



**US Army Corps  
of Engineers**®  
New England District  
**696 Virginia Road  
Concord, MA 01742-2751**

# PUBLIC NOTICE

**Comment Period Begins:** September 17, 2019  
**Comment Period Ends:** October 17, 2019  
**File Number:** NAE-2005-1142  
**In Reply Refer To:** Lindsey Lefebvre  
**Phone:** (978) 318-8295  
**E-mail:** [lindsey.e.lefebvre@usace.army.mil](mailto:lindsey.e.lefebvre@usace.army.mil)

The District Engineer is soliciting comments on the 6 projects in the Merrimack River Service Area which have applied for funding through New Hampshire's In Lieu Fee ("ILF") program, the Aquatic Resource Mitigation Fund ("ARM Fund"). The sponsor for the program is the New Hampshire Department of Environmental Services ("DES"). The program serves as an alternative form of compensation for impacts to aquatic resources authorized by the New England District Army Corps of Engineers (Corps) and/or the DES. These projects were submitted in response to the 2019 Request for Pre-Proposals ("RFPP") and approved for development of full proposals to be considered for funding.

The RFPP includes the criteria used to evaluate projects, the information required for a proposal, and other related information. DES and the Corps reviewed the RFPPs and invited those meeting the criteria to submit full applications. The RFPP, ARM Fund application, full proposal application, current amount of funds available for release, and additional information can be found at the ARM Fund website and at the Regulatory In-Lieu Fee Bank Information Tracking System:

<https://www4.des.state.nh.us/arm-fund/>  
<https://ribits.usace.army.mil>

The proponent for any proposed project that needs a Department of the Army permit or authorization will apply for it independently of this project review process.

Attached are the service area funds available, and proposed project descriptions and locus maps for the ARM Fund applications.

The decision whether to approve funding for projects will be based on an evaluation of each proposed activity and how and where it will compensate for aquatic resources lost through authorizations issued under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act. The decision will reflect the national concern for no net loss of aquatic resources. The benefit that may reasonably accrue from each proposal must be balanced against its reasonably foreseeable detriments and/or its appropriateness considering the ecological needs of the service area in which it is located.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to determine the most appropriate projects to receive funding from the ARM Fund. Any comments received will be provided to the Site Selection Committee which makes recommendations to the Interagency Review Committee, including the Corps of Engineers, and will be considered in the evaluation of the projects and the determination of which will receive funding. To make this



**CENAE-R**  
**FILE NO. NAE-2005-1142**

decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**ESSENTIAL FISH HABITAT**

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat ("EFH").

The District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

**SECTION 106 COORDINATION**

Based on his initial review, the District Engineer has determined that the proposed projects may affect properties in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the proposal review process.

**ENDANGERED SPECIES CONSULTATION**

The New England District. Army Corps of Engineers, has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, that might occur at the project sites. It is our preliminary determination that the proposed activity for which funding is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate federal Agency concur with our determination.

The State of New Hampshire has an approved **Coastal Zone Management Program**. Coastal Zone Management consistency will be required for some of the individual proposals and by this public notice we are requesting the state provide any applicable comments at this time.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Lindsey Lefebvre at (978) 318-8295, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts, or at the email address noted above.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the projects. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.



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The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record.



**Tammy R. Turley**  
**Chief, Regulatory Division**

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at [bettina.m.chaisson@usace.army.mil](mailto:bettina.m.chaisson@usace.army.mil). You may also check here ( ) and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_



**MERRIMACK RIVER SERVICE AREA**  
**(Available funding \$1,680,000)**

<b>Project Name Applicant</b>	<b>Town</b>	<b>Funds Requested</b>
Cambell Hill Preserve <i>The Northeast Wilderness Trust</i>	Francestown	\$233,700
Lyndeborough Road Crossing of Meadow Brook <i>Town of New Boston</i>	New Boston	\$250,000
Murray Mill Brook <i>The Southeast Land Trust of New Hampshire</i>	Candia and Auburn	\$300,000
Nissitissit River Headwaters <i>Piscataquog Land Conservancy</i>	Mason	\$300,000
Piscataquog South Branch Project <i>Francestown Land Trust</i>	Francestown	\$104,108
Pollard Road Culvert Replacement <i>Town of Plaistow</i>	Plaistow	\$121,000
<b>Total funds requested in 2019</b> <b>\$1,308,808</b>		

