



**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

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.

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.



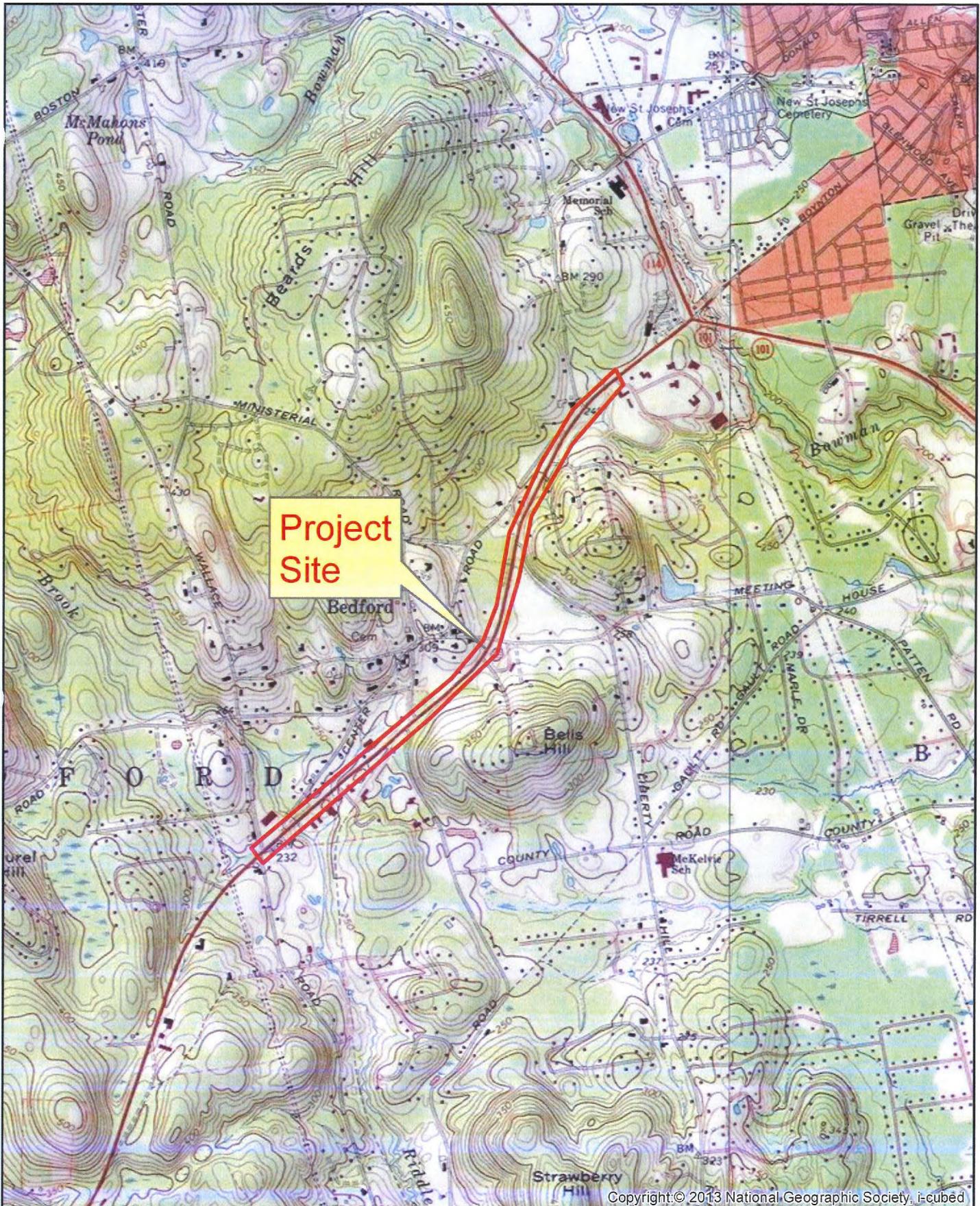
Frank J. Delgiudice
Chief, Permits and Enforcement Branch
Regulatory Division

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: _____

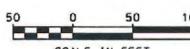


 Louis Berger New Hampshire DOT Department of Transportation	Bedford X-A0001(143), 13953 USGS Map, Pinardville	
Source: ESRI	1:24,000	October 2015

