



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

PUBLIC NOTICE

Comment Period Begins: November 1, 2016
Comment Period Ends: December 1, 2016
File Number: NAE-2016-02210
In Reply Refer To: Michael Hicks
Phone: (978) 318-8157
E-mail: michael.c.hicks@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from the New Hampshire Department of Transportation, P.O. Box 483, Concord, NH 03302 ATTN: Matt Urban (Project No. 13953, RT 101 Widening and Reconstruction in Bedford, NH). This work is proposed along an approximate 2 mile stretch of RT 101 between Wallace Road and the intersection of RT 114/Boynton Street, in Bedford, New Hampshire. The project is partially Federally-funded and the Federal Highway Administration is the Lead Federal agency. The site coordinates are: Latitude: 42 degrees, 56 minutes, 15.039 seconds, Longitude: 71 degrees, 31 minutes, 35.042 seconds.

The work involves the placement of approximately 4.91 acres of fill in, and perform work within waters of the United States in conjunction with the widening and reconstruction of an approximate 2 mile stretch of RT 101 between Wallace Road and the intersection of RT 114/Boynton Street, in Bedford, New Hampshire. This work will temporarily impact approximately 1.24 acres of waters of the United States, permanently impact approximately 3.67 acres of waters of the United States and impact approximately 0.10 acre-feet within the 100-yr. floodplain. A detailed description and a partial set of plans of the activity are attached.

The Applicant's project purpose is to improve the conveyance of traffic and to address safety and capacity deficiencies of the NH RT 101 corridor through Bedford, NH by widening the existing two-lane to provide two travel lanes in each direction, constructing a curbed center medium island and by providing sidewalks at specific locations along the corridor.

The work is shown on the attached plans entitled, "USGS Map, Pinardville", dated October 2015, "Wetland Impact Summary Table", dated 8/23/2016 and "Wetland Plan (1 – 10) Proposed Conditions", dated 8/23/2016 for a total of twelve (12) pages.

The project has been designed using the best available measures to avoid and minimize adverse impacts and mitigation for the project will include In Lieu Fee Payment into the New Hampshire Aquatic Resource Fund.

AUTHORITY

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
 Section 404 of the Clean Water Act
 Section 103 of the Marine Protection, Research and Sanctuaries Act.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against

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its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. 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.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972, as amended.

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).

This project will impact 1,647 square feet of Essential Fish Habitat (EFH) for Atlantic Salmon at Riddle Brook. Loss of this habitat may adversely affect the species listed above. However, 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.

NATIONAL HISTORIC PRESERVATION ACT

Based on his initial review, the District Engineer has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfill requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit 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, which might occur at the project site. It is our preliminary determination that the proposed activity for which authorization 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.

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The following authorizations have been applied for, or have been, or will be obtained:


- (X) Permit, License or Assent from State.
- (X) Permit from Local Wetland Agency or Conservation Commission.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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 Michael Hicks at (978) 318-8157, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. 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.

