


PROCEDURE NUMBER: ENV 1-9	PROCEDURE NAME: <i>Alteration of Terrain Program Compliance</i>
ADOPTION DATE: <i>January 19, 2023</i>	LAST UPDATED: <i>January 19, 2023</i>
PROCEDURE APPROVED BY: <i>Chairperson, Policy & Records Workgroup</i>	SIGNATURE: 
RESPONSIBLE OFFICE: <i>Bureau of Environment</i>	CONTACT PERSON: <i>Administrator, Bureau of Environment</i>
RELATED POLICY: <u>ENV 1 Environmental Policy</u>	RELATED FORMS:

PURPOSE

The purpose of this procedure is to provide direction on project-level documentation for compliance with Alteration of Terrain (AOT) regulations (RSA 485-A) and the substantial equivalency Memorandum of Agreement (MOA) between the New Hampshire Department of Transportation (NHDOT) and the New Hampshire Department of Environmental Services (NHDES).

SCOPE

This procedure shall apply to all individuals needing to comply with AOT requirements as part of the development of a project funded or approved by NHDOT. This procedure does not apply to locally managed projects.

GENERAL PROVISIONS

- [RSA 485-A](#)
- [Env-Wq Part 1500](#)
- [RSA 482-A](#)
- [Env-Wt Part 100-300](#)
- [ENV 1-2 Procedure for Environmental Documentation of State Funded Projects](#)
- [National Environmental Policy Act](#)
- [Bureau of Environment, Environmental Process Manual, February 26, 2015](#)
- [Memorandum of Agreement Between the Department of Environmental Services and the Department of Transportation Regarding Alteration of Terrain Permits \(RSA 485-A\) \(AOT MOA\)](#)

DEFINITIONS

Definitions related to this procedure may be viewed on the SOS [Approved Definitions](#) page.

RESPONSIBILITY

1. Design Lead
 - a. As applicable, ensure that NHDOT projects are designed in accordance with the AOT MOA.
 - b. Verify that project records include documentation demonstrating compliance with the AOT MOA, as applicable.
 - c. Verify that consultant-led NHDOT projects comply with this procedure and the AOT MOA (excluding locally managed projects).
2. Construction Lead/Contract Administrator - As applicable, ensure that NHDOT projects are constructed in accordance with contract plans, and the AOT MOA.
3. Maintenance Lead – As applicable, ensure that NHDOT maintenance activities are conducted in accordance with the AOT MOA.
4. Environmental Manager
 - a. Coordinate among designers, and the Bureau of Environment (BOE) Water Quality Program to determine applicability of the AOT MOA to individual projects.
 - b. Document the environmental impacts associated with a project, including water quality/AOT compliance.
5. BOE Water Quality Program
 - a. Assist the Design Lead to ensure projects are designed in accordance with the AOT MOA.
 - b. Promote the discussion of necessary AOT/water quality information for projects reviewed at Monthly Natural Resource Agency Coordination Meetings.
 - c. Maintain documentation demonstrating project consistency with the AOT MOA.
 - d. Maintain the “*Alteration of Terrain Project Tracking Spreadsheet*” for each project processed pursuant to the AOT MOA.
 - e. Provide necessary documentation to NHDES pursuant to the AOT MOA.
 - f. Coordinate the required annual meeting between NHDES and NHDOT.
6. BOE Wetlands Program
 - a. Ensure Standard Dredge and Fill applications include necessary AOT information.
 - b. Promote the discussion of necessary AOT/water quality information for projects reviewed at Monthly Natural Resource Agency Coordination Meetings.
7. BOE Operations Management Section
 - a. Assist the Division of Operations with understanding the applicability of the AOT MOA, as well as promoting compliance.
 - b. Coordinate among designers, Water Quality Program, and Wetlands Program to verify the requirements of this procedure are met.
8. Environmental Coordinator – Coordinate among construction staff, the Environmental Manager, and the Water Quality Program to ensure construction phase project implementation complies with the AOT MOA.

9. BOE Administrator
 - a. Approve environmental documentation identifying project impacts/compliance, including any water quality/AOT requirements.
 - b. Ensure that this procedure is followed for NHDOT-sponsored projects.

PROCEDURES

1. When undertaking the environmental review of a project, the Environmental Manager shall coordinate with the designers/Design Lead and the BOE Water Quality Program Manager to determine if the project is subject to the AOT MOA.
2. If applicable, the Water Quality Program shall coordinate among the designers/Design Lead, and the Environmental Manager to ensure that designs comply with the AOT MOA.
3. As applicable, designers and the Design Lead shall prepare documentation demonstrating project compliance with the AOT MOA.
4. As applicable, when submitting a Standard Dredge and Fill application to NHDES, the Environmental Manager and Wetlands Program shall verify that appropriate documentation for AOT compliance is also submitted.
5. Once a project is approved by the Governor and Executive Council for construction, the Water Quality Program shall complete the *"Alteration of Terrain Project Tracking Spreadsheet,"* to include retaining all necessary calculations and permits.
6. If modifications to the drainage design are required during construction, the Construction Lead/Contract Administrator shall coordinate with the BOE Environmental Coordinator, who will coordinate with the BOE Water Quality Program to ensure that the revisions comply with the AOT MOA.
7. On an annual basis the BOE Water Quality Program shall ensure that NHDOT and NHDES meet in accordance with the AOT MOA.

TRAINING

All NHDOT staff completing environmental review and/or water quality designs shall be made aware of this procedure. The procedure will also be made available to external organizations completing environmental reviews on behalf of NHDOT.

DISCIPLINE

Disciplinary action related to this procedure can be found in the referenced policy.



AMENDMENT RECORD

This procedure shall be reviewed every two years to ensure its continuing relevance and accuracy. The record of amendments is recorded below.

Date	Comments	Name	Authority
1/19/2023	Original Procedure Adopted	Andre Briere	Deputy Commissioner