

# BUREAU OF ENVIRONMENT CONFERENCE REPORT

**SUBJECT:** NHDOT Monthly Natural Resource Agency Coordination Meeting

**DATE OF CONFERENCE:** January 20, 2016

**LOCATION OF CONFERENCE:** John O. Morton Building

**ATTENDED BY:**

<b>NHDOT</b>	Carol Niewola	<b>Consultants/Public</b>
Matt Urban	Keith Cota	<b>Participants</b>
Ron Crickard		
Randy Talon	<b>Federal Highway</b>	Mike Pillsbury
Kerry Ryan	<b>Administration</b>	Christine Perron
Mark Hemmerlein	Jamie Sikora	Josh Lund
Marc Laurin		Kimberly Peace
Charlie Blackman	<b>Army Corps of Engineers</b>	Jason Ayotte
Peter Salo	Michael Hicks	Thom Marshall
Maggie Baldwin		Vicki Chase
Sam Fifield	<b>NHDES</b>	Jennifer Riordan
Don Lyford	Gino Infascelli	Glen Smart
John Sargent	Lori Sommer	John Pelletier
Rebecca Martin		Sean Tiney
Tobey Reynolds	<b>NH Fish &amp; Game</b>	Richard Fixler
Meli Dube	Carol Henderson	John Trottior
Chris Carucci		Mark Hutchins
Laurel Pushee		Chris Bean
Darrell Elliott		Leo Tidd
Steven Liakos		

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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 December 16, 2015 Meeting Minutes**

Gino Infascelli indicated he would like to request some more time to review and submit comments. Matt Urban agreed to keep the minutes open for another week and that he would finalize them thereafter.

**Marlborough 089/127, non-federal, 40516**

Tony Weatherbee provided an overview of the project. The scope of the project is to rehabilitate the bridge that carries Rte. 101 over Robbins Brook (089/127). The existing structure is concrete slab bridge with a 14' clear span. Proposed work consists of the following: replace the curbs and widen the bridge over the existing substructure.

T. Weatherbee explained that all the impacts or temporary for construction access and scaffolding. Lori Sommer said that no mitigation would be required and Carol Henderson said that there were no NHB hits reported.

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

**Marlborough 090/127, non-federal, 40517**

Tony Weatherbee provided an overview of the project. The scope of the project is to rehabilitate the bridge that carries Rte. 101 over Robbins Brook (090/127). The existing structure is a concrete slab bridge that has a 10'-0" span. Proposed work consists of the following: replace the curbs, repair the failing wingwall with a facing and underpinning, and widen the bridge over the existing substructure. Riprap will be installed in front of the wingwall to be repaired.

Lori Sommer asked when the temporary bracing was installed and T. Weatherbee said that it was installed in 2015. T. Weatherbee said that the wingwall should be repaired rather than replaced to lesson impacts on the local homeowner and on the wetland.

L. Sommer said that there is no mitigation required.

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

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

Jon Evans 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, no shoulders and outdated drainage and guardrail. In addition to these issues, several locations throughout the length of the project are showing signs of structural instability.

J. Evans indicated that this project was last reviewed by the resource agencies in 2010 and since then, the Department has progressed through much of the project's final design. He mentioned that the Department met with Gino Infascelli and Lori Summer of the NHDES Wetlands Bureau on

December 10, 2015 to discuss some of the final details of the wetland permit application and mitigation package details prior to an anticipated submittal in late January or early February of this year. However, subsequent to the Department's meeting with the Wetlands Bureau, the project's design team was instructed to re-evaluate the project design. J. Evans indicated that the intent of the meeting was to inform the resource agencies of the anticipated change in the project design and receive feedback on the anticipated design. He stressed that at this point, since the Department will likely be making wholesale changes in the project design, what was of particular importance was finding out about any "show-stoppers" or substantial concerns that the resource agencies may have.

J. Evans then turned the presentation over to Samantha Fifield to briefly discuss the previous design, the reasons for the necessary change and the anticipated redesign options. S. Fifield noted that the intent of the project was and still is to address the safety and stability concerns associated with this section of roadway. She noted that the previous design was known as alternative 3-2-3, which involved widening and shifting the roadway and railway to accommodate for two 11-foot travel lanes and two 5-foot shoulders. This would be achieved by shifting the roadway and subsequently the New England Central Railroad to the east, away from the Connecticut River, in the northern and southern segments and a slight shift of the roadway to the west in the middle segment.

S. Fifield explained that due in large part to increases in the cost of rock excavation and the costs associated with blasting next to an active rail line that must stay open throughout the duration of construction, the estimated costs have increased substantially over those which were previously anticipated. Option 3-2-3 was originally anticipated to cost approximately \$15 to \$20 million, but is now estimated to cost approximately \$33 million. Unfortunately, since only about \$16.9 million has been programmed for this project, the Department needs to look for alternatives which would reduce the anticipated costs while still meeting the project purpose and need. In doing so, one alternative (alternative 5), which was reviewed during preliminary design, was identified as a potential less costly alternative. Alternative 5 would involve the construction of retaining walls on the western side of the roadway in the northern and/or southern sections of the project to accommodate for the additional roadway width and address stability issues while minimizing impacts to the Connecticut River. S. Fifield noted that Alternative 5 was originally thought to be more costly than alternative 3-2-3, however further evaluation is now showing that alternative 5 may actually be less expensive as it avoids impacts to the railroad and requires little to no rock excavation.

Peter Salo noted that the Department was also evaluating the possibility of constructing the northern and middle sections of the project as previously proposed under alternative 3-2-3 and utilizing retaining walls within the southern section of the project. P. Salo also noted that the Department had previously coordinated with the NHDES Alteration of Terrain (AOT) Bureau regarding permanent water quality treatment measures which under the new design would likely not be possible. As such, the Department will include a re-evaluation of the necessary water quality treatment measures during the anticipated re-design and coordinate further with the AOT Bureau for additional input.