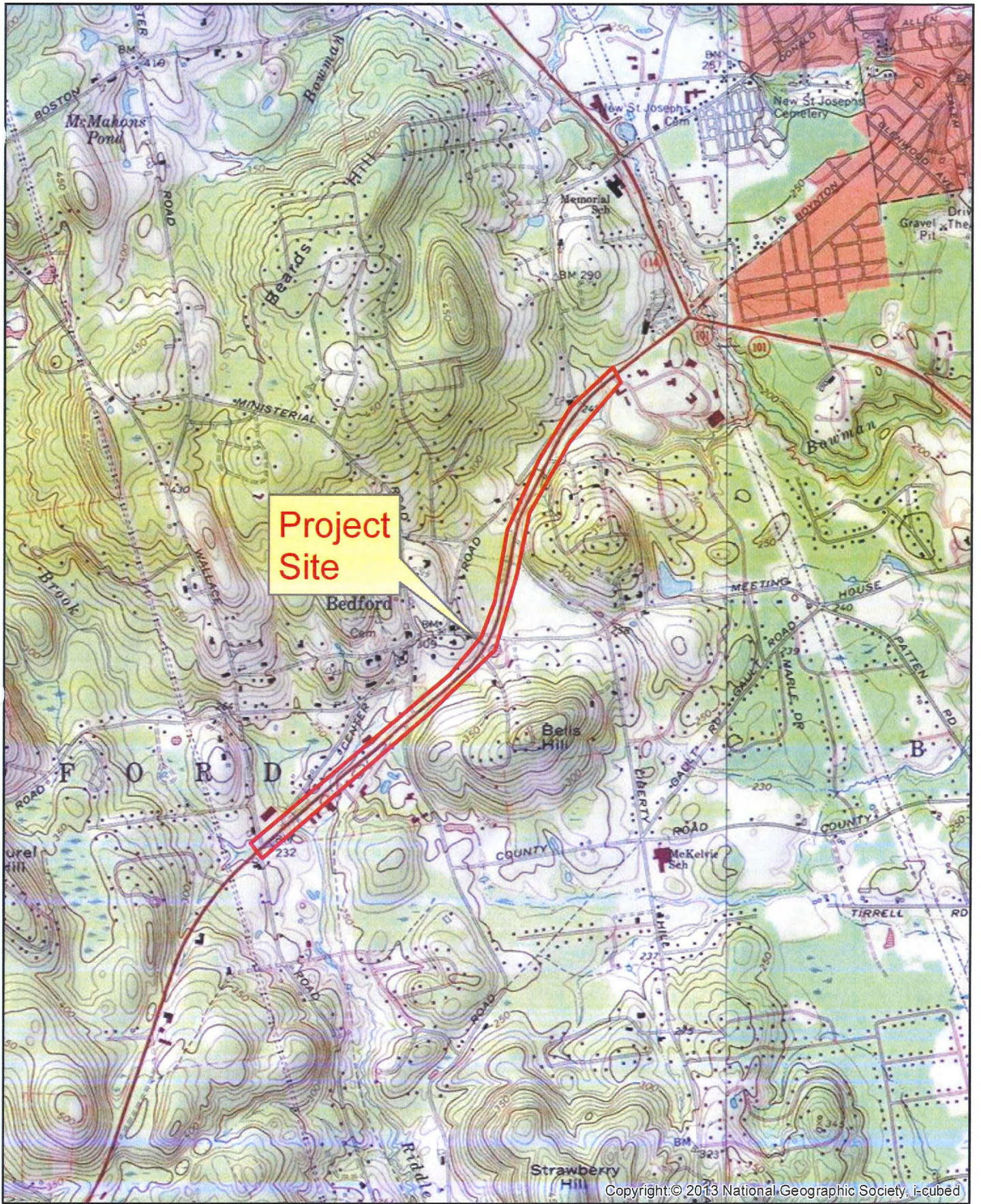
The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.




THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.


