

BUREAU OF ENVIRONMENT CONFERENCE REPORT

SUBJECT: NHDOT Monthly Natural Resource Agency Coordination Meeting

DATE OF CONFERENCE: May 20, 2009

LOCATION OF CONFERENCE: John O. Morton Building

ATTENDED BY:

NHDOT

Bob Landry
Craig Green
Jim Bowles
Jon Evans
Joyce McKay
Keith Cota
Kevin Nyhan
Marc Laurin
Michelle Marshall
Pete Stammas
Randy Talon
Ron Grandmaison
Tom Cleary
Trent Zanes
Wendy Johnson

**Federal Highway
Administration**

Jamie Sikora

Army Corps of Engineers

Rich Roach

EPA

Mark Kern

**US Fish and Wildlife
Service**

Maria Tur

NHDES

Gino Infascelli
Jocelyn Degler
Lori Sommer

NH Fish and Game

Carol Henderson

NH Natural Heritage

Bureau

Melissa Coppola

VTrans

Danny Landry

Central NH RPC

Rodrigo Marion

**Upper Valley Lake Sunapee
RPC**

Nate Miller

Strafford MPO

Dan Camara

**CT River Joint
Commissions**

Sharon Francis

Tidewater Env. Planning

Jameson Paine

SEA Consultants Inc.

Wade Brown

EIV Consultants

Mary O'Leary

Clough Harbour Associates

Rob Pinckney

HEB Engineers

Jason Ross

Public Participants

Daniel Giovagnoli
Elaine Dolbec
Jeanne Duffy
Kevin Duffy
Rick Dolbec
W. Giovagnoli

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

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

NOTES ON CONFERENCE:

Finalization of the April 15, 2009 Meeting Minutes

The April 15, 2009 meeting minutes were finalized.

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

This project involves widening Interstate 93 between Salem and Manchester. The Department has been asked by the Giovagnoli family, owners of the proposed mitigation Site 44 in Manchester (as identified in the FEIS), to substitute this parcel for an alternate parcel that they own in the vicinity. A review of the Giovagnoli mitigation proposal, providing a buffer along Mosquito Brook on Site 44 in conjunction with preservation of Site 44 Alternate off Mammoth Road, was discussed.

Marc Laurin handed out a package that summarized the mitigation proposal at each site, containing photographs of the sites, and an October 2008 subdivision plan of Site 44. On the Site 44 plans M. Laurin sketched out a proposed 100 foot buffer to Mosquito Brook, along the south side of the property, and a 50 foot buffer to the Cohas Brook Swamp wetlands, along the west side of the property. The establishment of these buffers would add 1.6 acres of preservation to the approximately 10 acres of wetlands located on the property for a total preservation easement of 11.6 acres. A portion of the buffer would encompass a proposed detention basin, which, anecdotally, may be an underground system. There was consensus from the resource agencies and the Giovagnoli family that the buffers as shown on the plans were appropriately placed on the site. These areas will be surveyed by the Department prior to placing an easement on the property.

Discussion of mitigation options at Site 44-Alt ensued. M. Laurin stated that the site is 52 acres, with estimated upland areas ranging from about 15 acres (M. Laurin) to 8 acres (Gino Infascelli), has a barn and several scattered farm outbuildings, and is being used as pasture for cows. Lori Sommer and Rich Roach agreed that agricultural uses could be retained, but would want the majority of the site under some sort of preservation easement. L. Sommer stressed that there needs to be an upland component in conservation not just wetlands. Elaine Dolbec inquired as to the possibility of subdividing a portion of the site by the road and barn for a possible future house lot. R. Roach thought that this might be appropriate near the road.

Discussions on allowing the use of the property for cow pasture, fencing to prevent cows from causing erosion along Cohas Brook, and the use and retention of the outbuildings ensued. Rick Dolbec pointed out that there is existing fencing along Cohas Brook and the property has a sewer line easement along Cohas Brook that extends through the property to the west, along with an adjacent power line easement. Pete Stamnas proposed that the Department would place conservation easement on the property that would allow for agricultural uses. M. Kern stated that a buffer from agricultural uses should also be established to protect Cohas Brook. R. Roach suggested that an endowment should be set up by the Department for a land steward with expertise in agricultural management to manage and evaluate the site on a yearly basis.

