

From: [Wadiak, Kathleen](#)
To: [Ford, Michelle T](#)
Cc: [FGC: NHFG review](#); [Mauck, Ridgely](#); [Winters, Melissa](#); KLWilkins@tigheBond.com
Subject: NHFG Review NHB21-3901 Eversource V191 Line Bedford Merrimack AoT 220412-082
Date: Monday, May 16, 2022 3:41:20 PM
Attachments: [NHB21-3901 Kim Tuttle BMPs.pdf](#)
[SEEKING REPORTS OF RARE TURTLES Wd sp Embl Sept2020.pdf](#)
[racer flyer_2020.pdf](#)
[Hognose Flyer_Mar2021.pdf](#)

Michelle,

New Hampshire Fish and Game has completed our review of materials submitted for consultation April 11, 2022 for NHB21-3901, prepared by Tighe & Bond. The proposed project is for the replacement of utility structures on the V191 line in Bedford and Merrimack.

BMPs were submitted to Kim Tuttle by Tighe & Bond March 16, 2022 as part of the SPN review process. Below are our recommended BMPs including amendments and additions based on the information received as part of the AoT and shoreland permit review.

NHFG appreciates Eversource's cooperation as we both work to make the review process more efficient. In the future, please submit reviews for all permit types to NHFGreview@wildlife.nh.gov and cc Kathleen.p.wadiak@wildlife.nh.gov.

Applications associated with this review:

- AoT 220412-082
- Shorelands permits
 - Bedford: 2022-01151
 - Merrimack: Pending – **Notify NHFG of permit number when received**

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.

New Hampshire Fish and Game AoT Permit Conditions in accordance with Env-Wq 1503.33 – Wildlife Protection Notes:

- Northern black racer (state threatened), Eastern hognose snake (state endangered), spotted turtle (state threatened), and Blanding's Turtle (state endangered) occur within the vicinity of the project area. Site operators shall be informed of the potential presence of these species and shall be provided flyers that help to identify these species along with NHFG contact information. 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.
- If spotted or Blanding's turtles are found laying eggs in a work area, Melissa Winters (603-479-1129 cell) or Josh Megyesy (978-578-0802 cell) shall be contacted for further instructions.
- All observations of Eastern Hognose snake seen at any time shall be immediately reported to the NHFG Department (Melissa Winters (603-479-1129 cell) or Josh Megyesy (978-578-0802 cell)) for further instructions. Please attempt to photograph this species to send to us for verification.

- 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 Doperalski (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.
- Prior to daily construction activities, timber matting shall be reviewed for snakes and turtles. GZA shall provide an environmental addendum to the daily tailboards by the contractors to include guidance on protocols for snakes and provide identification for spotted turtle, Blanding's turtle and northern black racer snake.
- Any rare species that are observed in work areas and are in immediate danger shall be moved away from impact area in the direction the animal was moving. Any handling of rare species shall be reported to NHFG immediately.
- Erosion control matting, if utilized, shall consist of jute matting. Matting with plastic mesh shall be avoided to limit unintentional mortality to snakes.
- At the conclusion of the project, a summary report of any rare species observations shall be provided to the NHFG Nongame Program.
- 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, if any, to assure the project does not appreciably jeopardize the continued existence of threatened and endangered species as defined in Fis 1002.04; and
- The NHFG, including its employees and authorized agents, shall have access to the property during the term of the permit.

Additional Wildlife Protection Recommendations:

- Wood turtles (state species of special concern) occur within the vicinity of the project area. Site operators should be informed of the potential presence of these species and should be provided flyers that help to identify these species along with NHFG contact information should they be encountered during project activities. See Plan Sheet **xxxxxx**. ***Include attached flyer.***
- If wood turtles (state species of special concern) are found laying eggs in a work area, Melissa Winters (603-479-1129 cell) or Josh Megyesy (978-578-0802 cell) shall be contacted for further instructions. All turtle nests are protected by NH laws.
- GZA shall provide an environmental addendum to the daily tailboards by the contractors to include guidance on protocols and provide identification for wood turtles.

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.

Please let me know if you have any questions.

