



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

Date: May 29, 2014
Permit No.: HM 201401

Highway Maintenance Encroachment Permit

1. Pursuant to RSA 230:46, 236:11 and 236:13 New Hampshire Revised Statutes Annotated and amendments thereto, permission is granted to Sno-Engineering, Inc. d/b/a SE Group ("SE Group") and its subcontractors to enter and disturb roadway Rights-of-Way along approximately two hundred twenty-five (225) miles of Interstate Highway I-93, New Hampshire Route 3 and other state and town roads (see attached maps) for the purpose of: field surveys and related matters to collect cultural and biological resource data to determine existing conditions. Biological resource data include wetlands, wildlife, fisheries, and threatened and endangered species. Field collection will entail a non-invasive habitat evaluation as well as a potential need to dig soil probes up to two feet deep.
2. The procedures and stipulations set forth within this permit are not intended to supersede or relieve SE Group from complying with any other applicable laws, regulations, codes or orders issued by the Department of Transportation or other appropriate agencies.
3. General Provisions:
 - a. All work permitted under this encroachment permit shall be conducted at all times in a manner that maintains safety and minimizes inconvenience to the traveling public and is in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). All noise and potential distractions generated from survey activities shall be minimized using whatever methods and technology are reasonably appropriate to prevent unwarranted impacts on the traveling public.
 - b. Any aspect of the work described herein which has the potential to materially impact the free flow of traffic on any portion of the NH Highway system shall require the submittal of a MUTCD compliant Traffic Control Plan (TCP), prepared, signed and stamped by a licensed Professional Engineer licensed in the State of New Hampshire or a ATSSA Certified TCS/TCD professional. The Traffic Control Plan preparer shall be on-site during TCP implementation and all work. The Bureau of Highway Maintenance reserves the right to revise, alter and require reasonable additional safeguards to protect the safety of the traveling public or State property at any time. The Traffic Control Plan shall utilize uniformed officers as required to minimize risk to the traveling public and will adhere to the MUTCD and NHDOT Standards, as they may be amended from time to time.

- c. Permittee agrees to indemnify and hold harmless the State of New Hampshire, its agents and employees from any and all claims arising from the negligence of permittee, or of its subcontractors, in performing any work conducted by the permittee, its subcontractors, or the Traffic Control Plan.
 - d. No work shall be done during periods of restricted visibility.
 - e. All trees, fences, shrubbery, etc., shall be protected. No trees or shrubs shall be cut or trimmed within the Turnpike right-of-way without specific authorization. All disturbed areas shall be restored to an improved condition. All work shall be conducted in accordance with the NHDOT Standard Specifications for Road and Bridge Construction.
 - f. Any future surface distortion due to settlement or other causes attributable to installation or operation of this encroachment shall be corrected by the permittee as required.
4. Special Provisions:
- a. **SE Group** shall notify the New Hampshire Department of Transportation Public Information Officer, Mr. William Boynton, at Tel. #603-271-6495 of any work within the State Right-of-Way and provide all pertinent information to allow for sufficient public notice prior to any work within the State Highway Right-of-Way being performed.
 - b. **SE Group** shall notify in advance all emergency services potentially affected by the work including but not limited to fire, police, home security officials, ambulance and local hospitals. Notification shall include opportunity to review and comment on the traffic control plan and/or evacuation plan.
 - c. The Bureau of Highway Maintenance respective district office shall be notified 24 hours in advance of the beginning of work and be notified upon completion. (District 1- (603) 788-4641 District 3- (603) 524-6667 District 5- (603) 666-3336 District 6- (603) 868-1133)
 - d. Special attention is directed to Chapter 294 Statutes relative to underground utility damage prevention systems. **SE Group** is required to notify "Dig Safe" at least 72 hours in advance of any excavation. (Tel: #1-888-DIG-SAFE).
 - e. All equipment and materials shall be parked or stored a minimum of 30 feet from the paved roadway shoulders unless protected by guardrail or concrete barriers.
 - f. No work will be conducted within the travelled areas of State highways.
 - g. **SE Group, 323 West Main St., Frisco, Colorado, 80443 is the prime contractor on this agreement, Ecology & Environment, Inc., 364 Pleasant View Dr., Lancaster, NY 14086 is a subcontractor, and SEARCH, Inc. 17 Hancock St, Portsmouth, New Hampshire 03801 is another subcontractor. The contact person is SE Group Principal, Kent Sharp, phone No. 970-688-3398 and mobile 970-390-8880.**