M. Laurin indicated that he would organize a field trip to the site to assess the wetlands, and existing sewer and power line easements. E. Dolbec indicated that she would be available to show the property.

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](#).

Deering-Antrim, 14237 (Potentially ARRA funded)

Jamie Paine explained that the project is part of a State, and potentially Federally-funded American Recovery and Reinvestment Act of 2009 (ARRA) project. The Town of Deering proposes to replace the 2nd NH Turnpike Bridge over the Contoocook River and improve the road alignment through the project area. The bridge was overtopped during flooding conditions and requires replacement.

The existing one-lane, single span, Low Warren Truss bridge is supported on dry laid squared stone abutments with cast-in-place concrete caps. The bridge spans approximately 76 foot (ft) - 3 inch (in) between bearing points (72 ft clear span) and is about 21 ft - 3 in wide (measured from center to center of the truss elements). The bridge is on the NHDOT Red List and has been labeled as structurally deficient because the superstructure is in poor condition. The location of the existing bridge crossing is in a wide, 100-year floodplain associated with the Contoocook River.

The roadway width at the bridge will be increased from 18 ft to 26 ft, curb to curb, to adequately handle two lanes of traffic, consisting of 10 ft lanes and 3 ft shoulders. The existing roadway alignment was found to meet current traffic needs. There are no significant changes proposed to the alignment.

To improve safety at the crossing and to improve flooding conditions, the proposed replacement bridge consists of pre-manufactured steel trusses with transverse floor beams and longitudinal stringers, similar to the existing bridge but galvanized for added durability. The proposed bridge clear spans 109 ft over the river, supported on short height abutments to be located further back than the existing abutments, near the top of each riverbank. The proposed bridge would not pass the 100-year flood, but would pass a larger storm event than the current structure and improve flood conditions at the location.

The proposed project would use a temporary detour along existing roads, avoiding the need for a temporary bridge structure. Wetlands impacts are estimated at this time to be approximately 190 sq ft of permanent impacts and approximately 1,900 sq ft of temporary impacts.

The Contoocook River is a Designated River pursuant to RSA 483. As such, coordination letters have been sent to the NHDES Rivers Management Program and the Local Advisory Committee. NHDES has replied stating that they do not have any concerns with the project.

Early review of the site using NH Natural Heritage Bureau's (NHNHB) website identified a sensitive resource within the project. Coordination will continue with NHNHB to ensure all concerns are addressed.

Rich Roach stated that there is concern that if Federal monies are spent, development within the floodplain would be encouraged. He asked if the Town of Deering has land use restrictions for development within the floodplain. He stated that the project would qualify for the ACOE's State Programmatic General Permit (SPGP).

After the meeting, J. Paine coordinated with Mr. Craig Ohlson, Deering Town Administrator, who confirmed that as the town participates in the National Flood Insurance Program, they have ordinances in place to limit development within floodplains.

G. Infascelli asked how many lanes the new bridge would have after construction. J. Paine responded that the new bridge would have two lanes to improve safety at this location.

L. Sommer asked if the site contains a car top boat launch area. J. Paine indicated that the site does not contain any formal launches.

Melissa Coppola stated that an exemplary floodplain forest is located north of the project site. J. Paine indicated that he would continue to coordinate with NHNHB to ensure all concerns are addressed.

Jamie Sikora stated that the US Coast Guard has sent a questionnaire to determine the navigability of the river. J. Paine indicated that the questionnaire is being filled out and will be sent to the US Coast Guard and cc'd to FHWA and the NHDOT Bureau of Environment.

L. Sommer asked when the project would be advertised. J. Paine indicated that the project is expected to be advertised in July 2009. The wetlands permit application will be submitted as soon as possible and the State Project No. will be provided to ensure NHWB can accurately track the project.