Thank you,
Kat

Kat Wadiak
Wildlife Biologist
Nongame & Endangered Wildlife Program
NH Fish and Game
11 Hazen Drive
Concord, NH 03301
603-271-3017

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.

Wadiak, Kathleen

From: Tuttle, Kim
Sent: Friday, May 13, 2022 2:04 PM
To: Wadiak, Kathleen
Subject: FW: NHB21-3901 utility structure replacement V191 Line in Bedford, Merrimack Utility Statutory Permit by Notification (SPN),

From: Katy L. Wilkins <KLWilkins@tigheBond.com>
Sent: Wednesday, March 30, 2022 3:16 PM
To: Tuttle, Kim <Kim.A.Tuttle@wildlife.nh.gov>; Julia Squillace <JSquillace@tighebond.com>
Cc: Ruprecht, Ashley C <ashley.ruprecht@eversource.com>; Doperalski, Melissa <Melissa.J.Doperalski@wildlife.nh.gov>; FGC: NHFG review <NHFGreview@wildlife.nh.gov>
Subject: RE: NHB21-3901 utility structure replacement V191 Line in Bedford, Merrimack Utility Statutory Permit by Notification (SPN),

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Thank you Kim. We are happy to update those contacts and thank you for sending those over.

Kim – If you have any questions or need any additional information from us to help with your review please feel free to reach out.

Thank you,

Katy Wilkins
Project Manager

Tighe&Bond

o. 413.875.1305 | m. 508.272.3172

53 Southampton Road, Westfield, MA 01301
w: tighebond.com | halvorsondesign.com



From: Tuttle, Kim <Kim.A.Tuttle@wildlife.nh.gov>
Sent: Monday, March 28, 2022 8:52 AM
To: Katy L. Wilkins <KLWilkins@tigheBond.com>; Julia Squillace <JSquillace@tighebond.com>
Cc: Ruprecht, Ashley C <ashley.ruprecht@eversource.com>; Doperalski, Melissa <Melissa.J.Doperalski@wildlife.nh.gov>; FGC: NHFG review <NHFGreview@wildlife.nh.gov>
Subject: RE: NHB21-3901 utility structure replacement V191 Line in Bedford, Merrimack Utility Statutory Permit by Notification (SPN),

[Caution - External Sender]

Hi Katy,

MUNICIPAL POR - Bedford, Merrimack, NHDES - Alteration of Terrain Permit, NHDES - Shoreland Standard Permit, NHDES - Utility Statutory Permit by Notification (SPN), USACE - General Permit
Melissa Doperalski will close the loop on the AoT and Shoreland which falls under the consultation rules.

The only change would be to include Brendan's cell 603-944-0885 in addition to his office number for this BMP:

1. All observations of northern black racer snakes encountered from the end of September through the month of April will be immediately reported to the NHFG Department (Melissa Doperalski 603-479-1129 (cell) or Brendan Clifford 603-271-0463) as this indicates a potential hibernaculum in the area. We will attempt to photograph this species if possible.

Thanks,

Kim Tuttle
Wildlife Biologist
NH Fish and Game
11 Hazen Drive
Concord, NH 03301
603-271-6544

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 [Proposed Rules | Legislative | New Hampshire Fish and Game Department \(state.nh.us\)](#). 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.

From: Katy L. Wilkins <KLWilkins@tigheBond.com>
Sent: Thursday, March 24, 2022 4:00 PM
To: Tuttle, Kim <Kim.A.Tuttle@wildlife.nh.gov>; Julia Squillace <JSquillace@tighebond.com>
Cc: Ruprecht, Ashley C <ashley.ruprecht@eversource.com>
Subject: RE: NHB21-3901 utility structure replacement V191 Line in Bedford, Merrimack,

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Good afternoon Kim,

Just checking in to see if you have had a chance to review the items below and are ok with the proposed BMP measures proposed for the project. I'm happy to talk more if you have any questions.