**Cambell Hill Preserve, Francestown, NH**

The Northeast Wilderness Trust proposes to use \$233,700 of ARM Funds to purchase the ±130--acre Campbell Hill Preserve in fee and manage the land and its natural resources as forever-wild; providing perpetual protection of the land in its wild state. The project will protect ±1,400 linear feet of Brennan Brook; a perennial headwater stream of the designated South Branch Piscataquog River watershed. The property encompasses both the summit of Campbell Hill as well as lower elevation wetlands; ensuring long term protection of the wetland system's upland buffer. There are two palustrine wetlands on the preserve, totaling about 9 acres; that have active beaver. The preserve will protect important wildlife habitat and is mapped as 95% 'Supporting Landscape' and 5% as 'Highest Ranked Habitat in Biological Region' by the NH Fish and Game Wildlife Action Plan. In addition, NH Natural Heritage Bureau records show the greater fringed-gentian, Wood Turtle, and Blanding's Turtle have all been found within one mile of the preserve, and suitable habitat exists on the property. The preserve has a high conservation value and is directly adjacent to the conserved Brennan Falls Preserve (149 acres) and lies within the largest forest block within the HUC 10 watershed.

**Lyndeborough Road Crossing of Meadow Brook/ New Boston, NH**

The Town of New Boston is requesting \$250,000 from the ARM Fund to upgrade the deficient stream crossing on Lyndeborough Road and Meadow Brook in New Boston to restore aquatic connectivity and increase flood resiliency. Meadow Brook is a third order stream and a tributary of the designated South Branch of the Piscataquog River, encompassing an area of 3.8 square miles of drainage at the crossing. The existing road crossing consists of twin plastic culvert pipes that are severely undersized with reduced ability to pass storm and flood flows, are an impediment to aquatic organism passage, and incompatible with stream geomorphology. Meadow Brook has a high fishery restoration potential with native brook trout and is identified as 'Highest Ranked Habitat in Biological Region' by the NH Fish and Game Wildlife Action Plan. The stream has a forested buffer that consists of red maple, hemlock, and white pine, and extends 50 to 100 feet from any human activity, except where it crosses Lyndeborough Road. The Town of New Boston proposes to replace the deficient crossing to meet current safety and *NH Stream Crossing Guidelines* with a 25.8' by 8.5' tall open-bottom span. The proposed design will accommodate the Rosgen B3 channel entrenchment ratio and an openness ratio of 7.5, with a hydraulic capacity to pass the predicted 100-year flood event and have full aquatic organism passage. The new



crossing will allow for the restoration of a natural stream bed through the crossing, restoring both aquatic and terrestrial organism passage and reconnecting  $\pm 4,150$  feet upstream of the crossing to the South Branch Piscataquog River  $\pm 1,400$  feet downstream of the crossing.

#### **Murray Mill Brook/ Auburn and Candia, NH**

The Southeast Land Trust of New Hampshire (SELT) proposes to use \$300,000 of ARM Funds to permanently protect  $\pm 220$  acres of land in the Massabesic Lake watershed with a Conservation Easement held by the Southeast Land Trust. Protection of this parcel has significant benefits to a diversity of aquatic resources and public drinking water quality. The property contains  $\pm 39.7$  acres of wetlands, all of which drains into Little Lake Massabesic and Massabesic Lake—a public drinking water supply for more than 160,000 residents in the City of Manchester and 6 neighboring towns. All 220 acres of this property drain into Little Lake Massabesic and provides critical water quality

Benefits with 130 acres of the property within the Hydrologic Area of Concern and Source Water Protection Area for the Manchester Water Works and 145 acres within a high transmissivity aquifer.

