

BUREAU OF ENVIRONMENT CONFERENCE REPORT

SUBJECT: NHDOT Monthly Natural Resource Agency Coordination Meeting
DATE OF CONFERENCE: April 21, 2010
LOCATION OF CONFERENCE: John O. Morton Building
ATTENDED BY:

NHDOT

C.R. Willeke
Christine Perron
Don Lyford
Jim Bowles
Jon Evans
Kevin Nyhan
Larry Keniston
Michelle Marshall
Randy Talon

Army Corps of Engineers

Rich Roach

EPA

Mark Kern

NHDES

Gino Infascelli
Laura Weit-Marcum
Lori Sommer

NH Fish and Game

Carol Henderson

NH DRED

Bill Gegas

Town of New London

Jessie Levine
Richard Lee

City of Rochester

Rich Healey

CT River Joint

Commissions

Sharon Francis

Srafford Regional Planning

Commission

Dan Camara

CHA

Kevin Thatcher

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

PRESENTATIONS/ PROJECTS REVIEWED THIS MONTH:

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NOTES ON CONFERENCE:

Finalization of March 17, 2010 Meeting Minutes

Jon Evans indicated that the minutes were sent out with little time for review and as a result the review period would be extended. He requested comments be sent to him by April 28, 2010. Comments received were incorporated into the March 17, 2010 meeting minutes which were finalized via e-mail April 29, 2010.

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

This project involves the reconstruction of NH Route 16 (Spaulding Turnpike) between Exits 11 and 16. Kevin Nyhan discussed updated wetland impacts for this project. The new DES permit permitted 21.5 acres (2 acres temporary) of impact. The following changes were being requested in a permit amendment:

1. The Department overcounted an area of 1,289 sf of permanent wetland impact at Wetland 30 in the 10620G contract.
2. The Department neglected to account for a 403 sf of permanent wetland impact at Wetland 23 for riprap along the bridge that carries NH Route 16 over Cocheco River.
3. The Department neglected to account for approximately 8,500 sf of temporary impacts under the Cocheco River bridge associated with the removal of the old bridge.
4. The Department proposes to temporarily impact an additional 1,673 sf of Wetland 23 (Cocheco River) for the installation of a causeway using a sheet pile coffer dam so that a crane can place steel for the new bridge. These impacts are anticipated to begin the end of May and last 6 weeks.

This results in a net decrease in permanent impacts of 886 sf, and a net increase in temporary impacts of 10,306 sf.

No one objected to the additional work and Gino indicated that he could issue an amendment in the next few weeks.

([project website](#)) (NHWB Permit #: [2009-02922](#)) *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, 2/18/2009, 3/18/2009, 5/20/2009, 7/15/2009, 9/16/2009 & 10/29/2009.*

New London, X-A000(764), 15534

Kevin Thatcher opened his presentation on the Safe Routes to Schools project in New London. The project consists of a 1,600-foot sidewalk on Pleasant Street from Gould Road to Job Seamans Acres. Currently there is a 13' travel lane and a 3' shoulder; the proposal is for an 11' travel lane with a curb and 5' sidewalk. Therefore, there is no net increase in impervious area. K. Thatcher said that the sidewalk and curb will raise the grade of the shoulders, so fill will be necessary on the back slope. There are wetlands adjacent to the project, primarily in the middle portion of the

project, behind the backside of the sidewalk. For the most part, the slope will be 3:1 and can avoid the wetlands and edge of right-of-way, but there are a couple of locations where a 3:1 slope would impact the wetlands and the impact can be avoided with a 2:1 slope. The 2:1 slope may require a fence, guardrail, or landscaping, and hopefully the latter.

Rich Roach asked if the 2:1 slope and required guardrail were necessary. He advised not to “torture” the project in order to avoid impacting the wetlands. He thought the guardrail would be a hazard to the project. K. Thatcher replied that if it’s used at all, the guardrail or fencing would be short lengths, and due to the speed of the road he did not think it would pose a hazard. He emphasized that he thinks landscaping will provide the necessary border, and also emphasized that he would like to avoid any wetlands impacts. The two areas of the reduced slope are small and localized.