WETLAND IMPACT SUMMARY											
WETLAND DESIGNATION	WETLAND CLASSIFICATION	LOCATION	AREA		LINEAR FEET OF IMPACTS						
			PERMANENT IMPACTS		TEMPORARY IMPACTS	PERMANENT IMPACTS (CHANNEL/BANK)	TEMPORARY IMPACTS (BANK)	SF	SF	LF	LF
			N.H.W.B. (NON-WETLAND)	N.H.W.B. & A.C.O.E. (WETLAND)							
3A	BANK	A	6922				373				
3B	BANK	G	3178				169				
7	R2UB3	D			1095				42		
7	R2UB3	H		217			27				
8	PEM1	B			458						
8	PEM1	C		1083							
11	PEM1	E			1805						
11	PEM1	F		2840							
12	PSS1	I		102							
13	R2UB3	M		121			21				
13	R2UB3	N			123				31		
13A	BANK	L	377			50					
13A	BANK	O			364				36		
14	R2UB3	K		1609			155				
14A	BANK	J	3786			259					
15	PSS1	P			2371						
15	PSS1	Q		7616							
16	PFO1	R			201						
16	PFO1	T		2343							
17	PSS1	S		6761							
17	PSS1	U			2491						
18	PEM1	V			280						
18	PEM1	W		1884							
19	PEM1	Z		3554							
20	PFO1	AA			1026						
20	PFO1	AB		4139							
21	PEM1	X		1309							
21	PEM1	Y			1209						
23	PEM1	AE			628						
23	PEM1	AC		1077							
23	PEM1	AD			477						
24	PFO1	AF		10174							
24	PFO1	AG			2002						
25	PSS1	AH		1324							
25	PSS1	AI			640						
26	PEM1	AJ		350							
27	PEM1	AK		3068							
28	PEM1	AL		12151							
28	PEM1	AM			3237						
29	PFO1	AO		276							
29	PFO1	AN			183						
30	PSS1	AP			233						
30	PSS1	AQ		325							
31	PEM1	AR		3243							
31	PEM1	AS			516						
35	PEM1	AW		10124							
35	PEM1	AX			1002						
36	PFO1	AT		5231							
36	R4UB	AT1		1022			95				
36	PFO1	AZ			1898						
36	R4UB	AZ1			433				60		
37	PEM1	AU		25661							
37	PEM1	AV			7891						
39	PEM1	AY			4514						

WETLAND IMPACT SUMMARY											
WETLAND DESIGNATION	WETLAND CLASSIFICATION	LOCATION	AREA		LINEAR FEET OF IMPACTS						
			PERMANENT IMPACTS		TEMPORARY IMPACTS	PERMANENT IMPACTS (CHANNEL/BANK)	TEMPORARY IMPACTS (BANK)	SF	SF	LF	LF
			N.H.W.B. (NON-WETLAND)	N.H.W.B. & A.C.O.E. (WETLAND)							
40	PSS1	BA					5944				
40	PSS1	BB					4139				
41	PEM1	BC					5421				
41	PEM1	BD					3016				
42	PUB3	BG					628				
42	PUB3	BH					1248				
43	PAB4	BE					1392				
43	PAB4	BF					1088				
44	PFO1	BI					982				
44	PFO1	BJ					595				
45	PEM1	BL					1554				
45	PEM1	BM					457				
47	PUB3	BP					1473				
48	PSS1	BN					1542				
48	PSS1	BO					1845				
50	PEM1	BQ					1180				
51	PEM1	BR					237				
52	PEM1	BU					1674				
52	PEM1	BV					990				
53	PFO1	BS					2003				
53	PFO1	BW					3213				
54	PEM1	BZ					14895				
54	R2UB3	BZ1					5015		915		
54	PEM1	CA					6922				
54	PEM1	CA1					232				
55	PEM1	BX					1751				
55	PEM1	BY					2780				
56	PEM1	CB					467				
57	PFO1	CC					192				
57	R2UB3	CC1					382		22		
57	PFO1	CD					420				
57	PFO1	CD1					338		65		
58	R2UB3	CG	710						26		
58	R2UB3	CH					35				
58A	BANK	CI					337		71		
58A	BANK	CJ	2471						103		
59	PFO1	CE					135				
60	R2UB3	CF					15		6		
60A	BANK	CG							35		
65	PEM1	BK					391				

