



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

EVERSOURCE ENERGY/PSNH
C/O ASHLEY FRIEND
13 LEGENDS DR
HOOKSETT NH 03106

May 13, 2023

*Received 5.18.23
MU*

Re: Request for More Information – Standard Dredge and Fill Wetlands Permit Application (RSA 482-A)
NHDES File Number: 2023-00633
Subject Property: PSNH Dba Eversource Energy V182 & F139 Utility Row; Franklin, Concord, Northfield, and Canterbury

Dear Applicant:

On May 13, 2023, 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. Construction sequence note no. 15 references regrading and wetland seeding for temporary impact areas. Per Env-Wt 307.12, Env-Wt 307.18 and Env-Wt 311.06(d), please provide additional details regarding restoration and post-construction monitoring in the construction sequence notes for temporarily impacted priority resource areas (PRAs) and jurisdictional areas containing organic soils. In the absence of a site-specific soils survey, please consider supplementing with mapped very-poorly drained soils. Specifically, please include:
 - a. Additional details of the monitoring activities. Monitoring shall be conducted by a certified wetland scientist or qualified professional for annual inspections for no fewer than 2 years following the first growing season after completion of the project, as noted in Section 3.2 of the submitted Construction Methods and Best Management Practices of the Project Description, with annual reporting requirements to the NHDES.
 - b. Additional details of necessary corrective measures to ensure that post-construction soil layering and vegetation schemes are as close as practicable to pre-construction conditions and as specified in Section 2.11.1 of the Best Management Practices Manual for Utility Maintenance in and Adjacent to Wetlands and Waterbodies in New Hampshire (BMP Manual for Utility Maintenance) per Env-Wt 521.07. Restoration work shall be done in accordance with the BMP Manual for Utility Maintenance per Env-Wt 521.07. Please see page 17/82 of the BMP Manual for Utility Maintenance.
 - c. Temporary impact areas are required to have at least 75% successful establishment of vegetation after two growing seasons or be replanted and re-established until the area becomes re-established in accordance with the approved plans, as noted in the submitted Construction Methods and Best Management Practices of the Project Description in Section 3.2.
 - d. Prevention methods to avoid compaction of wetlands soils per Env-Wt 521.04(f), and as described in Section 2.6.1 of the BMP Manual for Utility Maintenance, including crossing wetlands in the dry or during low-flow or frozen conditions, regrading and restoring ruts within three days of work completion; and, and as described in Section 2.7 of the BMP Manual for Utility Maintenance, utilizing tracked machines with low ground pressure; and crossing on existing woody debris or stones to minimize soil disturbance.
 - e. Monitoring details designed to track and monitor timing, phasing and duration of timber mat placement relative to the limitation of Env-Wt 307.11(f) and (h) of one growing season, as defined by the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, Version 2.0 (January 2012).

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29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
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2. The NH Fish and Game (NHF&G) recommendations are indicated as a draft in the wetlands plan. Have all NHF&G recommendations been finalized and incorporated into the wetlands plan? Before the project plans are finalized for the standard wetlands permit, please revise the project to incorporate the finalized recommendations of NHF&G accordingly. Please coordinate and provide additional memos or email communications with NHF&G per Env-Wt 311.01(b) and Env-Wt 311.06(g), as necessary, to inform the avoidance and minimization determination of project-related impacts on the resource.
3. A review of the submitted NHB DataCheck results is for a minimum impact project (Statutory Permit-by-Notification). However, per Env-Wt 521.06(c), the impact classification is major. To ensure that all impacts have been avoided and minimized to the greatest extent practicable, please verify the NHB DataCheck results with the appropriate project classification, consistent with the application submittal per Env-Wt 311.01 and Env-Wt 306.05.
4. Per Env-Wt 311.01(f), the applicant must ensure that impacts have been avoided and minimized to the greatest extent practicable, as specified in Env-Wt 313.03. Please provide supportive documentation to demonstrate avoidance and minimization has been met for the following proposed temporary construction matting:
 - a. Through wetland W-90, between proposed structures 18 and 19 on Line V182 in Concord;
 - b. Through wetland W-80 to proposed structure 49 on Line F139 in Canterbury;
 - c. Through wetland W-33 to proposed structure 112 on Line V182 in Franklin;
 - d. Through wetland W-1 between proposed structures 159 on Line V182 and 187 on Line F139 in Franklin.Please further consider additional turn around points, reducing temporary construction matting lengths, or combining accessways to nearby structures where possible.
6. Please revise the plans to include:
 - a. A construction sequence note that work will occur during the low-flow period to avoid potential jurisdictional impacts per Section 2.3.2 of the BMP Manual for Utility Maintenance. [Env-Wt 521.07, Env-Wt 521.04(c), and Env-Wt 311.06(d)] And,
 - b. Temporary impacts associated with proposed structure 160 on Line V182 in Franklin, per Env-Wt 311.05(a)(18), if applicable. A review of the footprint of the construction matting appears to clip the northeast corner of wetland 1. Please update the impact area calculations and address the permit processing fee increase, as applicable, per Env-Wt 407.03 and RSA 482-A:3 I.(a).
5. In accordance with Env-Wt 311.06(j), if the applicant is seeking to be covered by the state general permits, provide a statement of whether comments have been received from any federal agency and, if so, how the applicant has addressed the comments. Please note that the Northern long eared bat (NLEB) status has been updated as endangered as of March 23, 2023. The project may need to be addressed in an updated consultation. 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 for additional guidance.
6. Per Env-Wt 311.06(h), please provide a statement of whether the applicant has received comments from the local conservation commissions and, if so, how the applicant has addressed the comments.

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 12, 2023), 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.

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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 Emma.Berger@des.nh.gov or (603) 271-3376.

Sincerely,



Emma Berger
Wetlands Specialist, Wetlands Bureau
Land Resources Management, Water Division

cc: Sherrie Trefry, VHB
Municipal Clerk/Conservation Commission
Upper Merrimack River, Local River Advisory Committee

ec: Lindsey Lefebvre, USACE
Jean Brochi, USEPA
Kathleen Wadiak, NHF&G

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