K. Thatcher said that CHA had also looked at water quality treatment in the low section of the road, where there is a cross-culvert. He said that it is possible to construct two 150-foot long water treatment swales on either side of the culvert that would treat 60-70% of the water coming off the travel lane and sidewalk in the project area, but there was not adequate grade to bring the low section of approximately 600 LF of roadway adjacent to the culvert (300 LF on either side) into the swales. He said there are two scenarios for swale construction:

- 1) They could build a small drainage swale about 150’ long with 2’ wide bottom and 1’ deep (or less), but the toe of the fill would go beyond the wetland delineation and right-of-way. There would be 1000 SF of wetland impact and 2500 SF of ROW impact with the drainage swale.
- 2) They could erect a small 2.5’ – 3’ high retaining wall about 300’ long, but that would cost \$30-40,000, or 40-50% of the total construction budget.

The third option is to have no treatment, which has less impact on the wetlands. There is no AOT permit needed. Mr. Thatcher said that he does not believe that treatment is the right choice in this location.

Carol Henderson asked if there had been any NHB hits, and Kevin Nyhan replied that there were no records.

Gino Infascelli asked who had delineated the wetlands, and K. Thatcher replied that it was CHA, so it was likely Jonathan Sisson. *[Note: after the meeting, CHA confirmed that the wetlands delineation was performed by Russ Huntley of SVE. – jwl]*. The plans will be stamped. The culvert is 24” wide. G. Infascelli said that it should be clear that there are still uplands between the toe of the fill and the edge of the wetland if an inspection is done after completion of the project. Every effort should be made not to obscure the line. K. Thatcher does not believe the wetlands are still flagged, but agreed that the wetlands should be re-flagged before construction begins. G. Infascelli said that since there is no wetlands permit, there is no condition for approval, but everyone should be very clear where the edge of the wetlands is.

K. Nyhan added that if there are no wetlands impacts, then erosion control should not be in the wetlands area.

There were no further questions.

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 giving a brief review of the project. This project involves the reconstruction of approximately 2.7 miles of NH Route 12 between Main Street in North Walpole and NH Route 12A in Charlestown. The existing roadway is narrow, with 12-foot wide travel lanes and no shoulders. Several locations throughout the length of the project are showing signs of structural instability. The proposed project involves widening and shifting the roadway and railway to accommodate for two 12-foot travel lanes and two 4-foot shoulders. The preferred alternative involves shifting the roadway to the east, away from the Connecticut River, in the northern and southern segments and a slight shift to the west in the middle segment. This project will require the relocation of the existing New England Central Railroad line adjacent to the northern and southern segments.

C. Willeke indicated that the entire project is expected to require approximately one acre (43,607 s.f.) of wetland impacts. Most of these impacts are associated with small intermittent streams which pass beneath the roadway/railway corridor, providing drainage off of Fall Mountain. He indicated that two "backwater" areas of the Connecticut River will be impacted by the proposed roadway/railway widening; the Jabes Meadow Brook wetland and Meany's Cove.

The road and railroad will be shifted slightly to the east in the area of the Jabes Meadow Brook wetland requiring approximately 4,958 s.f. of wetland impacts. This wetland is classified as palustrine, open water and is connected to the Connecticut River by a 66-inch, concrete box culvert beneath the roadway/railway corridor. This wetland is approximately 5-6 feet deep and the shoreline/bank of the impacted area consists mostly of rip-rap with some scattered vegetation.

The road will be shifted slightly to the west in the Meany's Cove area. This area has two wetlands which will be affected by the project. Both of these wetlands are classified as palustrine, open water. The project is expected to require wetland impacts of approximately 3,617 s.f. to the northern wetland and 2,780 s.f. to the southern wetland. Both wetlands are approximately 3-4 feet deep with a mucky substrate. Meany's Cove is hydraulically connected to the Connecticut River at the southern end of the cove.

Jon Evans indicated that the Department would like to know if the project would require an Individual Army Corps wetland permit or if the project would qualify for coverage under the NH Programmatic General Permit. Rich Roach indicated that he felt the project would likely qualify for PGP coverage however he wanted to know if the EPA or the USF&WS had any objections before he made this determination. Mark Kern indicated that he did not have enough information to say whether or not he had any objections to PGP coverage. He requested a field review be conducted first. J. Evans indicated that he would set one up.

J. Evans noted that the project does require the acquisition of approximately 1-acre of a conservation property owned by the Department of Resources and Economic Development. This

property was established through the NH Land and Community Heritage Investment Program (LCHIP) and the conservation easement is held by The Nature Conservancy (TNC). This conservation property was established for the purposes of protecting the northeastern bulrush (*scirpus ancistrochaetus*), a federally listed endangered species. J. Evans indicated that coordination with the necessary agencies and organizations on the project's impacts to this property was ongoing.