Frank J. Delgiudice
Chief, Permits and Enforcement Branch
Regulatory Division

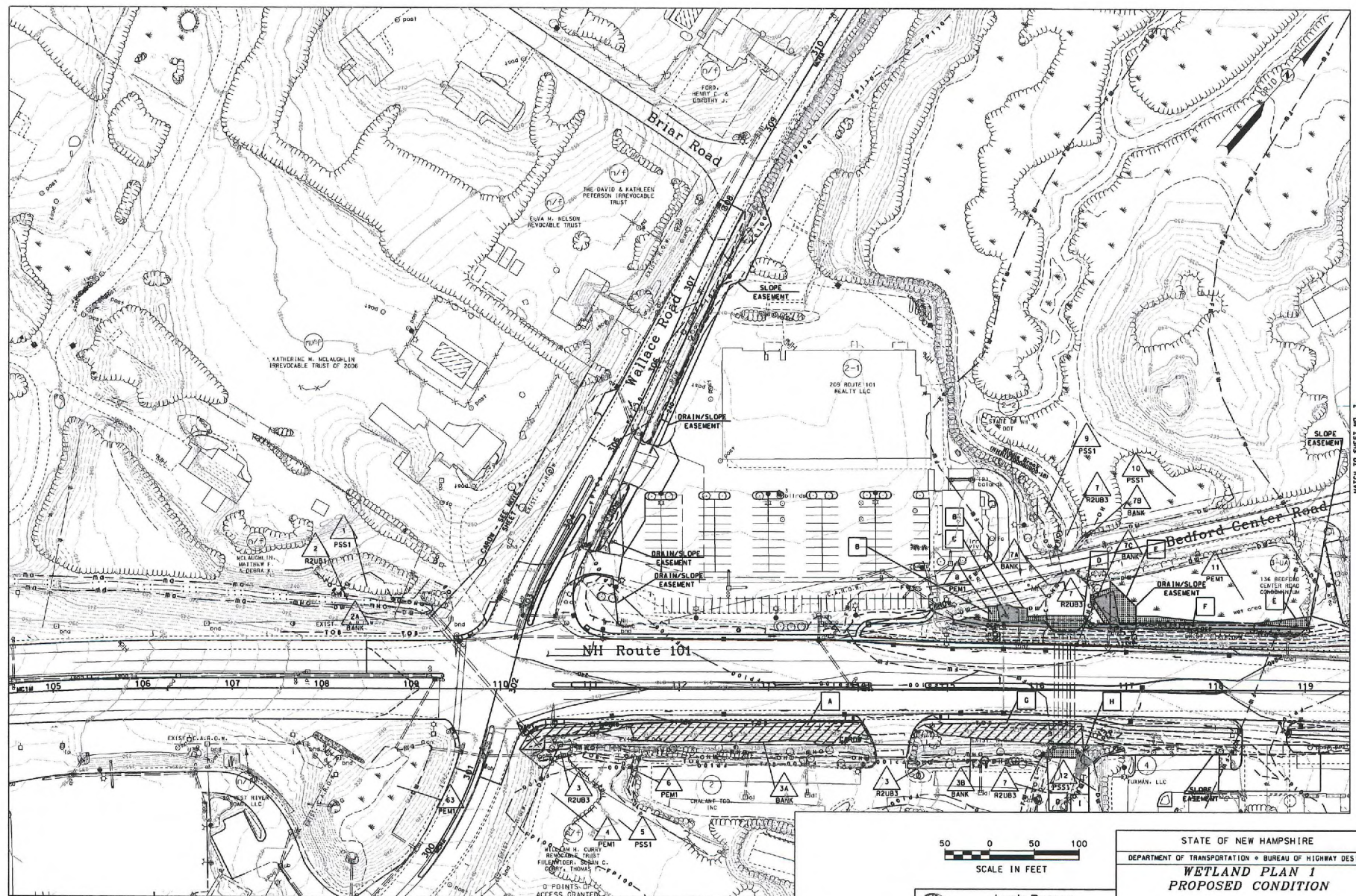
If you would prefer not to continue receiving Public Notices by email, please contact Ms. Christina M. Comeau at (978) 318-8705 or e-mail her at Christina.M.Comeau@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Christina M. Comeau, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____
PHONE: _____



 Louis Berger New Hampshire  Department of Transportation	Bedford X-A0001(143), 13953		
	USGS Map, Pinardville		
Source: ESRI	1:24,000	October 2015	