Following the meeting, J. Paine met with Darlene Forst of the NHDES Comprehensive Shoreland Protection Act Program. D. Forst reviewed the same project design plan presented at this meeting and stated that as the project is located along the same alignment as the existing bridge, any impacts within the river are covered by a NHWB wetlands permit, and no temporary bridge structures would be required. She had no Shoreland Protection concerns with this project. She stated that no further coordination with their program is warranted.

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

Walpole-Charlestown, X-A000(487), 14747

C.R. Willeke began by reviewing the project and giving an update on the project status. This Context Sensitive Solutions (CSS) project involves the reconstruction and associated improvements to NH Route 12 beginning at Main Street in North Walpole, continuing to NH Route 12A in

Charlestown. This section of NH Route 12 is located between an active rail line to the east and the Connecticut River to the west. The existing roadway has 12-foot travel lanes with no shoulders and substandard guardrail. Several sections of the roadway are also showing signs of instability and in some locations sloughing toward the river.

As this project is a CSS project, the project purpose, need and preliminary design are being guided by a Public Advisory Committee (PAC), consisting of local property owners, public officials, members of NHDOT and other stakeholders. The following list of alternatives has been developed by the PAC and were recently presented at a Public Informational Meeting:

- Alternative #1 – Maintain Existing Condition
- Alternative #2 – Hold Railroad as Control and Widen Westerly Toward River
- Alternative #3 – Hold River as Control and Widen Easterly Toward Railroad
- Alternative #4 – Relocate NH 12 easterly to “The Other Side of the Tracks”
 - #4A – Adjacent to Railroad, Similar Profile as RR
 - #4B – Hillside Alternative, More Balanced Cuts and Fills
 - #4C – Hillside with new Bridge over RR near Len-Tex
- Alternative #5 – Online Alternative with Geotechnical Measures

C. Willeke highlighted the advantages and disadvantages to each alternative. Alternatives 2 and 5 would likely require impacts to the Connecticut River but would minimize historical and archaeological impacts. Alternatives 3, 4A, 4B and 4C are anticipated to have fewer impacts to the River but would require more impacts to the historical and archaeological resources. Alternatives 4A and 4B would require NH Route 12 to be relocated from Church Street to Main Street in North Walpole. Preliminary estimates indicate that Alternative 2 would cost approximately \$14 million. Alternatives 3, 4A, 4B and 4C would cost approximately \$20 million each. Alternative 5 would avoid some of the natural and cultural resources however it would be substantially more expensive at an estimated cost of approximately \$23 - \$25 million.

C. Willeke and Jon Evans indicated that when this project and the subsequent alternatives were brought to the public at a Public Informational Meeting (PIM) in late April, the public expressed serious concerns for the alternatives which required moving traffic onto North Main Street (Alternatives 4A and 4B). The majority of the PIM attendees were in support of Alternative 2, which moves the roadway into the River. J. Evans indicated that it was relayed at the PIM that this alternative would likely raise serious concerns with the natural resource agencies.

Mark Kern, Rich Roach and Sharon Francis indicated that they had serious concerns with Alternative 2 and that it was likely they would not approve this alternative should the Department seek permits in its current form.

Maria Tur asked if a combination of several alternatives would be possible. C. Willeke indicated that a combination of several of the alternatives would likely be the next step.

J. Evans asked if the agencies would entertain river impacts if an alternative were developed which minimized impacts to and balanced the natural, cultural and social impacts as much as feasibly possible. It was agreed by those present that minimized river impacts could be preliminarily pursued as long as further consultation was sought. J. Evans indicated that the project is still in the

preliminary design phase and that the Department would continue to seek input from the resource agencies.

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

Hinsdale, NH - Brattleboro, VT, HP-BRF-T-2000(019), 12210

Jon Evans began by introducing Danny Landry of VTrans and Mary O’Leary of EIV Consultants. D. Landry indicated that this project was a joint venture between NHDOT and VTrans. VTrans has recently obtained the services of EIV Consultants to finalize the previously developed environmental documentation. J. Evans noted that this project has been slowly progressing for many years and as a result it was his understanding that the last time this project had been reviewed by the NH Resource Agencies was in 1998. The intent of this presentation was to provide an update on the project status and review the project with those in the group who were unfamiliar with the job.