WETLAND CLASSIFICATION CODES									
PAB4	PALUSTRINE AQUATIC BED, FLOATING VASCULAR								
PEM1	PALUSTRINE EMERGENT, PERSISTENT								
PFO1	PALUSTRINE FORESTED WETLAND, BROAD LEAVED DECIDUOUS								
PSS1	PALUSTRINE SCRUB-SHRUB SWAMP, BROAD LEAVED DECIDUOUS								
PUB3	PALUSTRINE UNCONSOLIDATED BOTTOM, MUD								
R2UB3	RIVERINE LOWER PERENNIAL, UNCONSOLIDATED BOTTOM, COBBLE/GRAVEL								
Permanent Impacts: 178665 SF									
Temporary Impacts: 56389 SF									
Total Impacts: 235054 SF									
Channel/Bank Permanent Impacts: 2256 LF									
Channel/Bank Temporary Impacts: 305 LF									
Total Impacts: 2561 LF									



SCALE IN FEET

LEGEND

 PERMANENT N.H.W.B & A.C.O.E (WETLAND)

 PERMANENT N.H.W.B (NON-WETLAND)

 TEMPORARY IMPACTS

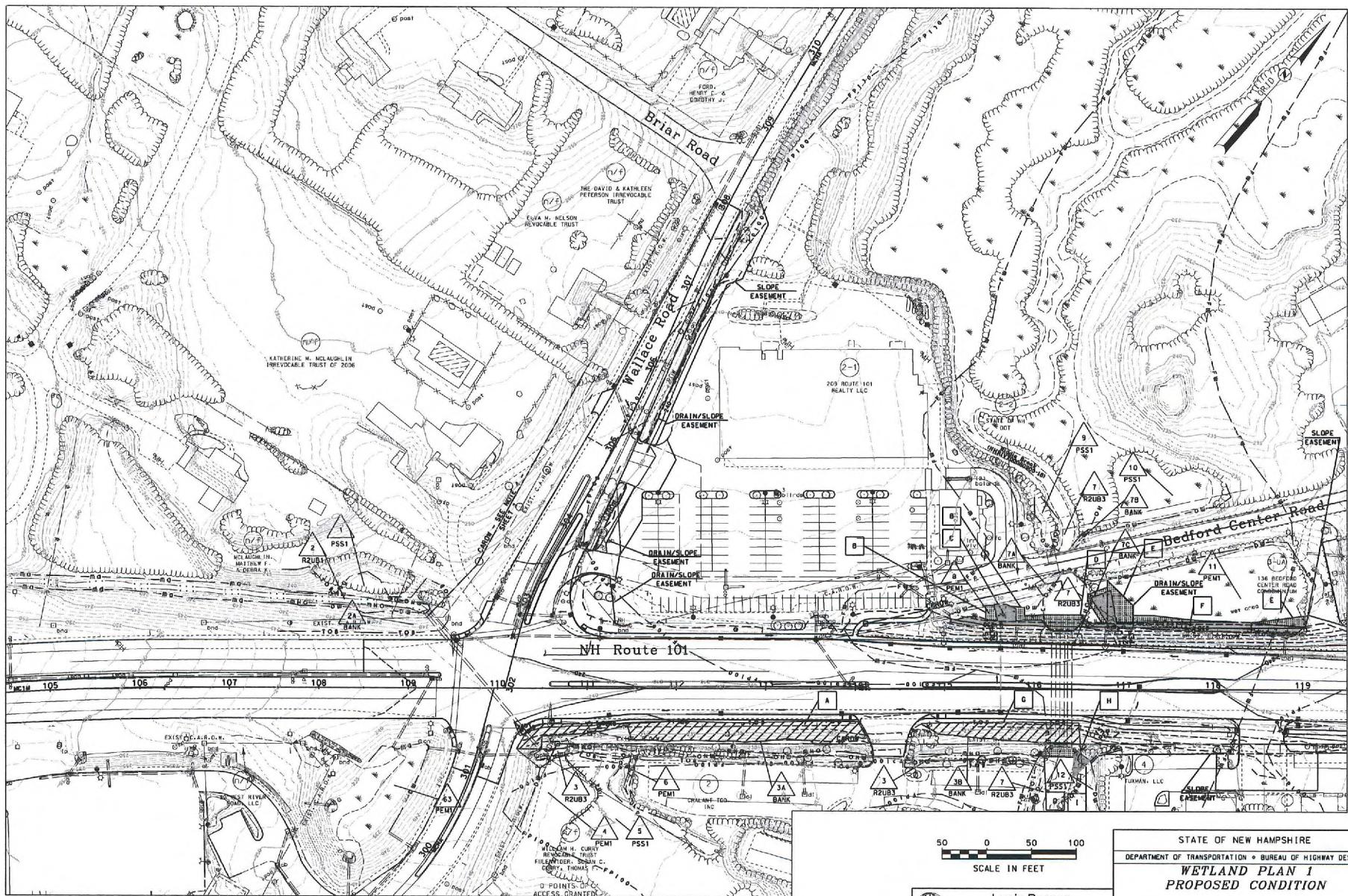
STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION • BUREAU OF HIGHWAY DESIGN
WETLAND IMPACT SUMMARY AND CLASSIFICATION TABLE