Thank you,

Katy Wilkins
Project Manager



From: Katy L. Wilkins
Sent: Wednesday, March 16, 2022 3:04 PM
To: Tuttle, Kim <Kim.A.Tuttle@wildlife.nh.gov>; Julia Squillace <JSquillace@tighebond.com>
Cc: Ruprecht, Ashley C <ashley.ruprecht@eversource.com>
Subject: RE: NHB21-3901 utility structure replacement V191 Line in Bedford, Merrimack,

Good afternoon Kim,

Thank you again for all of the rare species information for this line work. Good to hear it is not anticipated that we will have impacts to bald eagles or peregrine falcons based on the locations of the nests to the project area.

We do not anticipate impacts to vernal pools from this work, though matting will take place in several wetlands. We will plan to review these resource areas, flag and avoid all impacts to identified vernal pools prior to work in these areas.

Below are the BMPs that are incorporated into our construction Note sheets and permits relative to the noted protected species and who our contacts are for each:

1. If spotted, wood, or Blanding's turtles are found laying eggs in a work area, please contact Melissa Doperalski (603-479-1129 cell) or Josh Megyesy (978-578-0802 cell) for further instructions.
2. All observations of Eastern Hognose snake seen at any time must be immediately reported to the NHFG Department (Melissa Doperalski or Josh Megyesy) for further instructions. Please attempt to photograph this species to send to us for verification.
3. All observations of northern black racer snakes encountered from the end of September through the month of April will be immediately reported to the NHFG Department (Melissa Doperalski 603-479-1129 (cell) or Brendan Clifford 603-271-0463) as this indicates a potential hibernaculum in the area. We will attempt to photograph this species if possible.

Those are the more species specific instructions and guidance we include, but we also include the following general BMPs:

1. Prior to daily construction activities, timber matting will be reviewed for snakes and turtles. GZA will provide an environmental addendum to the daily tailboards by the contractors to include guidance on protocols for snakes and provide identification for spotted turtle, wood turtle, Blanding's turtle and northern black racer snake.
2. Observed snakes and turtles will be moved off of construction access roads to limit and prevent mortality to snakes and turtles during construction.
3. Erosion control matting, if utilized, will consist of jute matting. Matting with plastic mesh will be avoided to limit unintentional mortality to snakes.
4. At the conclusion of the project, a summary report of any rare species observations will be provided to the NHFG Nongame Program.
5. Impacts to vernal pools and potential vernal pools will be avoided.

Please feel free to reach out if you need any additional information.

Thank you,

Katy Wilkins

Project Manager



o. 413.875.1305 | m. 508.272.3172

53 Southampton Road, Westfield, MA 01301

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From: Tuttle, Kim <Kim.A.Tuttle@wildlife.nh.gov>

Sent: Monday, March 7, 2022 10:13 AM

To: Katy L. Wilkins <KLWilkins@tigheBond.com>; Julia Squillace <JSquillace@tighebond.com>

Subject: RE: NHB21-3901 utility structure replacement V191 Line in Bedford, Merrimack,

[Caution - External Sender]

Hello Katy and Julia,

Bald Eagle (*Haliaeetusleucocephalus*) SC --
Eastern Hognose Snake (*Heterodon platirhinos*)* E --
Northern Black Racer (*Coluber constrictor constrictor*)T --
Peregrine Falcon (*Falco peregrinus anatum*) T --
Spotted Turtle (*Clemmys guttata*) T --
Wood Turtle (*Glyptemysinsculpta*) SC

We do not expect impacts to bald eagle in the Bedford section. The information we have found makes it look unlikely; nothing since 2006, and then only nest building. We also do not expect impacts to peregrine falcon, as the nest site and fledging area are far enough away from the work. Please flag and avoid all impacts to vernal pools prior to work in the area as all the life stages of the amphibians that these habitats produce – eggs, larvae and adult frogs and salamanders - provide a significant food supply for wood and spotted turtle, as well as eastern hognose snake and northern black racer.

Please send over your BMPs for eastern hognose snake northern black racer, wood and spotted turtle so that we can check that the contact names and numbers are up to date as well as reporting protocol if any are seen or observed, alive or dead in the project area at any time. Let me know if you need any of the species flyers.