J. Evans noted that another option under consideration is to widen the northern section towards the river and utilize stone fill instead of a retaining wall as it would be substantially less expensive

than the construction of a retaining wall, and it also may better satisfy the WT 404 criteria for bank stabilization rules which indicates a preference towards stone fill over retaining walls. However, he also acknowledged that while construction of a retaining wall in the northern section of the project would require less permanent impacts to the river than stone fill, it would likely impact much if not all of the existing bank in this area.

Gino Infascelli noted that this section of the river is not considered a public water of the state. He also noted that consideration should be given to flowage rights as well as the potential for flood and scour issues along this section of the river, associated with placing any stone within the river. S. Fifield indicated that the Department was aware that a new hydraulic analysis and flood study of this section of the river would likely be necessary for many of the design changes that are currently under consideration.

Matt Urban reminded the design team that impacts to the bank and/or the channel would each require mitigation at \$200 per linear foot. He encouraged the design team to include these expenses when weighing the overall cost of each alternative. S. Fifield responded that the team was aware of this and that these costs were already under consideration.

Mike Hicks inquired about the possibility of a cost-sharing partnership with the railroad to help alleviate some of the additional expenses associated with constructing a new railroad. Don Lyford indicated that the railroad appears to be happy where they are and with their existing facility and as such would not be interested in sharing any of the costs associated with this effort.

M. Hicks asked what would happen if NH Route 12 in this location were closed. S. Fifield responded that the detour around this section of roadway is approximately 12 miles. Carol Henderson asked if a bypass would be possible. J. Evans responded that really the only option for a bypass would be to the East and that the Fall Mountain State Forest is just to the east of this location and that it would be very difficult to put a bypass through this conservation property and that the topography through this forest is extremely steep and would not be conducive to a bypass anyway. D. Lyford also noted that even if a bypass were constructed there are houses in the middle of the project to which access still needs to be maintained. As such, the department would still be responsible for the maintenance, upkeep and overall safety of the existing roadway, and a bypass or the implementation of a permanent detour around this section of roadway really wouldn't change anything since the existing deficiencies would still be present.

Lori Sommer asked if it would be possible to put the northbound and southbound lanes on opposite sides of the rail in order to gain the necessary pavement width without disrupting the railroad. S. Fifield indicated that this would likely require similar if not greater quantities of rock excavation to alternative 3-2-3. This would also require the construction of one or two bridges to bring the roadway back to its existing configuration at the northern and southern end and would also require additional guardrail, drainage, pavement width, etc. to accommodate for two completely separate roadways and protect the railroad. As such it is anticipated that the costs associated with such an alternative would be even greater than alternative 3-2-3.

M. Hicks suggested that although the Corps typically is not in favor of segmentation, he suggested the Department consider whether or not certain sections of the project could be removed and then

dealt with at another time. J. Evans noted that the purpose of this project is not only to address the stability concerns in the southern portion of the project, but to address the other safety concerns associated with this section of roadway, such as the narrow pavement, lack of shoulders and sub-standard guardrail. As such, segmentation may not address these issues in the segment(s) which are not included in this effort.

Jamie Sikora noted that changes in the design such as those which are being considered would require NEPA re-classification. J. Evans responded that he was aware of this and that the Department plans on preparing an updated Environmental Study. J. Sikora also expressed concern with splitting/segmenting the project and noted that any such options under consideration should be reviewed with FHWA.

S. Fifield indicated that the Department will continue developing alternatives and will bring the project back to the group for further review once some additional information and design concepts have been gathered.

*This project was previously reviewed on the following dates: 4/18/07, 8/20/08, 5/20/09, 10/29/09, 4/21/10, and 6/16/10*

### **Bedford, X-A000(143), 13953**

Michael Pillsbury (Louis Berger) gave a brief description of the project. The project passes through three watersheds: Riddle Brook, an Unnamed Brook, and Bowman Brook; which all flow to the Merrimack River. There is an estimated 4.06 acres of permanent wetland impacts, with 1.12 acres of temporary impacts required for establishment of temporary erosion control measures and maintenance of traffic. The culverts at Riddle Brook were evaluated, are in good shape and do not need to be replaced. As no base flood elevations have been mapped, the Riddle Brook floodway was analyzed using HEC-RAS. No significant changes would occur as a result of the project and as such no LOMR will be required. To address water quality, four detention basins (2 wet-extended and 2 micro-pool basins) will be constructed. Although there is an increase in impervious surface, these basins will reduce the existing pollutant loading for TN, TP and TSS. There will be no tree box filters incorporated in the design as initially proposed. Wetland mitigation is proposed to be addressed via an ARM fund payment. Preservation of additional land to compensate for impacts to existing conservation lands is still being evaluated. An acoustical survey of the area did not identify any Northern Long-Eared bats within the project limits. Wildlife friendly matting will be used for erosion control. Sloped curbs will be installed along the raised medians to facilitate turtle crossing. The wetland permits and water quality certificate applications are anticipated to be submitted within the month. Charles Blackman stated that the project is currently scheduled for advertising in the Spring of 2017.

Mike Hicks confirmed that the project will require an Individual Permit from the Corps. He stated that any EFH potential be properly investigated and coordinated with NMFS. Lori Sommer wondered if the Corps will ask for mitigation of temporary impacts. M. Hicks inquired about floodplain fill. M. Pillsbury replied that there will be some minor fills in floodplains, but that the HEC-RAS analysis confirmed that there were no concerns. Gino Infascelli inquired about stream assessments being completed or needed. M. Pillsbury stated that there will be no in-stream work on the Riddle Brook culverts, but several Tier 1 streams culverts will be extended. M. Hicks asked

about EPA comments on the project. Marc Laurin replied that no concerns with the project were previously expressed and that they agreed with ARM fund payment for wetland mitigation. Carol Henderson inquired as to previous discussions on the potential for DOT assisting with the Town's restoration efforts at McQuesten Brook. M. Laurin replied that DOT could not participate in the Town's ongoing restoration effort due to timing of funding for the highway project.