CON	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
WETTABLE 01	13953	5	25

Riddle Brook Impacts
 $1095 + 217 + 121 + 123 = 1647 \text{ ft}^2$

REVISIONS AFTER PROPOSAL
 DATE: 08/23/16
 SHEET CHECKED: LSF
 AS BUILT DETAILS

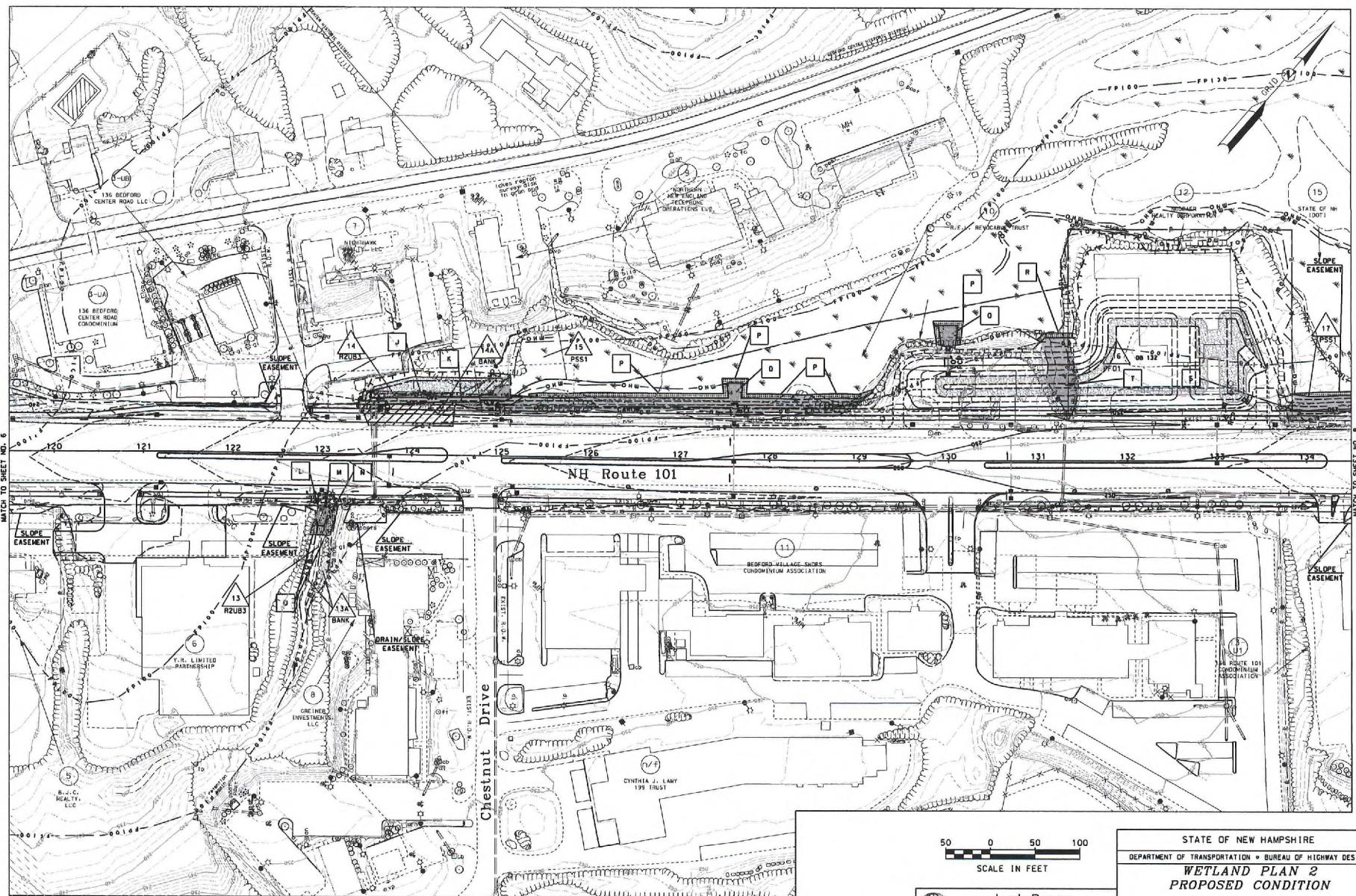
DATE PROCESSED	DATE	REVISIONS AFTER PROPOSAL
EWN	09/23/16	
LSP	DATE 09/23/16	
AS BUILT DETAILS	DATE	



