BUREAU OF ENVIRONMENT
CONFERENCE REPORT

SUBJECT: Monthly Natural Resource Agency Coordination Meeting
DATE OF CONFERENCE: July 20, 2005
LOCATION OF CONFERENCE: John O. Morton Building
ATTENDED BY:

NHDOT
Don Lyford
Jon Evans
Russ St. Pierre
Kurt Mudgett
Wayne Clifford
Chris Carucci
Matt Hartwell
Marc Laurin
Mike Dugas
Chris Waszczuk

Army Corps of Engineers
Rich Roach

Federal Highway Administration
Bill O'Donnell
Ed Wolford

NH DES
Lori Sommer
Gino Infascelli
Becky Ohler

NMFS
Mike Johnson

EPA
Mark Kern

USFWS
Bill Neidermyer

Moultonborough
Chuck Connell
Dorothy E

DHR
Edna Feighner

VHB
Frank O'Callaghan
Pete Walker

NOTES ON CONFERENCE:

Moultonborough, X-A000(354), 14414
Three representatives of the Moultonborough Pathway project (Jerry Donovan and Donna Kuethe – Pathway Committee; Charles Connell – Moultonborough Town Administrator) discussed the impacts of the Phase 2 segment of the Moultonborough Pathway and to seek guidance regarding engineering construction along Moultonboro Neck Road.

Moultonboro Neck Road is state-owned and maintained. The intent is to create paths on both sides of the road that are four feet wide. If possible, the paths will have some separation from the roadway for aesthetic and construction reasons. The separation will provide an element of safety, differentiate the pathway from the roadway and reduce construction costs along this approximately 2.5 mile segment. The project representatives indicated that have yet to identify any adverse impacts. Agency members took the time to discuss considerations that the Pathway Committee should explore with the assistance of engineering consultants soon to be on board.

Taking advantage of the agencies' knowledge, the representatives described the connector segment application pending within the TE process. The NH Fish & Game has a large parcel of land in proximity to the relevant termini of Phase 1 and 2. This acreage, coupled with a rangeway present, could enable the completion of the pathway without having to contend with extensive ledge and unfriendly topography.

The Pathway Committee experienced positive preliminary discussions with DRED and Fish & Game. One consideration that the representatives raised was the potential need to change materials to accommodate Fish & Game. Phase 1 and 2 construction uses asphalt. Fish & Game indicated a preference for stone dust, ledge-

pak or similar materials. The ensuing dialogue indicated that this would not necessarily stall or eliminate the project, that the parties can achieve an approvable compromise.

Walpole 14469
This project involves the slip lining of a 6' corrugated metal pipe underneath NH Route 12 in Walpole and determination of access to the site. Temporary and permanent impacts will be incurred to a perennial stream at the inlet. *For more information on this project, contact Charles Willeke at (603) 352-2302.*

Lebanon, IM-T-0891(177) 11700
No Minutes Prepared. For information on this project, contact either Don Lyford at 271-2171 or Marc Laurin at 271-3226.

Dover, X-A000(280), 14287
C. Waszczuk discussed this CMAQ project, which involves a proposed park-and-ride lot in Dover located west of Exit 9 of the Spaulding Turnpike. This lot was developed due to the identified need during the investigations of the Newington-Dover EIS. The lot will be serviced by the proposed COAST express bus route. City buses may also make use this lot, due to its proximity to Liberty Mutual. M. Dugas described the project in further detail. The lot will be constructed on two properties off Indian Brook Drive adjacent to the Sixth Street/Liberty Mutual Drive intersection. The entrance will be on Indian Brook Drive and will form a four-way intersection opposite Members Way. The lot will accommodate 450 +/- spaces. Phased construction may be undertaken with the first 285+/- spaces being constructed on City of Dover property. Fencing and a tree screening buffer will be designed around the lot to shield the adjacent houses and neighborhood. A modest terminal building (40' x 56') with ticket and restrooms facilities will be constructed. Wetland impacts are estimated at ±0.4 acres. Mitigation for these impacts will be incorporated in the Newington-Dover mitigation package. The design will incorporate some treatment of the drainage. M. Kern, B. Neidermyer and L. Sommer agreed that the mitigation would be incorporated in the Newington-Dover project. R. Roach asked if there were other lands in the area that were more developed that could be used for the park-and-ride. M. Dugas responded that Liberty Mutual may have some areas, but there are lots of wetlands in the area and the impacts are minor at this site. R. Roach stated that he had no concerns with the project. M. Johnson inquired about the functions and values of the wetlands that will be impacted. M. Laurin replied that they are mainly small isolated scrub-shrub areas that developed in old farm fields with very silty soils and high seasonal groundwater. There are a couple of ditches which direct some water off the site to Indian Brook Drive drainage. The construction of Indian Brook Drive may have contributed to retention of water in the area. The site is bounded by Sixth Street, Indian Brook Drive and the Glenwood Avenue neighborhood. The wetlands are isolated pockets with little wildlife value apart from songbirds and small mammals. B. Ohler supported the project and stated that it would have significant air quality benefits.

