed locations or in the EIS  
17 that looks at the network effects. Thank you.

18 MR. IGLIOZZI: Thank you, sir. Pierre  
19 Duvel.

20 MR. PIERCE: First name is Irwin,  
21 I-R-W-I-N. Last name Pierce, P-I-E-R-C-E, and a  
22 residence of Richmond. I have been for all my  
23 life. First of all, you're a young man, and I  
24 don't want to throw any stones at you. I could go  
25 back to the beginning of time when this problem

1 with the bridges started, but it would take too  
2 long, but I will try to get through the  
3 environmental end of this.

4 Many, many years ago, and I was a culprit  
5 just like a lot of other Rhode Islanders, we  
6 complained about the roads. Everything -- snow and  
7 everything. Back in the late '50's, early '60's it  
8 was the case. The roads were very poorly cleared.  
9 The word went out around '61, '62 from DOT, I think  
10 it was before Wood took over, they wanted the roads  
11 white. Hit the bridges first. And that's been  
12 going on ever since.

13 Now, you look at the bridges and you ask  
14 yourself, what happened to them. There's a story  
15 to it. Now, let's go back and say the chemicals  
16 they were using, they destroyed, and there's people  
17 here to verify this, many wells in Hope Valley.  
18 They also -- I think it's up there around the  
19 school on 102, they did a job on that. You look at  
20 the turnaround, you look at the vegetation along  
21 the roads, they're destroying that because they've  
22 done it in my yard, and they've done it in your  
23 yards, and getting now to the bridges and that.

24 I'm jumping ahead of myself, but, as I  
25 say, go back to the bridges of white -- make the --

1 hit the bridges first with the chemicals, et  
2 cetera. So as time went on, the chemicals  
3 destroyed the cement, exposing the steel  
4 construction on it. Chemicals also destroyed the  
5 vegetation along the roads, your lawns, your trees,  
6 everything. They destroyed wells. It's  
7 documented, and they're still using the same  
8 chemicals today to clear the roads. So what I'm  
9 going to get to is this. I've got asbestosis. I'm  
10 on breathing machines four hours a day, and I have  
11 to carry meds with me, and it's no picnic. You  
12 people go down the roads, you commuters and that in  
13 the morning or afternoon, I don't care, when the  
14 roads are white, they got the powder, you got your  
15 air conditioner going, your heat is going, you're  
16 breathing that dust in, and you turn around and my  
17 question is what is that doing to your lungs?

18           The other one thing I'd like to say to the  
19 residents of Rhode Island. Look at Rhode Island,  
20 the taxpayers, it's a gold mine. Your miners are  
21 those we'll use for an example is DOT and anybody  
22 that makes a living off those roads or anything.  
23 They turn around and every time they get a little  
24 short on gold, they go to open up a new vein, and  
25 they turn around. An example is what you're

1 talking about right now, tolls. They want more  
2 money. They have found a way to do it. Thank you.

3 MR. IGLIOZZI: Thank you, sir. Clerks, do  
4 we have any more sign-ups? Again, if anybody would  
5 like to speak, we have Brandon the clerk and Karen  
6 the clerk, please sign up with the sign-up sheets.  
7 Barbara Capalbo.

8 MS. CAPALBO: It's Barbara Capalbo,  
9 Hopkinton Town Council. Thank you. I don't really  
10 want to reiterate everything that people have  
11 already said around me, especially the people  
12 behind me in the trucking industry. I had a couple  
13 of questions overall. One is that because I'm from  
14 Hopkinton, one of our major concerns are the two  
15 bridges in Hope Valley, and I know they're on your  
16 plan to strengthen and repair; but I would like to  
17 make sure that you move forward with that  
18 expeditiously since you are even considering the  
19 tolls, whether they happen or not. I would like to  
20 know in good faith and with consideration that you  
21 deal with those two bridges as quickly as you can  
22 and as efficiently as you can because there is no  
23 way we can move through our small town, especially  
24 as they are going to have to be broken down into  
25 one lane.

1           The other thing is, to me, roads are the  
2 office for truckers. Truckers, this is their  
3 office, unlike all the rest of us who go to schools  
4 or go to buildings. And the reason that we have  
5 tolls -- the reason that we have taxes for gasoline  
6 and diesel is to pay for the infrastructure of the  
7 roads, and that has value. And I think everyone  
8 pays it, and we all pay it in all of our gas  
9 stations, the diesel stations, we pay for the  
10 infrastructure of the road. So my question is that  
11 if you are planning on tolling these particular  
12 trucks and, by the way, for some reason, you seem  
13 to have forgotten the oil rigs and the liquid  
14 trucks which are certainly as heavy, if not heavier  
15 than the semi's, for some reason, they're not on  
16 your charts. Are you also planning on lowering all  
17 the diesel taxes to offset the road tolls for the  
18 truckers?

19           MR. IGLIOZZI: Denise Poyer.

20           MS. POYER: Hi. I'm Denise Poyer. I'm  
21 the Wood-Pawcutuck Watershed Association. I'm the  
22 project coordinator for the Wood-Pawcutuck Wild and  
23 Scenic River Study. My comment is directed mostly  
24 at the Location Number One which is entirely within  
25 the river corridor system. The Wood River is the

1 most pristine and scenic river in the state. It  
2 will most likely receive wild and scenic  
3 designation in 2018, and I don't understand why it  
4 was necessary to locate any type of construction  
5 within this river corridor. I think it's  
6 short-sighted. This will be the first and probably  
7 only rivers in the state that are ever going to be  
8 designated wild and scenic, and I do not believe  
9 that we should be doing any type of construction  
10 within those river corridors. I also am concerned  
11 about the fact that the diversion route will likely  
12 take trucks over other rivers over the Wood River  
13 and these could contribute to problems with water  
14 quality of the Wood River.

15 MR. IGLIOZZI: Thank you. Melania Van Der  
16 Hooft.

17 MS. VAN DER HOOFT: Thank you. My name is  
18 Melania Van Der Hooft. I didn't plan on speaking;  
19 but after listening to everybody, I agree with  
20 everything that's been said, especially the  
21 environmental problems that we're having, but we've  
22 ignored the one, I feel, very -- our biggest asset  
23 in environmental, and that's our children.

24 We have school buses that go up and down  
25 the road. If I were a truck driver, I wouldn't pay

1 the toll, and I would come through our town. As it  
2 is, when a bus stops, we all stop, and we back up a  
3 long way. Someone gets out, they check under,  
4 over. Now, I'm going to ask a semi truck to stop  
5 going. Am I going to be sure that that truck is  
6 going to stop, that it's going to keep our kids  
7 safe. I worry about that.

8 The gentleman said something about not  
9 being able to turn his truck around. Our buses  
10 have small roads. We cannot turn around. It's  
11 going to create more traffic in our town. It's  
12 then going to ruin our roads, okay, because the  
13 trucks will be coming here. So you're saying they  
14 spoil the roads, and you're making them pay.  
15 They'll come here. And who will take care of our  
16 roads? That's where I think we should be. The  
17 kids, as far as, now we came here, we have got  
18 clear air. We're fine. But when they'll come down  
19 our roads, that can change everything. That's all  
20 I have to say. Thank you.

21 MR. IGLIOZZI: Next we have Paul Michaud.

22 MR. MICHAUD: Good evening. My name is  
23 Paul Michaud, and I am the president of the  
24 Richmond Town Council. I'm here tonight to express  
25 my opinion.

1           Basically, I do oppose the tolls all  
2 together, and have made that opinion known  
3 previously to DOT and so forth. But some of my  
4 main concerns, being as the toll booth is going to  
5 be -- one of the toll booths is going to be located  
6 in Richmond, itself, my main concern is Route 3.  
7 It's a local road, state road. It is a local road,  
8 and I understand that there probably would be a lot  
9 of trucks that may use Route 3 to avoid the tolls.

10 I think I've heard comments of that nature and so  
11 forth, and I believe it will happen. My concern  
12 about that is, it is only a two-lane state road.  
13 There are a few bridges on that state road. Those  
14 bridges, in my opinion, at least from what I  
15 understand from DOT, are not suited for that kind  
16 of truck traffic on a daily basis as the bridges  
17 perhaps on Route 95 or on any state highway. So,  
18 therefore, that is a concern to me.

19           Also another concern is I think DOT wants  
20 us, the Town of Richmond, and the other towns as  
21 well, to be able to police the fact when those  
22 trucks do not come on 95, yet use Route 3. So  
23 they're going to want the police to -- local police  
24 to be able to watch these trucks, I don't know how  
25 that's going to work, and make sure that they're

1 not overweight to go over those bridges on Route 3.  
2 And if so, then they have to be ticketed or so  
3 forth and so on.

4 Now, we do not have a gigantic police  
5 department in town, but we have a very good police  
6 department, of which I am very proud of each and  
7 every one of those people, and I'd hate to have to  
8 commit a police car or whatever every day watching  
9 this type of situation so that they have to give a  
10 ticket to a trucker whom I have a lot of respect  
11 for truckers because I have a lot of relatives and  
12 friends who are truckers. So I know the situation.  
13 So that is a big concern to me.

14 Another concern was this environmental  
15 impact thing that we have tonight, and I'm looking  
16 at it here. I don't believe this was available to  
17 us until just recently. I was wishing that this  
18 had been in our hands months ago as council  
19 president and as members -- other members of our  
20 town council who are elected have seen something  
21 like this a long time ago so that we could have had  
22 some input on this particular document in and of  
23 itself. So we haven't had that. I don't have a  
24 chance to sit here and read this tonight, but I  
25 will take it home and read through it, and maybe

44.

1 have more comments after that.

2 But those are just a few of the comments  
3 that I wanted to make tonight and make known. So I  
4 hope and pray that the state is really giving a lot  
5 of consideration to these trucks going off there.  
6 Now, I know also, I believe, that DOT will probably  
7 receive Federal funds, I think, to turn over to the  
8 state which, in turn, would turn over to the town  
9 for these police patrols or something like that.  
10 I'm not a hundred percent sure about that, but I  
11 read something of that nature. So if that's true,  
12 that's one thing; but, you know, the way I look at  
13 it is it's taxpayer money no matter how you look at  
14 it, whether it's Federal, state, town. It's all  
15 taxpayer money. It comes from the same people who  
16 live in this town. And I'm not interested in  
17 having to raise, you know, the budget to cover this  
18 particular situation. So those are my comments for  
19 tonight, and maybe you'll hear more from me later.  
20 Thank you so much.

21 MR. IGLIOZZI: Thank you, sir. Patricia  
22 Morgan.

23 MS. MORGAN: Good evening. Thank you.  
24 You know this is public policy. This is about a  
25 toll system. Actually, it's going to be the most

1 extensive toll system in the United States, and it  
2 affects not just these two bridges, it's going to  
3 affect the entire state. And I think when we do  
4 public policy, we have to approach it with a  
5 wholehearted and honest attempt to understand all  
6 the ramifications, not just on this one bridge or  
7 that other bridge, but on the entire state which I  
8 think is what the point of an environmental impact  
9 study is.

10 I could not find a more cynical attempt at  
11 finding out how this is going to impact not just  
12 this community but Rhode Island than I'm seeing  
13 tonight. This is the Tuesday before Thanksgiving.  
14 Many families are worried about their Thanksgiving  
15 dinner. They're worried about traveling, maybe out  
16 of state to go and see relatives. They are not  
17 worried about coming here to a very remote  
18 location. This is very cynical. This does not  
19 show an honest attempt on the part of DOT or this  
20 administration to really study what is going to  
21 happen with these tolls.

22 Rhode Island is a tiny state. We're part  
23 of this region as well. And though DOT is only  
24 concerned about two bridges, this is also going to  
25 impact our neighbors, Connecticut and

1 Massachusetts. I don't know that they have been  
2 informed. I don't know that they have been asked  
3 to comment on the use of their roads and their  
4 interstates and their communities as trucks will  
5 avoid Rhode Island, go through Connecticut, or not  
6 go into southeastern Massachusetts at all because  
7 they don't want to pay the tolls.

8           This book is probably 80 or 90 pages,  
9 two-sided and, yet, the economic impact of taking  
10 \$45 million to begin with in tolls only garners 27  
11 lines. That can't possibly be considered a  
12 thorough study of the proposed impacts. What we  
13 have here is a DOT and an administration that  
14 started with a conclusion and worked very hard to  
15 get to that conclusion, but not to really do the  
16 study of what taking \$45 million from our economy,  
17 from our consumers is going to be, if it stays at  
18 45 million.

19           In the minority office, we've actually  
20 studied the charge-backs. So if you take 45  
21 million, and I think everybody knows that we  
22 borrowed money. We're going to pay for toll  
23 gantries. We're going to pay to maintain the toll  
24 gantries. We're going to pay credit card fees. At  
25 the end of the day, we're not even getting 45

1 million to use on bridges. We're taking 45  
2 million, but we're not going to be able to use 45  
3 million. I think it's as low as 7 million or even  
4 in some cases, it could be a negative by the time  
5 the system is built. None of that is covered in  
6 here, not even contemplated.

7           You talk about drivers, their value of  
8 time and their willingness to pay like they're  
9 willing to pay \$40 a day to go through Rhode  
10 Island. And yet we have the trucking industry who  
11 says no, they won't be. And you don't take that  
12 into account because you had to keep it to 27  
13 lines. You didn't have enough paper to really  
14 study it. You didn't have enough time to really do  
15 a transparent and open study of what the economic  
16 impact is going to be, not just on the trucking  
17 industry, but on the consumers, the citizens of  
18 Rhode Island. So this is a really cynical, cynical  
19 document that we have in front of us.

