

BUREAU OF ENVIRONMENT CONFERENCE REPORT

SUBJECT: NHDOT Monthly Natural Resource Agency Coordination Meeting
DATE OF CONFERENCE: March 17, 2010
LOCATION OF CONFERENCE: John O. Morton Building
ATTENDED BY:

NHDOT

Alex Vogt
Bob Landry
Carol Niewola
Dave Smith
Jason Tremblay
Jim Kirouac
Jon Evans
Kevin Nyhan
Laurel Kenna
Maggie Baldwin
Marc Laurin
Mike Dugas
Mike Pouliot
Randy Talon

**Federal Highway
Administration**
Jamie Sikora

Army Corps of Engineers
Rich Roach

EPA
Mark Kern

NHDES
Chris Williams
Lori Sommer

NH Fish and Game
Carol Henderson

**NH Natural Heritage
Bureau**
Melissa Coppola

SNHPC
Julie Chen

CLD Engineers
Brian Pratt

Nashua Airport
Royce Rankin

Gale Associates
Armand Dufresne
Coleen Mailbux

GZA Environmental
Dan Nitzsche

(When viewing these minutes online, click on an attendee to send an e-mail)

PRESENTATIONS/ PROJECTS REVIEWED THIS MONTH:

(minutes on subsequent pages)

Finalization of February 17, 2010 Meeting Minutes.....	2
Troy, X-A000(768), 15537	2
Enfield, BRO-X-0145(003), 12967	3
Portsmouth-Kittery, A000(832), 13678E.....	4
Winchester, DPR-BRF-X-0111(005), 12906.....	4
Dixville-Millsfield, X-A000(810), 15605	5
Salem-Manchester, IM-IR-93-1(174)0, 10418C.....	6
Harts Location, 15315 (non-Federal)	8
Nashua Airport Improvements, SBG-12-02-2009	8

(When viewing these minutes online, click on a project to zoom to the minutes for that project)

NOTES ON CONFERENCE:

Finalization of February 17, 2010 Meeting Minutes

The February 17, 2010 meeting minutes were finalized.

Troy, X-A000(768), 15537

This Safe Routes to Schools (SRTS) infrastructure project consists of the installation of 1,500 linear feet of new sidewalk along South Street and 200-300 linear feet along Mill Street. In addition, the projects will upgrade/reconfigure 100 linear feet of sidewalk in Central Square. Brian Pratt of CLD Consulting Engineers presented the project on behalf of the Town of Troy.

Project Overview:

The purpose of the project is to improve pedestrian safety in three areas of Town by providing improved access to schools and other Town facilities. The first area is located along the west side of South Street, from Route 12 to the Sand Dam Recreation Area (Samuel Paul War Memorial also) and involves the construction of 1,500 linear feet of sidewalk. The second area is located along Mill Street and involves the construction of 300 linear feet of sidewalk. The third area is located in Central Square, particularly in front of #5 Central Square and involves the repair of existing sidewalks. The majority of the project is located within the Troy Historic District, which ends halfway up South Street. The Town has expressed a preference of using granite curbing with concrete sidewalks.

A NHNHB search did not indicate the presence of any threatened or endangered species or exemplary natural communities. There are two wetland impact areas located within the project area; both involve intermittent streams and a combined total of approximately 500 square feet of impacts. One impact area is an existing 4' RCP with a headwall, which will be relocated 6-7 feet. The other impact area is an 18" RCP, which will also be extended 6-7 feet with a flared end section.

There are four proposed catch basins on South Street, one at the 4' RCP, one at the 18" RCP and two near the intersection of South Main to help with ponding issues which will tie into an existing culvert which outlets to a swale. It was asked if the existing swale needs stone, B. Pratt responded that the increase in runoff was very minor, but that CLD would review the need for stone.

The NHDES One Stop data search noted that there are two impaired water bodies in the vicinity of the project area. Sand Pond and South Branch Ashuelot River are both impaired for E. coli. The proposed sidewalk project is not expected to contribute to this impairment.

Jamie Sikora noted that the project would require a *de minimis* section 4(f) determination for the permanent drainage easements necessary on the Sand Dam property which is a public park owned and operated by the Town of Troy. Jon Evans indicated that he would forward a letter to B. Pratt which should be used as an example to obtain approval from the Town of Troy for the proposed park impacts. This letter is necessary to obtain a *de minimis* section 4(f) finding.

Rich Roach indicated that the project would qualify for coverage under the NH Programmatic General Permit.

(NHB10-0304,5,6) This project has not been previously discussed at a Monthly Natural Resource Agency Coordination Meeting.

