

RE: NHFG Review NHB22-3463 Eversource X178 Structure Replacement Easton - Request for Additional Consultation

Newton, Kevin <Kevin.M.Newton@wildlife.nh.gov>

Thu 9/7/2023 3:42 PM

To:Lindsey White <Lindsey.White@gza.com>

Cc:FGC: NHFG review <NHFGreview@wildlife.nh.gov>;Winters, Melissa <Melissa.J.Winters@wildlife.nh.gov>;Schlosser, Michael <Michael.J.Schlosser@des.nh.gov>;Tilton, Mary Ann <mary.a.tilton@des.nh.gov>;Wadiak, Kathleen <Kathleen.P.Wadiak@wildlife.nh.gov>;Nelson, Kurt I <kurt.nelson@eversource.com>;Tracy Tarr <Tracy.Tarr@gza.com>

Hi Lindsey,

Further consultation under Fis 1004.12 was requested on September 6, 2023. Requesting a 30 day extension to further consultation under Fis 1004.10(a) would result in a deadline of October 6, 2023. Please respond to confirm this.

Please provide the following to NHFG for further consultation:

- Updated KMZ showing vernal pools previously hidden by timber matting layer.
- Examples and extent of minor field changes to access roads, work pads, and staging areas that may need to occur to address safety concerns.
 - Are there specific areas where you may anticipate higher probability of requiring minor field changes? If so, can these areas be identified?

NHFG does not have concerns with the additional text in red added below.

In regards to establishing a time to meet, do you think an additional call will still be necessary beyond sharing the information above? If so, my schedule is fairly flexible M-W next week. Feel free to provide some times and we can hone in on one.

Thanks,

Kevin

Kevin Newton

Wildlife Biologist

NH Fish and Game Department

Wildlife Division

11 Hazen Drive, Concord NH 03301

Phone: 603-271- 5860

From: Lindsey White <Lindsey.White@gza.com>

Sent: Wednesday, September 6, 2023 2:57 PM

To: Newton, Kevin <Kevin.M.Newton@wildlife.nh.gov>

Cc: FGC: NHFG review <NHFGreview@wildlife.nh.gov>; Winters, Melissa <Melissa.J.Winters@wildlife.nh.gov>; Schlosser, Michael <Michael.J.Schlosser@des.nh.gov>; Tilton, Mary Ann <mary.a.tilton@des.nh.gov>; Wadiak, Kathleen <Kathleen.P.Wadiak@wildlife.nh.gov>; Nelson, Kurt I <kurt.nelson@eversource.com>; Tracy Tarr <Tracy.Tarr@gza.com>

Subject: NHFG Review NHB22-3463 Eversource X178 Structure Replacement Easton - Request for Additional Consultation

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

Hi Kevin,

After further discussion with the Project team, we formally request further consultation on the Eversource X178-2 Project (Sugar Hill, Easton, Lincoln and Woodstock- NHB22-3464, NHB22-3463, NHB22-3462, NHB22-3461) BMPs issued on 8/23/2023 by NHFG under FIS 1004.12.

While Eversource can accommodate the majority of the recommendations, Eversource requests further coordination on Recommendation 6, 10, and 16.

Eversource requests further coordination on Recommendation 6. Although vernal pools through the entirety of the project area were included on the plans, there were some vernal pools hidden by the layer for temporary timber matting which we would like to bring to your attention. In addition, our initial review was focused on Easton.

However, we understand based on the feedback the BMPs should be applied to the entirety of the line and not just in towns where there are records of RTE species.

In regards to Recommendation 10, Eversource would like to discuss having the ability to make minor shifts in access roads, work pads, and staging areas outside of designated rare species habitats (e.g. vernal pools, overwintering habitats) based on field conditions at the time of construction as conditions may require minor modifications for safety. BMP recommendations relative to rare species sweeps from NHFG would be followed to maximize safety for rare species while accommodating for worker safety during construction.

In regards to Recommendation 16, Eversource would like to revise the BMP to state the following with additional text in red:

- 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.

- a. Site operators or **Trained Individuals** 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.

Please let us know a time that works for you to meet via Teams in the next couple of weeks.

Thanks,

Lindsey E. White, CPSS

Project Manager

GZA | 5 Commerce Park North | Bedford, NH 03110

o: 603.232.8753 | c: 603.851.9287 | lindsey.white@gza.com | www.gza.com | [LinkedIn](#)

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From: Wadiak, Kathleen <Kathleen.P.Wadiak@wildlife.nh.gov>

Sent: Wednesday, August 23, 2023 10:29 AM

To: Lindsey White <Lindsey.White@gza.com>; Nelson, Kurt I <kurt.nelson@eversource.com>

Cc: FGC: NHFG review <NHFGreview@wildlife.nh.gov>; Winters, Melissa <Melissa.J.Winters@wildlife.nh.gov>; Newton, Kevin <Kevin.M.Newton@wildlife.nh.gov>; Schlosser, Michael <Michael.J.Schlosser@des.nh.gov>; Tilton, Mary Ann <mary.a.tilton@des.nh.gov>

Subject: [EXTERNAL] NHFG Review NHB22-3463 Eversource X178 Structure Replacement Easton

Lindsey,

New Hampshire Fish and Game (NHFG) has reviewed the materials submitted for consultation by GZA on June 20, 2023 for consultation on NHB22-3463. The proposed project is for structure replacements and OPGW work with associated access on the X178 line in Easton.