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

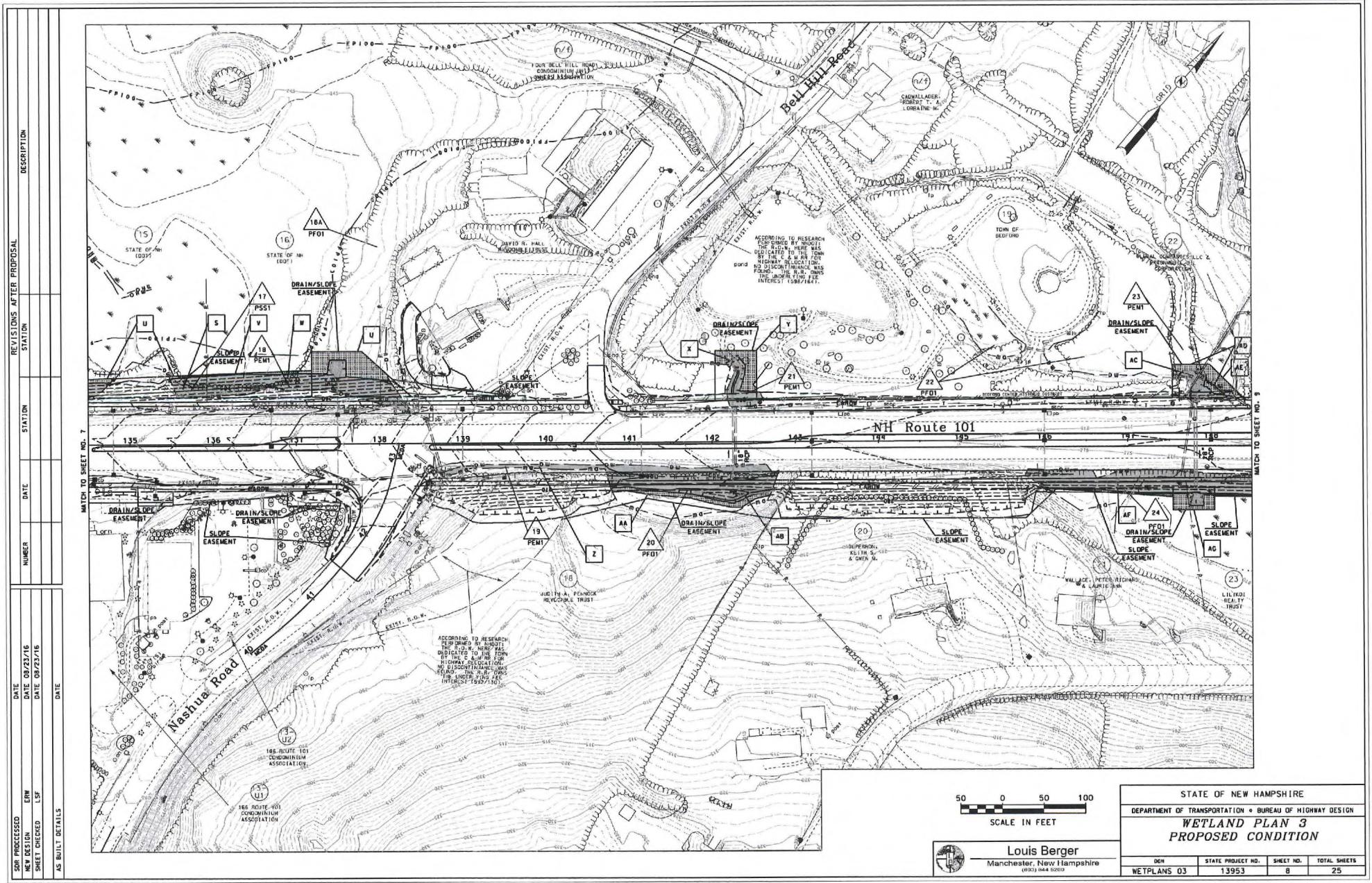
DESIGN PROPOSED	DATE 09/23/16	REVISIONS AFTER PROPOSAL
REV	DATE 09/23/16	STATION
NUMBER	DATE	STATION