Enfield, BRO-X-0145(003), 12967

Jon Evans began by giving a brief recap of the project. This project involves the reconstruction of approximately 0.6 miles of NH Route 4A and 0.4 miles of Main Street in Enfield. Work also includes the replacement of the bridge that carries Main Street over Lake Mascoma, and the replacement/removal of the Northern Railroad Recreational Trail Bridge over Main Street.

J. Evans indicated that at the February 17, 2010 meeting he had provided a tally of the proposed wetland impacts. Upon further review it was discovered that when calculating the temporary impacts, both the bank and wetland impacts were combined. Combined the temporary impacts totaled 27,272 s.f. (0.63 Acres). When broken apart the temporary impacts result in approximately 20,167 s.f. (0.46 acres) of temporary wetland impacts and 7,105 s.f. (0.16 acres) of temporary bank impacts. This results in total Army Corps jurisdictional impacts of approximately 133,378 s.f. (3.06 acres).

J. Evans indicated that through further review the Department feels that it will be able to reduce the Army Corps jurisdictional impacts by approximately 3,000 s.f. or more. This would result in total Army Corps impacts of approximately 2.99 acres. The total impacts would be higher as they would also include NH Wetlands Bureau jurisdictional bank impacts in addition to the wetland impacts.

J. Evans also noted that the current totals include impacts associated with the construction of a bridge carrying the Northern Rail-Trail over Main Street. If an at-grade crossing of Main Street were provided, it would result in reduced wetland impacts. The Department is also considering stopping the project short of the rail-trail structure which would further decrease the proposed wetland impacts. He indicated that no matter which option is chosen, the Army Corps wetland impacts are now expected to be less than 3 acres.

Since the final Army Corps wetland impacts are expected to be less than 3 acres, J. Evans asked if an Individual Army Corps Permit would still be required. Rich Roach indicated that unless any of the other Federal agencies had objections, the project would qualify for coverage under the NH Programmatic General Permit. Mark Kern indicated that he did not have any objections to PGP coverage.

(NHB10-0404) This project was previously reviewed on the following dates: 10/20/1999, 6/18/2003, 2/18/2004 & [2/17/2010](#).

Portsmouth-Kittery, A000(832), 13678E

Bob Landry discussed this project, which involves a connection study between Maine and New Hampshire to identify the long-term multimodal transportation needs of the area and evaluate the transportation alternatives that best address those needs for crossing between Portsmouth and Kittery. The study will evaluate the issues affecting the three bridges over the Piscataqua River (I-95 High Level Bridge, Sarah Mildred Long Bridge/ US Route 1 Bypass, and the Memorial Bridge/ US Route 1).

The study was initiated when bids for the rehabilitation of the Memorial Bridge project came in substantially higher than the engineering estimate. In addition, the State of ME has concerns with the \$1M/year maintenance and operation cost with each bridge. To date, the study has indicated that three crossings of the Piscataqua River are needed.

The alternatives being considered are:

Memorial Bridge: 1) Historical rehabilitation; 2) Complete superstructure replacement; 3) Construction of a pedestrian bridge only lift bridge.

Sarah Mildred Long Bridge: 1) Rehabilitation; 2) Replacement with an improved opening under the bridge; 3) Replacement with an alignment shift upstream to maintain rail traffic, which is used to transport items needed by the Portsmouth Naval Shipyard.

Rich Roach indicated that the Corps permitting concerns are for wetlands associated with the river. Permitting over the river is the responsibility of the Coast Guard. The Department has been working closely with the Coast Guard. After discussion, Rich indicated that constructing bridge piles is not considered as a discharge of fill per the Clean Water Act.

The study is scheduled to be completed in June 2010. An alternative will be identified and will be able to be constructed once sufficient funding is available. The project will be presented again once an alternative has been selected.

This project has not been previously discussed at a Monthly Natural Resource Agency Coordination Meeting.

Winchester, DPR-BRF-X-0111(005), 12906

This project proposes to replace the bridge that carries NH Route 10 over the Ashuelot River (152/181). The new bridge will be located adjacent to the existing bridge on the downstream side. A gravel parking area and dry hydrant are also proposed on the upstream side, adjacent to the existing bridge off Westport Village Road.

Jon Hebert presented an overview of the project that proposes to replace the existing bridge that was built in 1935. John mentioned that the project was a Context Sensitive Solution (CSS) project and that the alternative being presented was the selected alternative, and the Public Advisory Committee (PAC) group had selected it out of 9 alternatives.

This alternative will improve several issues that the bridge has been facing including widening the narrow shoulders of the bridge to allow for safer pedestrian and cyclist passage, increasing sight distance by raising the Vertical and Horizontal curve, and improved ice control.

