

**BUREAU OF ENVIRONMENT
CONFERENCE REPORT**

SUBJECT: NHDOT Monthly Natural Resource Agency Coordination Meeting

DATE OF CONFERENCE: November 15, 2023

LOCATION OF CONFERENCE: Virtual meeting held via Zoom

ATTENDED BY:

NHDOT

Matt Urban
Joshua Brown
Jon Evans
Rebecca Martin
Marc Laurin
Jennifer Reczek
Robert Juliano

ACOE

Mike Hicks

USCG

Gary Croot

EPA

Jean Brochi

NHDES

Karl Benedict
Seta Detzel
Emily Nichols

NHB

Absent

NH Fish & Game

Mike Dionne

Federal Highway

Jamie Sikora

US Fish & Wildlife

Absent

The Nature Conservancy

Absent

**NH Transportation &
Wildlife Workgroup**

Absent

**Consultants/ Public
Participants**

Ned Connell
Matt Waitkins
Christine Perron
Kim Smith
Stephanie Micucci
Leo Helderman

PRESENTATIONS/ PROJECTS REVIEWED THIS MONTH: *(minutes on subsequent pages)*

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Finalize Meeting Minutes

Finalized and approved the October 18, 2023 meeting minutes.

NRPC Metropolitan Transportation Plan:

The Nashua Metropolitan Planning Organization (MPO) is federally designated to carry out the metropolitan transportation planning process in the Metropolitan Planning Area that includes the City of Nashua and the Towns of Amherst, Brookline, Hollis, Hudson, Litchfield, Lyndeborough, Mason, Merrimack, Milford, Mont Vernon, Pelham and Wilton, New Hampshire.

Matt Waitkins (MPO Coordinator) and Ned Connell (Senior Transportation Planner) presented information about the MPOs long range transportation plan development process.

The Nashua MPO has the responsibility for the development and periodic update of the long-range transportation plan for the metropolitan area. A long-range transportation plan is also known as a Metropolitan Transportation Plan (MTP). NRPC is on a 5-year schedule for full updates, which entails new forecasts of travel demand, evaluation of future projects, receiving input through the public participation process, and performing fiscal constraint analysis to ensure funding viability for the recommended improvements program.

The MTP identifies goals, objectives, strategies, policies, and specific improvement projects necessary to meet the current and future mobility and infrastructure needs of the region. Whereas the projects presented in the MTP are intended to facilitate the safe and efficient movement of goods and people, it is important to recognize that there are environmental and cultural impacts associated with all transportation improvement projects.

Federal regulations require that MTPs must consider the impacts of transportation projects on regional environmental resources and identify potential mitigation strategies. While federal regulations do not require project-level analyses of mitigation activities in the MTP, the Plan does identify the types of environmental impacts associated with transportation projects in the NRPC region and the potential mitigation strategies that are most appropriate to address impacts.

Matt presented background information about the planning process and Ned explained that the MTP includes goals, objectives, strategies, policies, and a list of specific transportation improvement projects.

Ned further explained that the MTP must include a discussion of the types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the MTP. It was noted that the MTP mitigation discussion may focus on policies, programs, or strategies, rather than at the project level.

Ned explained that the purpose of mitigation is to preserve, restore, enhance, and offset impacts. Mitigation can refer to avoiding impacts, minimizing impacts, rectifying impacts, reducing impacts, and compensating for impacts.

The environmental resources that could be impacted could include Air Quality, Cultural and Historic Resources, Conserved Lands, Endangered or Threatened Species, Floodplains, Excess Noise and Quiet Environment, Parks/Recreation Areas, Water Resources, and Wetlands.

When identifying and programming transportation improvement projects the fundamental principals in the MTP are to consider actions that avoid, minimize, or mitigate potential environmental impacts. NRPC will seek opportunities and occasions to restore previously damaged or diminished environmental resources throughout the transportation planning process. Ned mentioned anecdotally how the restoration or replacement of an old bridge could impact cultural resources or how a culvert restoration could impact an important wetland or stream.

Finally, to achieve these principles, the MTP explains that the NRPC will partner with regulatory, and administrative agencies, and develop and enhance high-quality spatial data detailing the location and attributes of natural resources.

Ned explained the remaining schedule for the MTP update and that agencies will have an opportunity to review the draft FY2023-50 and provide comments during the public comment period.

The meeting was then opened for comments and discussion.

Karl Benedict (NHDES) – recommended that for future planning efforts use the wetland permitting process as a planning tool. It can be used to identify GIS layers for what’s designated as prime wetlands, floodplains, priority resource areas, wetlands inventory and lidar layers. Additionally, the Statewide Asset Data Exchange System (SADES) contains stream crossing and culvert point data. Also, the Aquatic Resources Mitigation (ARM) mapper can be used for scoring culvert crossings, organism passage, hydraulic capacity, geomorphic compatibility, etc. Additionally, NH Natural Heritage Bureau (NHB) data check tool for project-specific analysis.

Emily Nichols (NHDES ARM) – the NRPC MTP strategy has an overlap with an ARM project that is updating the 2009 mitigation strategy for the Merrimack River watershed with current GIS layers to identify restoration projects in the watershed. Collaboration between NRPC and the ARM may move key restoration projects forward.