Thanks,

Kim Tuttle
Wildlife Biologist
NH Fish and Game
11 Hazen Drive
Concord, NH 03301
603-271-6544

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 [Proposed Rules | Legislative | New Hampshire Fish and Game Department \(state.nh.us\)](#). 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.

From: Leonard Lord <LLord@TigheBond.com>
Sent: Thursday, March 3, 2022 12:45 PM
To: Tuttle, Kim <Kim.A.Tuttle@wildlife.nh.gov>
Cc: Katy L. Wilkins <KLWilkins@tigheBond.com>; Julia Squillace <JSquillace@tighebond.com>
Subject: RE: NHB21-3901 Eagle nest distance to proposed utility structure replacements

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Kim- Please reply to Katy Wilkins and Julia Squillace as I will be retiring tomorrow.

Thanks!!

Leonard Lord, PhD, CSS, CWS

Senior Environmental Scientist

Tighe&Bond

o. 603.294.9224 | m. 603.312.0236

177 Corporate Drive, Portsmouth, NH 03801

w: tighebond.com | halvorsondesign.com



From: Tuttle, Kim <Kim.A.Tuttle@wildlife.nh.gov>
Sent: Thursday, March 3, 2022 11:45 AM
To: Leonard Lord <LLord@TigheBond.com>
Subject: RE: NHB21-3901 Eagle nest distance to proposed utility structure replacements

[Caution - External Sender]

Thanks- I'll need to check then if the eagles are nesting there this year- there sounds like there will be overlap.

From: Leonard Lord <LLord@TigheBond.com>
Sent: Thursday, March 3, 2022 11:28 AM
To: Tuttle, Kim <Kim.A.Tuttle@wildlife.nh.gov>; FGC: NHFG review <NHFGreview@wildlife.nh.gov>
Cc: Katy L. Wilkins <KLWilkins@tigheBond.com>; Julia Squillace <JSquillace@tighebond.com>; Houghton, Sandra <Sandra.D.Houghton@wildlife.nh.gov>
Subject: RE: NHB21-3901 Eagle nest distance to proposed utility structure replacements

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Kim- I think our emails crossed paths in cyberspace. But just to be sure, the work will be mid-summer in this area.

Thanks

Leonard Lord, PhD, CSS, CWS

Senior Environmental Scientist



o. 603.294.9224 | m. 603.312.0236

177 Corporate Drive, Portsmouth, NH 03801

w: tighebond.com | halvorsondesign.com



From: Tuttle, Kim <Kim.A.Tuttle@wildlife.nh.gov>

Sent: Thursday, March 3, 2022 11:03 AM

To: Leonard Lord <LLord@TigheBond.com>; FGC: NHFG review <NHFGreview@wildlife.nh.gov>

Cc: Katy L. Wilkins <KLWilkins@tigheBond.com>; Julia Squillace <JSquillace@tighebond.com>; Houghton, Sandra <Sandra.D.Houghton@wildlife.nh.gov>

Subject: RE: NHB21-3901 Eagle nest distance to proposed utility structure replacements

[Caution - External Sender]

Hi Lenny-

Can you provide us with the approximate timing of work to be conducted in this area? If the work timing is outside of the eagle nesting season, it shouldn't be an issue. In the meantime, I'll try to find out if this particular nest is in use this season. Happy Retirement!

Kim

From: Leonard Lord <LLord@TigheBond.com>

Sent: Thursday, March 3, 2022 10:55 AM

To: Snyder, Kimberly <Kimberly.C.Snyder@wildlife.nh.gov>; FGC: NHFG review <NHFGreview@wildlife.nh.gov>

Cc: Katy L. Wilkins <KLWilkins@tigheBond.com>; Tuttle, Kim <Kim.A.Tuttle@wildlife.nh.gov>; Julia Squillace <JSquillace@tighebond.com>

Subject: RE: NHB21-3901 Eagle nest distance to proposed utility structure replacements

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Kim- the orange is the approximate location of the eagle nest taken from the NHB map and the red line is the V191 corridor. It looks to me like the nest would be >250' from the work, assuming the nest is along the edge of the river. Please "reply all" with any comments or suggested conservation measures—I'm retiring tomorrow and Katy Wilkins will be taking over for this project. Thanks!