L. Sommer was concerned about the impacts to the existing conservation lands. M. Laurin clarified the impacts to the existing lands were minimized and DOT is coordinating with the Land Trust. L. Sommer stated that this issue will need to be wrapped up before DES can finalize mitigation concurrence. M. Laurin will set up a field meeting with L. Sommer in the Spring to visit the existing mitigation conservation areas that will be impacted. Peter Salo explained that due to the developed nature of the project area it was very difficult to find areas for the required treatment of stormwater that would provide water quality improvements and as such DOT needed to impact some of the existing mitigation conservation areas. M. Hick inquired as to any historic issues. M. Laurin replied that the impacts were reviewed with DHR and an MOA has been signed that addresses mitigation of these impacts. The project was designed to minimize impacts to the Historic District. M. Pillsbury concluded that the project is being designed to be well suited for the development and implementation of temporary erosion control measures during construction.

*This project was previously reviewed on the following dates: 9/18/2013, 3/19/2014, 6/18/2014, October 15, 2014.*

#### **Portsmouth, 27690, X-A003(589)**

Josh Lund (McFarland Johnson) provided an overview of the project. The purpose of the project is to address Bridge 192/106, which carries US Route 1 Bypass over Hodgson Brook in the City of Portsmouth. The bridge is comprised of five concrete boxes, with a total length of 45 feet and a width of 72 feet curb to curb. The alternatives analysis is just getting underway. It is expected that a single span of approximately 40 feet in length will be one alternative taken into consideration. Accelerated Bridge Construction methods will be used to shorten the duration of construction and minimize impacts to traffic. Both phased construction and a full roadway closure will be evaluated.

Christine Perron (McFarland Johnson) provided an overview of known resources in the project area. Hodgson Brook is non-tidal through the project area. The tidal influence is thought to extend through North Mill Pond to Bartlett Street, located downstream of the project area. Hodgson Brook has a bankfull width of approximately 20 feet within the project area. The drainage area is 3.5 square miles, making this a Tier 3 stream crossing. Other wetland resources in the project area include an intermittent stream that outlets into Hodgson Brook on the upstream side of the bridge. This tributary originates from a large wetland on the south side of Borthwick Avenue. Invasive plants are prevalent throughout the area.

Stream flow is largely concentrated in three of the five boxes and water levels are generally shallow through the structure. The floor of the bridge structure is perched approximately 6" above the surface of the stream. This perch impedes upstream fish passage.

The NH Natural Heritage Bureau reported a documented occurrence of American eel in Hodgson Brook. The US Fish & Wildlife Service Information for Planning and Conservation (IPaC) Tool

reported potential concern with red knot and northern long-eared bat. The red knot is a shorebird that is not expected to occur this far inland. No evidence of bats using the bridge structure was seen during field reviews. The wooded habitat in the project area is marginal for northern long-eared bat. As project impacts become better defined, potential effects on northern long-eared bat will be assessed in consultation with the US Fish & Wildlife Service.

US Route 1 Bypass is a linear historic district and the bridge over Hodgson Brook is considered a contributing element of the district. As a historic resource, rehabilitation will be considered in the alternatives analysis. Consultation with the NH Division of Historical Resources has been initiated.

Hodgson Brook is not subject to Shoreland jurisdiction, and there are no mapped floodways or floodplains in the project area. The stream is listed as impaired for benthic macroinvertebrate assessments, dissolved oxygen, and chloride. Water quality will be taken into consideration as design of the project moves forward.

MJ has reached out to City officials, the Hodgson Brook Advisory Board, NH Coastal Program, and NH Fish & Game for input on potential concerns in the project area. To date, fish passage has been the only concern brought forward.

The anticipated timeline for this project includes concluding the alternatives analysis in late May. Preliminary design of the selected alternative is expected to be complete in December. Based on this timeline, it is anticipated that design alternatives will be discussed with the resource agencies this summer, with permitting taking place in 2017.

Mike Hicks asked about anticipated impacts. J. Lund noted that temporary impacts to the channel would be necessary for the removal of the existing structure, but this would result in restoring the natural channel. The new structure would be on the same alignment and would likely be a single span, which would limit permanent impacts to the channel.

Carol Henderson asked that the selected design address fish passage and also incorporate a shelf or dry, level area through the structure to accommodate wildlife passage.

Gino Infascelli read comments provided to him by Chris Williams (NH Coastal Program):

- 1) Stream gage instrumentation is located on the bridge. Ted Walsh at DES should be notified prior to construction so that this instrumentation can be removed.
- 2) Fish passage is a concern at this location due to the perched outlet.
- 3) The Hodgson Brook signs located on the bridge approaches should be reinstalled following construction. The signs were installed by NHDOT District 6 in 2006 at the request of the Hodgson Brook Local Advisory Committee.

G. Infascelli commented that there are three 10-foot box culverts located upstream that should be taken into consideration during the hydraulics study. He noted that a culvert was filled up with sediment and an emergency permit issued as the DOT was concerned they may overtop during storm events.

## **Dixville, 40518, Nonfederal**

Margarete Baldwin presented the project and described the project impacts. Golf Links Road connects the Balsams Resort to the Panorama Golf Course and is a state maintained roadway. The road varies between 15 and 20 feet wide and is thought to have evolved over time. There is no formal construction date or plans for the road. M. Baldwin explained that the project has significant constraints due to ledge in the area, steep slopes, and wetlands. There is also significant slope instability in the switchback in the road located near Moose Brook. The road is typically closed during the winter and one of the project goals is to allow year round use.

