



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

May 14, 2024

EVERSOURCE ENERGY
C/O JEREMY FENNELL
13 LEGENDS DR
HOOKSETT, NH 03106

Re: Request for More Information – Standard Dredge and Fill Wetlands Permit Application (RSA 482-A)
NHDES File Number: 2024-00515
Subject Property: Eversource G146 Transmission Line Right Of Way, Allenstown and Deerfield

Dear Applicant:

On May 14, 2024, the New Hampshire Department of Environmental Services (NHDES) Wetlands Bureau reviewed the above-referenced Standard Dredge and Fill Wetlands Permit Application (Application). Pursuant to RSA 482-A:3, XIV(a)(2) and Rules Env-Wt 100 through 900, NHDES Wetlands Bureau determined the following additional information is required to complete its evaluation of the Application:

- 1- In accordance with Env-Wt 311.07(b)(3), indicate whether alternative designs or techniques, such as different layouts, different construction sequencing, or alternative technologies could be used to avoid impacts to jurisdictional areas or their functions and values on the subject property or on other property that is reasonably available to the applicant as described in the Wetlands Best Management Practice Techniques For Avoidance and Minimization (A/M BMPs).
- 2- **Avoidance and Minimization:** Based on the current information and in accordance with Env-Wt 521.05(a)(2), Env-Wt 521.03(c), Env-Wt 313.03 and Env-Wt 311.07(b)(3), please demonstrate that potential impacts to jurisdictional areas have been avoided to the maximum extent practicable and that any unavoidable impacts have been minimized by specifically addressing the following:
 - a. On plan page 1, can the access path and work pad on wetland identified as AT5 be done under winter conditions to decrease on potential scarring on the environment?
 - i. Additionally, please see the two aerial views below from 2016 and 2023. These areas outlined in red are shown as very poorly drained soils. Please provide NHDES with records of past permits for permanent wetlands impacts and compensatory mitigation where appropriate for these areas. Also, please review the methods and success measures for past restoration approaches. Where permanent impacts have been documented, please include a full restoration plan with plantings and schedule to restore these areas.

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a.1)



a.2)

- b. On plan page 2, can the access path from proposed structures 91 to 90 be removed, and access to each structure be accomplished from opposite directions?
- c. On plan page 5, it appears the access paths between structures 66 and 64 has not historically gone over the Floodplain adjacent to a Tier 3 Stream located on wetland identified as DF5. Can you please explain the rationale for needing the crossing? Can access to structures 66 and 64 be accomplished from opposite sides? Per Env- Wt 311.07, please provide alternative access routes that avoid the impacts to the PRA.
- d. On plan page 7, there is scarring evident on the wetland identified as DF73. Please amend your permit to request After-the-Fact retention for these permanent impacts.
 - i. Additionally, please see below the two aerial views from 2015 and 2023. These areas outlined in red are shown as very poorly drained soils. Please provide NHDES with records of past permits for permanent wetlands impacts and compensatory mitigation as appropriate for these areas. Also, please review the methods and success measures for past restoration approaches. Where permanent impacts have been documented, and not sought for after-the fact retention please

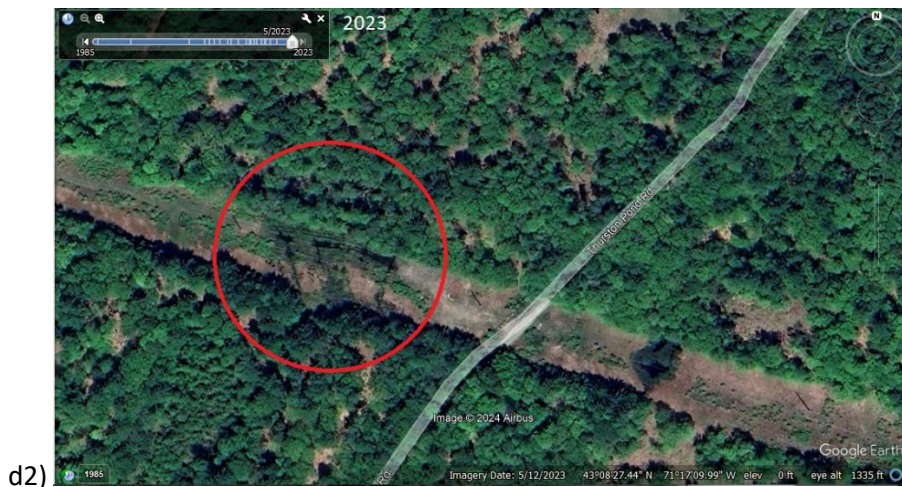
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include a full restoration plan with a plantings plan and schedule for restoration of these wetland areas.



- e. On plan page 8, would it be possible to carry out the work on wetland identified as DF69 during the winter (December-March), to avoid impacts to the wetland and stream?
 - f. On plan page 9, please explain the rationale for keeping the wetland access path between structures 45 and 46 when there is an off-ROW access path that avoids further impacts to wetland identified as DF51.1. If your team is not able to access structure 45 via off-ROW access, can access be accomplished via Land Rd?
- 3- In response to specific landowner concerns, please respond to the following questions that were raised:
- a. Please describe what ownership you have over the Tax Map 7 Lot 57 parcel.
 - b. On plan page 13, how will you accomplish the access path from structure 21 to structure 22 as there seems to be a steep slope that may involve erosion compliance issues. How will you ensure runoff from the work does not fall into the wetland identified as DF31?
 - c. On plan page 14, how will you ensure the work envelope pad and the eastern most access path to structure 17 will not run off into the wetland identified as DF28 and corresponding surface water?
- 4- Public Hearing: Please note that pursuant to RSA 482-A:8, the department is required to hold a public hearing

for projects with significant impact on the resources protected by this chapter or of substantial public interest. Per Env-Wt 104.19 "Significant environmental impact" includes a project that impacts more than one acre of non-tidal wetlands.

Please submit the required information as soon as practicable. Pursuant to RSA 482-A:3, XIV(a)(2), **the required information must be received by NHDES Wetlands Bureau within 60 days of the date of this request (no later than July 16, 2024), or the Application will be denied.** Should additional time be necessary to submit the required information, an extension of the 60-day time period may be requested. Requests for additional time must be received prior to the deadline in order to be approved. In accordance with applicable statutes and regulations, the applicant is also expected to provide copies of the required information to the municipal clerk and all other interested parties.

Based on NHDES review your project has 5,000 square feet or greater of non-tidal wetlands impacts. To ensure that you obtain permitting under the Clean Water Act, please contact the U.S. Army Corps of Engineers (USACE) at 1-978-318-8832, 1-978-318-8295, or by email at cenae-r-nh@usace.army.mil to see if additional mitigation may be required from the USACE.

Pursuant to RSA 482-A:3, XIV(a)(3), NHDES Wetlands Bureau will approve or deny the Application within 30 days of receipt of all required information, or schedule a public hearing, if required by RSA 482-A or associated rules.

If you have any questions, please contact me at MaryAnn.Tilton@des.nh.gov or (603) 271-2147.

Sincerely,



Mary Ann Tilton
Assistant Bureau Administrator, Wetlands Bureau
Land Resources Management, Water Division

Copied: Conor Madison, GZA
Allenstown Municipal Clerk/Conservation Commission
Deerfield Municipal Clerk/Conservation Commission