5. SE Group agrees:

- a. to defend, indemnify, and hold harmless the State, its agents and employees, from and against any and all losses suffered by the State, its agents or employees, arising from the negligence of SE Group, or of its subcontractors, in their performance under this permit.
- b. to assume such additional costs as the State may incur by reason of the failure of SE Group's agents to perform the work in the manner prescribed herein and in accordance with applicable plans and specifications, if any.
- c. to obtain all required local, state and federal permits as required, adhere to all permit requirements as stipulated and submit copies of all applicable permits to the Bureau of Highway Maintenance.
- d. to defend, indemnify, and hold harmless the State, its agents and employees, from and against any action by local, state or federal agencies arising from the failure of SE Group to obtain and/or comply with any required permit as a result of this encroachment permit.
- e. to reimburse the State of New Hampshire for the reasonable cost of State inspection services and administrative overhead assigned to this project and for any emergency work required by the Highway Maintenance forces or designated agents because of this encroachment permit.
- f. that this permit is for the right of SE Group, and its subcontractors, to conduct field surveys and is by sufferance only with the State reserving the right to require, in the event of future alterations of the highway or highway rights-of-way, certain appropriate alterations to this permit; SE Group agrees to perform all work under this permit in a prompt and prudent manner.
- g. to furnish a Certificate of Insurance for General Liability for a minimum of one million dollars (\$1,000,000), Aggregate and Worker's Compensation and Employer's Liability for a minimum of five hundred thousand dollars (\$500,000).
- h. to assume responsibility and all costs to investigate, handle, transport, and/or treat any hazardous or contaminated material specifically generated by SE Group in its performance under this permit, or to reimburse the State of New Hampshire or its designated agents for the cost of any action that creates the need to investigate, handle, transport or treat any hazardous or contaminated material specifically generated by SE Group in its performance under this permit.
- i. NHDOT reserves the right to revoke this permit for material non-compliance of submitted plans, inadequate traffic control plan implementation or any other legitimate reason.

Permittee: SE Group (a dba of Sno-Engineering, Inc.)

Address: 323 West Main St., Frisco, CO 80443

Phone: P: 970-668-3398 x101 M: 970-390-8880

Signature: _____

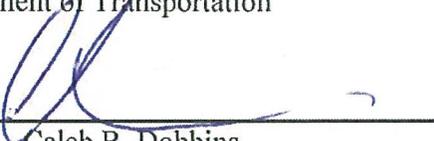


Printed Name: Kent Sharp, Officer
and duly authorized agent

SE Group, having agreed to conform to all laws, regulations, standards, and codes applicable to the stipulations set forth in this permit is granted permission for the purpose of: field surveys and related matters.

