

From: [Wadiak, Kathleen](#)
To: [Friend, Ashley C](#)
Cc: [FGC: NHFG review](#); [Winters, Melissa](#); [Erasquin, Richard](#); [Mauck, Ridgely](#); [lindsey.white \(gza.com\)](#)
Subject: NHFG Review NHB22-3244 NHB22-1754 NHB22-2081 NHB22-1755 NHB22-1756 C196 Q171 A253 Structure Replacement Amendment to AoT-2215 SPN
Date: Monday, December 19, 2022 12:26:04 PM
Attachments: [SEEKING REPORTS OF RARE TURTLES Wd sp Embl Aug2022.pdf](#)
[racer flyer_2020.pdf](#)
[Hognose Flyer Mar2021.pdf](#)
[C196 Q171 NHFG BMP Recommendations 8-17-22.pdf](#)
[Smooth green snake flyer.pdf](#)

Ashley,

NHFG has reviewed the materials submitted November 2, 2022 for consultation on the amendment of the C196, Q171, A253 structure replacement project in Goffstown, Dunbarton, and Bow. A total of 132 structures are proposed to be replaced with work currently ongoing and occurring until the end of 2023.

NHB Datacheck Letters associated with this project:

- NHB22-1754 (Bow)
- NHB22-2081 (Bow)
- NHB22-1755 (Dunbarton)
- NHB22-1756 (Goffstown)
- **NHB22-3244 (amendment, Goffstown)**

These recommendations area associated with the following permits:

- NHDES Statutory Permit by Notification **(amendments)**
- NHDES Alteration of Terrain Permit **(amendment to AoT-2215)**

As stated in the recommendations below, provide NHFG with the locations of waterbodies that are proposed to be impacted that have been identified as suitable hibernating habitat for rare turtles at least two weeks prior to the start of work. This includes Blanding's, spotted, and wood turtles. Provide a brief explanation of who made this assessment and how they drew their conclusions.

NHFG acknowledges that Northern black racer surveys were conducted by GZA GeoEnvironmental, Inc. on 9/21/22, 9/27/22, 10/7/22, and 10/12/22, and a report was submitted to NHFG by Ashley Friend of Eversource 11/15/22. No black racers or confirmed hibernacula were observed, but this does not mean that black racers and hibernacula are not present. All personnel on site should be made aware of the sensitivity of this habitat and the potential to encounter black racers and their hibernacula.

Project BMPs include the establishment of a qualified biological monitor. Please provide qualifications of the biological monitor to NHFG.

NHFG is aware that work on this project has begun (under AoT-2215, previous SPNs, Shoreland PBN). Notify NHFG if/when phases (vegetation removal, structure replacements, restoration, etc.) on this project begin and finish. Please use subject line "NHB22-3244 NHB22-1754 NHB22-2081 NHB22-1755 NHB22-1756 C196 Q171 A253 Structure Replacement Work Start/End Notification." Notify

NHFG if there are any breaks in the schedule for active work zones.

Please note that “active season” dates for rare species are variable based on weather and other environmental factors. NHFG may recommend dates that vary from initial reviews based on available information of animal activity.

Proposed work (approximately Twist Hill Road in Dunbarton to S Bow Road in Bow, C196 existing structure 74 to 59) falls within priority conservation area for Blanding’s and spotted turtles. Proposed work in Goffstown (approximately existing structure Q171 139 to 136) occurs within priority conservation area for wood turtles. NHFG is not recommending a time of year restriction on these structures, but wants to emphasize the importance of strict adherence to BMPs in this area in order to minimize potential negative impacts to rare turtles and other wildlife.

Recommended BMPs shall apply to all work areas in specified town or section of town unless otherwise specified by NHFG.

Based on the NHB datacheck results letter and the information provided in the submission, we request the following recommended permit conditions be incorporated into the sheet plans as written below (updated highlighted text as applicable) and provided to NHDES and cc NHFG for final review.