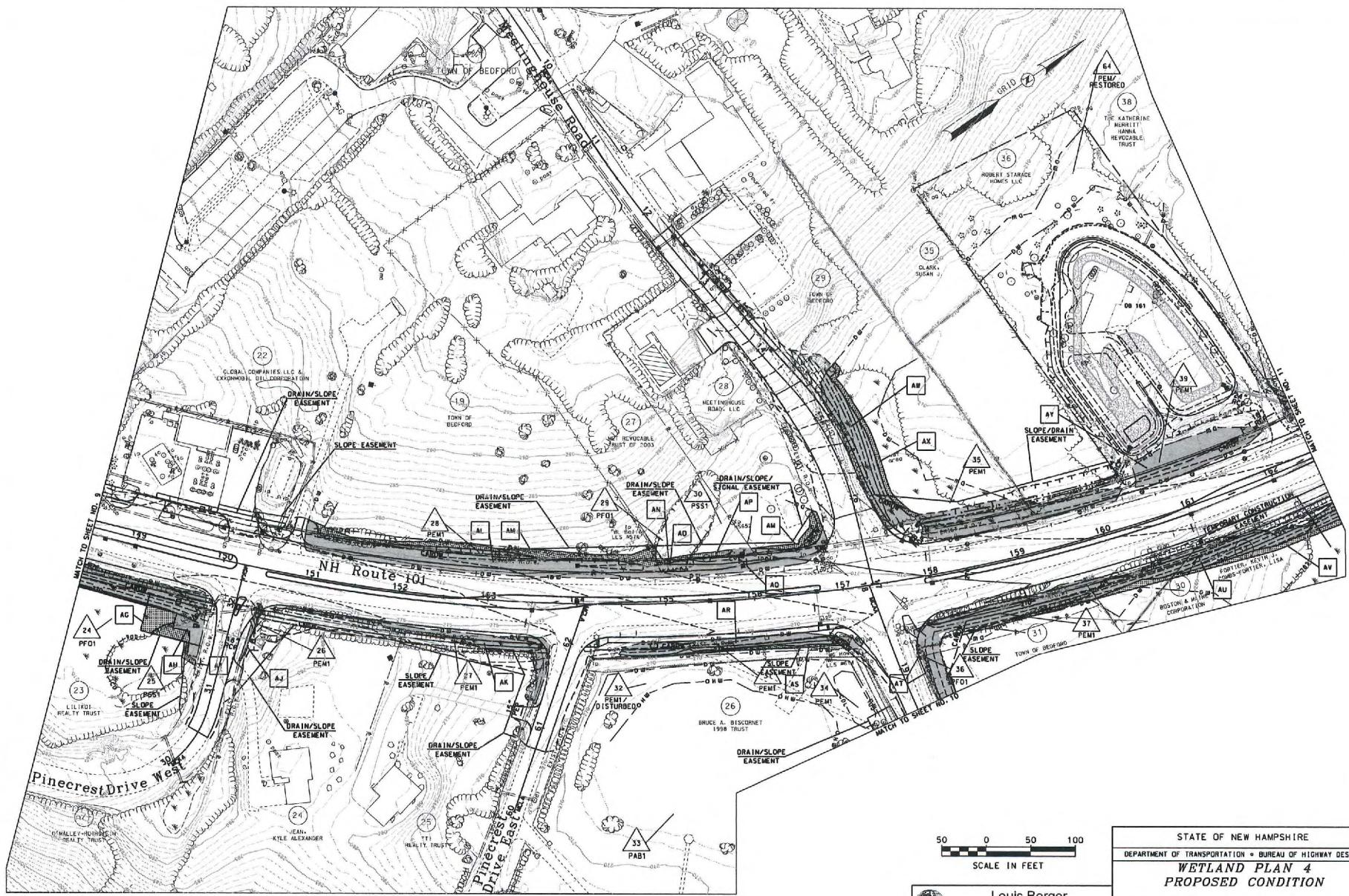
Louis Berger
Manchester, New Hampshire
(603) 644-6200

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION • BUREAU OF HIGHWAY DESIGN
**WETLAND PLAN 2
PROPOSED CONDITION**