20           We should be thinking not only about the  
21 impact that you have here, but of the impact on  
22 Rhode Islanders, what's coming out of their  
23 wallets. And right now we know it's at least 45  
24 million, and it's probably going to be more because  
25 we have to pay for toll gantries, the maintenance

1 of them, the credit card fees, and the interest.  
2 And DOT has billions of dollars worth of projects  
3 they want to get done. Can the Rhode Island --  
4 Rhode Island afford billions of dollars? I don't  
5 know. It's not in the 27 lines that you put here  
6 for the economic impact. And the economic impact  
7 is something that you are required as DOT to study,  
8 not 27 lines, but a real study.

49.

9 Cynical. Closed. Clearly, this  
10 administration and this DOT doesn't care, doesn't  
11 care about Rhode Islanders, the impact upon hard  
12 working Rhode Islanders. Doesn't care about the  
13 impact on Connecticut. Doesn't care about the  
14 impact on southeastern Massachusetts. And, yet, if  
15 the Federal Highway Administration is really going  
16 to look at this, they need to be concerned not just  
17 with Rhode Island, with the region and on a real  
18 study, a real study of the economic impact on our  
19 state.

20 I'm actually disgusted with what I see  
21 here, 27 lines out of 160, 180 pages. It's  
22 shameful.

23 MR. IGLIOZZI: Thank you. Madam Clerk, do  
24 you have any more sign-up sheets? Once again, we  
25 have two clerks, Brandon and Karen, if you need to

1 sign up and speak. We have the sign-up sheet as  
2 well as we also have the other locations, some  
3 information about locations for the EA. Next is  
4 Bob Quattrocchi.

5 MR. QUATTROCCHI: Thank you.  
6 Representative Bob Quattrocchi. I just finished my  
7 first session of my first term, and I've learned a  
8 lot of things. One of the things I've learned,  
9 which I probably knew before, is the difficulty in  
10 which the state makes it for citizens to come and  
11 speak against issues that the state feels that they  
12 are determined to ram down our throats, and tonight  
13 is a perfect example of that. It's been stated  
14 earlier by others.

15 I have a concern about Federal funding.  
16 New Jersey Turnpike, the main turnpike, Mass  
17 turnpike, New York throughway and others, they're  
18 all toll highways; and because of that, they  
19 receive zero Federal funding. So although what's  
20 being touted as it's only 50 cents a mile to get  
21 through the State of Rhode Island, in actuality,  
22 there's only, what, a hundred bridges or so --  
23 1,300 bridges, 1,200 bridges, whatever they are.  
24 Let's do it the simple math. 1,300 bridges -- 13,  
25 I'm sorry, 13 bridges at a hundred feet a piece,

(  
51.  
1 you have 1,300 feet of roadway, 1,300 feet of  
2 roadway that you have to pay \$20 to drive over  
3 because the rest of the pavement in this state is  
4 Federally funded. Does that mean we're going to  
5 lose our Federal funding if we start tolling?

6 Now, Rhode Island has historically been  
7 known for many admirable firsts going back to its  
8 beginnings. This is not a first that is admirable,  
9 breaking new ground in a discriminatory manner  
10 against the trucking industry. This is a  
11 dangerous, dangerous slippery slope that we're  
12 traveling down. Thank you.

13 MR. IGLIOZZI: Michael Geary.

14 MR. GEARY: Good evening, sir.

15 MR. IGLIOZZI: You have the floor. Please  
16 state your name for the record.

17 MR. GEARY: Michael Geary, concerned  
18 citizen. First of all, I'd like to say thank you  
19 for opening this up to us. On the other side of  
20 this hand, I'd like to say it's very disingenuous.  
21 We're doing this two days before Thanksgiving.  
22 Families have plans to go away. All of a sudden  
23 this comes up and some people do have a tendency to  
24 miss it for that. My big concern is I'm a resident  
25 of Bradford, which is part of the Ashaway/Hopkinton

1 Village, which is Route 3, 216, part of 91. If we  
2 defer -- if these truckers defer on these roads,  
3 it's already heavily traveled roads. Route 3 North  
4 through Ashaway/Hopkinton is the gateway to 95  
5 North, 95 South, whichever you would, sir. And the  
6 roads themselves, all through those roads, aren't  
7 in the greatest shape as they are -- as they should  
8 be. It's a state road. Not going to sit here and  
9 beat it to death about state roads, who owns what,  
10 but if these trucks get on these roads, get  
11 involved with everything that goes on in the roads  
12 during a normal day, it's just going to be a  
13 complete mess.

14 I am totally opposed to tolling. I think  
15 it's nothing more than a money grab, and I think  
16 it's just taking money and blaming the truckers for  
17 this isn't. The past administrations and the  
18 current administration are the ones to blame for  
19 this. This administration is taking every citizen  
20 in this state on an express ride to the trash can.  
21 Thank you.

22 MR. IGLIOZZI: Madam Chair, are there any  
23 more signature pages?

24 THE CLERK: No.

25 MR. IGLIOZZI: So we're -- would anybody

1 else like to speak on this matter? Would anybody  
2 else like to speak on this matter? Would anybody  
3 else like to speak on this matter? Madam Clerk,  
4 Mr. Clerk, are there any other signature pages at  
5 this point in time? How many pages are there?

6 For the record, Mr. Stenographer, seven  
7 pages with two to four signatures on each page  
8 representing the individuals who spoke this  
9 evening, and I'd like to enter all 7 pages as an  
10 exhibit to this public hearing as well as -- I  
11 guess we'll make it a full Exhibit A. Also, as  
12 Exhibit B, the actual environmental assessment, the  
13 booklet itself, with the statement of environmental  
14 assessment, tolling bridges 1 and 2 Hopkinton,  
15 Richmond and Exeter, Rhode Island, dated  
16 November 1, 2017. Enter that in the record as  
17 Exhibit B.

18 At this time, would anybody else like to  
19 speak on this matter? With that, we now call this  
20 public hearing closed. Thank you all for coming.  
21 Happy Thanksgiving.

22 (EXHIBITS A & B MARKED)

23 (MEETING ADJOURNED AT 7:33 P.M.)

24 \*\*\*\*\*

25

## C-E-R-T-I-F-I-C-A-T-E

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2  
3 I, RONALD M. RONZIO, Notary Public, do  
4 hereby certify that I reported in shorthand the  
5 foregoing proceedings, and that the foregoing  
6 transcript contains a true, accurate, and complete  
7 record of the proceedings at the above-entitled  
8 hearing.

9  
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11 IN WITNESS WHEREOF, I have hereunto set my  
12 hand and seal this 29TH day of November, 2017.  
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16 *Ronald M Ronzio*  
17 *Notary Public*



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RONALD M. RONZIO, NOTARY PUBLIC/CERTIFIED COURT  
REPORTER

MY COMMISSION EXPIRES: July 24, 2021

IN RE: DOT Environmental Assessment &  
Public Hearing Workshop

DATE: November 21, 2017

G.10            **All other comments received during public comment period**

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Received  
11/08/17

### Send Us Your Questions And Feedback.

Please fill out the form below completely or send separate comments to the mailing address or fax number shown. Responses to questions will also be posted in Frequently Asked Questions.

#### Your Contact Information

\*First Name:

\*Last Name:

\*Company:

\*Address:

\*City:  \*State:

\*Zip Code:

Phone:

\*Email:

\*Confirm Email:

Use online form or mail or fax comments to:

Bridge Toll System Project  
RIDOT  
Two Capitol Hill  
Providence, RI 02903

Fax:  
401-222-3435

Attention:  
Daniel Waugh

Please provide a valid email address in order for us to reply.

Enter Your Questions and Comments:

As a homeowner whose home is located near place Rte. 146 (near the bridges), we are concerned about our property values if this gantry is placed where the homeowners on Greenville Road can see it. This gantry is not small and will cause problems when it comes to the sale of our homes. Please do not place this structure where we will see it.

*Other gantry locations do not seem to have homes near them.  
Thank you,*

\* Required field

Clear

Submit

Emails sent to RIDOT are a matter of public record subject to release, if requested.

*Please, I do not want my name in any news report. Thank you.*



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From: Brian Hutchings [mailto:behutchings@msn.com]  
Sent: Thursday, November 23, 2017 1:53 AM  
To: DOT Bridge Repair Tolls  
Cc: Pope, Nicole (DOT); Senator Paul Jabour; Rep. Daniel McKiernan; Congressman Jim Langevin; Chris Maxwell; Monique Chartier; rep-morgan@rilegislature.gov; rep-quattrocchi@rilegislature.gov; sen-morgan@rilegislature.gov; Brian Hutchings  
Subject: [EXTERNAL] : Tue 21 Nov '17 EA hearing on First Two Toll Gantry Locations in Richmond

22 November 2017

Dear Mr. Waugh,

I wanted to attend the EA meeting on the first two gantry locations in Richmond on Tue 21 Nov '17 but since the DOT had booked a remote cornfield in an obscure part of the state two days before a holiday AGAIN and I had to travel before Wednesday for both Thanksgiving / family and work, I had to miss the hearing.

1.

My main concern about tolls is that no state should be placing any new tolls on any pre-existing Interstate highway or bridge period and Congress should be obsoleting & abolishing all the remaining Turnpikes and eliminating all highway tolls, especially from all pre-existing Interstate hiways & bridges, NATIONWIDE !

Mr. Speakeah's plan of just placing 60% of our in-state road maintenance liability burden on the out-of-state commerce will fail us all and will never save the taxpayers & motorists any money for road maintenance if all 49 other states duplicate RI'S serverly flawed truck only toll plan and it becomes very cost prohibitive for anyone, especially commerce, to cross state boundaries and to me that would be a direct conflict of interest that defeats our federal policies & laws that are there to promote & protect travel & commerce, especially between the states, nationwide.

Here is another example of why you don't toll and/or make any P3 privatization deals for PUBLIC transportation infrastructure maintenance:

Taking A Toll Highway Financing Failures and The Pennsylvania Turnpike

<https://publicpolicy.wharton.upenn.edu/live/news/1627-taking-a-toll-highway-financing-failures-and-the>

2.

The Commonwealth of Pennsylvania has had to raise the toll rates on the Turnpike every year for the last nine years, so where is the real savings to the taxpayers and motorists for public road maintenance? Also how do you promote interstate commerce if the toll rate on the mainline turnpike runs \$184 for trucks?

3.

Also I don't know how the DOT can even proceed with the concept of tolling if they never took into account the \$1.3 million per year that the DOT will have to pay the Rhode Island Turnpike & Bridge Authority in administrative fees just to collect the tolls for them and Director Alviti just thinks the state will be able to just offset \$1.1 million per year of those fees with violations and late fees collected and this is in addition to and never reflected in the \$68.9 million AET gantry contract. If you have to write that many tickets to make up the difference, where is the money to actually fix our neglected bridges supposed to come from?

And this is want I wanted to comment on if I was able to attend the EA meeting in person.

The problem with tolls & tollbooths is that the damage from the separation or isolation of turnpikes from interstates and other non-toll roads has already been done.

There are many poor or no direct connections between Interstate highway interchanges and the remaining Turnpikes now that cause major traffic congestion nightmares already nationwide.

Even as The Commonwealth next door converts to an All Electronic Toll collection system on the Turnpike it will still cost the inhabitants of the commonwealth over \$1.2 billion just to redesign & redeveloped just one interchange in Brighton-Allston after the elimination of the tollbooths.

And here in Rhode Island the two main "environmental" concerns would be:

4.

1. When tolls go to all vehicles including cars, a fail by design plan, and all the inhabitants divert from the highway to avoid the tolls, there will be traffic & congestion on local roads where it never was before and inhabitants will still waste time & money buy wasting fuel in traffic jams causing more pollution and as pointed out in the meeting, the roads & bridges on these diversion routes already cannot handle or were not designed to handle Interstate traffic volumes on these local roads.

5.

2. When you restrict the tucks to certain routes just to force a toll upon them and these routes make their trips longer in distance just to pay a toll, more money will be wasted in the more fuel needed and more fuel burned in the longer trips will mean more pollution too and as pointed out in the meeting if they divert to I-935 in Connecticut, Rhode Island will also loose the gas tax revenue on top of local commerce like business at the local truck stops.

It's best that ALL the remaining Turnpikes are abolished and all tolls are eliminated from all Interstate highways and bridges NATIONWIDE instead of Rhode Island creating any new toll authorization plans that would be a muy mala precedent if duplicated by all the other states.

Both New York and the Commonwealth are already losing money with their All Electronic Toll collection systems and they will waste much more just trying to come up with a collection system to chase the non-payments and toll violations instead of actually fixing our neglected roads & bridges and as pointed out in the meeting, local town law enforcement doesn't have the resources to dedicate local patrol cars to enforce tolls and/or commercial truck regulations on local roads especially since the tolls or violations will never help the local municipalities with the maintenance of the local public roads that now will require more attention & maintenance due to the increased traffic from motorists diverting from the Interstates to avoid the unjust tolls.

Please repeal or abolish the RhodeWorks Truck Toll only plan hoy before it's too late and our Interstate Highway System nationwide is destroyed as we know it. Rhode Island should be abolishing the Rhode Island Turnpike & Bridge Authority and eliminating all existing tolls statewide instead and consolidating all public road maintenance responsibilities into one agency and having the General Assembly properly funding the Department of Transportation and sharing our public transportation infrastructure maintenance costs fairly and consistently among all in-state inhabitants without the need for tolls or going after the visitors and/or out-of-state commerce, as pointed out at the meeting, how do you expect to attract a new business like Amazon to come here to Rhode Island when you are planning just toll or ticket everything to just make up the difference while our neglected bridges will remain on Jenga blocks if not already closed?