J. Evans indicated that the project would require wetland mitigation. He noted that coordination with DRED and LCHIP had indicated the presence of a property, approximately 1-acre in size, which is fully contained within the existing DRED/LCHIP property. He indicated that the possibility of placing this property into some form of conservation was something that the Department intends to look into further. With the exception of this property no other mitigation opportunities have been identified. He indicated that during the CSS process, the local conservation commissions and the Connecticut River Joint Commissions were involved in the preliminary design of the project, and to date had not indicated any mitigation opportunities. As a result, J. Evans indicated that the Department anticipates offsetting the necessary wetland impacts with a payment into the Aquatic Resource Mitigation Fund.

M. Kern and R. Roach indicated that they would like to see the Department examine the possibility of using bioengineering when designing the necessary slope treatments. C.R. indicated that the Department would look into these but indicated that they may result in increased wetland impacts.

Sharon Francis indicated that the Connecticut River Joint Commissions (CRJC) has been involved with this project from the very beginning and is in full support of the preferred alternative. She indicated that her recent interactions with the local public have indicated substantial public support for the chosen alternative. She also noted that the CRJC would like to see the Department look into the possibility of providing a small pull-off in the Meany's Cove area to allow parking for fishing, nature viewing or car-top boat launching.

[\(Project website\)](#) (NHB File #: NHB09-2261) *This project was previously reviewed on the following dates: [4/18/2007](#), [8/20/2008](#), [5/20/2009](#) & [10/29/2009](#).*

Westmoreland & Walpole (no project number)

Christine Perron gave an overview of a Rail & Transit project that will address two failing stone arch culverts along the Cheshire Branch rail line (now a recreational trail). Both culverts were constructed in the 1800s.

The Westmoreland culvert is 15' x 13.5' x 180' and carries an unnamed perennial stream that outlets into Mill Brook. This culvert started to fail following a flood event in 2003. Two permits have been issued to the NHDOT for this site: 2003-02440 (to remove granite blocks from the stream and stabilize the bank); 2008-01389 (to install a concrete floor with baffles). Due to lack of funding, Rail & Transit did not stabilize the failing outlet end of the culvert when damage first occurred. Earlier this year, a hole developed in the ceiling of the culvert near the outlet, which eventually allowed roots and sediment to fall into the culvert and cause a partial blockage. Rail &

Transit proposed a two-phased project to address this. The first phase, which is supposed to take place in the very near future, will consist of 1) clearing trees along the RR embankment and 2) removing fill to lower the embankment at the outlet. The second phase, which is contingent upon the availability of funds and approval from SHPO, will consist of removing approximately 30' of the collapsing culvert outlet and constructing a new headwall. The large amount of fill removed during the first phase will be placed in a RR cut to the east of the culvert. The trail in this location was cut off by a town road when a bridge was removed. The fill will be used to create a gradual ramp from the trail to the town road and will eventually reestablish trail connectivity. A photograph of the RR cut was shown and C. Perron said that it was her assessment that this wet portion of the abandoned trail does not meet the definition of a wetland or any other jurisdictional area. Gino Infascelli indicated that he would defer to her assessment of the site and a permit would not be required for placing the fill at this site. When the scope of the second phase of the project is determined, the project will be brought back to the Natural Resource agencies for review.

The Walpole culvert is 19' x 19' x 150' and carries Houghton Brook, which outlets into the Connecticut River approximately 1.5 miles downstream of the culvert. A portion of the culvert's ceiling near the inlet end has failed, creating a large sinkhole in the RR embankment. The interior of the culvert now contains a large pile of roots and sediment, which is causing a substantial blockage. The concern with both of these culverts is the potential for complete blockage to occur. Because of the substantial amount of fill over both culverts, a large amount of water could back up. If that water eventually burst through the rail corridor, substantial downstream flooding and damage could occur. Rail & Transit proposed a two-phased project to address the Walpole culvert. As with Westmoreland, the first phase will entail 1) the removal of fill from the top of the culvert and 2) the removal of the roots and sediment from inside the culvert. Excavated fill will be placed in another RR cut to the west of the culvert. The site does not contain wetlands and will not require a permit. C. Perron asked for confirmation that a permit would be needed to remove debris from inside the culvert. It was agreed that a permit would be needed. The second phase of the project, which is contingent upon the availability of funds and approval from SHPO, will consist of patching the hole in the culvert with concrete. This would require a permit for temporary impacts to the stream. Rich Roach indicated that the work in Walpole would be exempt from Army Corps jurisdiction.

(NHB File #: NHB10-0496) (NHWB Permit #: [2008-01389](#)) *This project has not been previously discussed at a Monthly Natural Resource Agency Coordination Meeting.*