CONFIDENTIAL DNCR

Leonard Lord, PhD, CSS, CWS

Senior Environmental Scientist

Tighe&Bond

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177 Corporate Drive, Portsmouth, NH 03801

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From: Snyder, Kimberly <Kimberly.C.Snyder@wildlife.nh.gov>
Sent: Thursday, March 3, 2022 9:08 AM
To: Leonard Lord <LLord@TigheBond.com>; FGC: NHFG review <NHFGreview@wildlife.nh.gov>
Cc: Katy L. Wilkins <KLWilkins@tigheBond.com>; Tuttle, Kim <Kim.A.Tuttle@wildlife.nh.gov>
Subject: RE: NHB21-3901 Eagle nest distance to proposed utility structure replacements

[Caution - External Sender]

Hi Leonard,

Please provide us with a close-up Google Earth aerial of anything within 1000ft of the Bald Eagle location on the NHB letter showing the area where you would be working. Please also let us know the approximate timing of work to be conducted in same area.

Kim Snyder

From: Leonard Lord <LLord@TigheBond.com>
Sent: Wednesday, March 2, 2022 1:26 PM
To: FGC: NHFG review <NHFGreview@wildlife.nh.gov>
Cc: Katy L. Wilkins <KLWilkins@tigheBond.com>
Subject: NHB21-3901 Eagle nest distance to proposed utility structure replacements

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Good afternoon-

Would it be possible to get shapefiles associated with the eagle nest near our proposed utility project along the Merrimack River. That way we can determine how close construction will be and can better determine what mitigation measures may be needed. Please "reply all" to this message.

Thanks-

Leonard Lord, PhD, CSS, CWS

Senior Environmental Scientist

Tighe&Bond

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177 Corporate Drive, Portsmouth, NH 03801

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PLEASE REPORT RARE TURTLES

The NH Fish & Game Department is requesting observations of three turtle species that could be encountered onsite.

Report sightings immediately to NHFG Wildlife Division at 603-271-2461 (M-F 8-4) or to NHFG Wildlife Biologist Melissa Winters 603-479-1129 (cell) anytime.

Please report promptly, noting specific location and date – Photographs strongly encouraged



Blanding's turtle (state endangered)

- Large, dark/black domed shell with lighter speckles
- Distinct yellow throat/chin
- Aquatic but often moves on land



Wood turtle (special concern)

- Sculpted, pyramidal brownish shell
- Orange around neck and limbs
- River/stream turtle spending many months on land



Spotted turtle (state threatened)

- Small, mostly aquatic with black or dark brown with yellow spots.
- Fairly flat shell compared to Blanding's turtle

Northern Black Racer

(New Hampshire state threatened species)



Solid black with a white throat and chin
Slender with glossy scales, 3-6 ft. long
Hatchlings are very small and patterned



**Immediately report sightings to NH Fish and Game
Melissa Doperalski (603-479-1129) or
Brendan Clifford (603-944-0885)**

***Please report promptly, noting specific location and date
Photographs strongly encouraged***





REPORT EASTERN HOGNOSE SNAKE OBSERVATIONS

Report sightings immediately to NHFG Wildlife Division at 603-271-2461 (M-F 8-4) or to NHFG Wildlife Biologist Melissa Winters 603-479-1129 (call or text) anytime.

Please report promptly, noting specific location and date – Photographs strongly encouraged

- Black, gray or patterned appearance
- upturned snout
- Adults are 2-3 ft. long
- May spread neck out or hiss
- May play dead if they feel threatened.
- Rarely bite – display is a defense strategy
- Can be found in a variety of habitats throughout the season



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Redaction Reasons by Page

| Page | Reason | Description | Occurrences |
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| 10 | CONFIDENTIAL DNCR | NH RSA 91-A:5, IV Confidential information. NH Department of Natural and Cultural Resources (DNCR) has asserted a claim of confidentiality. See also NH RSA 212-A, RSA 212-B, RSA 217-A, and/or RSA 227-C:11. | 1 |

Redaction Log

Redaction Reasons by Exemption

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