Laurel Kenna mentioned that Barbra Skuly of the Ashuelot Rivers Local Advisory Committee (ARLAC) has been in contact with her, and Don Lyford, and was aware of the proposed project. They were invited to this meeting, but were unable to send representation and asked that two items be discussed. First, they requested that the River access parking area that was proposed be gravel rather than paved. They also inquired as to whether the DOT would be able to grade out or make the rip rap leading down to the River from the access parking area more manageable for people to use. J. Hebert indicated that this parking area will be gravel and that the riprap descending to the river from the parking area can be designed to make access easier for users.

Lori Sommer asked about drainage for this project, and whether there would be any of that type of work included in this project. J. Hebert responded by saying that the existing drainage is comprised of roadway ditches, cross culverts and overland flow and the intent is to perpetuate the existing drainage patterns and flow characteristics as they exist today.

Melissa Coppola inquired about the recent NHNHB search results that she had just sent to L. Kenna. L. Kenna stated that the updated NHB search did contain sensitive species that had not been noted on the July 2008 database search. However, after discussing their location further with Melissa, it was determined that the project area as proposed will not impact the sensitive species noted in the most recent search.

The anticipated project will require both a shoreland and wetlands permit. The wetland impacts have not yet been delineated, however Laurel expects once the project limits are finalized it could be delineated sometime this year since the only impacts expected will be to the Ashuelot River and its banks. R. Roach indicated that the project would qualify for coverage under the NH Programmatic General Permit.

(NHB10-0494) This project was previously reviewed on the following date: [8/19/2009](#).

Dixville-Millsfield, X-A000(810), 15605

Laurel Kenna and Wendy Johnson presented the project that proposes roadway rehabilitation/reclaim on NH Route 26 in the Towns of Dixville and Millsfield, NH. The project includes the rehabilitation of NH Route 26 with nine different treatments: 2 segments of 12" to 24" sandwich; 2 segments of 12" sandwich; 2 segments of 12" reclaim; 2 segments of full box reconstruction; and 1 segment of 8" sandwich. The sandwich sections will leave the existing pavement in place and add 8" to 24" of material and then 3½" of pavement. Due to the raises in roadway grade to accommodate the sandwich sections, the roadway slopes will be extended, which will require several culverts to be extended and headwalls added/updated, along with adding several catch basins. L. Kenna explained that there would be wetland impacts, but the project would avoid some major linear impacts to Home Brew Brook by installing guardrail along one of the sandwich sections adjacent to the river.

This project will improve the life of the roadway by rehabilitating the pavement and updating the ditches with some drainage updates to match the new slopes. Other work will include guardrail installation/replacement, tree clearing for sight lines and bridge deck rehabilitation.

Rich Roach asked about the twin 36-inch culvert, and whether the Department considered replacing it with a box culvert. W. Johnson responded that the scope and cost of this project would not be appropriate for a replacement of these culverts, and that District had indicated that these pipes were in good condition and did not need replacing.

R. Roach and Lori Sommer also asked about another pipe section that would replace a 36" pipe with two 24" pipes. They asked the reasoning behind this decision. W. Johnson responded that the existing culvert does not have enough cover and that the proposed twin 24" pipes would provide the necessary cover.

Melissa Coppola inquired about the recent NHNHB search results that were sent to L. Kenna. L. Kenna stated that the NHB search did mention a sensitive species but a subsequent letter was issued by NHNHB indicating that the project would not impact the resource.

The anticipated project will require a wetlands permit. R. Roach indicated that the project would qualify for coverage under the NH Programmatic General Permit. This project does not require a NHDES Shorelands Permit.

(NHB10-0499) This project has not been previously discussed at a Monthly Natural Resource Agency Coordination Meeting.

Salem-Manchester, IM-IR-93-1(174)0, 10418C

This project involves widening Interstate 93 between Salem and Manchester. Marc Laurin provided an update on the mitigation status. He provided a handout of the mitigation matrix and locus map of their location along the corridor. He also indicated that he needs to add the remnant Dinsmore parcel (approximately 30 acres) located west of Exit 3 on the north side of relocated NH 111 as potential mitigation for the Exit 3 Park-and-Ride impacts. The status of the outstanding mitigation properties (highlighted in yellow on the matrix) were individually discussed.