There are more than 30 distinct wetlands scattered across the property, 12 confirmed vernal pools hosting spotted salamander eggmasses and woodfrog tadpoles, and 5,912 linear feet of stream, including significant frontage along Murray Mill Brook which feeds into the largest tributary to Little Massabesic Lake. The NH Fish and Game Wildlife Action Plan identifies 2 acres as ‘Highest Ranked Habitat in NH’, 30 acres as ‘Highest Ranked Habitat in the Biological Region’, and 144 acres as ‘Supporting Landscape’. The property is habitat for Blanding’s turtles (endangered in NH) and areas have been designated as Tier 3 in the “Conservation Plan for Blanding’s Turtle and Associated Species of Conservation Need in the Northern United States” by the U.S. Fish & Wildlife Service. The project contributes to ongoing conservation efforts in the region having been identified in The Nature Conservancy’s *Connect the Coast* study identified 86 acres of the riparian habitat along Murray Mill Brook as a critical wildlife connectivity corridor. The property abuts a 775-acre parcel owned by the Manchester Water Works which contains the largest wetland complex in the Town of Auburn.

#### **Nissitissit River Headwaters/ Mason, NH**

The Piscataquog Land Conservancy is proposing to use \$300,000 from the ARM Fund to protect a 274-acre parcel that contains 24.6 acres of wetlands, 10 confirmed vernal pools, and 9,600 feet of perennial and intermittent streams. This project would protect several 1<sup>st</sup> order headwater streams to the Nissitissit River, which is a National Wild & Scenic River. The proposed project would protect high-quality aquatic and terrestrial wildlife habitat on the parcel, as well as benefit downstream aquatic habitat and water quality through headwater protection. The parcel’s land cover consists of 185 acres of Hemlock-hardwood-pine, 81 acres of Appalachian-oak-pine, 4 acres of wet meadow/shrub wetland, and 4 acres of temperate swamp. The project has significant wildlife habitat benefits and would protect 135 acres (49%) of “Highest Ranked Habitat in NH”, and 139 acres as ‘Highest Ranked Habitat in Biological Region’, identified by the NH Fish and Game Wildlife Action Plan. In addition, the NH Natural Heritage Bureau has documentation for the Eastern Hognose Snake, Blanding’s Turtle, Spotted Turtle, and Northern Black Racer occurring within one mile of the property. Protecting this parcel will contribute to ongoing landscape connectivity efforts by building upon existing protected land; the property abuts a 176-acre Conservation Area of the Town of Mason and builds on the larger protection effort in the Nissitissit, which has to date protected over 1,700 acres of land held by local conservation partners, and lies within a larger 6,934 acre unfragmented forest habitat block. Protection of this property would provide effective watershed protection as it contains uppermost headwater streams in the Nissitissit River watershed to maintain water quality and aquatic habitat for a National Wild and Scenic River.

#### **Piscataquog South Branch Project/ Frankestown, NH**

The Frankestown Land Trust is requesting \$104,108 to purchase in fee and permanently protect 10.2 acres of riparian buffer and upland forests along approximately 1,200 feet of the South Branch Piscataquog River—a Designated River in New Hampshire. The parcel has significant wildlife value with 8 acres



