From: <u>kmrobinson fieldstonelandconsultants.com</u>

To: <u>Douglas, Luke</u>

Cc: Winters, Melissa; FGC: NHFG review; Schulz, Jessica; Mauck, Ridgely; Lindsey Lefebvere; caguida

fieldstonelandconsultants.com

Subject: RE: NHB23-0966 Barrett Hill Road Wilton - Wetland File #2022-06478

Date: Wednesday, May 17, 2023 4:41:53 PM

Attachments: 3029WT00B NHDES.pdf

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

sender.

Luke,

Thanks for all your help with this project. We really appreciate getting back to us this quickly. Attached is the revised plan including your recommendations and the attached turtle flyer. I believe this meets all of your recommendations.

If any changes result as part of further review process with Wetlands Bureau, Alteration of Terrain, or local review we will be sure you include NHFG on all correspondence and keep you apprised of any and all changes.

Thanks again,

Ken

From: Douglas, Luke <Luke.M.Douglas@wildlife.nh.gov>

Sent: Wednesday, May 17, 2023 2:10 PM

To: kmrobinson fieldstonelandconsultants.com < kmrobinson@fieldstonelandconsultants.com >

Cc: Winters, Melissa < Melissa. J. Winters@wildlife.nh.gov>; FGC: NHFG review

<NHFGreview@wildlife.nh.gov>; Schulz, Jessica <Jessica.L.Schulz@des.nh.gov>; Mauck, Ridgely
<Addison.R.Mauck@des.nh.gov>; Lindsey Lefebvere lindsey.e.lefebvre@usace.army.mil>; caguida fieldstonelandconsultants.com

Subject: NHB23-0966 Barrett Hill Road Wilton - Wetland File #2022-06478

Good afternoon Ken,

New Hampshire Fish and Game has completed review of materials submitted for consultation for NHB23-0966 on 3/28/2023 (site plans dated 5/4/2023), prepared by Fieldstone Land Consultants, PLLC. The project involves the construction of a driveway for access to seven residential lots with a wetland crossing off of Barrett Hill Road (Parcel A-44-1) in Wilton.

Permits applications associated with this project include:

- Wetlands Dredge & Fill (minor) File #2022-03478
- Alteration of Terrain (to be filed)

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.

- For consideration in the AoT permit review process, please incorporate recommendations along with associated materials as detailed, into the final sheet plans as written below (updated highlighted text as applicable) and provide to NHDES and cc NHFG for final review.
- For all other permits, please include recommended permit conditions in final plan sheets
 plans as written below (updated highlighted text as applicable) and provide to NHDES and
 cc NHFG for final review. Permit reviewers will adopt/include NHFG permit conditions in
 the permit if approved.

PLEASE NOTE: NHFG is aware that a public hearing will be scheduled to discuss the project and associated wetland concerns. We are providing the recommendations below under the understanding that any changes that result from the public hearing or AoT review process will need to be submitted to NHFG for further consultation, as stated in our 5/1/2023 email. Any changes to the project design, wetland delineation, or lot layout shall render the recommendations issued below as null and void until additional consultation with NHFG is sought.

New Hampshire Fish and Game Recommended Permit Conditions:

- 1. Spotted turtle (state threatened) and Blanding's turtle (state endangered) 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.
- 2. Rare species information (e.g. identification, observation and reporting of observations, when to contact NHFG immediately and NHFG contact information) shall be communicated during morning tailgate meetings prior to work commencement during the construction phase of the project. See Plan Sheet xxxxxx *Include attached flyers to plan sheet set*.
- 3. Turtles may be attracted to disturbed ground during nesting season. Turtle nesting season occurs approximately May 15th June 30th. All turtle species nests are protected by NH laws. 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 deployed) 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.
- 4. A 50 ft. no-cut, no-disturb buffer shall be maintained around all wetlands on site as depicted on the plan of reference (see attached map 3029EH01_NHFG-EXHIBIT.pdf), except for the areas explicitly identified for the wetland crossing. The 50 ft. no-cut, no-disturb buffer shall be maintained and conserved in perpetuity in accordance with Fis 1003.02 (e). Placards shall be installed at the back edge of each lot denoting the 50 ft. buffer as no-cut, no-disturb.
- 5. The 36" culvert for the wetland crossing shall be a CMP or RCP.
- 6. 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.
- 7. 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.
- 8. 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.
- 9. 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 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.
- 10. The NHFG, including its employees and authorized agents, shall have access to the property during the term of the permit.

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.

Luke Douglas
Wildlife Biologist
NH Fish and Game Department
Wildlife Division
11 Hazen Drive
Concord, NH 03301
(603) 271-0788

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 https://gencourt.state.nh.us/rules/state_agencies/fis1000.html. ALL requests for consultation and submittals should be sent via email to https://gencourt.state.nh.us/rules/state_agencies/fis1000.html. ALL requests for consultation and submittals should be sent via email to https://gencourt.state.nh.us/rules/state_agencies/fis1000.html. ALL requests for consultation and submittals should be sent via email to https://gencourt.state.nh.us/rules/state_agencies/fis1000.html. ALL requests for consultation and submittals should be sent to be included in the email subject line to read as "NHBxx-xxxxx 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 MHFGreview@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".

Please provide shapefiles/KMZ/KMLs of the project site (and relevant features if applicable) with your submittal. Review statements provided in the NHB Datacheck Results letter for additional guidance.