SOP PROCESSED	ERW	DATE	NO. REV.	DATE	STATION	DESCRIPTION
	SHEET CHECKED	LSF	DATE	08/23/16		
AS BUILT DETAILS						



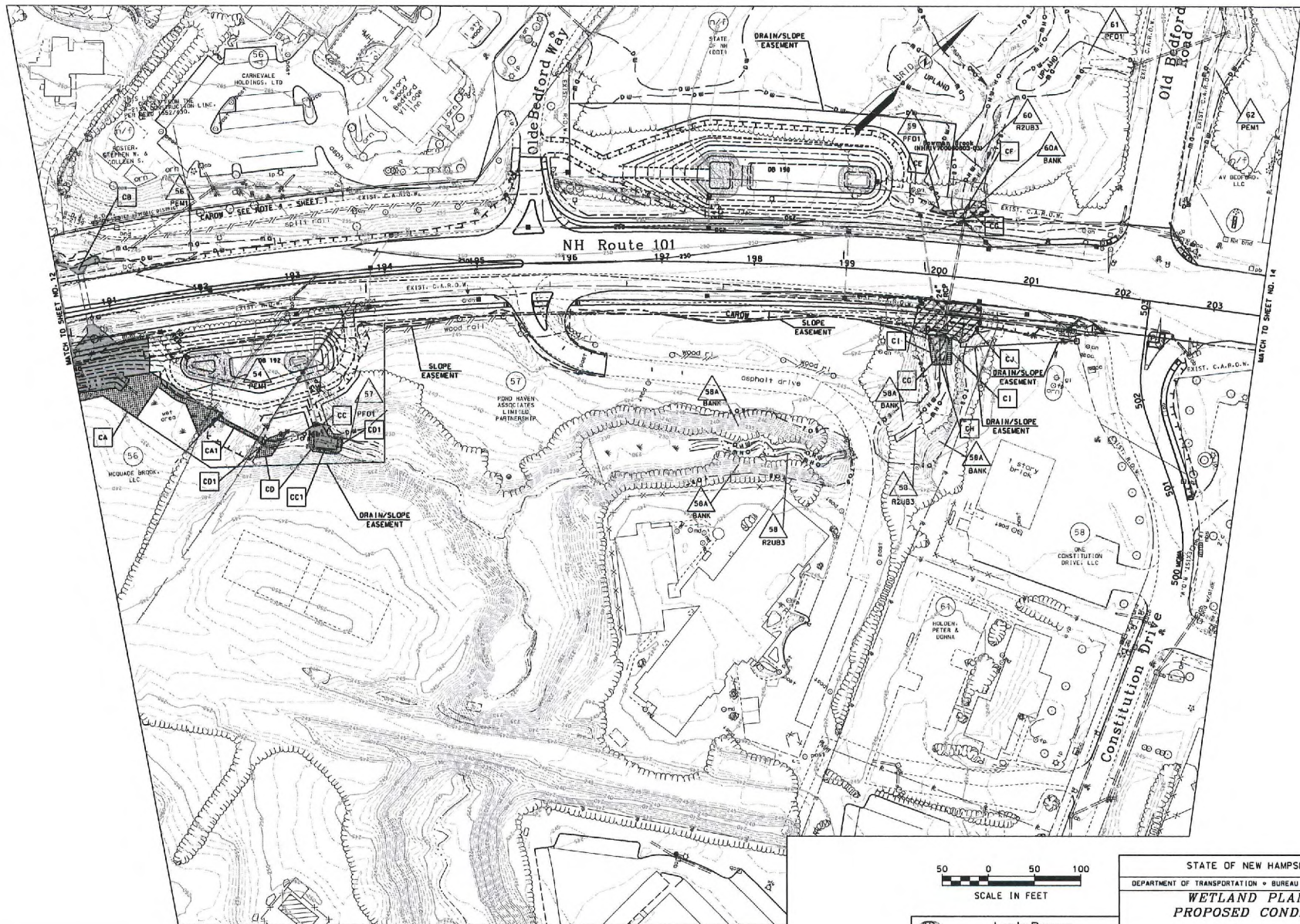
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SCALE IN FEET

Louis Berger
Manchester, New Hampshire
(603) 844-6200

STATE OF NEW HAMPSHIRE			
DEPARTMENT OF TRANSPORTATION • BUREAU OF HIGHWAY DESIGN			
WETLAND PLAN 1			
PROPOSED CONDITION			
DON	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
WETPLANS 01	13953	6	25

MATCH TO SHEET NO. 7

DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE
08/23/16	08/23/16	08/23/16	08/23/16	08/23/16	08/23/16	08/23/16	08/23/16
ERW	LSF						
SHEET CHECKED	AS BUILT DETAILS						
NO. PROCESSED							
REVISIONS AFTER PROPOSAL							
STATION							
NUMBER							
DATE							
STATION							
DESCRIPTION							