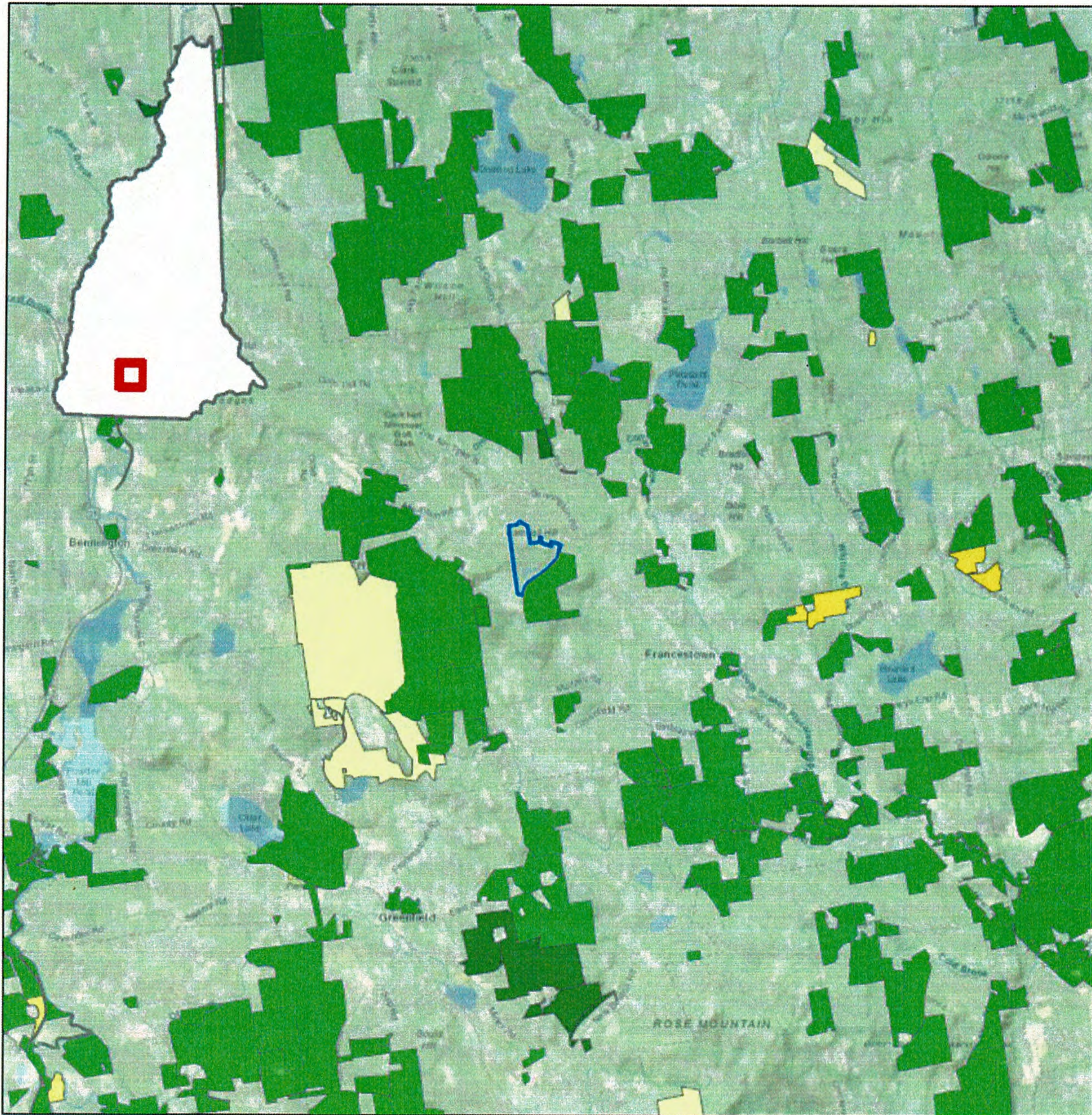
classified as the 'Highest Ranked Habitat in NH' by the NH Fish and Game Wildlife Action Plan, habitat for a population of native brook trout, and records from the NH Natural Heritage Bureau of an endangered and special concern species in the vicinity of the project. A known population of Wood turtle occupies the habitat along the South Branch Piscataquog River and this project would expand the protected aquatic and upland habitat within the home range of this population. The project will protect a diversity of aquatic resources including This project will protect both upland and riparian natural communities<sup>3</sup>, including a perched seepage swamp, floodplain forest, riverine communities, three potential vernal pools, a seasonal pool, and a floodplain overflow channel where 21+ spent spotted salamander eggmasses. This project would significantly contribute to local efforts to conserve land in the South Branch Piscataquog watershed as part of the *Headwaters-South Branch Initiative* by adding to a total 447.9 acres of previously protected floodplains, wetlands, and uplands along the South Branch, creating a nearly continuous block of 458 acres.