M. Baldwin explained that a significant part of the design is to address issues with offsite flows impacting the roadway. There are two dams in the project area for recreational ponds at the Golf Course and at Two Towns dam. The Moose Brook crossing was formerly dammed, but the dam has since been removed and replaced with a culvert. M. Baldwin explained that there are significant cuts along the road and that in some areas these have led to the ditchline being filled by the sloughing of materials. There are also significant erosion issues. M. Baldwin showed photos of various portions of the roadway. Photos included some areas of significant pavement and drainage failures. M. Baldwin explained that some of the failure may be the result of roadway widening that was not on established road materials. The report to address the eligibility of Golf Links Road prepared by Patrick Harshbarger, a Historian from Hunter Research Inc., recommended that the road is eligible as a contributing resource and individually. The original road was as a dirt road apparently placed over a compact stone foundation constructed around 1914. The road is believed to have been paved in the 1930s.\* This is a correction, the road was constructed prior to the paving in the 1930s.

M. Baldwin explained that only the portion of work near the Moose Brook crossing at the switchback turn has or is intended to be surveyed. This area has significant slope failures which will be addressed by the project. Due to the quick turnaround time for the project there is not time to survey the entire road. M. Baldwin explained the intent of the project is to maintain the existing context of the road by adopting a limited a typical width of 16 feet with areas of limited local widening. As currently designed, the project decreases the total impervious area by around 10,000 square feet by formalizing the typical and reducing the number of widened areas along the roadway.

M. Baldwin described the sandwich treatment proposed for some of the project length and informed the group that in the areas around the two dams the project activities will be in accordance with recommendations from the NH DES Dam Bureau. Treatments in the roadway at the dams will likely include removing the pavement and excavating the gravel materials, up to 12", and replacement of gravel and pavement.

M. Baldwin showed drawings of the "typicals" that have been drafted for the project. She explained that these were developed from information gathered through field reviews and available maps and images. These "typicals" assume the worst case scenario in order to ensure all impacts are accounted. Generally the left edge of pavement will be maintained and a stone lined ditch will be constructed on the right side to manage offsite flows. In many areas the slopes will be 2:1, in

some areas 1.5:1 stone lined slopes with humus may be more appropriate. The “typicals” will not be perfect in every situation.

M. Baldwin described the failures at the Moose Brook Crossing switchback turn and described two potential treatments: soil nailing, which is expensive, but has few impacts, and shifting Golf Links Road away from the failure.

Lori Sommer inquired about the treatment for the drainage pipes. M. Baldwin explained that the intention is to replace pipes in kind and add protection at the inlet and outlet of the pipes. Matt Urban explained that Cindy Balcius delineated the wetlands in accordance with the Army Corps of Engineers method. With the worst case scenario “envelope”, all possible impacts will be addressed. M. Urban explained that NH DOT will make a project commitment to use the perimeter control as the extent of allowable impacts. There will be no work permitted beyond the defined edge as shown in the wetland plans. M. Urban explained that the streams will be evaluated with StreamStats, but the only known Tier 3 stream is Moose Brook. At this location, construction of a new headwall to support the existing failing headwall is anticipated, as well as the investigation of cause and potentially a repair of a depression (bump) in the pipe crown, located towards the outlet, but still within the embankment. M. Urban explained an Alternative Design form will be needed at this location. M. Urban explained that there will be some need for mitigation for bank and channel impacts beyond the existing condition. M. Baldwin estimated inlet impacts and included some temporary outlet impacts at this crossing in case the repair required access from the outlet side of the pipe.

M. Baldwin explained that the current estimate for permanent wetland impacts is approximately 40,000 square feet. M. Baldwin assumed temporary impacts 5 feet beyond the slope impacts for installation of erosion controls. The estimated temporary impacts are 20,000 square feet. There was some discussion about the appropriateness of the current design and intentions for use of the road by the Balsams. M. Baldwin explained that the intention of the project is to improve the roadway condition for the existing roadway use.

Carol Henderson inquired about guardrail improvements. M. Baldwin explained that there will be approximately the same amount of guardrail, some project areas will have additional and some areas will have guardrail removed. Tobey Reynolds explained that the guard rail will be low profile with small steel posts. There will be openings in the guard rail, which will allow for wildlife passage. C. Henderson described that wildlife will continue to travel through the area, regardless of the road being open year round.

M. Baldwin described that there is established ditch line in some areas, but it is not consistent. In some areas it has likely been filled in. L. Sommer inquired about the decrease in impacts if the ditchlines are considered self-mitigating. M. Baldwin said the decline in estimated wetland impacts would be approximately 10,000 square feet. L. Sommer will need to see locations of the current ditchline and photos to make the determination of if, and where, the ditchline qualifies as existing and self-mitigating. M. Baldwin inquired if the slope impacts that include stoning with humus overtop could be considered temporary. L. Sommer indicated that her inclination is that these slope impacts are permanent impacts and would require mitigation. The mitigation for this project will be in the form of an ARM fund payment.

M. Baldwin stated that the wetland application will be submitted soon.

Rebecca Martin explained that a NHB search indicated that there is a record of rare wildlife, plant, and/or natural community in the vicinity, but that, according to the NHB report, it is not expected to be impacted by the proposed project. An IPaC search indicated potential presence of Canada Lynx and Northern Long-Eared Bat. As the project will not reduce habitat that would be used by the Canada Lynx, no impacts to this species are expected. R. Martin described that a Final 4(d) rule has been published for the NLEB, which goes into effect on February 16<sup>th</sup>. If the Army Corps of Engineers, the lead federal agency for this project, agrees to adopt the streamlined Section 7 consultation included in the Intra-Service Programmatic Biological Opinion (PBO) issued by USFWS, a 30 day notification process for the project could be utilized, which would allow clearing of trees outside of the Time of Year restriction. Otherwise, District will likely clear trees during the NLEB inactive season, prior to April 14<sup>th</sup>. As FHWA is not the lead agency for this project, informal consultation with USFWS will be necessary, if the streamlining procedures included in the USFWS PBO for section 7 compliance are not utilized.