Thank you,

Brian Hutchings  
149 Unit Street  
Providence, Rhode Island 02909-3929  
(401) 545 - 1857



## United States Department of the Interior

NATIONAL PARK SERVICE  
Northeast Region Office  
15 State Street  
Boston, Massachusetts 02109-3572

IN REPLY REFER TO:

December 6, 2017

Ms. Lori Fisette  
Manager, Project Management  
RI DOT  
Two Capitol Hill  
Providence, RI 02903

Re: EA for Proposed Toll System at Locations 1 and 2, I-95

Dear Ms. Fisette:

The purpose of this letter is to provide National Park Service comments on the Environmental Assessment for the proposed toll gantry noted above in relation to the ongoing Wild and Scenic River Study of the Wood-Pawcatuck River.

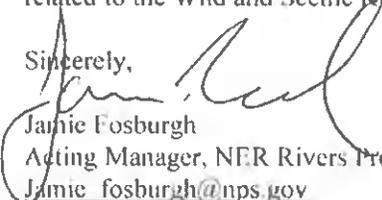
The EA correctly identifies the status of the Wood-Pawcatuck river system as currently being the subject of a congressionally authorized Wild and Scenic River Study, and further identifies that proposed toll location 1 is in close proximity to a segment of the Wood River that is a part of that Study.

1. NPS has reviewed the scope of materials provided in the EA. We concur with the findings of the EA that, based on the minimal ground disturbance associated with the project, there is not likely to be any significant impact to riparian or wetland habitats in the project vicinity associated with the Wood River.

2. In addition, based on the topography of the site, the nature of the riparian vegetation, and the size/configuration of the proposed gantry it appears that the visual impact of the project to river recreationists (boaters) will similarly be minimal or non-existent. However, we have not found specific mention or consideration of this potential impact in the EA. Preliminary evaluations of the Wild and Scenic River Study include a likely finding that scenic and recreational values associated with this segment of the Wood River are significant and likely to be among the values that warrant federal recognition under the Wild and Scenic Rivers Act. Therefore we recommend that this issue be specifically addressed to identify/confirm the nature and extent of expected visual impact to river recreationists.

Thank you for this opportunity to comment. If you have any questions or need any further communication related to the Wild and Scenic River Study, please contact me at any time.

Sincerely,

  
Jamie Fosburgh  
Acting Manager, NER Rivers Program  
[Jamie\\_fosburgh@nps.gov](mailto:Jamie_fosburgh@nps.gov)  
617 223-5191

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December 6, 2017

Peter Alviti, Jr., P.E.  
Director  
Rhode Island Department of Transportation  
Two Capitol Hill  
Providence, RI 02903

ATTN: David Fish, P.E.

Dear Director Alviti:

The American Trucking Associations (ATA)<sup>1</sup> and the Rhode Island Trucking Association (RITA) are pleased to offer comments on The Environmental Assessment (EA) for Toll Locations 1 and 2 (November 1, 2017) under the RhodeWorks program. The question before the Federal Highway Administration is whether to make a Finding of No Significant Impact (FONSI) or to require an Environmental Impact Statement (EIS). For the reasons delineated below, ATA and RITA believe that a FONSI is not supported by the EA. A new, revised EA that addresses the network effects of imposing tolls at all proposed locations should be issued and released for public comment, or FHWA should immediately require an EIS that includes an evaluation of the network effects.

**1. The Environmental Assessment should not consider Locations 1 and 2 separately from other proposed tolling locations.**

The EA only addresses the impacts of tolling at two locations, and does not take into account the cumulative impacts that tolls at the additional tolling locations identified by RIDOT<sup>2</sup> would have on travelers passing through the toll gantries at Locations 1 & 2. Nor does the EA account for potential cumulative effects should the alternative routes for Locations 1 & 2 also be used as an alternative route to avoid other toll gantries under a broader tolling scenario.

1.

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<sup>1</sup> ATA is a united federation of motor carriers, state trucking associations, and national trucking conferences created to promote and protect the interest of the trucking industry. Directly and through its affiliated organizations, ATA represents more than 30,000 motor carriers in the United States, Canada, and Mexico encompassing every type of motor carrier operation.

<sup>2</sup> <http://www.dot.ri.gov/projects/tollingprogram/>.

Furthermore, imposing tolls at only two locations near the state's border, where interstate travel is likely disproportionately high relative to travel elsewhere in the state, raises serious concerns under the U.S. Constitution's Commerce Clause. According to Figure 6-3 of the Berger Report, Locations 1 & 2 have the lowest proportion of repeat trips, which suggests a lower percentage of local traffic. While two percent of the trips are repeat traffic at these locations, the total for all gantry locations is 7.5%, and is as high as 17.1% at the individual locations.

This sort of collection-point manipulation, designed to ensure that interstate users will be assessed a toll while users involved in purely intrastate movements will escape charges, appears to violate the Commerce Clause by discriminating against interstate commerce. *See, e.g., Chemical Waste Mgmt. v. Hunt*, 504 U.S. 334, 342 (1992) (Commerce Clause forbids states from burdening "a transaction or incident more heavily when it crosses state lines than when it occurs entirely within the State") (internal quotation marks omitted); *Camps Newfound/Owatonna v. Harrison*, 520 U.S. 564, (1997) (when a burden "falls by design in a predictably disproportionate way on out-of-staters," it is just as invalid under the Commerce Clause as a burden "targeting out-of-staters alone").

For these reasons FHWA should not issue a FONSI based on an environmental assessment of an arbitrary—and constitutionally infirm—subset of the RhodeWorks tolling scheme.

## 2. Selection of diversion routes is incomplete.

The EA, supported by the Traffic & Revenue Analysis<sup>3</sup> (Berger Report) only considered a single alternative route (RI Route 3) when analyzing the potential for traffic diversion. In fact, for those vehicles traveling between Connecticut and points west, and Providence, another alternative route, I-395 - U.S. 6, is also an attractive alternative and should have been included in the EA. According to Google Maps, this route would have added just 1.6 miles and 13 minutes to the trip. Under the value-of-time (VOT) assumptions used in the Berger Study, the additional cost of taking this route is lower than the cost of paying the toll for short-distance trips and slightly above the toll costs for long-distance trips (under a negative 25% VOT scenario used in the sensitivity analysis the long-distance cost is also below the toll charge). Continuing on to Boston using this route and connecting to I-295 adds approximately 10 minutes and one mile compared to using I-95, according to Google Maps. The additional cost of taking this route is approximately equivalent to or below the toll cost for both long- and short-distance trips.

These are just two examples of alternative routes that the Berger Report failed to consider. The traffic and revenue analysis should be revised to include all feasible alternative routes and the EA (or subsequent EIS) should be revised to reflect the new information.

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<sup>3</sup> Louis Berger Group, *Rhode Island Department of Transportation Investment-Grade Tolling Study Final Report*, Nov 3, 2017.

**3. The EA did not analyze the economic impacts of tolling and the resulting effects on traffic patterns.**

Truck-dependent businesses are likely to consider operational changes in response to tolling that will impact travel patterns in Rhode Island and the surrounding region. For example, one company with a large distribution center in Rhode Island that services much of New England is considering reducing the number of loads serviced by this facility and shifting this traffic to a different location with lower transportation costs if tolls are implemented. Not only will this change truck travel patterns in the region, it will also affect commuter travel, since jobs will be repositioned to the new location. Furthermore, this issue presents another reason for why Locations 1 & 2 cannot be considered separately. An EA or EIS that fails to account for the cumulative economic costs, and subsequent environmental effects, will be inadequate.

The cumulative economic impacts of tolls at all proposed locations should be included in a revised EA, or an EIS.

**4. The EA/Berger Report assumed that toll rates would be static through 2040.**

The assumption that nominal toll rates will remain unchanged through 2040 results in understating estimated traffic diversion over time, since the inflation-adjusted toll rate decreases over time, a fact acknowledged by the Berger Report.<sup>4</sup> It is standard practice for tolling agencies to increase toll rates to account for inflation, higher than expected expenses, or lower than expected revenue.<sup>5</sup> Furthermore, RIDOT has the legal authority to increase rates above those assumed by the analysis. Therefore a static toll rate is an unrealistic assumption that does not accurately reflect the likely level of diversion and does not accurately capture the impacts of diversion.

The EA (or EIS) should be revised to include a diversion analysis that does not rely on the unrealistic assumption that toll rates will *decrease* in inflation-adjusted terms.

**5. The EA minimizes traffic diversion impacts by using traffic counts at a time of day when counts are low.**

The EA used “peak hour”—*i.e.*, 4:00 p.m. to 5:00 p.m.—traffic counts in its analysis of the impacts of diversion. However, according to the Berger Report, tractor-trailer traffic is at a relatively low level during this time period at Locations 1 & 2, further distorting the impacts of diversion.<sup>6</sup> For example, at the I-95 counting station north of Nooseneck Hill Road, which falls between Locations 1 and 2, there were 119 tractor-trailers at 4:00 p.m. and 117 at 5:00 p.m. However, peak volume at 6:00 a.m. – 256 tractor-trailers – was more than double the count used for the EA. In fact, the “peak hour” counts were below even the average hourly count of 161 tractor-trailers. While it may be appropriate to analyze congestion impacts based on peak hour travel periods for all vehicles, the EA does not account for passenger-car equivalent (PCE) impacts.

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<sup>4</sup> *Louis Berger Study*, p. 101.

<sup>5</sup> *U.S. Toll Roads Since 1950: Trends in Toll Rates per Mile Compared with Inflation*, Transportation Research Record: Journal of the Transportation Research Board Volume 2450, Issue 12, 2014, pp. 144-151. This study found that since 1960, annual average toll rates on U.S. toll roads increased by 3.2% for passenger cars and 3.6% for commercial vehicles. Using the 3.6% average, the 2040 toll rate would increase to \$8.18-\$10.52 at Locations 1 & 2.

<sup>6</sup> *Louis Berger Study*, App. A.

The EA (or EIS) should be revised to consider PCE impacts during different times of day to ensure that maximum environmental impacts are determined.

6. **The EA failed to produce a safety analysis.**

Even though it is well documented that Interstate highways have a lower crash rate than the lower-order roadways that vehicles are expected to divert on to,<sup>7</sup> the EA does not attempt to analyze the impacts of shifting traffic to less safe roadways. Furthermore, crashes cause additional congestion, which affects the proposal's environmental impact assessments. A RIDOT representative specifically acknowledged that the roads that have been identified as potential diversion routes under the tolling proposal have an injury rate "2-3 times higher than those on freeways."<sup>8</sup> The representative also stated that "[i]t is also safer for tractor trailers to remain on the freeways as they will not have to interact with pedestrians, bicyclists, or traffic turning into and out of side streets or driveways."<sup>9</sup>

The EA (or EIS) should be revised to include a safety analysis, including the environmental impacts that result from the congestion effects of changes in the number of crashes that result from traffic diversion.

7. **The EA does not consider the potential impacts of a successful legal challenge to the toll structure.**

Per compliance with the legislation authorizing tolls, the EA assumes that toll rates will have several different caps:

- Tolls are limited to once per toll facility, per day in each direction;
- Tolls are limited to a \$20 total for a border-to-border through trip on I-95 from Connecticut to Massachusetts; and
- Tolls will not exceed \$40 per day.

However, both these caps and other aspects of the RhodeWorks program are likely to render its tolling scheme unlawful under the Commerce Clause of the U.S. Constitution. More specifically, the U.S. Supreme Court has explained that, under the Commerce Clause, a transportation user fee is permissible only "if it (1) is based on some fair approximation of use of the facilities, (2) is not excessive in relation to the benefits conferred, and (3) does not discriminate against interstate commerce." *Northwest Airlines v. Kent*, 510 U.S. 355, 369 (1994). See also *Selevan v. N.Y. Thruway Auth.*, 584 F.3d 82, 98 (2d Cir. 2009) (holding that the *Northwest Airlines* test is "the applicable test" for "evaluat[ing] the constitutionality of a highway toll"). The proposed Rhode Island tolls fail this test for a variety of reasons.

First, both the daily caps and the truck-only nature of the tolls mean that they are not "based on some fair approximation of use." On the contrary, the per-facility limitation means that a

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<sup>7</sup> See for example: <http://www.massdot.state.ma.us/highway/Departments/TrafficandSafetyEngineering/CrashData/CrashRates/RoadwayFunctionalClassification.aspx>; <http://apps.itd.idaho.gov/apps/ohs/Crash/14/2014RoadClass.pdf>.

<sup>8</sup> Statement by Steve Pristawa, Chief Civil Engineer, RIDOT. Minutes from the Rhode Island State Traffic Commission meeting, Aug. 17, 2017.

<sup>9</sup> *Ibid.*

truck passing through the same toll gantry 100 times a day would pay the same toll as a truck passing through it once; and the daily system-wide cap makes no attempt to fairly approximate the use of trucks who continue to drive the tolled roads after hitting them. In addition, a scheme under which tolls are restricted to a small class of vehicles, while the vast majority of users pay no tolls whatsoever, is not based on *any* approximation of use, much less a fair one.

Second, for similar reasons, the cap arrangement renders the tolls excessive in relation to the benefits conferred: if, for example, \$40 is the appropriate price for a truck that hits the daily cap and continues to travel dozens or hundreds more miles on the tolled facilities, it is by the same token excessive in relation to the benefit obtained by a truck who just hits that daily cap. The same is true of the truck-only nature of the tolls: if the proper price for the vast number of road users is \$0, *any* toll imposed on heavy trucks for the use that is available to all others free of charge will, by definition, be excessive.

Finally, the RhodeWorks toll scheme discriminates against interstate commerce by carefully engineering the scheme to favor in-state users over out-of-state users. While both in-state and out-of-state trucks nominally pay tolls under the same schedule, the daily cap inevitably means that in-state trucks—which are more likely to hit the cap and continue to use the roads without paying additional tolls—will obtain more benefit for the fees they pay than out-of-state trucks who pass through Rhode Island or enter the state for a short period. As the Supreme Court has held, user fees “discriminate against out-of-state vehicles” when they predictably “subject them to a much higher charge per mile travelled in the State,” and “do not even purport to approximate fairly the cost or value of the use of [the] roads.” *American Trucking Associations v. Scheiner*, 483 U.S. 266, 289-90 (1987).