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[New Hampshire Fish and Game Permit Conditions:](#)

NHB22-1754 and NHB22-2081 (Bow)

Proposed work in Bow (existing structure C196 69 to 59) occurs within priority conservation area for Blanding’s and spotted turtles. This should be communicated to personnel, and impacts should be minimized to the extent possible.

- BMPs in the document titled “C196 Q171 NHFG BMP Recommendations 8-17-22” submitted to NHFG 8/15/22 (attached) shall be adhered to at all times during this project.
- Blanding’s turtle (state endangered), spotted turtle (state threatened), Eastern hognose snake (state endangered), Northern black racer (state threatened), and wood turtle (state species of special concern) occur within the vicinity of the project area. All operators and personnel working on or entering the site shall be made aware of the potential presence of these species and shall be provided flyers that help to identify these species, along with NHFG contact information. Rare species information (e.g. identification, observation and reporting of observations, when to contact NHFG immediately and NHFG contact information) shall be posted on site at all times and communicated during morning tailgate meetings prior to work commencement. See Plan Sheet xxxxxx. *Include attached flyers to plan sheet set.*
- Vernal pools and potential vernal pools shall be flagged prior to work and all impacts to vernal pools and potential vernal pools shall be avoided.
- Eastern hognose snake observations shall be reported immediately to NHFG wildlife biologists Melissa Winters (603-479-1129) or Brendan Clifford (603-944-0885). Immediate reporting of observations is critical as NHFG biologists will need to collect data on the individual.
- Turtles and snakes may be attracted to disturbed ground during nesting season. Turtle nesting season occurs approximately May 15th – June 30th. Nesting areas may include work pads and

access roads that are not hard pack gravel and other sandy/gravel work areas. All turtle species nests and Northern black racer nests are protected by NH laws. Be aware of the potential to encounter nesting wildlife in these areas.

- If a turtle or snake nest is observed or suspected, or a turtle is exhibiting nesting behaviors, operators shall contact Melissa Winters (603-479-1129) or Josh Megyesy (978-578-0802) at NHFG immediately for further consultation. Turtle nests or turtles exhibiting nesting behavior shall not be disturbed. The nest or suspected nest shall be marked (surrounding roped off or cone buffer) and avoided; this shall be communicated to all personnel onsite. Site activities shall not occur in the area surrounding the nest or suspected nest until further guidance is provided by NHFG.
- Observations of Northern black racers in the months of April-May and September-October may indicate the potential for a den site on or near the project site. Observations of this species during this timeframe shall be reported immediately to the New Hampshire Fish and Game Department Nongame and Endangered Wildlife Environmental Review Program. Please contact Melissa Winters (603-479-1129) or Brendan Clifford (603-944-0885). Observations of this species outside of this timeframe can follow general reporting guidance. Please include photograph with text if feasible.
- All matting which will be placed in waterbodies deemed suitable for hibernating Blanding's, spotted, and wood turtles will be placed prior to the start of the inactive season so as to prevent accidental placement atop hibernating turtles. Prior to matting placement in these wetlands, the area shall be swept by a qualified biologist or herpetologist to ensure any turtles relocate away from the area to be matted. Areas identified as suitable hibernation habitat shall be identified on plan sheets and provided to NHFG at least two weeks prior to beginning work.
- Immediately prior to the placement of matting in wetlands within rare turtle habitat during the active season, the areas shall be cleared by a qualified biologist or herpetologist.
- Sweeps of work areas and access routes shall be conducted immediately prior to start of work and equipment movement in order to minimize the potential of animals entering a work area between the sweep and activity. Sweeps shall be conducted by staff trained in rare species identification and habitat.
- All work activities shall be restricted to the defined roads, construction areas, and staging areas, with no equipment or materials staged or stored outside of the defined areas as shown on plan sheets.
- Minimize work pad areas, including matting, to the greatest extent possible, especially in wetlands and other sensitive areas.
- Works pads shall be reduced post-construction to 30' x 60' and restored with a native vegetation seed mix.
- All manufactured erosion and sediment control products, with the exception of turf reinforcement mats, utilized for, but not limited to, slope protection, runoff diversion, slope interruption, perimeter control, inlet protection, check dams, and sediment traps shall not contain plastic, or multifilament or monofilament polypropylene netting or mesh with an opening size of greater than 1/8 inches;
- All observations of threatened or endangered species on the project site shall be reported immediately to the NHFG nongame and endangered wildlife environmental review program by phone at 603-271-2461 and by email at NHFGreview@wildlife.nh.gov, with the email subject line containing the NHB DataCheck tool results letter assigned number, the project name, and the term Wildlife Species Observation;
- Photographs of the observed species and nearby elements of habitat or areas of land