DON	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
WETPLANS 02	13953	7	25



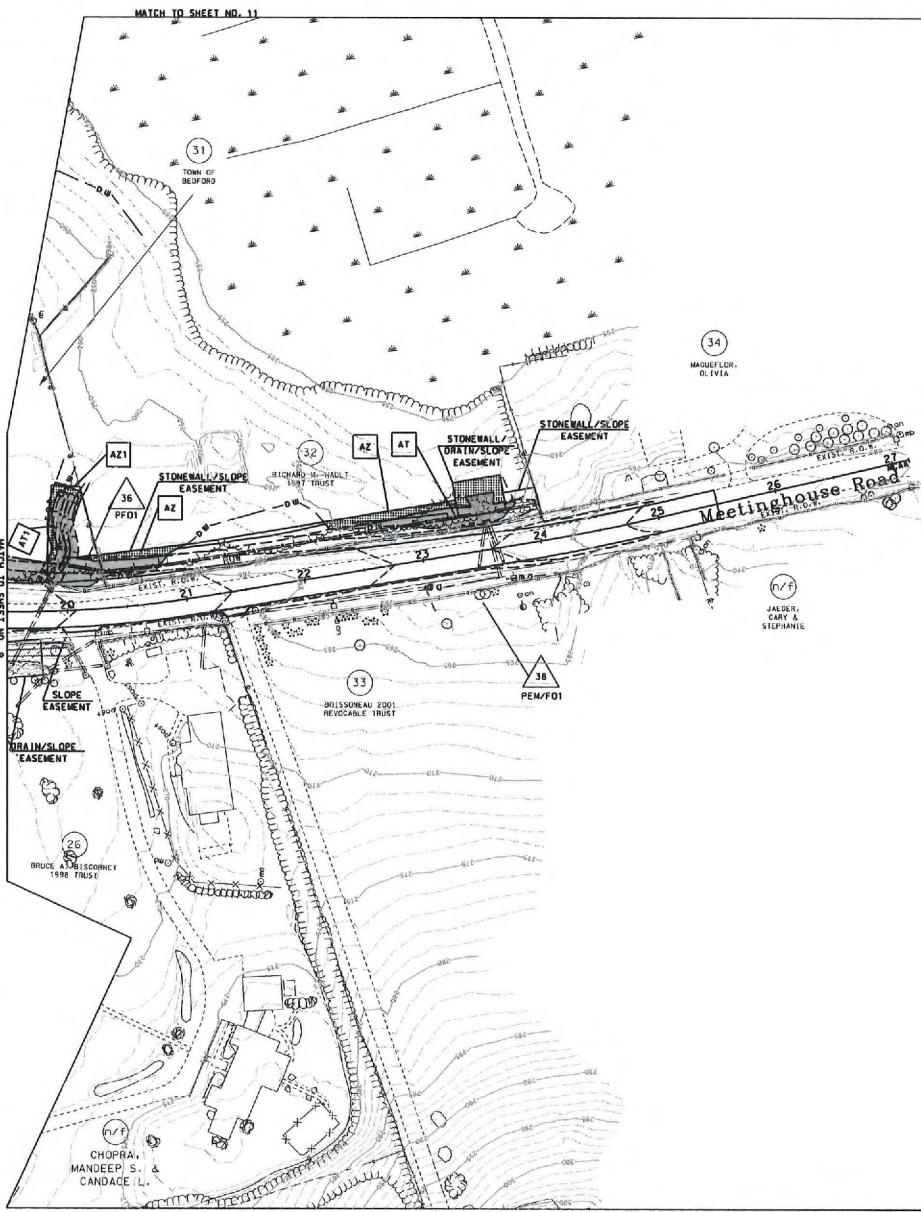
REVISIONS AFTER PROPOSAL		STATION	DATE	STATION	DATE	STATION	DATE
NUMBER							



Louis Berger
Manchester, New Hampshire
(603) 644 5200

STATE OF NEW HAMPSHIRE				
DEPARTMENT OF TRANSPORTATION • BUREAU OF HIGHWAY DESIGN				
WETLAND PLAN 4 PROPOSED CONDITION				
DON	STATE PROJECT NO.	sheet no.	Total Sheets	
WETPLANS 04	13953	9	25	

SDR PROCESSED	DATE	REVISIONS AFTER PROPOSAL
NEW DESIGN	ERW	DATE 08/23/16
SHEET CHECKED	LSF	DATE 08/23/16
AS BUILT DETAILS		DATE