M. O’Leary indicated that this project involves the construction of a new bridge (043/044) carrying NH Route 119 over the Connecticut River between Hinsdale, NH and Brattleboro, VT. This bridge will bypass two existing bridges (041/040 & 042/044), which carry NH Route 119 over the Connecticut River via a mid-channel island. The existing bridges have been placed on the State Redlist indicating structural deficiencies and necessitating the construction of the new structure.

M. O’Leary indicated that the environmental review process began in the early 1990’s. During this process, ten alternatives were identified. Alternative “F”, the “Blue Seal” option, was ultimately chosen as the preferred alternative. This alternative involves the construction of a new bridge slightly downstream from the existing two bridges. This bridge will pass over the southern end of the island however vehicular access to the island will be eliminated. As the existing bridges have been determined to be historic, these structures will be left in place for pedestrian traffic and emergency vehicles.

The mid-channel island contains an existing NH Fish & Game (NHF&G) boat launch. As vehicular access to this launch will be eliminated, a new boat launch will be constructed several miles downstream on the NH side of the River. This launch will require impacts to an existing rail trail. These rail-trail impacts have been coordinated, and will continue to be coordinated, with the NH DRED Trails Bureau and NHF&G.

M. O’Leary indicated that as VTrans was producing the environmental documentation, FHWA, Army Corps and other Federal approvals and permits would be obtained through the VT divisions and contacts. Rich Roach and Jamie Sikora indicated that this would be fine and that they would coordinate with their counterparts, as necessary.

J. Evans and M. O’Leary indicated that it is anticipated that the Draft Environmental Assessment (DEA) would be completed early this summer and that a NH Public Informational Meeting would be held sometime later this summer. It is expected that a NH Public Hearing will be held sometime this winter and that the Final Environmental Assessment (FEA) would then be completed and released sometime in late winter or early spring.

Melissa Coppola asked if a recent NH Natural Heritage Bureau (NHNHB) query had been performed, as she knew two endangered plant species (Water Star Grass and Knotty Pondweed) had recently been identified in the area. M. O'Leary indicated that it had been several years since one was obtained from NHNHB and that she would have this updated before finalizing the DEA. She also indicated that the area had already been reviewed for those species identified in the previous NHNHB search and that none of the identified species had been found within the affected area. Once a new NHNHB query has been completed, the area will be re-examined for the presence of any identified species.

Maria Tur asked why a bridge that touches down on the island had been designed. M. O'Leary indicated that other alternatives, which did not impact the island, were reviewed however these would have moved the road well outside the existing corridor, resulting in additional environmental impacts.

M. Tur and Carol Henderson indicated that there are known occurrences of Dwarf Wedgemussels and Bald Eagles in the Hinsdale area. M. O'Leary indicated that letters had been previously obtained from both the US Fish & Wildlife Service and NHF&G and that no concerns were expressed. M. Tur and C. Henderson indicated that these letters from both agencies should be updated prior to completing the DEA.

Lori Sommer noted that the wetland impacts associated with the boat launch should be included in the wetland impacts table in the DEA if they had not already. M. O'Leary indicated that she would check into this and include them, as necessary. The wetland impacts associated with the creation of the boat launch will be included in the wetland permit application.

Joyce McKay indicated that the necessary phases of archaeology had been completed several years ago and that no deposits of concern had been identified. She asked if there had been any substantial alterations to the design that would warrant another review. M. O'Leary indicated that the design has not changed since the archaeological investigations were completed.

This project was previously reviewed on the following date: 1/22/1998.