- Cluff Crossing - This site consist of 6 acres of recreational fields and 21 acres of undeveloped property along Policy Brook in Salem. The property has deed restrictions/agreements with the Town for their use of the fields. The Department is in discussion with the Town on their desire for transfer of the land, with a preservation easement, to the Town Conservation Commission.
- Haigh Avenue - The Town has received a FEMA grant to purchase 9 properties on Haigh Ave. This is the first phase of acquisitions along this flood-prone development located adjacent to Policy Brook. The second phase is anticipated to occur in 2011 and involves the purchase of 14 additional properties. An MOA has been signed by the Town of Salem and the Department for the development of floodplain mitigation in this area. Survey of the area will occur shortly and design will be reviewed with the resource agencies as it is developed. Creation will be within the already developed area and will avoid impacts to the existing floodplain forest.

- Highway Median - The acreage and configuration of the remaining median area to be preserved south of NH 111A in Windham is on-going. This is dependent on the water quality measures that are needed within the median. The wetland restoration, which removes the existing northbound lanes, can only occur after the new southbound lanes are constructed and traffic moved to the new northbound lanes, presently under construction.
- Scobie Pond - The Department is in the process of finalizing the acquisition of approximately 70 acres of properties located adjacent to Scobie Pond in Londonderry. There have been some issues with land title that are in the process of being resolved. The properties have been surveyed and mapped.
- Giovagnoli - The Department has informed the Giovagnoli family that their alternate site/concept was not viable and that the Department is pursuing the original concept of preserving about 19 acres adjacent to Mosquito Brook to provide the continuation of the wildlife corridor to Cohas Marsh.

Mark Kern asked if there would be additional mitigation proposed due to the additional wetland impacts (currently estimated at ± 9 acres) as discussed during last month's meeting. He did not feel that the mitigation package would be good enough to compensate for these overages. M. Laurin stated that during the EIS process, consensus was reached with the resource agencies that the mitigation package was based on the impacts to the I-93 corridor and was not specifically tied to an impact number. The negotiations focused on providing an overall mitigation package that would focus on preservation of properties that would be in danger of being developed. Mitigation would provide for floodplain storage compensation, especially in the Salem area. The basic concept of widening along the I-93 corridor has not changed, that is what the mitigation has focused on and was agreed to by the resource agencies. M. Kern reiterated that he was not really happy with the mitigation package as it was then developed and asked when the overall final impact numbers may reasonably be known. M. Laurin replied that within the next year or so the designs of the remaining contracts should progress to a point where more accurate impact numbers can be presented. Future discussion of the mitigation will occur depending on the ultimate impacts of the project. M. Kern suggested that the impacts and subsequent mitigation resulting from the Exit 3 Park-and-Ride should be dealt with separately and that these should be resolved as soon as possible.

Lori Sommer asked about the status of the Water Quality Land Grant Protection funds. M. Laurin responded that these funds would be available after the Final SEIS Record of Decision is issued by FHWA, most likely in the fall of 2010.

This project was previously reviewed on the following dates: 8/10/1995, 1/10/1999, 2/16/2000, 5/17/2000, 6/14/2000, 7/19/2000, 8/10/2000, 9/20/2000, 10/18/2000, 1/17/2001, 2/14/2001, 3/21/2001, 4/18/2001, 5/10/2001, 8/15/2001, 9/19/2001, 10/17/2001, 11/21/2001, 1/16/2002, 2/20/2002, 5/15/2002, 6/18/2003, 10/15/2003, 12/17/2003, 10/20/2004, 11/17/2004, [1/18/2006](#), [12/19/2007](#), [2/20/2008](#), [10/15/2008](#), [12/17/2008](#), [1/21/2009](#), [4/15/2009](#), [5/20/2009](#), [7/15/2009](#), [8/19/2009](#), [10/29/2009](#), [1/20/2010](#), & [2/17/2010](#).

Harts Location, 15315 (non-Federal)

Jim Kirouac presented an overview of the project, which involves the temporary stabilization of a 350 linear foot section of bank along the Saco River adjacent to US Route 302 in Harts Location. This erosion along the upper bank was caused by rain events and runoff from the highway, whereas erosion along the lower bank area was by river action. J. Kirouac mentioned that the project was previously proposed and permitted as a 150 foot bank stabilization effort. As a result of additional stability concerns the project has increased to a length of approximately 350 linear feet and includes drainage improvements and guardrail replacement along the roadway. The intent of the project is to stabilize the area of concern until another project can be developed to address the issues permanently.

Laurel Kenna mentioned that because the project's linear impacts to the Saco River are increasing from 150 feet to 350 feet, the work would now require a new permit. The project is also expected to require a shoreland permit.