The truck-only nature of the tolls—and the interstate nature of the trucking industry—also means that out-of-state users will bear a heavier proportion of the toll bill than they would under an evenhanded toll scheme that applied to all users. And by deciding to toll only tractor-semitrailers—which are particularly likely to come from out of state—and not the kind of heavy garbage and construction vehicles that are more likely to be locally based, the RhodeWorks scheme further ensures that the burden of maintaining Rhode Island’s roads will be paid disproportionately by travelers in interstate commerce. Indeed, the Rhode Island legislature and the administration have made no secret of the fact that central to the RhodeWorks scheme was ensuring that the bill goes primarily to out-of-state users who cannot hold them accountable at the ballot box. *See, e.g.*, Ian Donnis, “On 52-11 Vote, RI House Approves Truck Toll Plan,” Rhode Island Public Radio, <http://ripr.org/post/52-21-vote-ri-house-approves-truck-toll-plan> (Feb. 10, 2016) (quoting House Speaker stating that “[p]eople should know that 60 percent of the money is going to come from out of state”); Stephanie Johnston and Rosie Woods, “One Year Later: Gov. Raimondo, RIDOT Review RhodeWorks,” WPRI.com, <http://wpri.com/2017/02/22/one-year-later-gov-raimondo-ridot-review-rhodeworks/> (Feb. 22, 2017) (administration officials expect “much of the funding for the infrastructure ... to come from a new toll on *tractor trailers driving through the state*) (emphasis added).

Given these serious legal infirmities, the EA fails to consider the impacts of removing the daily toll caps, of tolling all vehicles, or of having to cease toll collection altogether (if the scheme is deemed unlawful, but the legislature chooses not to rehabilitate it by lifting the caps or authorizing tolls on all vehicles). At a minimum, the state should conduct a sensitivity analysis taking into account the likelihood of those scenarios.

For reasons described below, capping the toll rates clearly favors intrastate travelers, and is likely illegal under the Constitution's Commerce Clause. At a minimum, the state should conduct a sensitivity analysis to determine the impacts of uncapping toll rates. Furthermore, tolling only tractor-semitrailers may also be found to be discriminatory since these vehicles engage in a disproportionately high level of interstate travel. Therefore the analysis should consider the impacts of tolling all vehicles. In addition, RIDOT should be required to order and make public an independent legal review prior to FHWA approval in order to determine whether a legal challenge is likely to be successful.

**8. The Berger Report assumed nonexistent access restrictions that caused a severe underestimate of diversion and overestimate of revenue collection.**

The Berger Report assumed that RIDOT would impose access restrictions on tractor-semitrailers to prevent through trucks from avoiding tolls by using alternative routes. The report assumed that enforcement of these restrictions would reduce traffic diversion by 50 percent.<sup>10</sup> However, on August 17, 2017, the Rhode Island State Traffic Commission rejected RIDOT's request to impose these restrictions.<sup>11</sup> Therefore, the Berger Report severely underestimates traffic diversion. Since the EA based its estimates of impacts on the Berger Report's underestimated diversion figures, all of the impact assessments that are adjustable according to the number of diverted vehicles are inherently erroneous.

Furthermore, as a result of this adjustment, the projected revenue is lower than RIDOT claims is needed to meet the purpose and need of the proposal. According to a sensitivity analysis that excluded the enforcement actions, gross revenue would be reduced by approximately \$10 million per year under this scenario.<sup>12</sup> When toll capital and administrative costs are factored in, ATA estimates that net annual average revenue over the first 10 years of the program (2016-2025) is \$27.48 million. This includes the 10-year, \$68.9 million contract with Kapsch Traffic Com IVHS, Inc. for gantry installation and other capital equipment, including maintenance and operational support.<sup>13</sup> It also includes payment to the Rhode Island Toll & Bridge Authority, which is to manage billing and collection services at an estimated cost of five percent of revenue.<sup>14</sup> Furthermore, the Berger Report did not appear to consider the effects of "leakage" due to non-payment of tolls. This will further deplete the net revenue from tolls.

<sup>10</sup> *Louis Berger Study*, pp. 94-95.

<sup>11</sup> Minutes from the Rhode Island State Traffic Commission meeting, Aug. 17, 2017.

<sup>12</sup> *Louis Berger Study*, Table 6-9, p. 104.

<sup>13</sup> <http://www.ri.gov/press/view/30581>.

<sup>14</sup> [http://www.planning.ri.gov/documents/tip/2017/RI\\_STIP\\_FFY2017\\_2025\\_Amended\\_07212017-Final.pdf](http://www.planning.ri.gov/documents/tip/2017/RI_STIP_FFY2017_2025_Amended_07212017-Final.pdf), p. 35.

9. **The EA did not consider alternatives other than tolling.**

The EA claims that eliminating non-toll alternatives is justified based on standards established under the *American Association of State Highway and Transportation Officials Practitioner's Handbook No. 3: Managing the NEPA Process for Toll Lanes and Toll Roads*.<sup>15</sup> However, RIDOT has not met the AASHTO standards for excluding non-toll alternatives. As stated in the EA, the criteria are as follows:

- Tolling revenue is assumed in Rhode Island's state transportation planning process;
- Tolling revenue is the basis for meeting fiscal constraint of the STIP;
- Tolling is an element of the proposed Project's purpose and need; and
- Non-tolled alternatives were eliminated from consideration during the planning process.

The EA goes on to state the following:

*The revenue generated from Toll Locations 1 and 2 would be used to support the funding of necessary reconstruction or replacement of the Wood River Valley Bridge, the Tefft Hill Trail Bridges, and the Baker Pines Bridge as intended in the RhodeWorks legislation, and within the allowances of 23 U.S.C. 129.*<sup>16</sup>

According to the most recent Rhode Island Transportation Improvement Program posted to RIDOT's website,<sup>17</sup> of the approximately \$32 million currently programmed for the three bridges scheduled for reconstruction or replacement, just \$2 million, or six percent of the total, is toll revenue. Improvements to only one of the bridges – the Wood River Valley Bridge – are to be funded with toll revenue. It is patently absurd to claim that RIDOT is unable to identify an alternative source for \$2 million, which represents less than one-half of one percent of RIDOT's annual budget.<sup>18</sup>

Furthermore, the Federal Highway Administration advises transportation agencies that “[e]ven if non-tolled options may be eliminated during the transportation planning process or through NEPA's alternatives analysis, it is advisable to examine non-tolled alternatives if there is public opposition to tolls.”<sup>19</sup> That public opposition exists was quite clear during the November 21, 2017 public meeting on the EA, where the public witnesses were unanimously opposed to the tolling scheme.

### **Conclusions**

This tolling proposal is unique and unprecedented. Never before has a state either tolled trucks only, or tolled existing Interstates, on a network basis. In fact, we are not aware, in the 61-year history of the Interstate system, of any state that has even explored such a scenario. The proposal is unparalleled in our nation's history and potentially precedent setting. There is

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<sup>15</sup> Environmental Assessment, p. 4-2.

<sup>16</sup> *Ibid.*

<sup>17</sup> *State of Rhode Island Transportation Improvement Program FFY 2017-2025*, Adopted September 8, 2016 Amended July 21, 2017.

<sup>18</sup> *Ibid.*

<sup>19</sup> Federal Highway Administration. *Public-Private Partnership Oversight: How FHWA Reviews P3s*, Jan. 2015, p. 19.

10.

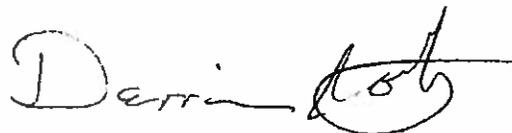
no previous experience to rely on, and no studies of other states' experience to point to when determining the potential effects on traffic congestion, the environment, safety or the economy. Neither RIDOT nor FHWA can today say with confidence what would happen if vehicles traveling on a previously untolled Interstate highway are subjected to tolling. It is clear that neither the Environmental Assessment nor the Traffic and Revenue analysis provide these answers. Both are fatally flawed documents that cannot and should not lead FHWA to issue a FONSI for Locations 1 and 2.

Thank you for your consideration of our comments.

Sincerely,



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Darrin Roth  
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G.11      **Response to comments**

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## **Environmental Assessment for Toll Locations 1 and 2**

### **Response to Comments received during the Public Comment Period**

**December 20, 2017**

The full Public Hearing transcript is included in Appendix G9 where the comments have been identified and hand numbered in the margin of the transcript.

The comments received by mail, email and web comment form are included in Appendix G10 where the comments have been identified and hand numbered in the margin of the comment or letter.

The format of the response to comments below includes the source and date of the comments, a comment summary, followed by a comment response. Please see Appendix G9 and G10 to refer to the comments in their entirety.

**Web comment from North Smithfield November 8, 2017**

**(Name withheld at commenter's request)**

**COMMENT 1: Concerned about property values if gantries are visible from property.**

**Response:** This comment is about a gantry in North Smithfield that is not the subject of this EA. A response is not required at this time.

**COMMENT 1: No new tolls on pre-existing highway or bridge.**

**Response:** Comment noted.

**COMMENT 2: Reference to Pennsylvania toll rate hikes.**

**Response:** This discussion is outside the scope of the EA

**COMMENT 3: Comment on administrative fees.**

**Response:** This discussion is outside the scope of the EA.

**COMMENT 4: Cars will be tolled.**

**Response:** There is no plan to toll cars in the future that would lead to the scenario presented in the comment.

**COMMENT 5: Diversions to I-396.**

**Response:** The *Rhode Island Department of Transportation Investment-Grade Truck Tolling Study (Louis Berger, 2017)* evaluated the potential effect of long distance through movement diversions around the state resulting from the implementation of base case tolls and determined that no alternative route provides a competitive advantage over the tolled I-95 route through Rhode Island. Based on this finding, trucks are not expected to bypass Rhode Island in sufficient numbers to generate the impacts envisioned in the comment.

## Public Hearing Transcript (November 21, 2017)

Refer to Appendix G9 for full comments. Text in bold is a brief excerpt of comments. Full comments are numbered within the Public Hearing Transcript.

### **PH Comment 1: Sen. Elaine Morgan: Are you going to do these for all 15?**

**Response:** RIDOT is currently preparing an EA for Toll Locations 3, 4, and 6 through 13 due to their proximity to each other and the likelihood of common diversion routes.

### **PH Comment 2: Sen. Elaine Morgan: How many tolls will there be?**

**Response:** RIDOT is currently preparing an EA for an additional 10 locations (Toll Locations 3, 4, and 6 through 13). Toll Locations 5 and 14 will be subject to their own environmental review process in the future.

### **PH Comment 3: Sen. Elaine Morgan: There is an environmental determination by DEM saying not to proceed with this project because there is an environmental impact on the community or the wetlands. It cannot be ruled out that the alterations to nearby wetlands will occur based on the material submitted. So Charlie Herbert on 7-5-17 did this study and advised not to proceed with this, number one.**

**Response:** At the time of the issuance of the EA, the RI Department of Environmental Management (RIDEM) had made a determination for Location 2 in response to a Request for Regulatory Applicability (RRA). The RRA does not include a field site visit by RIDEM. Because a small emergent plant community had been identified directly adjacent to the LOD for Toll Location 2, a Request for Preliminary Determination (RPD) was needed so that a site visit could be conducted to verify the resource boundary. The RPD process was initiated and has been completed. On December 1, 2017, RIDEM determined that a permit for this location pursuant to the Freshwater Wetland Act or the Rules and Regulations for the Act is not required. No further wetland permitting review is required for Location 2.

Table 9-1 in Section 9.9 of the EA has been updated to reflect this. The RIDEM determination is provided in Appendix B.

### **PH Comment 4: Sen. Elaine Morgan: Has there been a macroeconomic impact analysis done?**

**Response:** The economic impact of RhodeWorks was evaluated during the legislative deliberation process leading up to the passage of *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016*. As noted in the EA, *The Economic Impact of RhodeWorks: An Accelerated Transportation Restoration Plan*, developed by the Rhode Island Department of Revenue, Office of Revenue Analysis, October 2015 and other studies and panel groups provided input on potential economic impacts and were considered in the final writing of RhodeWorks.

### **PH Comment 5: Sen. Elaine Morgan: I-395 was designed to bypass Rhode Island. And that is what they will be using, 395.**

**Response:** The *Rhode Island Department of Transportation Investment-Grade Truck Tolling Study (Louis Berger, 2017)* evaluated the potential effect of long distance through movement diversions around the state resulting from the implementation of base case tolls and determined that no alternative route provides a competitive advantage over the tolled I-95 route through Rhode Island. Based on this finding,

trucks are not expected to bypass Rhode Island in sufficient numbers to affect Rhode Islands' gas tax revenue.

**PH Comment 6: Sen. Elaine Morgan: This is going to hurt our truck stop at Exit 5, which is a private business. This is going to have a big impact on them if the trucks don't come in. It's going to have a big -- it going to have a big economic devastation to -- milk will be \$7 a gallon instead of 5 that it is now, 10, there is no -- furniture, everything, from the shoes you wear to the clothes on your back to the food we eat, this is going to have a major impact, and I can't understand why you people don't see this. We don't want this. Rhode Island doesn't want this.**

**Response:** The economic impact to state residents was taken into consideration during the development of the RhodeWorks legislation. The toll rates at Toll Locations 1 and 2 have been formulated to balance a driver's VOT and expenses, including the consideration of tolls at other locations, such that no significant economic impact to trucks would occur and no cumulative impact would be borne by the state residents.