Rochester, NHS-027-1(36), 10620D

This project involves the reconstruction of NH Route 16 (Spaulding Turnpike) between Exits 11 and 16. Kevin Nyhan presented updated wetland impacts. Prior to the meeting he emailed a document, which explained most of his presentation, which consisted of the following:

Approved impacts are 12.12 acres. Actual impacts are 19.80 acres. Impact increases are due to slight modification of roadway embankments as well as a better understanding of the jurisdictional limits. Additionally pointed out, was that the impacts were not generally to new wetland areas, but to areas already identified. Nothing changed in the design layout that would have required re-evaluation of the layout and environmental impacts of the facility. Mark Kern asked how this could be avoided in the future. K. Nyhan and Keith Cota responded that the methods used to preliminarily define jurisdictional boundaries has improved in the years since this project was

approved in 2001. Aerial photogrammetry has improved which, coupled with in-the-office techniques and limited field verifications, is able to produce more accurate wetland boundary identifications earlier in design. Completing a jurisdictional wetlands delineations during preliminary design is not practicable, or cost effective, and is based on Corps methodology. Maria Tur asked if there were areas impacted as part of the update that were purposely avoided during the FEA. K. Nyhan responded that no particular wetlands were avoided due to functions and values, as most of the wetland impacts are along the fringe of the systems adjacent to the highway facility. One exception is an area at Industrial Drive. The relocation of the access road was identified in the FEA, but the extent of wetlands were not known until the updated boundaries were established. As part of final design the impacts were minimized to the greatest extent practicable. K. Nyhan showed several plans through the corridor where wetland impacts had appreciably changed based on a request from ACOE.

The only area that was not included in the FEA was the area at the Wardley Brook (Willow Brook) ramp bridge at Exit 11. This work was presented at the February 2008 Resource Agency Meeting. The Department sought, and received concurrence to proceed with the bridge replacement due to its poor structural condition. This work was identified as part of the overall Spaulding Turnpike project, and constructed under the 10620K contract.

Rich Roach asked about locations where water quality treatment areas are proposed to be located in wetlands. K. Nyhan responded that all water quality treatment locations were reviewed at the previous meeting and several are located adjacent to or within wetlands along the highway. R. Roach asked the Department to consider modifying these locations, where appropriate, out of wetlands. K. Cota agreed to review the location of stormwater treatment systems for contracts under design. He noted the challenge for the Department in locating these systems where drainage outfalls are generally located at existing wetlands. The decision becomes challenging as to achieving water quality treatment, while limiting impacts to wetlands. In most cases, if a water quality system cannot be accommodated, it will likely result in a point discharge of untreated runoff. *Following the meeting, the Department identified areas where water quality treatment could be relocated out of wetlands and will preliminarily reduce wetland impacts by one tenth of an acre.*

Mark Kern stated that he understood the reasons for the overage, but indicated others in his office may have additional comments. *Following the meeting he supplied an email with the additional comments. The Department is still working on a response as there is some information needed to be generated to respond.*

After lengthy discussion, it was agreed that mitigation could be discussed at the next meeting. However, everyone agreed that the Department could move forward with advertising the 10620I contract (Exit 15). The impacts associated with that contract are 3.98 acres, bringing the total impacted wetlands so far to 12.87 acres (0.75 acres over the 12.12 acres in the permit).

Mitigation will be discussed at the next meeting, including an update of the Henderson site and the ratio of mitigation to the project impacts.

This project was previously reviewed on the following dates: 10/20/1999, 1/17/2001, 7/17/2002, 12/17/2003, 11/17/2004, [5/21/2008](#) & [8/20/2008](#).

Randolph, X-A000(922), 14386

Jason Ross, from H.E. Bergeron Engineers, presented this project which involves the replacement of the Durand Road Bridge (140/067) over Carlton Brook in Randolph, NH. The existing bridge has a span of 17 feet and is constructed of concrete abutments, steel stringers, and a concrete deck. The existing bridge is in poor condition and is on the NHDOT "Red List". The bridge replacement project is scheduled to receive funding through a combination of 60% non-ARRA Federal Highway funds and 40% State Aid Bridge funds.