### **Pollard Road Culvert Replacement/ Plaistow, NH**

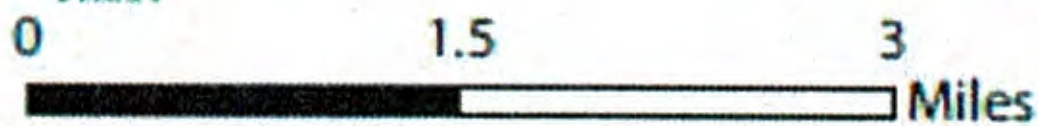
The Town of Plaistow is proposing to use \$121,000 of ARM Funds to replace the undersized Pollard Road culvert to restore full aquatic organism passage and increase hydrologic connectivity in Seaver Brook. The current stream crossing is a 24" concrete pipe that is 40' long that is a flood hazard and overtops at the 5-year storm event. The existing culvert is undersized for the drainage area impacting sediment transport capacity upstream and downstream of the culvert and causing aggradation within the channel and floodplains upstream and degradation of channel bed and banks downstream. Furthermore, the culvert is not embedded, and the invert is a few inches above the substrate, creating a barrier to aquatic organism passage. Restoring aquatic connectivity at this location would have significant fishery benefits and the area surrounding Seaver Brook is designated as 'Highest Ranked Habitat' by the NH Fish and Game Wildlife Action Plan. Seaver Brook is a perennial headwater stream that is habitat for American eel, (species of concern) bridle shiner (state threatened), and Blanding's turtle (state endangered) have been recorded nearby by the NH Natural Heritage Bureau. The proposed new stream crossing is a 16-foot span concrete embedded with natural stream substrate that will comply with *NH Stream Crossing Guidelines* to ensure full aquatic organism passage through the culvert. Stream simulation around the culvert and a low shelf along each side of the stream through the culvert will enhance passage by terrestrial and semi-aquatic animals and banks will be restored to a natural condition.




**CAMPBELL HILL PRESERVE/NORTHEAST WILDERNESS TRUST**








**The Campbell Hill Preserve**  
**Map 3 - Landscape**  
**Connectivity Map**  
 (~130 acres)



 Campbell Hill Preserve (Gap 1 Protection Proposed)

Conserved Lands by GAP Status (TNC Secured Areas Database - 2018)

-  1 - Permanent Protection for Biodiversity
-  2 - Permanent Protection to Maintain a Primarily Natural State
-  3 - Permanently Secured for Multiple Uses
-  39 - Permanently Secured and in Agriculture/Maintained as Grass
-  4 - Unsecured
-  9 - Unknown



# LYNDEBOROUGH ROAD CULVERT REPLACEMENT/TOWN OF NEW BOSTON



**Legend**

- State
- County
- City/Town
- Conservation and Public Land
- Stream Centerlines
  - Perennial Stream
  - Intermittent Stream
- Artificial Paths
- Water Bodies
  - Lake/Pond
  - Reservoir
  - Estuary
  - Swamp/Marsh
- Other Water Features
  - River
  - Spillway
  - Inundation Area
  - Dam/Weir
  - Canal/Ditch
  - Rapids