Permit applications associated with this review:

- NHDES Standard Dredge and Fill Wetlands Permit
- NHDES Alteration of Terrain Permit

Please provide permit numbers if obtained.

Notify NHFG if/when phases on this project begin and finish. Please use subject line "NHB22-3463 Eversource X178 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. Vernal pools should be identified on plan sheets and provided to NHFG.

Recommended BMPs shall apply to all work areas 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. These recommended permit conditions are applicable to all state permits listed above. Please include recommended permit conditions in final plan sheets or environmental resources map as written below (updated highlighted text as applicable) and provide to NHDES for final review, with a copy to NHFG. Permit reviewers will adopt/include NHFG permit conditions in the permit if approved.

New Hampshire Fish and Game Permit Conditions:

1. Wood turtles (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. See Plan Sheet xxxxxx. *Include attached flyers to plan sheet set.*
2. 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.
3. 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 are protected by NH laws. Be aware of the potential to encounter nesting wildlife in these areas.
4. If a nest is observed or suspected, operators shall contact Melissa Winters (603-479-1129) or Josh Megyesy (978-578-0802) at NHFG immediately for further consultation. 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.
5. Vernal pools and potential vernal pools (PVP) shall be flagged prior to work, and impacts shall be avoided with the following exceptions as shown in "Attachment D: Project Plans" in the document "X178 NHFG Memo 6-20-23." And in photos "Structure 301 VP Screen Shot" (attached) and "Structure 303 VP Screen Shot" (attached):
 - a. Wetland ET-31 contains one vernal pool within 10-ft of existing Structure 301, and two vernal pools within 20-ft of existing Structure 303. The work pads may overlap these vernal pools to construct a safe work area. Temporary timber matting shall be utilized and restoration shall occur following impacts. Impacts to the vernal pools shall only occur December 1 to March 1. Work shall occur under frozen or dry conditions if possible. NHFG shall be notified prior to disturbance.

6. No disturb vegetative buffers of 50' shall be maintained around vernal pools wherever possible. Impacts to vernal pool buffers shall be identified to NHFG prior to work. NHFG acknowledges the following vernal pool buffer impacts as shown in "Attachment D: Project Plans" in the document "X178 NHFG Memo 6-20-23."
 - a. Wetland ET-37 contains a vernal pool under the center line of the X178 Transmission Line. Avoidance within 50-ft is not practicable due to the location of the pool. Access will be located within 50-ft of this vernal pool.
 - b. Wetland ET-16 contains a vernal pool within 20-ft of a proposed pull pad location. Temporary timber matting will be utilized within 50-ft of the vernal pool.
7. All matting which will be placed in waterbodies deemed suitable for hibernating rare turtles will be placed prior to the start of the inactive season (October 16-March 31) so as to prevent accidental placement atop hibernating turtles. Areas identified as suitable hibernation habitat shall be identified on plan sheets and provided to NHFG at least two weeks prior to beginning work.
8. Immediately prior to the placement of matting in wetlands during the active season (April 1-October 15), the areas shall be cleared by a trained individual. A trained individual shall be defined as any contractor who has gone through project-species protection education conducted by the qualified biologist on rare wildlife species at the site. Contact NHFG if turtles in matting areas are observed or suspected.
9. For all work pads, staging areas, matting, and access roads, searches and sweeps shall be conducted by trained individuals immediately before the start of work and movement of equipment in order to minimize the chance of animals entering an area between the sweep and work. A trained individual shall be defined as any contractor who has gone through project-species protection education conducted by the qualified biologist on rare wildlife species at the site.
10. 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 or equivalent document.
11. Work, pull pads, and access shall be minimized to the greatest extent possible.
12. Work pads shall be reduced post-construction to 30' x 60' and restored with a native vegetative seed mix.
13. 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;
14. 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;
15. 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;
16. 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.
 - a. 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.
17. 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. All operators and personnel working on or entering the site should be made aware of the potential presence of these species and should 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) should 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.*
- New Hampshire Fish and Game recommends that the above conservation measures are applied to all work throughout the line, including in the towns of Woodstock, Lincoln, and Sugar Hill where there were no known observations of rare species.

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.

Thank you,

Kat

Kat Wadiak

Wildlife Biologist

Nongame & Endangered Wildlife Program

NH Fish and Game

11 Hazen Drive
Concord, NH 03301
603-271-3017

New Hampshire Fish and Game requirements for environmental review consultation can be found at:

https://gencourt.state.nh.us/rules/state_agencies/fis1000.html. ALL requests for consultation and submittals should be sent via email to NHFGreview@wildlife.nh.gov or can be sent hardcopy by mail. **The NHB datacheck results letter number needs to be included in the email subject line to read as “NHBxx-xxxx_Project Name_FIS 1004 Consultation Submittal”.**

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 or other project types should be submitted to NHFGreview@wildlife.nh.gov or can be sent hardcopy by mail – email or mail subject line for these review requests should read “NHBxx-xxxx_Project Name_ Env. Review Request”.



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