disturbance shall be provided to NHFG in digital format at the above email address for verification, as feasible;

- In the event a threatened or endangered species is observed on the project site during the term of the permit, the species shall not be disturbed, handled, or harmed in any way prior to consultation with NHFG and implementation of corrective actions recommended by NHFG.
 - Site operators shall be allowed to relocate wildlife encountered if discovered within the active work zone and if in direct harm from project activities. Wildlife shall be relocated in close proximity to the capture location but outside of the work zone and in the direction the individual was heading. NHFG shall be contacted immediately if this action occurs.
- The NHFG, including its employees and authorized agents, shall have access to the property during the term of the permit.

NHB22-1755 (Dunbarton)

Proposed work in Dunbarton (C196 existing structure 70 to 74) occurs within priority conservation area for Blanding's and spotted turtles. This should be communicated to personnel, and impacts should be minimized to the extent possible.

- BMPs in the document titled "C196 Q171 NHFG BMP Recommendations 8-17-22" submitted to NHFG 8/15/22 (attached) shall be adhered to at all times during this project.
- Blanding's turtle (state endangered), spotted turtle (state threatened), and wood turtle (state species of special concern) occur within the vicinity of the project area. All operators and personnel working on or entering the site shall be made aware of the potential presence of these species and shall be provided flyers that help to identify these species, along with NHFG contact information. Rare species information (e.g. identification, observation and reporting of observations, when to contact NHFG immediately and NHFG contact information) shall be posted on site at all times and communicated during morning tailgate meetings prior to work commencement. See Plan Sheet xxxxxx. *Include attached flyers to plan sheet set.*
- Vernal pools and potential vernal pools shall be flagged prior to work and all impacts to vernal pools and potential vernal pools shall be avoided.
- Turtles may be attracted to disturbed ground during nesting season. Turtle nesting season occurs approximately May 15th – June 30th. Nesting areas may include work pads and access roads that are not hard pack gravel and other sandy/gravel work areas. All turtle species nests are protected by NH laws. Be aware of the potential to encounter nesting wildlife in these areas.
- If a turtle nest is observed or suspected, or a turtle is exhibiting nesting behaviors, operators shall contact Melissa Winters (603-479-1129) or Josh Megyesy (978-578-0802) at NHFG immediately for further consultation. Turtle nests or turtles exhibiting nesting behavior shall not be disturbed. The nest or suspected nest shall be marked (surrounding roped off or cone buffer) and avoided; this shall be communicated to all personnel onsite. Site activities shall not occur in the area surrounding the nest or suspected nest until further guidance is provided by NHFG.
- All matting which will be placed in waterbodies deemed suitable for hibernating Blanding's, spotted, and wood turtles will be placed prior to the start of the inactive season so as to prevent accidental placement atop hibernating turtles. Prior to matting placement in these wetlands, the area shall be swept by a qualified biologist or herpetologist to ensure any turtles relocate away from the area to be matted. Areas identified as suitable hibernation habitat shall be identified on plan sheets and provided to NHFG at least two weeks prior to beginning work.