NH 2015 1-foot RGB

Map Scale  
1: 10,000

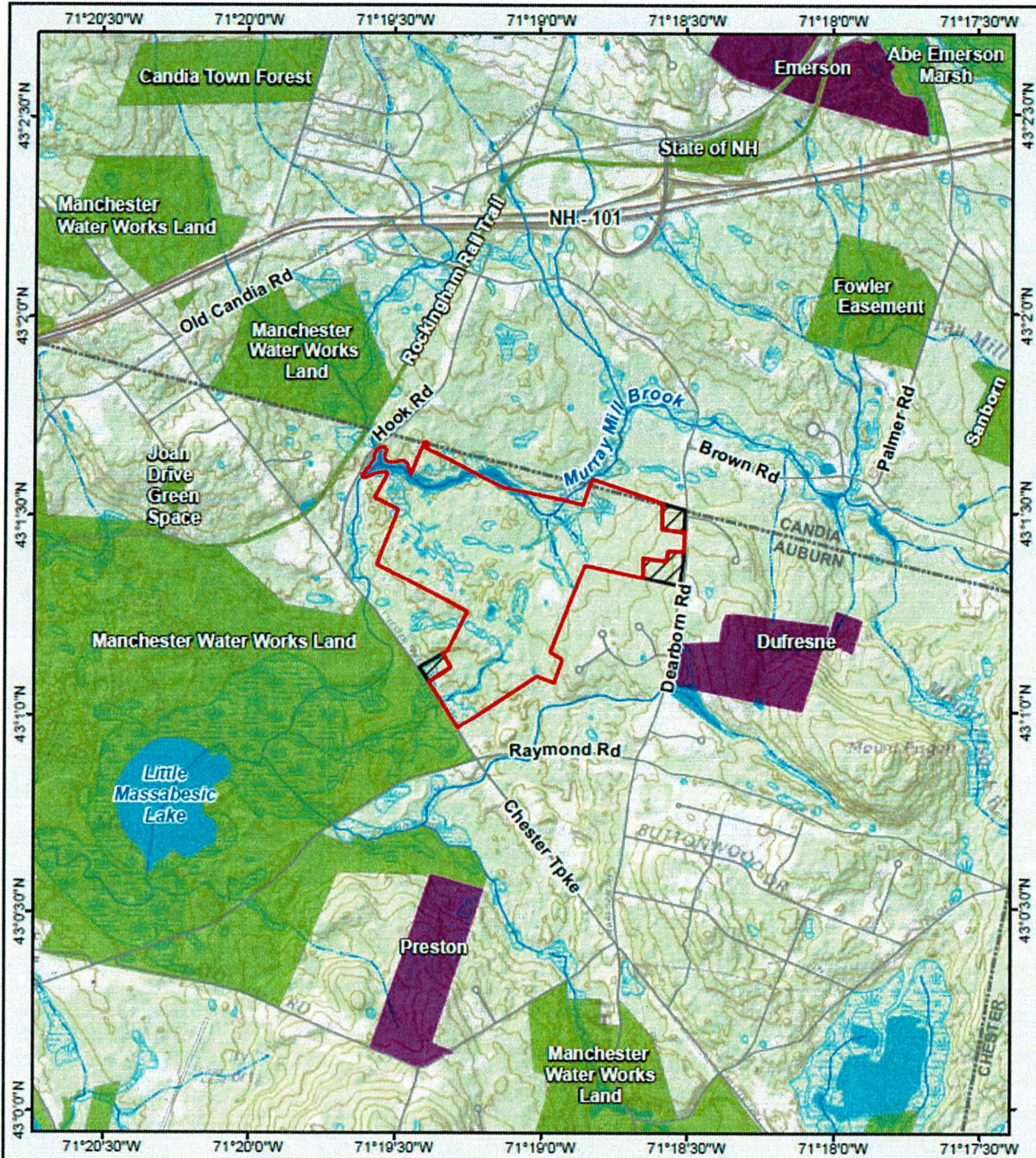
© NH GRANIT, www.granit.unh.edu  
Map Generated: 8/30/2019