**PH Comment 7: Ken Braiser: Why is it starting in the southern part of the state where the environmental impact will be the greatest? You already have tons of acres of impervious concrete and asphalt in the northern part of the state where there will be no impact. It always goes to the southern end of the state whenever anything is bad going to happen.**

**Response:** RIDOT is beginning with Toll Locations 1 and 2 due to their proximity to one another and because they have independent utility and logical termini. The direct, indirect and cumulative impacts of the project were considered in the EA. The EA identifies the limits of disturbance for all construction-related activities associated with Toll Locations 1 and 2. Our analysis concludes that the Proposed Action Alternative would result in a slight increase in impervious surface (160 square feet total) through the construction of concrete pads for utility cabinets (approximately 50 square feet per toll location) and gantry foundations (approximately 20 square feet per gantry). In addition, foundations for the gantries would be augured to minimize excavation and land disturbance, which would also minimize the potential for erosion. The minimal increase in impervious surface would not result in a measurable increase to stormwater runoff or an effect on groundwater recharge.

**PH Comment 8: Ken Braiser: What are you planning on doing if the trucks boycott the state?**

**Response:** The LB Truck Tolling Study evaluated the potential effect of long distance through movement diversions around the state resulting from the implementation of base case tolls and determined that no alternative route provides a competitive advantage over the tolled I-95 route through Rhode Island. Based on this finding, trucks are not expected to bypass or boycott Rhode Island in sufficient numbers.

**PH Comment 9: Ken Braiser: I have some concerns about the bridges in Hope Valley on Route 3. Those bridges should have been fixed before these tolls went in and any diversion took place whatsoever. They've narrowed those bridges down. I understand the one that's nearest to the Stage Coach Inn is due to be fixed, but it's going to take two to three years to fix it. The increased traffic on those bridges is going to be very detrimental to them.**

**Response:** The potential for impacts to infrastructure (roads and bridges) resulting from potential increases in truck volumes was considered. Truck traffic that diverts to avoid tolls at Toll Locations 1 and 2 would use existing roads that currently allow for these classes of truck. The bridges located along Diversion Route 1 (Wyoming, Hope Valley, and Canonchet) have no weight restrictions. As described in Section 6.3.2 of the EA, any potential increase in truck traffic along Diversion Route 1 is not expected to accelerate the deterioration of these bridges, nor is it expected to require the acceleration of their scheduled repairs and maintenance.

**PH Comment 10: Ken Braiser: Those school bus routes are going to be impacted by this traffic. All of those routes are going to have to be extended. We're going to have to put more drivers in place on buses in order to accommodate the timing to get the kids to school.**

**Response:** The intersection and segment analyses discussed in Section 6.3.2 of the EA show that there would only be a slight increase in delay at the study intersections along Diversion Route 1 and this increase would be imperceptible to the drivers of the route. The roadway segment analyses also show an insignificant reduction in average speed along Diversion Route 1, which would also be imperceptible to local drivers of the route. Therefore, the volume of truck traffic (existing and diverted) would not affect school routes or access to community facilities.

**PH Comment 11: Ken Braiser: Is there any other state in which a program similar to this has been successfully implemented?**

**Response:** We are unaware of a similar program being implemented.

**PH Comment 12: Pierre Duval: I'm a lost tractor trailer driver trying to avoid the tolls on the highway. How many people are going to be doing that?**

**Response:** As described in Section 6.3.2 of the EA, the volume of truck traffic estimated to divert to Diversion Route 1 is small and trucks currently use the route without issue. Therefore, although it is plausible that a truck may get lost trying to navigate around the toll locations, it is unlikely and will not result in substantial traffic or safety issues.

**PH Comment 13: Christopher Maxwell, Rhode Island Trucking Assn.: Our opposition to this plan from its introduction in the spring of 2015 is well documented.**

**Response:** Comment noted. The trucking industry's opposition to RhodeWorks is well documented and considered throughout the deliberation and passage of *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016*.

**PH Comment 14: Christopher Maxwell, Rhode Island Trucking Assn.: From failed attempts at tax credits to commercial vehicle fee reductions, the consistent message, although very inaccurate, has been that this program will be targeted through truckers – be targeting through-truckers. The provision of a \$40 cap for all trucks still remains as part of the program and in our estimation is quite vulnerable to a legal challenge. The cap would protect local businesses by giving them predictability on their daily toll expenditure. There is great disparity in the cap protection which favors locally traveling trucks.**

**Response:** Aspects of the RhodeWorks program mentioned in the comment are policy decisions evaluated, deliberated, and eventually established in *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016* and are outside the scope of this EA.

**PH Comment 15: Christopher Maxwell, Rhode Island Trucking Assn.: The successful challenge and elimination of the cap would have catastrophic effects on local businesses, our supply chain costs, and most importantly our cost of living. Businesses are counting on this protection and its legal vulnerability should be vetted.**

**Response:** The \$40.00 cap is established in *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016* and consideration of its elimination is outside the scope of this EA.

**PH Comment 16: Christopher Maxwell, Rhode Island Trucking Assn.: Another false notion that's been sold is that through-truckers would shoulder the burden of this proposed tolling. In the**

**proposed tolling area, the Berger report illustrates yet another disproportionate burden on truck -- on local truck traffic.**

**Response:** The impact to RI truckers was taken into consideration during the development of the RhodeWorks legislation and is discussed in the cumulative impacts discussion in the EA.

**PH Comment 17: Christopher Maxwell, Rhode Island Trucking Assn.: In fact, the Berger studies show that 56 percent of tractor trailer trips in these two areas are intrastate, while only 6 percent are through trips. The remaining 38 percent of trips have either a destination in Rhode Island or are carrying loads that originate from Rhode Island. Clearly, Rhode Island truckers will be -- will bear a far greater burden than through-truckers.**

**Response:** The impact to RI truckers was taken into consideration during the development of the RhodeWorks legislation and is discussed in the cumulative impacts discussion in the EA.

**PH Comment 18: Christopher Maxwell, Rhode Island Trucking Assn.: Mr. Machado afforded my industry the transparency in information that was lacking from our local Government and DOT. Mr. Machado informed me at that time there was a difference of opinion over whether the environmental assessment process should be employed or whether this plan committed a full environmental impact statement. Mr. Machado favored a full environmental impact study and RIDOT an environmental assessment. I wonder what happened.**

**Response:** Toll Locations 1 and 2 are proceeding at this time because they meet the FHWA criteria for logical termini, independent utility, and the consideration of alternatives of other reasonably foreseeable transportation improvements (23 CFR 771.111[f]). The EA discusses the direct, indirect, and cumulative impacts of tolling at Toll Locations 1 and 2 in consideration of other reasonably foreseeable actions, including other toll locations in the future.

**PH Comment 19: Christopher Maxwell, Rhode Island Trucking Assn.: In fact, our governor confirmed this in an interview in April of 2016 when asked on WPRO about provoking a lawsuit, she responded, and I quote, "It's something we're thinking about and that I," quote, "certainly would want to put up one toll and not spend a lot of money to test it before putting up gantries."**

**Response:** The Proposed Action Alternative was developed and evaluated for consistency with Federal Highway Administration regulations regarding logical termini, independent utility, and the consideration of alternatives of other reasonably foreseeable transportation improvements (23 CFR 771.111[f]). The EA discusses the direct, indirect, and cumulative impacts of tolling at Toll Locations 1 and 2 and was developed in consideration of the network analysis conducted in the *Rhode Island Department of Transportation Investment-Grade Truck Tolling Study* (Louis Berger, 2017). To the extent that resources or impacts from the proposed action are realized across a broader area, then they were considered in the indirect and cumulative sections of the EA (e.g., Transportation Network, Air Quality, and Trucks Assessed with Tolls).

**PH Comment 20: Monique Chartier, StoptollSri.com: First is the entire premise of the necessity for tolls. Tolls are not necessary.**

**Response:** The need for the project is covered in Section 2.2 of the EA. Non-tolled alternatives were considered and deliberated in the process leading up to the passage of the RhodeWorks legislation. It is outside the scope of this EA to revisit the determination of the state legislature and Governor of Rhode Island and the tolling assumptions built into the State of Rhode Island Transportation Improvement Program adopted by the Rhode Island Department of Administration, Statewide Planning Program and the State Planning Council (which is comprised of state, local, and public representatives and federal advisors).

**PH Comment 21: Monique Chartier, StoptollSri.com: The idea of taking just two gantry locations and studying it in a silo is absurd. This is a statewide program.**

**Response:** The Proposed Action Alternative was developed and evaluated for consistency with Federal Highway Administration regulations regarding logical termini, independent utility, and the consideration of alternatives of other reasonably foreseeable transportation improvements (23 CFR 771.111[f]). The EA discusses the direct, indirect, and cumulative impacts of tolling at Toll Locations 1 and 2. To the extent that resources or impacts are impacted on a broader scale, they are considered in the indirect and cumulative sections of the EA (e.g., Transportation Network, Air Quality, and Trucks Assessed with Tolls).

**PH Comment 22: Monique Chartier, StoptollSri.com: Toll Gantry Location 2, DEM has said you cannot proceed because we have not made a wetlands determination with regard to Toll Gantry Location 2. Therefore, this environmental assessment isn't complete,**

**Response:** At the time of the issuance of the EA, the RIDEM had made a determination for Location 2 in response to a Request for Regulatory Applicability (RRA). The RRA does not include a field site visit by RIDEM. Because a small emergent plant community had been identified directly adjacent to the LOD for Toll Location 2, a Request for Preliminary Determination (RPD) was needed so that a site visit could be conducted to verify the resource boundary. The RPD process was initiated and has been completed. On December 1, 2017, RIDEM determined that a permit for this location pursuant to the Freshwater Wetland Act or the Rules and Regulations for the Act is not required. No further wetland permitting review is required.

Table 9-1 in Section 9.9 of the EA has been updated to reflect this. The RIDEM determination is provided in Appendix B.

**PH Comment 23: Larry Gillheeny: The only thing I have to add to it is we oppose it. Thank you.**

**Response:** Comment noted.

**PH Comment 24: Mike Collins, Gaspee Business Network: Why would you want to screw with your supply chain?**

**Response:** Aspects of the RhodeWorks program noted in the comment are policy decisions evaluated, deliberated, and eventually established in *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016* and are outside the scope of this EA.

**PH Comment 25: Mike Collins, Gaspee Business Network: And if you believe that you think they're going to stop at us, they're coming for your cars, trust me, because they don't have the truck numbers.**

**Response:** Comment is outside the scope of this EA.

**PH Comment 26: Darrin Roth, American Trucking Assn.: ATA is very much opposed to the roadworks tolling proposal. Never before has the state either tolled trucks only or tolled existing interstates on a network basis. The proposal is unparalleled in our nation's history and potentially precedent setting. There is no previous experience to rely on. No studies of other states' experience to point to when determining the potential effects on traffic congestion, the environment, safety, or the economy. Neither RIDOT nor FHWA can say today with confidence what would happen if vehicles traveling on previously untolled interstates were subjected to tolling.**

**Response:** Aspects of the RhodeWorks program are policy decisions evaluated, deliberated, and eventually established in *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016* and are outside the scope of this EA.

**PH Comment 27: Darrin Roth, American Trucking Assn.; It is clear that neither the environmental assessment nor the traffic and revenue analysis provide these answers. Both are fatally flawed documents that cannot and should not lead FHWA to issue a FONSI for Locations 1 on 2.**

**Response:** FHWA independently reviewed the findings and conclusions in the EA prior to approving the EA for public dissemination. Included in their review, FHWA confirmed the Proposed Action met the independent utility requirements of 23 CFR 771.111(f) and tolling requirements of 23 USC § 129, independently reviewed supporting documentation, including the *Rhode Island Department of Transportation Investment-Grade Truck Tolling Study* by Louis Berger.

**PH Comment 28: Darrin Roth, American Trucking Assn.: First, a separate EA for Locations 1 and 2 ignores the cumulative effect of full network tolling.**

**Response:** The cumulative impacts of tolls at all proposed locations were evaluated and discussed in Section 6.4 of the EA. In addition, the *Rhode Island Department of Transportation Investment-Grade Truck Tolling Study* (Louis Berger, 2017) and the *Traffic Impact Screening Analysis for Toll Locations 1 and 2 and Diversion 1* (Jacobs, 2017) were developed from a network perspective with all toll locations operational. Therefore, the potential for cumulative effects on Diversion Route 1 resulting from diversion truck volumes from other toll locations was taken into consideration.

**PH Comment 29: Darrin Roth, American Trucking Assn.: Second, the environmental route analysis for Locations 1 and 2 is clearly inadequate. There are obvious additional routes to which trucks will divert. This omission by itself renders the EA effectively unusable.**

**Response:** The Louis Berger Team defined primary diversion routes by first identifying roadway links that were projected to have their tractor trailer volume increase by more than 150 vehicles on daily basis under the tolled scenario. The Louis Berger Team selected this threshold based on the generally observed daily pattern of tractor trailer traffic. Applying the generally observed hourly distribution of tractor trailer volumes to the 150 daily diversion threshold results in a peak hourly volume of approximately 10 vehicles per hour. Any increase in tractor trailer traffic below this cutoff was deemed to be negligible given the typical statistical noise of route choice models.

The route identified in the comment did not meet this threshold and this could be due to a variety of complex factors taken into account in the travel demand model's design and operation. Truck diversions in the travel demand model were derived by taking into the account the total generalized cost of travel that accounts for both the value-of-time as well as vehicle operating cost of \$1.59/mile on average based on the American Truck Research Institute and documented in the Berger report. Including vehicle operating costs into the simple calculation provided in the comment negates the finding of route advantage via the I-395/Route 6 diversion they identify as a plausible alternative – even under the 75 % VOT assumption scenario.