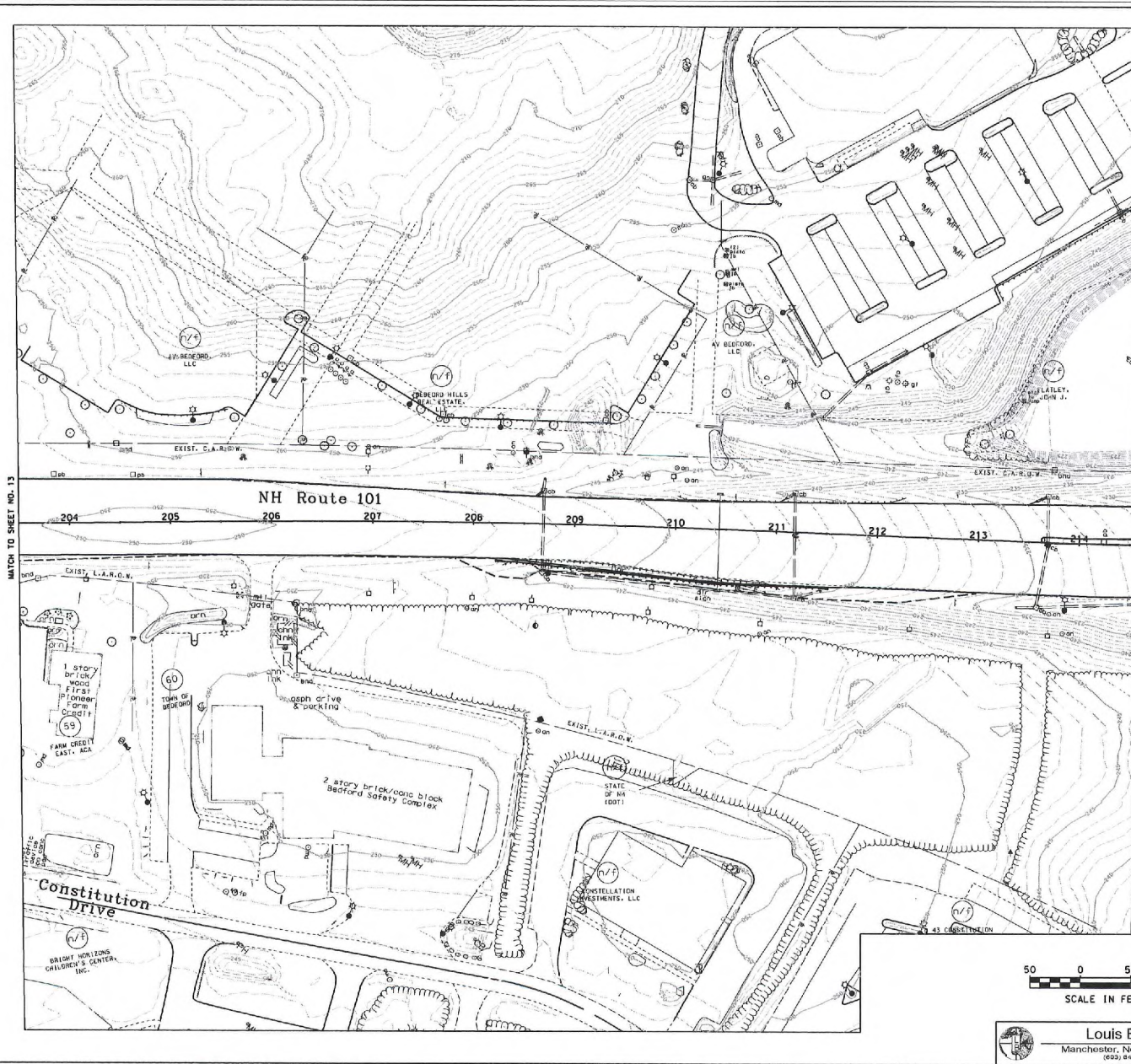
Louis Berger
 Manchester, New Hampshire
 (603) 441-6200

STATE OF NEW HAMPSHIRE
 DEPARTMENT OF TRANSPORTATION • BUREAU OF HIGHWAY DESIGN
WETLAND PLAN B
PROPOSED CONDITION

DOB	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
WETPLANS 08	13953	13	25

DATE	DATE	DATE	DATE
08/23/16	08/23/16	08/23/16	08/23/16
ERN	LSF		
AS BUILT DETAILS			

NO. PROCESSED	NO. DESIGNED	NO. CHECKED	NO. BUILT



MATCH TO SHEET NO. 13

MATCH TO SHEET NO. 15

SCALE IN FEET

50 0 50 100

STATE OF NEW HAMPSHIRE
 DEPARTMENT OF TRANSPORTATION • BUREAU OF HIGHWAY DESIGN
WETLAND PLAN 9
PROPOSED CONDITION

LOUIS BERGER
 MANCHESTER, NEW HAMPSHIRE
 (603) 444-6200

DDN	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
WETPLANS 09	13953	14	25

NOTE: WETLAND BOUNDARIES ON THIS SHEET PROVIDED BY MDDOT FOR REFERENCE. AS NO WETLAND IMPACTS ARE PROPOSED IN THESE AREAS.