Notes





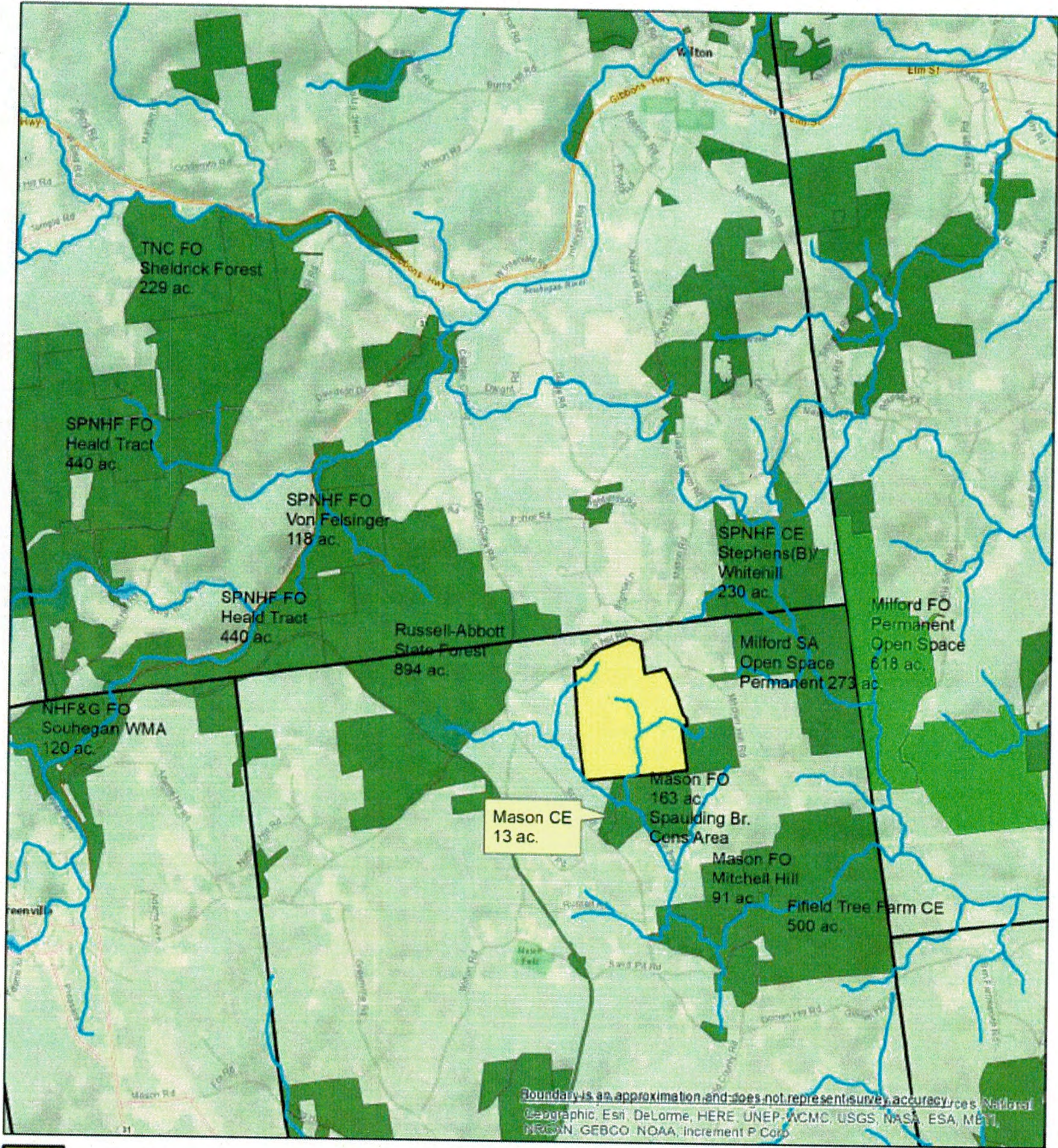
# MURRAY MILL BROOK/SOUTHEAST LAND TRUST



Proposed Easement Boundary	Open water	N 1:24,000 0 1,500 3,000 Feet	<b>Murray Mill Brook</b> <b>Map 3 - Landscape Connectivity</b> <b>Auburn &amp; Candia, NH</b>  Boundary and feature locations are approximate. Conservation lands from NH GRANIT. USGS topographic base map (published 1970-1998) processed by NH GRANIT; coordinate systems NAD83 UTM Zone 18N meters. Map prepared by Southeast Land Trust of NH August 2019
Excluded From Easement	Wetland		
SELT Conservation Land	Stream/River		
Conservation Land	Intermittent Stream		
	Town boundary		