The comment further suggest the extending the I-395/Route 6 diversion to include I-295 as a diversion route alternative enroute to Boston. This assessment once again does not include the vehicle operating cost of the additional travel distance and also does not appear to account for the toll paid on I-295 at toll locations 8e/8f.

It should also be noted Louis Berger also conducted an evaluation of diversions around the Rhode Island using I-395 and I-90 as a means to bypass all the tolls as indicated in the report and determined that this alternative route does not provide a competitive advantage over the tolled I-95 route through Rhode Island and is therefore unlikely to impact the base case toll revenue estimates or diversions.

**PH Comment 30: Darrin Roth, American Trucking Assn.: Third, the traffic and revenue analysis assumes that through-trucks will be barred from using alternative routes. However, in August, the state traffic commission rejected RIDOT's request to impose these restrictions. The EA's entire analysis assumes that these restrictions are in place and that as a result, diversion is reduced by 50 percent.**

**Response:** The Louis Berger Team post processed the raw model outputs as part of the traffic and revenue forecast effort. Post processing of model outputs is typically performed in toll revenue forecasts to account for factors that cannot be practically incorporated into the traditional modeling tools and procedures.

The Berger Report does not assume that RIDOT would impose access restrictions on tractor semitrailers. It is understood that RIDOT has dedicated significant resources towards the policing of existing truck violations and this action is expected to impact the degree to which trucks divert away from the tolled routes. Similar tractor trailer enforcement actions have been conducted in other states where public agencies have sought to minimize toll diversions and address public safety concerns related to truck use of alternate roads that are not well suited for heavy vehicle traffic. Given the unprecedented nature of the study, the Louis Berger report has based its assumptions on observations of similar policing actions on the Ohio Turnpike and the implied modelling assumptions of the I-80 facility in Wyoming. The report includes sensitivity tests that evaluate the impact of more or less effective enforcement action.

Non-payment of tolls was not reflected in the Berger report due to the fact that revenue from non-paid tolls is typically collected at a higher rate than the nominal cost of the tolls to account for administrative costs of collection as well as violation fees. The net effect of non-payment cannot easily be assessed and the Berger report therefore reflected a neutral stance on the associated revenue impact.

**PH Comment 31: Darrin Roth, American Trucking Assn.: Fourth, the EA did not consider funding alternatives other than tolls.**

**Response:** Non-tolled alternatives were considered and deliberated in the process leading up to the passage of the RhodeWorks legislation. It is outside the scope of this EA to revisit the determination of the state legislature and Governor of Rhode Island and the tolling assumptions built into the State of Rhode Island Transportation Improvement Program adopted by the Rhode Island Department of Administration, Statewide Planning Program and the State Planning Council (which is comprised of state, local, and public representatives and federal advisors).

**PH Comment 32: Darrin Roth, American Trucking Assn.: Finally, the EA does not consider the possibility of a successful legal challenge to the tolling structure.**

**Response:** Comment is outside the scope of this EA. It should be noted however, that the No Action Alternative studied and carried throughout the EA does consider the impacts of a scenario comparable to the one suggested by the commenter.

**PH Comment 33: Darrin Roth, American Trucking Assn.: RIDOT should either be required to produce for comment a revised EA that addresses the many errors and deficiencies and looks at the network effects of tolls at all proposed locations or in the EIS that looks at the network effects.**

**Response:** FHWA independently reviewed the findings and conclusions in the EA prior to approving the EA for public dissemination. FHWA will review comments and responses prior to making its determination to revise the EA, issue a Finding of No Significant Impact, or proceed with an Environmental Impact Statement.

**PH Comment 34: Irwin Pierce: The other one thing I'd like to say to the residents of Rhode Island. Look at Rhode Island, the taxpayers, it's a gold mine. Your miners are those we'll use for an example is DOT and anybody that makes a living off those roads or anything. They turn around and every time they get a little short on gold, they go to open up a new vein, and they turn around. An example is what you're talking about right now, tolls. They want more money.**

**Response:** Aspects of the RhodeWorks program noted in the comment are policy decisions evaluated, deliberated, and eventually established in *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016* and are outside the scope of this EA.

**PH Comment 35: Barbara Capalbo, Hopkinton Town Council: One is that because I'm from Hopkinton, one of our major concerns are the two bridges in Hope Valley, and I know they're on your plan to strengthen and repair; but I would like to make sure that you move forward with that expeditiously since you are even considering the tolls, whether they happen or not.**

**Response:** The potential for impacts to infrastructure (roads and bridges) resulting from increases in truck volumes was considered. Any truck traffic that diverts to avoid tolls at Toll Locations 1 and 2 would use existing roads that currently allow for these classes of truck. The bridges located along Diversion Route 1 (Wyoming, Hope Valley, and Canonchet) have no weight restrictions. As described in Section 6.3.2 of the EA, the volume of truck traffic estimated to divert to any given roadway is small (ranging from 4 to 10 additional trucks at Peak Hour). This small increase in truck traffic along Diversion Route 1 is not expected to accelerate the deterioration of these bridges, nor require the acceleration of their scheduled repairs and maintenance.

**PH Comment 36: Barbara Capalbo, Hopkinton Town Council: You seem to have forgotten the oil rigs and the liquid trucks which are certainly as heavy, if not heavier than the semi's, for some reason, they're not on your charts.**

**Response:** Classes of trucks subject to tolling was established in *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016* and outside the scope of this EA.

**PH Comment 37: Barbara Capalbo, Hopkinton Town Council: Are you also planning on lowering all the diesel taxes to offset the road tolls for the truckers?**

**Response:** Outside the scope of this EA. No response.

**PH Comment 38: Denise Poyer, Wood-Pawcutuck Assn.: This will be the first and probably only rivers in the state that are ever going to be designated wild and scenic, and I do not believe that we should be doing any type of construction within those river corridors. I also am concerned about the fact that the diversion root will likely take trucks over other rivers over the Wood River and these could contribute to problems with water quality of the Wood River.**

**Response:** Toll systems will be constructed within an existing highway corridor and associated with existing bridges. The volume of truck diversion is small and will not require improvements to any infrastructure along Diversion Route 1, including other crossings of the Wood River.

**PH Comment 39: Melania Van Der Hooft: As it is, when a bus stops, we all stop, and we back up a long way. Someone gets out, they check under, over. Now, I'm going to ask a semi truck to stop going. Am I going to be sure that that truck is going to stop, that it's going to keep our kids safe. I worry about that.**

**Response:** The intersection and segment analyses discussed in Section 6.3.2 of the EA show that there would only be a slight increase in delay at the study intersections along Diversion Route 1 and this increase would be imperceptible to the drivers of the route. The roadway segment analyses also show an insignificant reduction in average speed along Diversion Route 1, which would also be imperceptible to local drivers of the route. Therefore, the volume of truck traffic (existing and diverted) would not affect school routes or the safety of children on school busses.

**PH Comment 40: Melania Van Der Hooft: It's going to create more traffic in our town. It's then going to ruin our roads, okay, because the trucks will be coming here.**

**Response:** The potential for impacts to infrastructure (roads and bridges) resulting from increases in truck volumes was considered. Any truck traffic that diverts to avoid tolls at Toll Locations 1 and 2 would use existing roads that currently allow for these classes of truck. The bridges located along Diversion Route 1 (Wyoming, Hope Valley, and Canonchet) have no weight restrictions. As described in Section 6.3.2 of the EA, the volume of truck traffic estimated to divert to any given roadway is small. This small increase in truck traffic along Diversion Route 1 is not expected to accelerate the deterioration of these bridges, nor require the acceleration of their scheduled repairs and maintenance.

**PH Comment 41: Paul Michaud, President Richmond Town Council: I do oppose the tolls all together, and have made that opinion known previously to DOT and so forth.**

**Response:** Comment noted.

**PH Comment 42: Paul Michaud, President Richmond Town Council: My main concern is Route 3. It's a local road, state road. It is a local road, and I understand that there probably would be a lot of trucks that may use Route 3 to avoid the tolls. I think I've heard comments of that nature and so forth, and I believe it will happen. My concern about that is, it is only a two-lane state road. There are a few bridges on that state road. Those bridges, in my opinion, at least from what I understand from DOT, are not suited for that kind of truck traffic on a daily basis as the bridges perhaps on Route 95 or on any state highway. So, therefore, that is a concern to me.**

**Response:** The potential for impacts to infrastructure (roads and bridges) resulting from increases in truck volumes was considered. Any truck traffic that diverts to avoid tolls at Toll Locations 1 and 2 would use existing roads that currently allow for these classes of truck. The bridges located along Diversion Route 1 (Wyoming, Hope Valley, and Canonchet) have no weight restrictions. As described in Section 6.3.2 of the EA, the volume of truck traffic estimated to divert to any given roadway is small. This small increase in truck traffic along Diversion Route 1 is not expected to accelerate the deterioration of these bridges, nor require the acceleration of their scheduled repairs and maintenance.

**PH Comment 43: Paul Michaud, President Richmond Town Council: I think DOT wants us, the Town of Richmond, and the other towns as well, to be able to police the fact when those trucks do not come on 95, yet use Route 3.**

**Response:** RIDOT received a non-compliance notice from FHWA instructing RIDOT to increase truck enforcement throughout the entire state roadway network. However, this Project does not include any requests for increased police enforcement on tractor trailers.

**PH Comment 44: Paul Michaud, President Richmond Town Council: I was wishing that this had been in our hands months ago as council president and as members -- other members of our town council who are elected have seen something like this a long time ago so that we could have had some input on this particular document in and of itself.**

**Response:** The timing of the public hearing is scheduled during the middle of the public comment period so the public has some time to review the EA prior to the public hearing, as well as time thereafter to provide comments to RIDOT.

**PH Comment 45: Paul Michaud, President Richmond Town Council: Federal money for police enforcement. (Paul Michaud, President Richmond Town Council): DOT will probably receive Federal funds, I think, to turn over to the state which, in turn, would turn over to the town for these police patrols or something like that. I'm not a hundred percent sure about that, but I read something of that nature. So if that's true, that's one thing; but, you know, the way I look at it is it's taxpayer money no matter how you look at it, whether it's Federal, state, town.**

**Response:** This Project does not include any requests for increased police enforcement on tractor trailers.

**PH Comment 46: Rep. Patricia Morgan: You know this is public policy. This is about a toll system. Actually, it's going to be the most extensive toll system in the United States, and it affects not just these two bridges, it's going to affect the entire state. And I think when we do public policy, we have to approach it with a wholehearted and honest attempt to understand all the ramifications, not just on this one bridge or that other bridge, but on the entire state which I think is what the point of an environmental impact study is.**

**Response:** RhodeWorks was evaluated and deliberated at the state level before eventually being finalized in *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016*. The EA discusses the direct, indirect, and cumulative impacts of tolling at Toll Locations 1 and 2. The Proposed Action Alternative was developed and evaluated for consistency with Federal Highway Administration regulations regarding logical termini, independent utility, and the consideration of alternatives of other reasonably foreseeable transportation improvements (23 CFR 771.111[f]).

**PH Comment 47: Rep. Patricia Morgan: I could not find a more cynical attempt at finding out how this is going to impact not just this community but Rhode Island than I'm seeing tonight. This is the Tuesday before Thanksgiving. Many families are worried about their Thanksgiving dinner.**

**Response:** The timing of the public hearing is scheduled during the middle of the public comment period so the public has some time to review the information prior to the public hearing, as well as time thereafter to provide comments to RIDOT.

**PH Comment 48: Rep. Patricia Morgan: So if you take 45 million, and I think everybody knows that we borrowed money. We're going to pay for toll gantries. We're going to pay to maintain the toll gantries. We're going to pay credit card fees. At the end of the day, we're not even getting 45 million to use on bridges. We're taking 45 million, but we're not going to be able to use 45 million. I think it's as low as 7 million or even in some cases, it could be a negative by the time the system is built. None of that is covered in here, not even contemplated.**

**Response:** As discussed in the EA, toll rates will be established to account for operations and maintenance of the toll facilities and still generate enough revenue to support the Rhode Island bridge replacement, reconstruction, and maintenance fund.

**PH Comment 49: Rep. Patricia Morgan :** **It's not in the 27 lines that you put here for the economic impact. And the economic impact is something that you are required as DOT to study, not 27 lines, but a real study.**

**Response:** The EA discusses the direct, indirect, and cumulative economic impacts of tolling at Toll Locations 1 and 2 and is commensurate with the level of impact anticipated from this action and builds upon the economic analysis, assumptions, and conclusions of supporting documentation. Section 6.4 of the EA specifically analyzes the cumulative impacts of the Proposed Action Alternative when added to other past, present, and reasonably foreseeable future actions. "Other actions" included the consideration of "reasonably foreseeable future" tolls at additional tolling locations identified by RIDOT and evaluated in *The Rhode Island Department of Transportation Investment-Grade Truck Tolling Study* (Louis Berger, 2017).

**PH Comment 50: Rep. Bob Quattocchi:** **I've learned, which I probably knew before, is the difficulty in which the state makes it for citizens to come and speak against issues that the state feels that they are determined to ram down our throats, and tonight is a perfect example of that. It's been stated earlier by others.**

**Response:** Opportunities for public participation in the development of this EA are consistent with FHWA and RIDOT requirements.