Newington – Dover, NHS-0271(037) 11238
This meeting was held to brief Resource Agencies on the status of wetland compensatory mitigation for the Spaulding Turnpike Improvements project. The following topics were presented, and discussions were led, by Frank O'Callaghan and Pete Walker.

- Newington Alternatives 10A, 12A, and 13 and Dover Alternatives 2 and 3
- Estimated project related wetland impacts
- NHDOT approach to compensatory mitigation
- Preliminary compensatory mitigation package
- Questions, answers and discussion

Handouts distributed to attendees included a summary of the approach that NHDOT is using to craft a suitable mitigation package, tables describing various potential mitigation sites, and figures showing their locations. After the information briefing, attendees discussed various items as described below. Attendees agreed to meet again on August 17, 2005 to hear a review of and discuss a more refined mitigation proposal.

1. Newington Alternatives 10A, 12A and 13, and Dover Alternatives 2 and 3

After a brief introduction by Chris Waszczuk, Frank O'Callaghan discussed modifications to Alternatives 10 and 12 in Newington resulting in Alternatives 10A and 12A being developed largely in response to community concerns over local access to Nimble Hill Road. Both modified alternatives would now allow access to Nimble Hill Road from southbound lanes of Spaulding Turnpike.

Alternative 13 (also in Newington) would allow direct access to the turnpike but not build a local connector road. Access would be accomplished by constructing a separate interchange at Woodbury Avenue and provide connections via local access roads at Exit 4 and River Road. In addition, Alternative 13 moves the on-ramp at Nimble Hill Road further north to discourage weaving, and designates a ramp to the existing Exxon gas station at Nimble Hill Road. Finally, the alternative acknowledges an option for elevating a future rail line over the turnpike. Frank described the major difference between Alternatives 2 and 3 as being a grade separation difference between Boston Harbor Road and Spur Road.

2. Estimated project related wetland impacts

Peter Walker described estimated project related impacts in general terms. Not including impacts if the Little Bay Bridge was to be extended, approximately 10 acres of wetlands would be affected in Newington and 5 acres in Dover. Alternative 13 would result in approximately 1 acre less of wetland impact than either Alternative 10A or 12A. Additionally, Pete explained that impacts from three smaller projects would also be mitigated for in the package being assembled for the Spaulding Turnpike Improvement project. The approximate impacts from these projects are as follows: Exit 4 Interim Improvement – 0.6 acres; Dover Park and Ride – 0.5 acres; and NH 155 Bridge in Madbury – 1.0 acres.

3. NHDOT approach to compensatory mitigation

Pete explained that the first two steps of selecting parcels for mitigation have been completed, *i.e.* review of existing reports, studies, and graphical information and consultation/coordination with the City of Dover and Town of Newington. Pete indicated (in response to sentiments expressed earlier by Rich Roach about fill at the existing Little Bay Bridges) that historical aerial photographs show very little fill was actually placed at the approaches to the bridges. Lori Sommer mentioned that additional information may be available from the Land Trust in Dover.

Pete continued that the NHDOT approach to mitigation is to mitigate as closely as possible in the communities where the impacts are. NHDOT is proposing drainage infrastructure improvements that will improve upon existing water quality conditions in Pomeroy Cove, Paul Brook, Unnamed Perennial Stream and Hodgson Brook in Newington. Pete explained that in Newington the highway barrels are being moved closer together, thus by removing pavement there are opportunities to provide improved water quality BMPs.