### **Seabrook-Hampton Falls-Hampton 40424**

Hoyle, Tanner and Associates (HTA) and the Department provided a project overview with plans and pictures summarizing the proposed conditions and coordination to date. This project includes rehabilitating 3.5 miles of US Route 1 beginning near the intersection of US Route 1 and Rocks Road in Seabrook and ending at the intersection of US Route 1 and Park Avenue in Hampton, NH. The project is scoped to rehabilitate the pavement including replacing in-kind guardrail and other incidental construction, as well as bridge maintenance to the bridges over Hampton Falls and Taylor Rivers. In addition, roadway embankment stabilization adjacent to the Drakes River and headwall repair/replacement and installation of a new catch basin will occur in the US Route 1/NH Route 101 Interchange will be included.

The meeting focused on identifying the wetland and shoreland impacts for the resource areas in the US Route 1 corridor. The primary concerns for the project are impacts to the tidal and prime wetland buffers near the bridges and slope stabilization adjacent to the Drakes River in Hampton. Conceptual impacts were highlighted consisting of approximately 4,400 square feet (SF) of total Wetland Impacts (2,750 SF and 1,650 SF of permanent and temporary impacts, respectively); 198,000 SF of Buffer Impacts and 1,800 SF of Protected Shoreland Impacts.

The discussion centered on the slope stabilization adjacent to the Drakes River, which will require the placement of stone riprap on the embankment between the roadway and saltmarsh due to erosion of the slope. Mike Hicks, US Army Corps of Engineers, reminded the group that any new fill in the saltmarsh in this area would require an individual permit. Meli Dube (MD), NHDOT Bureau of Environment, clarified that all fill is intended to restore the previously constructed roadway embankment to its historical dimensions and no riprap will be placed outside of previously filled areas. MD discussed previous coordination with MH on this matter. MH confirmed that as long as work remains within previously disturbed areas, this work is considered maintenance and will not require an individual permit. The Department has searched for historical as-built plans or permits for this area, however, no plan indicating the dimensions of the roadway have been found. A representative plan, based on the existing embankment on either side of eroded area, historical roadway construction practices and best engineering judgment, will be provided to ACOE along with a descriptive narrative confirming the scope of work discussed above. Lori

Sommer, NHDES, requested to see better photos to determine whether or not this work will be considered maintenance of existing infrastructure and the need for mitigation.

Bridge work on the Hampton Falls River bridge will include partial to full depth deck repairs and patching of spalled concrete on the abutments, which will require temporary impacts to the river. Bridge work on the Taylor River bridge will include partial to full depth deck repair and the use of a snooper truck to patch spalled concrete, which eliminates any wetland impacts in the river. MD confirmed with MH that it is no longer necessary to coordinate with the National Oceanic and Atmospheric Administration regarding Essential Fish Habitat due to the elimination of the work within the channel of the Taylor River. MD also indicated that the NH Natural Heritage Bureau had been contacted previously, but will be updated after the meeting with an updated scope of work.

Gino Infascelli inquired about impacts to the prime wetland buffer at the NH Route 101/US Route 1 interchange in Hampton. MD indicated that this area is completely upland and the work will be limited to resurfacing and guardrail replacement, which will have no impact on the functions and values of the designated prime wetland. GI also reminded the group that this project will be a major impact project in public waterrequiring review and approval by the Governor and Council, which adds to the wetland permitting time frame.

HTA indicated that there are two cemeteries within 25' of the project area, however, there is no proposed excavation in these areas and no impacts are anticipated. MD confirmed that cultural resources coordination has been completed and the NH Division of Historical Resources has issued a "No Historic Properties Affected" memo.

*This project was previously reviewed at the October 21, 2015 Natural Resource Agency Meeting.*

### **Thornton-Woodstock 40404**

This project includes rehabilitating approximately 6.8 miles of Interstate 93 northbound and southbound barrels beginning at the bridge over the Pemigewasset River (State bridge #247/079 & 247/080) near the intersection Exit 29 in Thornton, NH and ending at the bridge over the Pemigewasset River (State bridge #201/068 & 202/068) north of Exit 30 in Woodstock, NH. The project is scoped to rehabilitate the pavement and replace in-kind guardrail, drainage maintenance, rock scaling and associated tree clearing, as well as bridge maintenance to the bridges over US Route 3 in Thornton, Merrill Access Road, Mirror Lake Road, and US Route 3 in Woodstock. In addition, advertisement is anticipated in November, 2016.

Hoyle, Tanner and Associates (HTA) provided a project overview with plans and pictures summarizing the proposed conditions and identifying the wetland impacts and shoreland areas. Wetland and shoreland impacts are associated with drainage maintenance work which will replace several deteriorated slope pipes as well as the headwall holding twin 72" reinforced concrete pipes which carry Leemans brook under the highway to the Pemigewasset River. Gino Infascelli, NHDES, noted that this stream crossing is located within ¼ mile of the Pemigewasset River, which is a designated river, and is therefore considered a Tier 3 stream crossing. Wetland delineations have not been completed at this time, however, estimated impacts based on initial field reviews include 500 s.f. of temporary wetland impacts and 800 s.f. of permanent wetland impacts. There are no anticipated protected shoreland impacts outside of the anticipated wetland impacts.