Calculations show that the existing bridge opening is not large enough to pass the 100-year flood event without overtopping the road and it is not large enough to pass the 50-year flood event and still maintain 1 foot of head as required by the NHDOT bridge design guidelines.

The proposed bridge will have a span of 20 feet and will consist of precast concrete footings and a precast concrete, open bottom, box culvert. Riprap will be placed immediately in front of the new abutments in order to protect the new footings from scour.

A total of 875 square feet of wetlands will be impacted during this project. Only 200 square feet of this impact is within the stream channel. A minor wetlands permit has already been obtained from NHDES (#2009-00246).

The project is scheduled to advertise on June 16, however this date may change. The project is expected to be constructed during the late summer and early fall of 2009.

Jamie Sikora asked if the bridge is a historic structure. J. Ross indicated that the project had been reviewed by NHDHR who determined that the structure is not eligible for listing in the National Register of Historic Places. He also indicated that a Phase 1A archeological study had been performed.

Maria Tur asked if there were any Natural Heritage Bureau (NHB) hits. J. Ross indicated that the NHB database was checked for records of rare and exemplary natural communities near the project site and no records were found.

Gino Infascelli indicated that this project would likely be classified as a Minor impact project. Rich Roach indicated that the project would qualify for coverage under the NH Programmatic General Permit.

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

Brentwood, X-A000(826), 15619

Wendy Johnson provided an overview of the project. This Highway Safety Improvement Project (HSIP) involves signalizing the intersection of NH Route 111 and NH Route 111A. The existing condition consists of a through lane in the northbound and southbound direction for NH Route 125 and a single left-through-right lane in the eastbound and westbound direction for NH Route 111A.

To accommodate the signal installation NH Route 125 will be widened in the vicinity of the intersection to install a northbound and southbound dedicated left lane, through lane and right turn lane. The majority of the lane width will be achieved by reducing the widths of the existing shoulder. NH Route 111A will be widened slightly to accommodate the turning vehicles from NH Route 125, no lane use modifications are proposed. The entire project will be paved with a 1.5" wearing course.

The Exeter River lies within the limits of the project and falls under the Comprehensive Shoreland Protection Act (CSPA) requirements. A plan depicting the River, the 50, 150 and 250-foot buffer zones was displayed with the existing wetland locations and invasive species identified. There are no wetlands impacts anticipated. There is no proposed drainage work on the project. Japanese Knotweed has been identified within the project area. Should this, or any other invasive specie be impacted, the proper BMPs will be implemented during construction.

Kevin Nyhan noted that the Exeter River has a Local Advisory Committee (LAC) as the river is designated pursuant to NH RSA 485. The LAC will be contacted prior to advertising the project.

Gino Infascelli noted that the Comprehensive Shoreline Protection Act (CSPA) worksheet had been recently updated and the information on filling out the permit can be retrieved from the website, or if there are other questions Jay Aube would be a good resource.

This project is proposed to advertise as one project with the Brentwood 15620 project in 2009.

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

Brentwood, X-A000(827), 15620

Wendy Johnson provided an overview of the project. This Highway Safety Improvement Project (HSIP) involves signaling the intersection of NH Route 111 and North Road. The existing condition consists of a dedicated left turn lane and a through lane in the northbound and southbound direction for NH Route 125 and a single left-through-right lane in the eastbound and westbound direction for North Road. No geometric changes are required for the signal installation. The roadway is currently under investigation for the pavement treatment. Three options are currently being reviewed: the installation of the signals with no pavement work; the installation of the signals with a 1.5" pavement wearing course; and the installation of the signals while reconstructing the shoulders and part of the through lane and paving the project with a 1.5" wearing course. The option presented was the worst-case scenario, depicting the signal installation with the roadway work.

A plan depicting the project was displayed with the existing wetland locations and invasive species identified. There are no wetlands impacts anticipated. There is no proposed drainage work on the project. Japanese Knotweed has been identified within the project area. Should this, or any other invasive species be impacted, the proper BMPs will be implemented during construction.

This project is proposed to advertise as one project with the Brentwood 15619 project in 2009.

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