4. Preliminary compensatory mitigation package

Pete described the four potential mitigation sites located in Dover. These include DR-4, DR-8, DR-11, and Varney Brook. The first three sites represent preservation opportunities, while the latter would involve restoration.

In Newington, the suite of potential mitigation properties is larger and includes the former drive-in site (restoration and preservation). Pete described the remaining 12 sites, each to be considered either for restoration or preservation.

5. Questions, answers and discussions

Pete opened the meeting to attendees to ask questions, engage in discussion and provide guidance on the selection of appropriate mitigation for the project.

Bill Neidermyer indicated that as a rule USFWS prefers restoration as a mitigation strategy.

Mark Kern indicated that Eric Hutchins or Duane Hyde may be able to provide guidance on potential mitigation sites in the vicinity of the project. He also indicated that EPA would be looking for an approach that demonstrates common sense; if restoration were proposed it should be sustainable and also include provisions for good landscape buffers. Coastal restoration would be acceptable if it replaced lost functions and values of impacted wetlands. Mark indicated that Ted Diers at NHCP is a good source of information for this type of work. Further, Mark explained that restoration activities should incorporate a holistic approach whereby a balance of restoration and preservation is proposed. He indicated that it appears that a good mix of these is being proposed.

Rich Roach indicated that a mitigation strategy is emerging from ACOE, which is looking for an understanding of what the wetland systems are within the study area, how they function, etc. Since impacts are primarily occurring to freshwater systems, mitigation should focus on the freshwater resources. Rich added that estuarine and coastal monies are typically available for restoration from NOAA and NHCP, so those resources are taken care of. He emphasize that ACOE is looking for a "distant view" to guide the package. The package should reflect a long term benefit for a "bargain". Rich also pointed out that 15 acres is not an insignificant amount of impact and questioned whether a budget for mitigation has been discussed yet at NHDOT.

Chris Waszczuk stated that NHDOT will be working from NHDES rules for mitigation as a guide and would also be providing many improvements for treating stormwater which will improve water quality in the vicinity of the project.

Mark Kern suggested that in general, NHDOT should be looking at impacts and mitigation from a "watershed approach". He indicated that he is "not a big fan" of restoration and creation in areas where it doesn't make sense ecologically. Lori Sommer indicated similar sentiments.

Mark indicated that digging up a road and restoring areas into wetlands is not the "best of ideas" and provides little value in terms of "real" restoration. Commenting on a specific parcel, he indicated that to preserve a site such as NN-6, which is mostly wetland, is a waste of money.

Lori Sommer suggested that NHDOT should look into leveraging their money and cooperate with others who are working on conservation and restoration projects.

Rich Roach said that a good functional evaluation of wetlands does not need to be overcomplicated; it simply needs to provide an accurate picture of what the wetlands are doing. He furthered, key questions that should be asked include, "What are the systems?" "What are we doing to them?" and "What are the opportunities to provide restoration?" Rich Roach suggested looking at the way that Maine DOT approaches these projects.

Chris Waszczuk indicated that the Resource Agencies will get a better idea of what NHDOT is going to be doing for mitigation at the next meeting.

Bill Neidermyer emphasized that NHDOT should not exclude a site just because there might be NOAA money available.

Someone questioned whether 319 funds could be used. Mark Kern suggested that NHDOT check with Eric Hutchins to see if there is possible match with the Great Bay Partnership. A lively follow-up indicated that although it appears that NHDOT would not be able to use the 319 program money, they could partner with other agencies or organizations.

Other concerns expressed include: Can additional imperviousness be avoided? What will be the effect on old farmlands that are near the interchanges? Water quality seems to be the biggest issue because of the project, how will this be addressed?

Pete Walker indicated that all of these concerns will be addressed in the Draft EIS which will be issued in the fall 2005.

Rich Roach inquired about whether Flagstone/Railway Brook could be restored to improve water quality.

Lori Sommer suggested that maybe the old drive-in theatre property would be suitable for creation.

Chris Waszczuk and Pete Walker reiterated that the compensatory mitigation package is evolving and more detail would be provided at the August 17, 2005 meeting. The Department will set up a field review with the agencies in September to look at the sites that have potential.