State of New Hampshire
Department of Transportation

by: _____

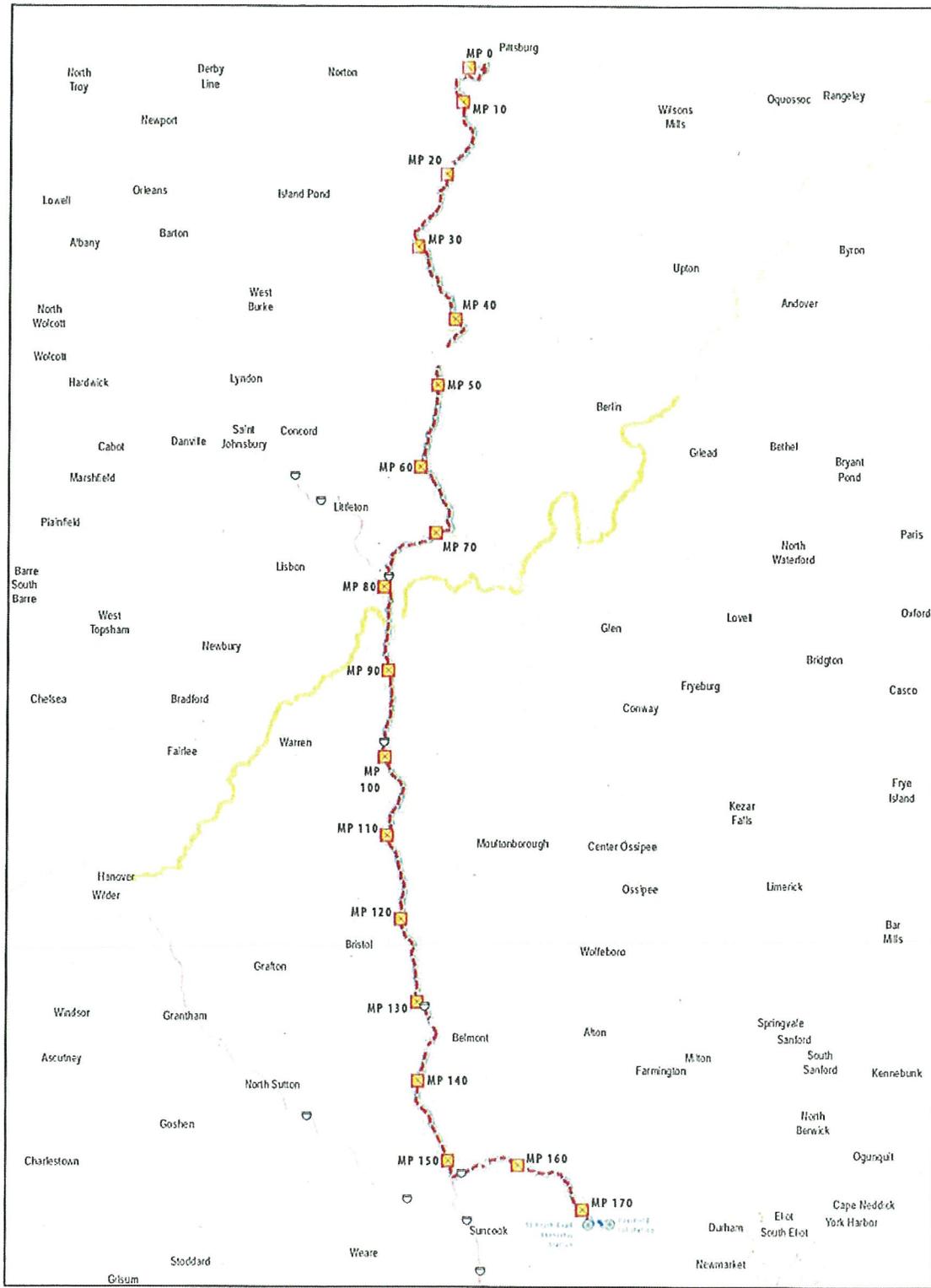


Caleb B. Dobbins
State Maintenance Engineer

WORK TO BEGIN: 5/29/14

WORK TO END: 10/31/15 (unless permit is extended in writing)

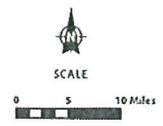
Distribution: Brian Schutt- District 1 Maintenance Engineer
Mark Morrill- District 3 Maintenance Engineer
Richard Radwanski- District 5 Maintenance Engineer
Douglas DePorter- District 6 Maintenance Engineer



Legend

- | | | | |
|-------------------|--|---|-------------------------------|
| Fireway | Waterbody | Alternative Underground High Voltage Direct Current Centerline | Alternative ROW Milepost |
| Major Road | NH Conservation Land (WMA, State Forest, Conservation Areas, etc.) | Alternative Underground High Voltage Alternating Current Centerline | Converter/Substation Location |
| Secondary Road | USFS White Mountain National Forest | Proposed New Northern Pass ROW | |
| County Boundary | Appalachian Trail | Proposed ROW | |
| Township Boundary | | Proposed ROW | |

April 2014
Map 2.4a - Underground Transmission Line In Roadway ROW - I-93 through Franconia Notch
 Northern Pass Transmission Line Project
 Environmental Impact Statement



SOURCE: FWS 2011, GSA 2012, Bureau of Land Management 2013, USFS 2012, Ecological Services 2014