HTA discussed tree clearing associated with rock scaling on the cliffs adjacent to the highway. This clearing will be limited to the appropriate time of year restrictions in order to avoid impacts to

the northern long-eared bat. Meli Dube (MD), NHDOT Bureau of Environment, indicated that the NH Natural Heritage Bureau has been consulted and has no concerns.

HTA indicated that bridge work will be limited to deck and joint work and will not impact any natural resources in the area. MD confirmed that there are no concerns for encountering asbestos containing materials during the proposed bridge work.

*This project has not previously been reviewed at a Natural Resource Agency Meeting.*

### **Ocean Ave, non-federal, TBD**

Laurel Pushee provided an overview of the project. The scope of the project is to add a drop to the roadway side of the pipe and replace a 10' long 6 inch diameter pipe running from the roadway under the sidewalk. The existing pipe is a corrugated metal pipe used for excess roadway runoff/drainage during periods of high tide and storm surges. Proposed work consists of replacing the metal pipe with a different material (PVC) pipe to avoid corrosion, and excavating/ scouring the area around the outlet to remove sand deposits from past storm events and phragmites immediately adjacent to the pipe. This project also proposes to place fabric and stone rip rap over the scour area to inhibit the regrowth of phragmites around the pipe outlet. The District is anticipating working with Department of Agriculture to obtain a permit to treat the phragmites in this area concurrent to this, and future, proposed work. There are also exemplary communities in the area indicated by a positive NHB hit; the details on the species present are unknown at this time as the file results have not yet been reviewed.

Laurel also mentioned that this project was an interim/immediate fix being implemented by District to mitigate the larger issue with drainage in the area. This will be addressed by another, larger, project coming through this area in the future.

Gino expressed a concern for adding a catch basin to the roadside end of the pipe, citing that this could create stagnant water (mosquito breeding habitat) and could promote the presence of e-coli. He mentioned that these concerns had been brought up by our district staff in the past for this area.

Gino also mentioned that this marsh was recently designated as prime wetland (2011) and suggested that Laurel touch base with the conservation commission relative to the project prior to sending in the wetland application.

Lori Sommer indicated that a good contact for treating and managing Phragmites populations would be Lenny Lord from Rockingham County Conservation District. Laurel mentioned that she had already reached out to Doug Cygan, and that he would be assisting district 6 with some of the treatment in this area.

Matt Urban mentioned that the larger project discussed involves an area which has already received a wetland permit. This permit will need to apply for an extension if the work is not completed this year. Matt also indicated that any additional impacts should apply for a new/separate permit.

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

### **Newport, 16109, X-A001(136)**

The Town of Newport proposes to either rehabilitate or replace State Bridge No. 103/136 carrying Oak Street over the Sugar River in Newport. This is a municipally managed NHDOT project with State Bridge Aid funding for design and MOBRR funding for construction.

Thom Marshall provided an overview of the project. The bridge was built in 1937 and there have been two major rehabilitations, once in 1971 and once in 1989, both with deck replacements. Cultural resource coordination has already been undertaken – three properties have been identified – the mill building downstream, bridge itself, and the factory in the southeast quadrant that ties into the bridge abutment.

Five structural alternatives have been studied:

- Alt 1 - Rehabilitation with no increase in load rating – 19' roadway width that reuses existing abutments
- Alt 2 – Rehabilitation with increase load rating – 18' road width
- Alt 3 – Rehabilitated with a widened truss – new abutments
- Alt 4 – Replacement with 118' clear span (context sensitive) – new abutments
- Alt 5 – Replacement with 148' clear span – new abutments

Two roadway alternatives were studied – Roadway alternative 1, for the rehabilitations, would maintain the roadway width but would create a 1% pitch to allow for drainage (currently the bridge is flat)

Roadway alternative 2, for the widened truss and the 118' span bridge for Str. Alt. 3 & 4 would provide:

- Increased Roadway Width (24')
- Positive 1.25% Drainage Across the Bridge
- Raised Profile (To Meet Hydraulic Capacity Requirements)
- Eliminates “Kink” on East Approach
- Total Project Length Approx. 475 feet (Same as Alt. 1 – Profile Driven)

Widening would be on the north side of the bridge to avoid effects to the structure in the southeast corner.

Vicki Chase provided an overview of natural resource considerations at the site. The bridge crosses the Sugar River, a 6th order river with a 207 acre watershed, which flows into the Connecticut River about 13 miles downstream. At the project location, the river has a boulder and cobble substrate.

Rare Species - A datacheck with the New Hampshire Natural Heritage Bureau identified the state endangered brook floater mussel and wood turtle, a species of concern, in the vicinity of the project. Further consultation with the New Hampshire Fish and Game Department (NHF&G) indicated that a brook floater survey will not be required as the bridge location is downstream of

the known brook floater locations in the Croydon Branch of the Sugar River. NHF&G provided guidelines for construction to avoid effects to the Wood Turtle that will likely be incorporated into the wetland permit.

Fisheries - NHF&G fisheries personnel John Magee was contacted and had not yet responded. [Following the meeting NHF&G advised that although there were no specific fisheries concerns at the site, the river is stocked with trout in the spring, and is a popular spot for anglers. NHF&G did not convey that the proposed bridge project would interfere with anglers, because there are other locations for fishing in the area.]

Floodplains - The Oak Street Bridge lies within the FEMA mapped floodplain of the Sugar River, with a base flood elevation of 766 feet NAVD88. No loss of floodplain storage is anticipated.

Water Quality - The Sugar River is listed in the 2014 Draft 303(d) list as impaired for Aquatic Life by pH and Aluminum. Aluminum is considered a "development impairment" associated with roadway runoff.

Conservation Land- The Sugar River Recreational Trail, constructed on an abandoned railroad bed, crosses Oak Street and the Sugar River on two former railroad bridges upstream and downstream of the project location. The trail is managed by the New Hampshire Department of Resources and Economic Development (DRED).