- Immediately prior to the placement of matting in wetlands within rare turtle habitat during the active season, the areas shall be cleared by a qualified biologist or herpetologist.
- Sweeps of work areas and access routes shall be conducted immediately prior to start of work and equipment movement in order to minimize the potential of animals entering a work area between the sweep and activity. Sweeps shall be conducted by staff trained in rare species identification and habitat.
- All work activities shall be restricted to the defined roads, construction areas, and staging areas, with no equipment or materials staged or stored outside of the defined areas as shown on plan sheets.
- Minimize work pad areas, including matting, to the greatest extent possible, especially in wetlands and other sensitive areas.
- Works pads shall be reduced post-construction to 30' x 60' and restored with a native vegetation seed mix.
- All manufactured erosion and sediment control products, with the exception of turf reinforcement mats, utilized for, but not limited to, slope protection, runoff diversion, slope interruption, perimeter control, inlet protection, check dams, and sediment traps shall not contain plastic, or multifilament or monofilament polypropylene netting or mesh with an opening size of greater than 1/8 inches;
- All observations of threatened or endangered species on the project site shall be reported immediately to the NHFG nongame and endangered wildlife environmental review program by phone at 603-271-2461 and by email at NHFGreview@wildlife.nh.gov, with the email subject line containing the NHB DataCheck tool results letter assigned number, the project name, and the term Wildlife Species Observation;
- Photographs of the observed species and nearby elements of habitat or areas of land disturbance shall be provided to NHFG in digital format at the above email address for verification, as feasible;
- In the event a threatened or endangered species is observed on the project site during the term of the permit, the species shall not be disturbed, handled, or harmed in any way prior to consultation with NHFG and implementation of corrective actions recommended by NHFG.
 - Site operators shall be allowed to relocate wildlife encountered if discovered within the active work zone and if in direct harm from project activities. Wildlife shall be relocated in close proximity to the capture location but outside of the work zone and in the direction the individual was heading. NHFG shall be contacted immediately if this action occurs.
- The NHFG, including its employees and authorized agents, shall have access to the property during the term of the permit.

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NHB22-1756 (Goffstown)

Proposed work in Goffstown (existing structure Q171 139 to 136) occurs within priority conservation area for wood turtles and populations in the vicinity are being monitored by NHFG. This should be communicated to personnel, and impacts should be minimized to the extent possible.

- BMPs in the document titled "C196 Q171 NHFG BMP Recommendations 8-17-22" submitted to NHFG 8/15/22 (attached) shall be adhered to at all times during this project.
- Blanding's turtle (state endangered), spotted turtle (state threatened), Northern black racer (state threatened), and wood turtle (state species of special concern) occur within the vicinity of the project area. All operators and personnel working on or entering the site shall be made aware of the potential presence of these species and shall be provided flyers that help to identify these species, along with NHFG contact information. Rare species information (e.g. identification, observation and reporting of observations, when to contact NHFG immediately and NHFG contact information) shall be posted on site at all times and communicated during



morning tailgate meetings prior to work commencement. See Plan Sheet xxxxxx. *Include attached flyers to plan sheet set.*