**PH Comment 51: Rep. Bob Quattocchi:** **Does that mean we're going to lose our Federal funding if we start tolling?**

**Response:** The provisions of current law established in 23 U.S.C. § 129 "Toll roads, bridges, tunnels, and ferries" applies to the proposed action. FHWA will follow these provisions, as well the latest guidance on the subject, titled Section 129 General Toll Program Q and A when making Federal funding eligibility determinations. For your reference, the guidance can be accessed at:  
[https://www.fhwa.dot.gov/ipd/tolling\\_and\\_pricing/tolling\\_pricing/section\\_129\\_faqs.aspx](https://www.fhwa.dot.gov/ipd/tolling_and_pricing/tolling_pricing/section_129_faqs.aspx)

**PH Comment 52: Michael Geary:** **And the roads themselves, all through those roads, aren't in the greatest shape as they are -- as they should be. It's a state road. Not going to sit here and beat it to death about state roads, who owns what, but if these trucks get on these roads, get involved with everything that goes on in the roads during a normal day, it's just going to be a complete mess.**

**Response:** The potential for impacts to infrastructure (roads and bridges) resulting from increases in truck volumes was considered. Any truck traffic that diverts to avoid tolls at Toll Locations 1 and 2 would use existing roads that currently allow for these classes of truck. The bridges located along Diversion Route 1 (Wyoming, Hope Valley, and Canonchet) have no weight restrictions. As described in Section 6.3.2 of the EA, the volume of truck traffic estimated to divert to any given roadway is small. This small increase in truck traffic along Diversion Route 1 is not expected to accelerate the deterioration of these bridges, nor require the acceleration of their scheduled repairs and maintenance.

**PH Comment 53: Michael Geary:** **I am totally opposed to tolling.**

**Response:** Comment noted.

## Letter from ATA/RITA, December 6, 2017

**Comment 1: The Environmental Assessment should not consider Locations 1 and 2 separately from other proposed tolling locations.**

“The EA only addresses the impacts of tolling at two locations, and does not take into account the cumulative impacts that tolls at the additional tolling locations identified by RIDOT<sup>2</sup> would have on travelers passing through the toll gantries at Locations 1 & 2.

Nor does the EA account for potential cumulative effects should the alternative routes for Locations 1 & 2 also be used as an alternative route to avoid other toll gantries under a broader tolling scenario.

Furthermore, imposing tolls at only two locations near the state's border, where interstate travel is likely disproportionately high relative to travel elsewhere in the state, raises serious concerns under the U.S. Constitution's Commerce Clause. According to Figure 6-3 of the Berger Report, Locations 1 & 2 have the lowest proportion of repeat trips, which suggests a lower percentage of local traffic. While two percent of the trips are repeat traffic at these locations, the total for all gantry locations is 7.5%, and is as high as 17.1 % at the individual locations.

Furthermore, imposing tolls at only two locations near the state's border, where interstate travel is likely disproportionately high relative to travel elsewhere in the state, raises serious concerns under the U.S. Constitution's Commerce Clause. According to Figure 6-3 of the Berger Report, Locations 1 & 2 have the lowest proportion of repeat trips, which suggests a lower percentage of local traffic. While two percent of the trips are repeat traffic at these locations, the total for all gantry locations is 7.5%, and is as high as 17.1 % at the individual locations.

This sort of collection-point manipulation, designed to ensure that interstate users will be assessed a toll while users involved in purely intrastate movements will escape charges, appears to violate the Commerce Clause by discriminating against interstate commerce. See, e.g., *Chemical Waste Mgmt. v. Hunt*, 504 U.S. 334, 342 (1992) (Commerce Clause forbids states from burdening "a transaction or incident more heavily when it crosses state lines than when it occurs entirely within the State") (internal quotation marks omitted); *Camps Newfound/Owatonna v. Harrison*, 520 U.S. 564, (1997) (when a burden "falls by design in a predictably disproportionate way on out-of-staters," it is just as invalid under the Commerce Clause as a burden "targeting out-of-staters alone").

**For these reasons FHWA should not issue a FONSI based on an environmental assessment of an arbitrary-and constitutionally infirm-subset of the Rhode Works tolling scheme.”**

**Response:** The EA included analysis of all 14 tolling locations. The EA also assessed toll locations 1 and 2 independently.

As per Louis Berger *Toll Locations 1 and 2 Analysis*, based on the isolated nature of toll locations 1 and 2 (relative to the toll locations scattered around the rest of the state regional network of proposed toll routes), it is Louis Berger's finding that the estimated truck diversions under the base case scenario would be similar under a toll scenario where tolls were only applied to locations 1 and 2.

The Proposed Action Alternative was developed and evaluated for consistency with Federal Highway Administration regulations regarding logical termini, independent utility, and the consideration of alternatives of other reasonably foreseeable transportation improvements (23 CFR 771.111[f]). The EA discusses the direct, indirect, and cumulative impacts of tolling at Toll Locations 1 and 2.

Section 6.4 of the EA specifically analyzes the cumulative impacts of the Proposed Action Alternative when added to other past, present, and reasonably foreseeable future actions. “Other actions” included the consideration of “reasonably foreseeable future” tolls at additional tolling locations identified by RIDOT and evaluated in *The Rhode Island Department of Transportation Investment-Grade Truck Tolling Study* (Louis Berger, 2017).

The *Rhode Island Department of Transportation Investment-Grade Truck Tolling Study* (Louis Berger, 2017) and the *Traffic Impact Screening Analysis for Toll Locations 1 and 2 and Diversion 1* (Jacobs, 2017) were developed from a network perspective with all 14 toll locations operational. Therefore, the potential for cumulative effects on Diversion Route 1 resulting from diversion truck volumes from other toll locations was taken into consideration. In addition, Louis Berger prepared an assessment of Diversion Route 1 as if only Toll Locations 1 and 2 were operational. The difference in diversion volumes was shown to be insignificant such that no additional or subsequent impact analysis to account for this scenario was necessary. Toll rates to be applied at each individual location were based on a toll revenue and diversion optimization exercise that balanced toll revenue maximization against corresponding truck diversions and other factors across all toll locations.

Although the Proposed Action Alternative was developed and evaluated for consistency with Federal Highway Administration regulations regarding logical termini and independent utility, it remains RIDOT’s intention to develop additional toll locations throughout the state of Rhode Island as provided for in *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016* and evaluated in *The Rhode Island Department of Transportation Investment-Grade Truck Tolling Study* (Louis Berger, 2017).

Comments related to the Commerce Clause are outside the scope of the EA.

**Comment 2: Selection of diversion routes is incomplete.**

**“The EA, supported by the Traffic & Revenue Analysis<sup>3</sup> (Berger Report) only considered a single alternative route (RI Route 3) when analyzing the potential for traffic diversion. In fact, for those vehicles traveling between Connecticut and points west, and Providence, another alternative route, I-395 - U.S. 6, is also an attractive alternative and should have been included in the EA. According to Google Maps, this route would have added just 1.6 miles and 13 minutes to the trip. Under the value-of-time (VOT) assumptions used in the Berger Study, the additional cost of taking this route is lower than the cost of paying the toll for short-distance trips and slightly above the toll costs for long-distance trips (under a negative 25% VOT scenario used in the sensitivity analysis the long-distance cost is also below the toll charge). Continuing on to Boston using this route and connecting to I-295 adds approximately 10 minutes and one mile compared to using I-95, according to Google Maps. The additional cost of taking this route is approximately equivalent to or below the toll cost for both long- and short-distance trips.**

**These are just two examples of alternative routes that the Berger Report failed to consider. The traffic and revenue analysis should be revised to include all feasible alternative routes and the EA (or subsequent EIS) should be revised to reflect the new information.”**

**Response:** The Louis Berger Team defined primary diversion routes by first identifying roadway links that were projected to have their tractor trailer volume increase by more than 150 vehicles on daily basis under the tolled scenario. The Louis Berger Team selected this threshold based on the generally observed daily pattern of tractor trailer traffic. Applying the generally observed hourly distribution of tractor trailer volumes to the 150 daily diversion threshold results in a peak hourly volume of approximately 10

vehicles per hour. Any increase in tractor trailer traffic below this cutoff was deemed to be negligible given the typical statistical noise of route choice models.

The route identified in the ATA/RITA comments did not meet this threshold and this could be due to a variety of complex factors taken into account in the travel demand model's design and operation. Truck diversions in the travel demand model were derived by taking into the account the total generalized cost of travel that accounts for both the value-of-time as well as vehicle operating cost of \$1.59/mile on average based on the American Truck Research Institute and documented in the Berger report. Including vehicle operating costs into the simple calculation provided in the ATA/RITA comment negates the finding of route advantage via the I-395/Route 6 diversion they identify as a plausible alternative – even under the 75 % VOT assumption scenario.

The ATA/RITA comments further suggest the extending the I-395/Route 6 diversion to include I-295 as a diversion route alternative enroute to Boston. This assessment once again does not include the vehicle operating cost of the additional travel distance and also does not appear to account for the toll paid on I-295 at toll locations 8e/8f.

It should also be noted Louis Berger also conducted an evaluation of diversions around the Rhode Island using I-395 and I-90 as a means to bypass all the tolls as indicated in the report and determined that this alternative route does not provide a competitive advantage over the tolled I-95 route through Rhode Island and is therefore unlikely to impact the base case toll revenue estimates or diversions.

**Comment 3: The EA did not analyze the economic impacts of tolling and the resulting effects on traffic patterns.**

**Truck-dependent businesses are likely to consider operational changes in response to tolling that will impact travel patterns in Rhode Island and the surrounding region. For example, one company with a large distribution center in Rhode Island that services much of New England is considering reducing the number of loads serviced by this facility and shifting this traffic to a different location with lower transportation costs if tolls are implemented. Not only will this change truck travel patterns in the region, it will also affect commuter travel, since jobs will be repositioned to the new location. Furthermore, this issue presents another reason for why Locations 1 & 2 cannot be considered separately. An EA or EIS that fails to account for the cumulative economic costs, and subsequent environmental effects, will be inadequate.**

**The cumulative economic impacts of tolls at all proposed locations should be included in a revised EA, or an EIS.**

**Response:** *The Economic Impact of RhodeWorks: An Accelerated Transportation Restoration Plan*, developed by the Rhode Island Department of Revenue, Office of Revenue Analysis, in October 2015 was reviewed for this EA. Although some aspects of the report are dated due to modifications to RhodeWorks prior to its passage, there are numerous observations and conclusions that are still relevant to the discussion on regional economic impacts of RhodeWorks. There is nothing, however, to suggest truck-dependent businesses will react in the manner or scale as suggested by commenter.

The cumulative impacts of tolls at all proposed locations were evaluated and discussed in Section 6.4 of the EA. No revisions to the EA are necessary.

**Comment 4: The EA/Berger assumed toll rates would be static through 2040.**

**“The assumption that nominal toll rates will remain unchanged through 2040 results in understating estimated traffic diversion over time, since the inflation-adjusted toll rate decreases over time, a fact acknowledged by the Berger Report. 4 It is standard practice for tolling agencies**

**to increase toll rates to account for inflation, higher than expected expenses, or lower than expected revenue. Furthermore, RIDOT has the legal authority to increase rates above those assumed by the analysis. Therefore a static toll rate is an unrealistic assumption that does not accurately reflect the likely level of diversion and does not accurately capture the impacts of diversion.**

**The EA (or EIS) should be revised to include a diversion analysis that does not rely on the unrealistic assumption that toll rates will decrease in inflation-adjusted terms”.**

**Response:** The comment makes the presumption that is standard practice to increase toll rates with inflation but there are several instances in the Northeast where tolls have remained unchanged for more than 30 years and/or have not increased with inflation as suggested. The EA relied on toll rates determined by RIDOT and presented in the Berger Study that were held at constant nominal dollars. Furthermore, RIDOT’s 10-year plan is fiscally constrained based on these static toll rates. RIDOT does not need to increase these rates in order to raise the revenue needed for the bridge projects within the 10-year plan.

However, given that the U.S. DOT guidance on travel demand modeling suggests that the value-of-time be increased at a rate of 1.2% net the cost of inflation in future analysis to account for growth in real incomes, the anticipated impact of tolls escalated at the rate of inflation would still yield lower diversion impacts than those observed under the base year conditions.

**Comment 5: The EA minimizes traffic diversion impacts by using traffic counts at a time of day when counts are low.**

**“The EA used "peak hour"-i.e., 4:00 p.m. to 5:00 p.m.-traffic counts in its analysis of the impacts of diversion. However, according to the Berger Report, tractor-trailer traffic is at a relatively low level during this time period at Locations 1 & 2, further distorting the impacts of diversion.<sup>6</sup> For example, at the I-95 counting station north of Nooseneck Hill Road, which falls between Locations 1 and 2, there were 119 tractor-trailers at 4:00 p.m. and 117 at 5 :00 p.m. However, peak volume at 6:00 a.m. - 256 tractor-trailers - was more than double the count used for the EA. In fact, the "peak hour" counts were below even the average hourly count of 161 tractor-trailers. While it may be appropriate to analyze congestion impacts based on peak hour travel periods for all vehicles, the EA does not account for passenger-car equivalent (PCE) impacts.”**

**Response:** The EA traffic operations analysis selected the time of day in which truck diversions would have the maximum impact on traffic congestion. Although truck diversions are fewer during the 4:00 p.m. to 5:00 p.m. peak hour, the worst-case level of service (LOS) is observed during this hour in all tolled and non-tolled scenarios. Sensitivity analysis was conducted with the traffic and truck volumes during the peak hour of trucks (rather than traffic) this resulted in lower impacts and therefore was not included in the report.

The EA traffic operations analysis does account for passenger-car equivalent impacts on LOS with added trucks on the diversion routes. In addition, maximum environment impacts are assessed in the noise and air quality planning analyses, which use the peak-hour for truck diversions.