Hazardous Materials - A check with the New Hampshire Department of Environmental Services (NHDES) GIS Onestop reveals that there is a remediation site directly downstream of the Oak Street Bridge. The site, a former mill, is abandoned and is owned by the town. NHDES has an open (currently inactive) file #199805019, with the most recent correspondence in the online file being a monitoring report from 2003.

Mike Hicks suggested that the project be screened for Essential Fish Habitat as it is a tributary to the Connecticut River.

M. Hicks asked if there are wetland impacts associated with the project. V. Chase responded that there are no jurisdictional wetlands directly adjacent to the bridge but that the abutment work would require a NHDES Standard Dredge and Fill wetland permit. M. Hicks asked which alternative would be the least impacting. T. Marshall indicated that Alt 1 would be the least impacting, but for both Alt 1 and 2 there would be temporary impacts for dismantling the truss and for painting. All alternatives will involve some wetland impact. The replacement alternatives will involve more impacts on the west side of the river, because the structure on the southeast corner precludes relocating the eastern abutment.

M. Hicks asked if there is truck traffic over the bridge. T. Marshall responded that most truck traffic comes from the machine shop on the southeast corner that goes over the bridge in order to turn around on Greenwood Ave.

Jamie Sikora asked if there is pedestrian and bicycle traffic. T. Marshall indicated that it is a sparsely populated area that does not see a lot of pedestrian traffic.

J. Sikora asked from a preservation standpoint Alternative 1 seemed to be the least impacting, and asked what percentage of the structure would be replaced. T. Marshall responded that the deck, the exterior and end bay stringers, lower lateral bracing and panel point connections would be replaced, and that the trusses barely make the bridge's current load rating. Alt 1 would also require repainting, and because of existing lead paint would be expensive.

Next steps will involve completing the engineering study and a public meeting with the town prior to submitting the final engineering study. There will be a follow up Natural Resource Agency meeting at NHDOT when design has progressed further and impacts have been identified.

V. Chase clarified that it was assumed that a major impact wetland permit would be required. V. Chase also clarified that Section 7 coordination for Northern Long Eared Bats would be undertaken that may involve the new protocol from USFW (to be in effect February 16, 2016).

Gino Infascelli asked about stormwater drainage and existing treatment. T. Marshall responded that stormwater is still being studied. There may be new basins constructed on the east side. There is an existing basin on the east side. Coordination has not yet occurred with the owner of the structure on the east side and options are still being considered.

### **Skyhaven Airport**

John Pelletier (Jacobs) provided an overview of the project. The Airport is looking to address drainage and pavement issues for an area located near Route 108. The existing drainage in the area needs repair. The project will also address issues with the grading of the pavement around several existing hangars. Water currently runs into the hangars.

The drainage system in the project area currently outlets to a forested wetland and intermittent stream. The project will split the drainage between two outlets, both of which will discharge to the wetland, rather than the single outlet that currently exists. Construction of the outlets will result in approximately 560 square feet of wetland impact.

Approximately 4.3 acres of existing pavement will be disturbed as a result of pavement reconstruction. In addition, minor grading will disturb approximately 1 acre beyond the existing pavement limits. Approximately 16,000 square feet of new pavement will be added.

Jenn Riordan (Smart Associates) asked if the project could be permitted as a Minimum Impact application. Gino Infascelli replied that since there have been other projects at the Airport in the past 5 years, this project will need to be permitted as a Major Impact due to the cumulative wetland impacts.

The Airport has an existing wetland mitigation agreement with NHDES. This agreement originally allowed for over 15 acres of wetland impact for various improvement projects identified in the Airport's Master Plan. Over 8 acres of allowable impact remain in the mitigation agreement, so the 560 square feet of impact proposed for this project can be mitigated under the existing agreement.

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

### **MHT Airport (Runway 35)**

#### **Runway 35 Obstruction Removal Project**

This project was discussed at a previous Natural Resource Agency Coordination meeting on August 19, 2015. It involves clearing for the Runway 35 approach surface. The Airport was

originally looking to clear, grade, and grub all vegetated areas within the approach, but the amount of clearing and grubbing has been reduced to minimize impacts to New England cottontail habitat. Portions of the project will involve tree removal only and shrub vegetation will be allowed to remain. Approximately 10 acres of forested wetland will be converted to scrub-shrub wetland from the tree removal. No grubbing in wetlands is proposed. A large upland area (approximately 48 acres) located in the southeastern portion of the project will be cleared, grubbed, and graded. The majority of this area is privately owned and may be developed in the future.

Several parcels in the project area are part of a NHDOT wildlife corridor easement that was mitigation for the Airport Access Road project. Approximately 3.7 acres (wetlands and uplands) will be cleared within this easement. Mike Hicks asked if there is language regarding the easement restrictions. Lori Sommer said that NHDOT provided her the deeds. Lori Sommer also stated that some type of mitigation will be required since tree clearing will change the existing condition of the easement. She suggested planting shrubs near the Airport parking lot to provide additional habitat value. This area is part of the easement, but is currently an open area with no tree or shrub cover.

Lori suggested talking with the Attorney General's office regarding the clearing work within the easement. Sean Tiney mentioned that NHDOT had been contacted about the work and he'd be following up on that issue.

One portion of the wildlife corridor easement that will be cleared is located adjacent to Stonyfield Yogurt. The Airport is proposing to cut trees in the area and is working with NH Fish and Game to maintain/improve habitat for New England cottontail. Lori said that she would need written information discussing what is proposed and how it will improve habitat.