Mike Dionne (NH Fish & Game) – if during the planning for specific projects any threatened or endangered species are identified during the NHB data check then NH Fish & Game will be involved.

Mike Hicks (US Army Corp) – no comments

Gary Croot (US Coast Guard) – the Merrimack River is considered navigable in the Nashua area so any major changes to a bridge or construction of a new bridge would require a bridge permit. Repairs or rehabilitation of an existing bridge which do not change the bridge clearances are considered repairs and would not require a permit but would require notification of the Coast Guard.

Jamie Sikora (FHWA) – reinforced that the various resources that were identified by the state agencies are good resources for helping to identify mitigation strategies.

Additional comments by NRPC staff:

Ned Connell: nothing additional.

Matt Waitkins: Thank you for the references to the various data sources. NRPC does have a robust GIS staff that is aware of most of these resources but not all. Thank you for your time and the useful information.

Woodstock, 27713 (X-A003(597)):

Christine Perron provided an overview of the project, which entails rehabilitation of Bridge 177/148, which carries NH Route 175 over the Pemigewasset River in Woodstock. The project site is situated where Route 175 crosses the River and ends at U.S. Route 3. The primary purpose of the project is to correct the structural deficiencies of the bridge and remove the bridge from the red list. The bridge structure is a 175-foot single span steel through-arch constructed in 1939 and rehabilitated in 1991. It is considered structurally deficient, is weight restricted, and has substandard rail.

The superstructure elements that will be addressed consist of the stringers, floorbeams, deck, cable ties, hanger pins, bridge railing and curb, and concrete parapet. The only work proposed for the substructure will entail patching and crack repair of the abutments. In addition, there will be work on the roadway approaches to upgrade drainage and guardrail and to tie into the new deck. The bridge currently has an open grid deck, which will be replaced with a closed concrete deck with scuppers.

A summary of resources was provided. The only jurisdictional resources in the project area are the channel and banks of the Pemigewasset River. The bridge is a Tier 3 stream crossing and is located within a FEMA-mapped Zone AE floodplain. The Pemigewasset River is a NH Designated River; however, it is not designated through the Town of Woodstock. There will be work within the Protected Shoreland of the river, including grading, brush removal, and removal of a single tree. A Shoreland Permit will be required for the project, in addition to the Standard Dredge & Fill Permit. There are no Priority Resource Areas (PRAs) mapped in the project area. The streams are all mapped as predicted cold water fisheries.

The Natural Heritage Bureau datacheck report (NHB23-1268) listed the state-threatened northern neglected reed grass as occurring in the vicinity of the project. A survey for this plant was completed. Only one patch of grass was identified but the species could not be confirmed; however, this occurred outside the limits of work and will not be impacted. The federally listed Canada lynx could potentially occur in this area of the state; however, no impacts to suitable habitat are anticipated. The federally listed northern long-eared bat could also occur in the project area. The tree that needs to be removed will be cut during the non-active season for bats and consultation will be carried out with the USFWS.

The work as proposed will require temporary impacts in the channel for the placement of temporary construction staging in front of each abutment. There is proposed riprap for bank stabilization in the SW and SE quads, which will result in permanent impacts to the banks at these locations. Temporary impacts are expected to be approximately 1929 SF (185 LF) to bank

and channel. Permanent impacts are expected to be 725 SF (26 LF) to banks. Given that permanent impacts will be less than 200 LF, the project will not impact any PRAs, and the project meets the criteria as repair of an existing Tier 3 crossing, confirmation that mitigation will not be required was requested.

The Pemi is listed as impaired by aluminum, a common impairment of the state's surface waters. The project will result in a slight increase in impervious surface of 650 SF as a result of the approach work and new deck. The project is not anticipated to alter drainage patterns and discharge points. The bridge deck is being changed from an open steel grid system to a closed concrete system. Scuppers will be added to the bridge curblin to allow water to pass directly to the river below as it does in the existing condition. Drop inlet structures will be added behind the west abutment, and the outfall will be through the northwest wingwall.

Permit applications are expected to be submitted in January 2024. The project is currently scheduled to advertise in April 2024, with bridge construction starting in 2025.

The following is a summary of key discussion points:

Karl Benedict asked if any temporary impacts would be required for an access road or causeway. Kim Smith responded that the staging would be for personnel access only and there would be no need for an access road or causeway.

Seta Detzel stated that she agreed that mitigation would not be required.

Mike Dionne asked if a time of year restriction would be accommodated for in-water work. C. Perron noted that the project was reviewed in 2020 and at that time Carol Henderson indicated that a time of year restriction would not be necessary for the staging; however, it is understood that there are now new wetland rules regarding in-water work, as well as new review staff. C. Perron suggested that additional information could be provided to NHFG on the staging and M. Dionne agreed to discuss internally.

Jamie Sikora noted that a NEPA document would need to be approved before the final design phase.

Gary Croot noted that the bridge has an existing USCG Bridge Permit. Since the project consisted of repairs only, no further permitting with the Coast Guard was necessary.

Mike Hicks noted that the river is Essential Fish Habitat and that coordination with the National Marine Fisheries Service would be required. He asked if the river is designated as Wild and Scenic. C. Perron responded that it is not. He also asked about Section 106 consultation. C. Perron stated that the bridge is considered historic and the proposed repairs are considered an adverse effect. An effect memo has been signed by SHPO, NHDOT, and FHWA