**Comment 6: The EA failed to produce a safety analysis.**

**Even though it is well documented that Interstate highways have a lower crash rate than the lower-order roadways that vehicles are expected to divert on to, the EA does not attempt to analyze the impacts of shifting traffic to less safe roadways. Furthermore, crashes cause additional congestion, which affects the proposal's environmental impact assessments. A RIDOT representative specifically acknowledged that the roads that have been identified as potential diversion routes**

under the tolling proposal have an injury rate "2-3 times higher than those on freeways."8 The representative also stated that "[i]t is also safer for tractor trailers to remain on the freeways as they will not have to interact with pedestrians, bicyclists, or traffic turning into and out of side streets or driveways." The EA (or EIS) should be revised to include a safety analysis, including the environmental impacts that result from the congestion effects of changes in the number of crashes that result from traffic diversion.

**Response:** The project will add additional traffic, but not substantial traffic to the area, and existing roads have the capacity to handle that level of traffic without reconfiguration. The resulting increase in traffic due to the potential truck diversion would not result in long vehicle delays, alter level of service or significantly reduce operating speeds. This stretch of roadway has not been identified by RIDOT's Office of Safety as a high crash corridor based on crash history. The potential increase in tractor trailer volume is not expected to increase the potential for crashes in the corridor.

**Comment 7:** The EA does not consider the potential impacts of a successful legal challenge to the toll structure.

"Per compliance with the legislation authorizing tolls, the EA assumes that toll rates will have several different caps:

- Tolls are limited to once per toll facility, per day in each direction;
- Tolls are limited to a \$20 total for a border-to-border through trip on 1-95 from Connecticut to Massachusetts; and
- Tolls will not exceed \$40 per day.

However, both these caps and other aspects of the Rhode Works program are likely to render its tolling scheme unlawful under the Commerce Clause of the U.S. Constitution. More specifically, the U.S. Supreme Court has explained that, under the Commerce Clause, a transportation user fee is permissible only "if it (1) is based on some fair approximation of use of the facilities, (2) is not excessive in relation to the benefits conferred, and (3) does not discriminate against interstate commerce." *Northwest Airlines v. Kent*, 510 U.S. 355, 369 (1994). See also *Selevan v. NY Thruway Auth.*, 584 F.3d 82, 98 (2d Cir. 2009) (holding that the *Northwest Airlines* test is "the applicable test" for "evaluat[ing] the constitutionality of a highway toll"). The proposed Rhode Island tolls fail this test for a variety of reasons.

First, both the daily caps and the truck-only nature of the tolls mean that they are not "based on some fair approximation of use." On the contrary, the per-facility limitation means that a truck passing through the same toll gantry 100 times a day would pay the same toll as a truck passing through it once; and the daily system-wide cap makes no attempt to fairly approximate the use of trucks who continue to drive the tolled roads after hitting them. In addition, a scheme under which tolls are restricted to a small class of vehicles, while the vast majority of users pay no tolls whatsoever, is not based on *any* approximation of use, much less a fair one.

Second, for similar reasons, the cap arrangement renders the tolls excessive in relation to the benefits conferred: if, for example, \$40 is the appropriate price for a truck that hits the daily cap and continues to travel dozens or hundreds more miles on the tolled facilities, it is by the same token excessive in relation to the benefit obtained by a truck who just hits that daily cap. The same is true of the truck-only nature of the tolls: if the proper price for the vast number of road users is \$0, *any* toll imposed on heavy trucks for the use that is available to all others free of charge will, by definition, be excessive.

Finally, the RhodeWorks toll scheme discriminates against interstate commerce by carefully engineering the scheme to favor in-state users over out-of-state users. While both in-state and out-of-state trucks nominally pay tolls under the same schedule, the daily cap inevitably means that in-state trucks—which are more likely to hit the cap and continue to use the roads without paying additional tolls—will obtain more benefit for the fees they pay than out-of-state trucks who pass through Rhode Island or enter the state for a short period. As the Supreme Court has held, user fees "discriminate against out-of-state vehicles" when they predictably "subject them to a much higher charge per mile travelled in the State," and "do not even purport to approximate fairly the cost or value of the use of [the] roads." *American Trucking Associations v. Scheiner*, 483 U.S. 266, 289-90 (1987).

The truck-only nature of the tolls—and the interstate nature of the trucking industry—also means that out-of-state users will bear a heavier proportion of the toll bill than they would under an evenhanded toll scheme that applied to all users. And by deciding to toll only tractor-semitrailers—which are particularly likely to come from out of state—and not the kind of heavy garbage and construction vehicles that are more likely to be locally based, the Rhode Works scheme further ensures that the burden of maintaining Rhode Island's roads will be paid disproportionately by travelers in interstate commerce. Indeed, the Rhode Island legislature and the administration have made no secret of the fact that central to the Rhode Works scheme was ensuring that the bill goes primarily to out-of-state users who cannot hold them accountable at the ballot box. *See, e.g.*, Ian Donnis, "On 52-11 Vote, RI House Approves Truck Toll Plan," Rhode Island Public Radio, <http://ripr.org/post/52-21-vote-ri-house-approves-truck-toll-plan> (Feb. 10, 2016) (quoting House Speaker stating that "[p]eople should know that 60 percent of the money is going to come from out of state"); Stephanie Johnston and Rosie Woods, "One Year Later: Gov. Raimondo, RIDOT Review Rhode Works," WPRI.com, <http://wpri.com/2017/02/22/one-year-later-gov-raimondo-ridotreview-rhodeworks/> (Feb. 22, 2017) (administration officials expect "much of the funding for the infrastructure . . . to come from a new toll on tractor trailers driving through the state") (emphasis added).

Given these serious legal infirmities, the EA fails to consider the impacts of removing the daily toll caps, of tolling all vehicles, or of having to cease toll collection altogether (if the scheme is deemed unlawful, but the legislature chooses not to rehabilitate it by lifting the caps or authorizing tolls on all vehicles). At a minimum, the state should conduct a sensitivity analysis taking into account the likelihood of those scenarios.

For reasons described below, capping the toll rates clearly favors intrastate travelers, and is likely illegal under the Constitution's Commerce Clause. At a minimum, the state should conduct a sensitivity analysis to determine the impacts of uncapping toll rates. Furthermore, tolling only tractor-semitrailers may also be found to be discriminatory since these vehicles engage in a disproportionately high level of interstate travel. Therefore the analysis should consider the impacts of tolling all vehicles. In addition, RIDOT should be required to order and make public an independent legal review prior to FHWA approval in order to determine whether a legal challenge is likely to be successful."

**Response:** Aspects of the RhodeWorks program mentioned in the comment are policy decisions evaluated, deliberated, and eventually established in The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016 and are outside the scope of this EA.

**Comment 8:** The Berger Report assumed nonexistent access restrictions that caused a severe underestimate of diversion and overestimate of revenue collection.

**“The Berger Report assumed that RIDOT would impose access restrictions on tractor semitrailers to prevent through trucks from avoiding tolls by using alternative routes. The report assumed that enforcement of these restrictions would reduce traffic diversion by 50 percent. However, on August 17, 2017, the Rhode Island State Traffic Commission rejected RIDOT' s request to impose these restrictions. Therefore, the Berger Report severely underestimates traffic diversion. Since the EA based its estimates of impacts on the Berger Report's underestimated diversion figures, all of the impact assessments that are adjustable according to the number of diverted vehicles are inherently erroneous.**

**Furthermore, as a result of this adjustment, the projected revenue is lower than RIDOT claims is needed to meet the purpose and need of the proposal. According to a sensitivity analysis that excluded the enforcement actions, gross revenue would be reduced by approximately \$10 million per year under this scenario. When toll capital and administrative costs are factored in, ATA estimates that net annual average revenue over the first 10 years of the program (2016-2025) is \$27.48 million. This includes the IO-year, \$68.9 million contract with Kapsch Traffic Com IVHS, Inc. for gantry installation and other capital equipment, including maintenance and operational support. It also includes payment to the Rhode Island Toll & Bridge Authority, which is to manage billing and collection services at an estimated cost of five percent of revenue. Furthermore, the Berger Report did not appear to consider the effects of "leakage" due to non-payment of tolls. This will further deplete the net revenue from tolls”.**

**Response:** The Louis Berger Team post processed the raw model outputs as part of the traffic and revenue forecast effort. Post processing of model outputs is typically performed in toll revenue forecasts to account for factors that cannot be practically incorporated into the traditional modeling tools and procedures.

The Berger Report does not assume that RIDOT would impose access restrictions on tractor semitrailers. It is understood that RIDOT has dedicated significant resources towards the policing of existing truck violations on secondary roadways, where enforcement was previously lacking, and this action is expected to impact the degree to which trucks divert away from the tolled routes. Similar tractor trailer enforcement actions have been conducted in other states where public agencies have sought to minimize toll diversions. The Louis Berger report has based its assumptions on observations of similar policing actions on the Ohio Turnpike and the implied modelling assumptions of the I-80 facility in Wyoming. The report includes sensitivity tests that evaluate the impact of more or less effective enforcement action.

Non-payment of tolls was not reflected in the Berger report due to the fact that revenue from non-paid tolls is typically collected at a higher rate than the nominal cost of the tolls to account for administrative costs of collection as well as violation fees. The net effect of non-payment cannot easily be assessed and the Berger report therefore reflected a neutral stance on the associated revenue impact. However, this neutral stance on revenue impact is also consistent with the Rhode Island Turnpike and Bridge Authority's (RITBA) experience in collecting fees, fines, and penalties on the non-payment of tolls. RITBA has historically seen a negligible impact to net revenue.

**Comment 9: The EA did not consider alternatives other than tolling.**

**“The EA claims that eliminating non-toll alternatives is justified based on standards established under the American Association of State Highway and Transportation Officials Practitioner's Handbook No. 3: Managing the NEPA Process for Toll Lanes and Toll Roads 15**

**However, RIDOT has not met the AASHTO standards for excluding non-toll alternatives. As stated in the EA, the criteria are as follows:**

- Tolling revenue is assumed in Rhode Island's state transportation planning process;
- Tolling revenue is the basis for meeting fiscal constraint of the STIP;
- Tolling is an element of the proposed Project's purpose and need; and
- Non-tolled alternatives were eliminated from consideration during the planning process.

**Response:** The commenter is referred to Section 4.2 Proposed Action Alternative which explains how the criteria to exclude non-toll alternatives are met. See the following sub-sections:

- Funding Gap to address Rhode Island's Infrastructure Needs
- Toll Revenue Studied and Assumed in Planning Process
- RIDOT Asset Management Approach
- The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016
- Federal limits on the use of revenue as set forth in 23 U.S.C. § 129

In addition to the excerpt provided in the comment, the EA goes on to explain how the revenue from Toll Locations 1 and 2 will be used to 'support the funding of necessary reconstruction or replacement' of these select bridges. The next sentence states: "Revenue from the toll systems will be deposited in the Rhode Island bridge replacement, reconstruction, and maintenance fund and used to pay the costs associated with the operation and maintenance of the toll facility, and the replacement, reconstruction, maintenance, and operation of Rhode Island bridges on the National Highway System or any other use permitted under 23 U.S.C. § 129."

Therefore, revenue for these select bridges may come from multiple sources (including RhodeWorks), and revenue from Toll Locations 1 and 2 may be used for numerous projects funded through RhodeWorks (including these select bridges). If it were not for the revenue generated from the tolls, then the timing of bridge repairs would be delayed and more costly. Therefore, collection of tolls (including Toll Locations 1 and 2) allows RIDOT to program projects consistent with its asset management approach and FHWA's National Performance Measure Target for Bridge condition.

Non-tolled alternatives were considered and deliberated in the process leading up to the passage of the RhodeWorks legislation. It is outside the scope of this EA to revisit the determination of the state legislature and Governor of Rhode Island and the tolling assumptions built into the State of Rhode Island Transportation Improvement Program adopted by the Rhode Island Department of Administration, Statewide Planning Program and the State Planning Council (which is comprised of state, local, and public representatives and federal advisors). The No Action Alternative (an alternative that does not include tolling) was assessed in the EA. This alternative failed to meet the purpose and need of the project.

**Comment 10: Conclusions:**

**"This tolling proposal is unique and unprecedented. Never before has a state either tolled trucks only, or tolled existing Interstates, on a network basis. In fact, we are not aware, in the 61-year history of the Interstate system, of any state that has even explored such a scenario. The proposal is unparalleled in our nation's history and potentially precedent setting. There is no previous experience to rely on, and no studies of other states' experience to point to when determining the potential effects on traffic congestion, the environment, safety or the economy. Neither RIDOT nor FHWA can today say with confidence what would happen if vehicles traveling on a previously untolled Interstate highway are subjected to tolling. It is clear that neither the Environmental Assessment nor the Traffic and Revenue analysis provide these answers. Both are fatally flawed documents that cannot and should not lead FHWA to issue a FONSI for Locations 1 and 2."**

**Response:** Many of the comments brought out in this letter pertain to elements and authorities established in *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016* and are not under the purview of this EA.

## Letter from National Park Service, December 6, 2017

**Comment 1:** NPS has reviewed the scope of materials provided in the EA. We concur with the findings of the EA that, based on the minimal ground disturbance associated with the project, there is not likely to be any significant impact to riparian or wetland habitats in the project vicinity associated with the Wood River.

**Response:** Comment noted.

**Comment 2:** In addition, based on the topography of the site, the nature of the riparian vegetation, and the size/configuration of the proposed gantry it appears that the visual impact of the project to river recreationists (boaters) will similarly be minimal or non-existent. However, we have not found specific mention or consideration of this potential impact in the EA. Preliminary evaluations of the Wild and Scenic River Study include a likely finding that scenic and recreational values associated with this segment of the Wood River are significant and likely to be among the values that warrant federal recognition under the Wild and Scenic Rivers Act. Therefor (sic) we recommend that this issue be specifically addressed to identity/confirm the nature and extent of expected visual impact to river recreationists.

**Response:** A discussion of the potential visual impacts to boaters has been added to Section 6.2.13 of the EA.