- Vernal pools and potential vernal pools shall be flagged prior to work and all impacts to vernal pools and potential vernal pools shall be avoided.
- Turtles and snakes may be attracted to disturbed ground during nesting season. Turtle nesting season occurs approximately May 15th – June 30th. Nesting areas may include work pads and access roads that are not hard pack gravel and other sandy/gravel work areas. All turtle species nests and Northern black racer nests are protected by NH laws. Be aware of the potential to encounter nesting wildlife in these areas.
- If a turtle or snake nest is observed or suspected, or a turtle is exhibiting nesting behaviors, operators shall contact Melissa Winters (603-479-1129) or Josh Megyesy (978-578-0802) at NHFG immediately for further consultation. Turtle nests or turtles exhibiting nesting behavior shall not be disturbed. The nest or suspected nest shall be marked (surrounding roped off or cone buffer) and avoided; this shall be communicated to all personnel onsite. Site activities shall not occur in the area surrounding the nest or suspected nest until further guidance is provided by NHFG.
- Observations of Northern black racers shall be reported immediately to the New Hampshire Fish and Game Department Nongame and Endangered Wildlife Environmental Review Program. Please contact Melissa Winters (603-479-1129) or Brendan Clifford (603-944-0885). Please include photograph with text if feasible. Observations of Northern black racers in the months of April-May and September-October may indicate the potential for a den site on or near the project site.
- All matting which will be placed in waterbodies deemed suitable for hibernating Blanding's, spotted, and wood turtles will be placed prior to the start of the inactive season so as to prevent accidental placement atop hibernating turtles. Prior to matting placement in these wetlands, the area shall be swept by a qualified biologist or herpetologist to ensure any turtles relocate away from the area to be matted. Areas identified as suitable hibernation habitat shall be identified on plan sheets and provided to NHFG at least two weeks prior to beginning work.
- Immediately prior to the placement of matting in wetlands within rare turtle habitat during the active season, the areas shall be cleared by a qualified biologist or herpetologist.
- Sweeps of work areas and access routes shall be conducted immediately prior to start of work and equipment movement in order to minimize the potential of animals entering a work area between the sweep and activity. Sweeps shall be conducted by staff trained in rare species identification and habitat.
- All work activities shall be restricted to the defined roads, construction areas, and staging areas, with no equipment or materials staged or stored outside of the defined areas as shown on plan sheets.
- Minimize work pad areas, including matting, to the greatest extent possible, especially in wetlands and other sensitive areas.
- Works pads shall be reduced post-construction to 30' x 60' and restored with a native vegetation seed mix.
- All manufactured erosion and sediment control products, with the exception of turf reinforcement mats, utilized for, but not limited to, slope protection, runoff diversion, slope interruption, perimeter control, inlet protection, check dams, and sediment traps shall not contain plastic, or multifilament or monofilament polypropylene netting or mesh with an opening size of greater than 1/8 inches;

- All observations of threatened or endangered species on the project site shall be reported immediately to the NHFG nongame and endangered wildlife environmental review program by phone at 603-271-2461 and by email at NHFGreview@wildlife.nh.gov, with the email subject line containing the NHB DataCheck tool results letter assigned number, the project name, and the term Wildlife Species Observation;
- Photographs of the observed species and nearby elements of habitat or areas of land disturbance shall be provided to NHFG in digital format at the above email address for verification, as feasible;
- In the event a threatened or endangered species is observed on the project site during the term of the permit, the species shall not be disturbed, handled, or harmed in any way prior to consultation with NHFG and implementation of corrective actions recommended by NHFG.
 - Site operators shall be allowed to relocate wildlife encountered if discovered within the active work zone and if in direct harm from project activities. Wildlife shall be relocated in close proximity to the capture location but outside of the work zone and in the direction the individual was heading. NHFG shall be contacted immediately if this action occurs.
- The NHFG, including its employees and authorized agents, shall have access to the property during the term of the permit.

Additional Recommendations

- Smooth green snakes (state species of special concern) occur within the vicinity of the project site. Site operators should be informed of the potential presences of this species and shall be provided a flyer that helps to identify this species along with NHFG contact information. See Plan Sheet xxxxxx. *Include attached flyers to plan sheet set.*

NHFG has completed our review of materials submitted for consultation under FIS 1004. No further coordination with NHFG is requested, and the final recommendations have been transmitted to the applicable permitting agency. Questions or concerns on NHFG recommendations must follow FIS 1004.12. Note that NHFG recommendations may be withdrawn pursuant to FIS 1004.13.

Let me know if you have any questions.

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Thank you,
Kat

Kat Wadiak
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As of February 3, 2022, New Hampshire Fish and Game requirements for environmental review consultation have changed. To review the new rules, please go to <https://www.wildlife.state.nh.us/wildlife/environmental-review.html>. All requests for consultation and submittals should be sent via email to NHFGreview@wildlife.nh.gov or can be sent by mail. **The NHB datacheck results letter number needs to be included in the email subject line.**

The requirements for consultation (Fis 1004) shall not apply to the following: statutory permit by

notification, permit by rule, permit by notification, routine roadway registration, docking structure registration, or conditional authorization by rule. Review requests for these projects can be sent directly to kim.tuttle@wildlife.nh.gov.