**NISSITISSITT HEADWATERS/PISCATAQUOG LAND CONSERVANCY**



- Project Property
- Milford FO non-GRANIT
- Conservation/Public Lands

**Map 3: Landscape Connectivity**

8/1/2019

Nissitissitt Headwaters  
274 +/- acres  
Mason, NH

Map Preparer: T.E. Jones

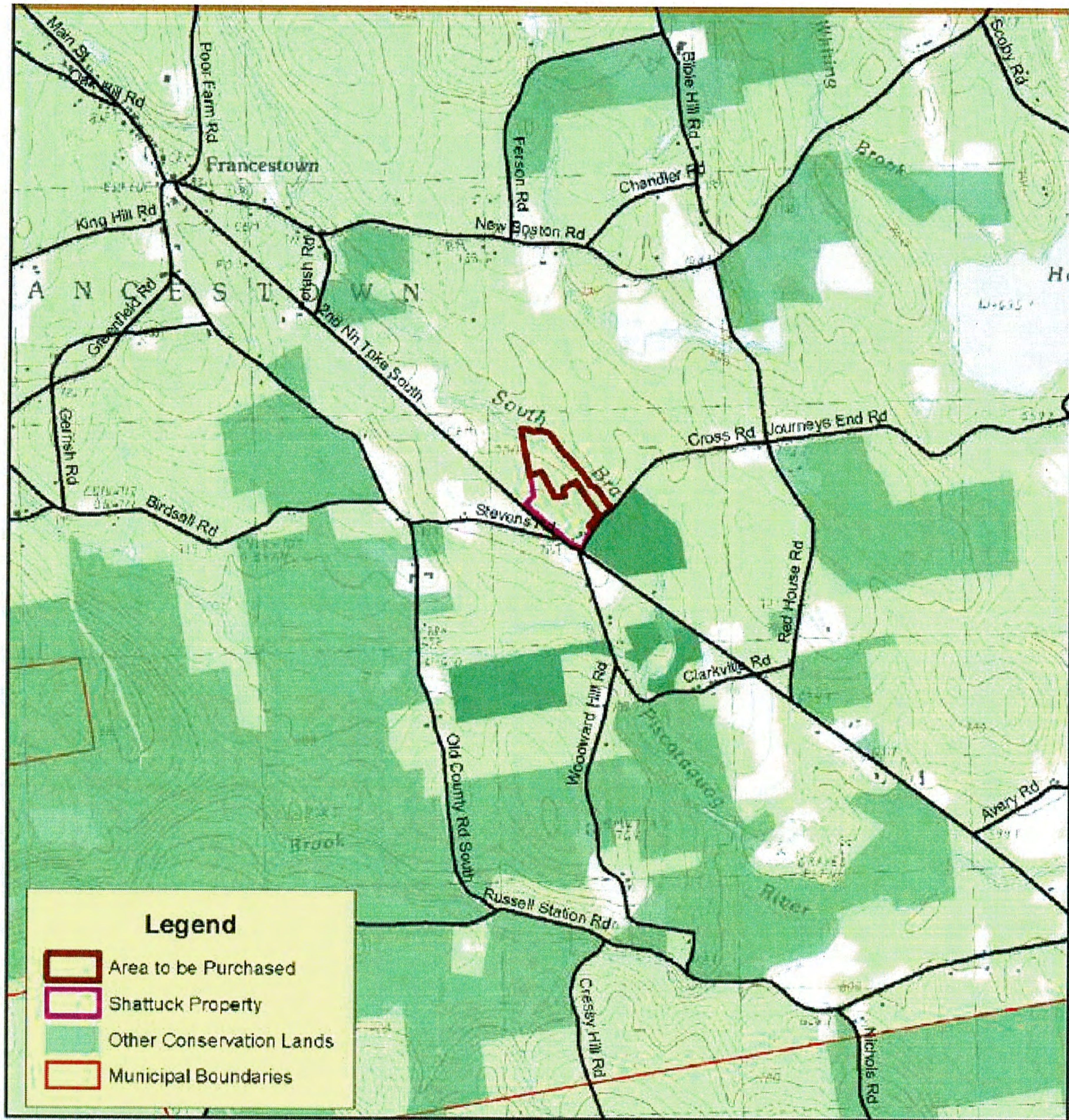


0 0.5 1 Miles





**PISCATAQUOG SOUTH BRANCH CONNECTING CONSERVED LANDS/FRANCESTOWN**  
**LAND TRUST**



5,800 2,900 0 5,800 Feet

930 465 0 930 Meters

Van de Poll / EMC August 2019



# POLLARD ROAD CULVERT REPLACEMENT/TOWN OF PLAISTOW