The remaining portion of the wildlife corridor easement that will be cleared is located within a wetland area. Lori said that mitigation will need to be provided for this clearing area. Jenn Riordan mentioned that Lori had previously said that 20% of the total wetland impact would need to be mitigated. Since this project will involve approximately 10 acres of clearing within wetlands, this would mean that 2 acres would need to be mitigated. Lori agreed with this and said that options could include restoration or an in-lieu fee. A 7-acre parcel located southeast of the project is proposed as mitigation for New England cottontail habitat impacts. Additional mitigation beyond this conservation parcel is required for the wetland impacts.

Lori mentioned that the Airport needs to finalize the conservation easement on the mitigation parcel for the runway project.

The future development in the southeastern portion of the project was briefly discussed. The Airport is not sure what type of development will be constructed. There are restrictions for building height in this area since it is partially on a hill and located within the runway approach. The goal of the Airport's proposed project is to create a mowable surface that can easily be maintained. Development will not be included as part of the Airport's Wetland and Alteration of Terrain permit applications. Separate applications will be submitted by the landowner when development is proposed.

Approximately 7,000 linear feet of intermittent stream is located within the clearing limits. Gino Infascelli asked to clarify the proposed impacts to this stream. Jenn responded that some tree removal will occur along the intermittent stream. The actual amount of impact may be less since sections of the stream have only shrub and herbaceous vegetation. No grubbing along the stream channel is proposed.

Jenn asked about the new 4(d) rule for northern long-eared bat. Ron Crickard said that the locations of any nearby hibernacula or roosting trees would need to be identified through coordination with NH Natural Heritage Bureau. Coordination with the lead federal agency would then need to occur. Carol Henderson said that since the Airport is coordinating with NH Fish and Game, the hibernacula/roost information could be provided by NH Fish and Game since the Natural Heritage Bureau database may not be up to date.

Mike Hicks asked if tree clearing will re-occur in the future. Ongoing vegetation maintenance will be needed. The Airport has previously topped trees within the approach. Cutting the trees to ground level will allow for a longer-term solution and less ongoing maintenance. Mike suggested that if the wildlife corridor easement was being revisited as part of this project, allowing for ongoing clearing by the Airport might minimize the need for agency coordination during future tree clearing activities.

## **Derry-Londonderry, 13065, IM-0931(201)**

### **1. Overview of Where and How Exit 4A is Moving Forward (Keith Cota)**

- a. CLD is the Town's consultant completing the EIS. The Draft EIS was completed in 2007.
- b. Since 2007 CLD has been working to complete the EIS but progress had stalled in the last couple years.
- c. Department agreed to take over "administrative charge" of the project. A Memorandum of Agreement defining the roles and responsibilities of the Towns and the Department was recently approved by the Governor & Council. The Exit 4A project is included in the next 10 Year Plan.
- d. Department is currently working with the Consultant Team to define the scope of work needed to first prepare the Supplemental Draft EIS then move it forward to completion of the Final EIS and Record of Decision process.
- e. Department and Consultant Team propose to return to the February 17, 2016 meeting with a summary of the proposed scope of work to complete the EIS process.

### **2. Brief Recent History of the Project**

- a. The FHWA approved DEIS was taken to a Joint Public Hearing (NH DOT, NH DES, ACOE) in 2007. The reasonable range of alternatives was discussed followed by a detailed presentation of the Preferred Alternative, with proposed Right of Way limits shown on the plan. A Special Committee of the Governor & Council later found necessity for the layout.
- b. The Preferred Alternative included no Westerly Connection.
- c. In 2010, after being stalled for a couple years, the EIS process got restarted. Much of the original data was updated. A Draft FEIS was circulated to the Cooperating Agencies

(NHDOT, NHDES, ACOE, EPA) for review in early 2011. Comments were received and the Consultant Team was in the process of addressing the final comments when progress again stalled due to the inability to come to agreement with the Natural Resource Agencies on the wetland and vernal pool impact mitigation.

- d. In 2014 there was renewed interest to get the EIS completed. FHWA responded with a request to “re-evaluate” the EIS document due to the staleness of much of the data. Agreement was recently reached with FHWA on the need to complete a Supplemental DEIS then the FEIS based on updated data.
  - e. The CLD Project Team includes CLD, who is managing the overall EIS update and handling traffic analyses, NAI, who are responsible for updating all the natural resource items, LBG, who are providing guidance and writing of the updated document and other specialized subconsultants as needed.
  - f. Natural Resource Agency comments on February 2011 Draft FEIS will be addressed as part of the Supplemental Draft EIS.
  - g. We anticipate the Phase 2 EIS update process beginning in March 2016 and lasting for about 18 months. Once the EIS process is complete, the NHDOT will take over complete control of the project.
3. **Secondary Development:** Lori Sommer noted that it will be important to address secondary development in the update, specifically Woodmont Commons both on the east and west side of I-93. It was pointed out that the Exit 4A EIS will be updated again without consideration of a westerly connection. Jamie Sikora noted that a westerly connection was not allowed as part of the original FHWA approval of the interchange.
  4. **Purpose and Need:** Keith Cota noted that the general purpose and need is to alleviate traffic congestion and improve economic development in the area. Chris Bean noted the EIS review team, which includes the Towns recently concluded that the original purpose and need is still valid. Lori Sommer requested we send her a copy of the purpose and need including the ACOE endorsement. (Done January 21, 2016, Matt Urban, Mike Hicks, Keith Cota and Jamie Sikora copied.)
  5. **eNEPA:** Keith Cota explained that as part of the FHWA Every Day Counts program, the eNEPA process was being encouraged for use in communicating documents with the review agencies. Keith noted that the Consultant Team will bring a more detailed explanation of how it would work and present it at the next Resource Agency Meeting on February 17, 2016.
  6. **Updated Scope of Work:** It is expected that an overview of the agreed to updated EIS scope of work can also be presented at the upcoming February 17, 2016 Resource Agency Meeting.