Melissa Coppola inquired about the location of Silver Cascade in relation to the project; the location was then pointed out to her as being upstream of the proposed project. M. Coppola asked if there was blasting planned in the project area. J. Kirouac indicated that some blasting is expected. M. Coppola asked about the results of the NHB search sent to Matt Urban of the Bureau of Environment. L. Kenna stated that the NHB search did identify sensitive species, but the species identified would not be impacted by the project due to their location. M. Coppola agreed. L. Kenna mention that Matt Urban planned to submit an updated NHB search to confirm there were no other species that would be impacted in the project area.

Rich Roach indicated that he did not wish to see the slope pushed out any further into the river. He asked if the 1958 plans showing the original work were available, as it would be beneficial to restore the river to its original channel. J. Kirouac indicated that the river had been filled in slightly under the original project, but the work proposed under this stabilization project would not encroach beyond those limits. J. Kirouac indicated that the Department would be conducting a River Study to determine the best plan for a permanent fix that addresses the hydrology of that area.

R. Roach indicated that the project would qualify for coverage under the NH Programmatic General Permit.

(NHB08-2216) ([DES 2008-01938](#)) (ACOE NAE-2008-01938) This project has not been previously discussed at a Monthly Natural Resource Agency Coordination Meeting.

Nashua Airport Improvements, SBG-12-02-2009

This project proposes to shift the existing runway 14-32 to met FAA separation standards, construct standard runway safety areas, and extend the runway to a total length of 6,000 feet to enhance safety for aircraft operating at the airport.

A. Dufresne of Gale Associates provided a brief update on the status of the project. A Section 404 Permit has been filed with the Army Corp of Engineers (ACOE), a Standard Dredge and Fill Permit has been filed with NHDES Wetland Bureau and an Alteration of Terrain Permit has been filed with the NHDES Alteration of Terrain Program. Included with the filings was a Compensatory Mitigation Plan for wetland resources. R. Roach requested that a copy of the mitigation plan be sent to Tom Dufresne of the Hollis Conservation Commission. A. Dufresne explained that the Airport took steps to avoid and minimize wetland impacts where practicable, and has proposed a mitigation plan for those impacts that are unavoidable.

The project will permanently impact 11.63 acres of wetland. Creation of wetlands on Airport property is not possible, and coordination with the Conservation Commissions of Nashua, Hollis and Amherst to identify opportunities for restoration or reclamation off-site was not successful.

The Airport, with assistance from the Conservation Commissions, identified parcels of land which may be appropriate for preservation. Approximately 175 acres of upland buffer preservation is required to mitigate for the Airport's impacts. The Compensatory Mitigation Plan details the process the Airport went through to identify land, coordinate with permitting agencies, and contact property owners. Some property owners indicated they may be willing to participate, for a total of approximately 75 acres. Other property owners were not willing to accept fair market value for their property, and some of the owners who will participate offered restrictions on what they are willing to sell (i.e. reserving a portion of their property to construct house lots, only selling wetland portions, etc). The project would still require an additional 100 acres of land to be preserved, which may prove difficult given the time limits to complete the mitigation.

The Compensatory Mitigation plan reviews the mitigation process, and ultimately recommends an in-lieu fee contribution to the Aquatic Resource Management Fund. Using the NHDES/Wetlands Bureau calculator, this payment would be approximately \$2.01 million.

M. Kern stated that mitigation might be required for a small portion of the tree clearing within forested wetlands as a result of the ACOE's recent forest and wetland clearing policy; this would need to be discussed with the ACOE. A. Dufresne stated that the permit submittals include a discussion of the tree clearing and the nature of the temporary impacts. D. Nitzche stated that the proposed tree clearing will be conducted in an area which is being managed currently under a vegetation management program.

M. Kern asked which agencies are receiving this Compensatory Mitigation plan. C. Mailloux stated that, at a minimum, the following agencies have or will be receiving a paper copy of the Compensatory Mitigation plan: USF&WS, ACOE, DRED - NH Natural Heritage Bureau, NHDES, and EPA. Electronic copies can be distributed to other agencies upon request.

L. Sommer asked if the FAA has accepted the mitigation proposal. A. Dufresne stated that, after getting a consensus from this meeting, information would be presented to the FAA, and a grant would be applied for in 2011. L. Sommer reiterated that the mitigation payment will be required prior to construction. M. Kern indicated that an in-lieu fee payment would be acceptable.

L. Sommer asked about the timing for the permits. A. Dufresne indicated that the project will go out to bid at the end of 2010. Permits are required before that time. Fall 2010 is the preferred deadline to receive permit approvals.

This project was previously reviewed on the following dates: [4/18/2007](#), [8/20/2008](#) & [1/20/2010](#).