



JOINT PUBLIC NOTICE

Date: September 30, 2004

Comment Period Ends: 15 November 2004

File Number: NAE 20041342

**In Reply Refer To: NH Department of
Transportation, Plaistow-Kingston 10044B**



**US Army Corps
of Engineers®**
New England District
696 Virginia Road
Concord, MA 01742-275



NH DOT Proposes to widen and improve Six (6) Miles of NH Route 125 in Plaistow and Kingston, NH

Notice of opportunity to comment and announcement of Joint Public Hearing

The NH Department of Transportation (NHDOT), John O. Morton Building, 7 Hazen Drive, Concord, New Hampshire 03302-0483 has requested a Corps of Engineers (COE) permit under Section 404 of the Clean Water Act to fill approximately 7.8 acres of wetlands and waters within the Little River watershed and Powwow River watershed in the Merrimack River Basin, to reconstruct and widen NH 125 in Plaistow and Kingston, New Hampshire.

The project involves a combination of highway and related infrastructure improvements along a six mile corridor. The main element of the improvement involves the widening of NH 125 from its current two lanes to four lanes, with the addition of a raised center median, for 3.6 miles from the East Road/Joanna Drive intersection in Plaistow to the Hunt Road/Newton Junction Road intersection in Kingston, and to widen five feet to each side, to provide for two 12-foot lanes with 10-foot shoulders, for 2.4 miles north of the Hunt Road/Newton Junction Road intersection.

Mitigation is proposed to compensate for the wetland impacts. The limits of the project and potential mitigation sites are shown on the attached plans.

Other alternatives have been studied and are presented in a Draft Environmental Assessment (EA), which is available for public inspection. The Draft EA, prepared by the NHDOT and the Federal Highway Administration (FHWA), is available for review at the offices of the NHDOT and the FHWA in Concord, NH. Locally, copies are available at the public libraries and town offices in Plaistow and Kingston. Contact Marc Laurin of the NHDOT at (603) 271-4044 or Bill O'Donnell of the FHWA at (603) 228-3057 x 101 for additional information concerning the Draft EA.

A joint Public Hearing involving the NHDOT, the New Hampshire Department of Environmental Services – Wetlands Bureau (NHDES), the Special Committee appointed by the Governor and Executive Council, the FHWA and the Army Corps of Engineers will be held at the Pollard School Gymnasium, 120 Main Street in Plaistow on Wednesday November 3, 2004 at 7:00 PM. The hearing provides an opportunity for all interested parties to comment on the proposed project and the wetland permit application. Plans will be available for public inspection at the above referenced location prior to the Public Hearing from 5:00 PM to 6:45 PM.

Written comments will continue to be accepted after the Public Hearing until the above referenced date. The NHDOT is the clearing house for comments. Please address them to David J. Brillhart, Director of Project Development, State of New Hampshire Department of Transportation, P.O. Box 483, Concord, NH 03302-0483. The COE, the NHDES, the FHWA and the Special Committee will be provided copies of the hearing transcript and of all the submitted comments.

Based on an initial review, it is believed that the proposed work will impact properties listed in, or eligible for listing in, the National Register of Historic Places. Information about the location of these properties, and potential effects on them is contained in the Draft EA. 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.

If you have any questions concerning the Corps of Engineers permit decision, please contact Richard Roach, Project Manager, at (978) 318-8211 or (800) 343-4789, or (800) 362-4367 if calling from within Massachusetts, or by e-mail to Richard.A.Roach@usace.army.mil

This project is located on the USGS Haverhill, MA and Kingston, NH quadrangle sheets.

SEE NEXT PAGE FOR
DETAILS OF EVALUATION
FACTORS CONSIDERED FOR THE
CORPS PERMIT DECISION

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 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.

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.

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

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

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

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.