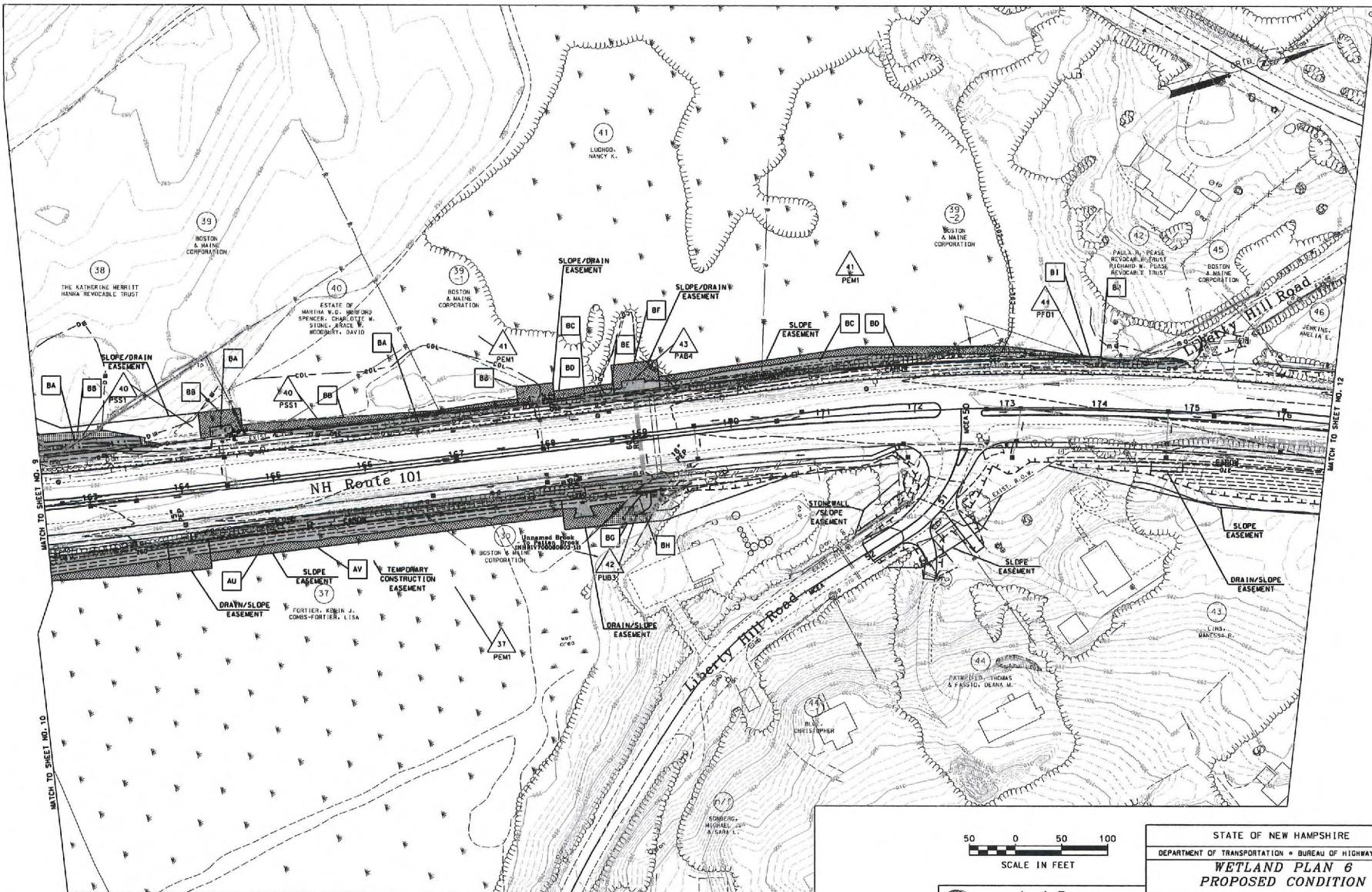


50 0 50 100
SCALE IN FEET

Louis Berger
Manchester, New Hampshire
(603) 644-6200

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION • BUREAU OF HIGHWAY DESIGN
**WETLAND PLAN 5
PROPOSED CONDITION**
DGN STATE PROJECT NO. SHEET NO. TOTAL SHEETS
WETPLANS 05 13953 10 25

SUR PROCESSED	DATE	08/23/16	REVISIONS AFTER PROPOSAL
ENR	DATE	08/23/16	STATION
NEW DESIGN	LSF	DATE	NUMBER
AS BUILT DETAILS			



Louis Berger
Manchester, New Hampshire
(603) 644-6200

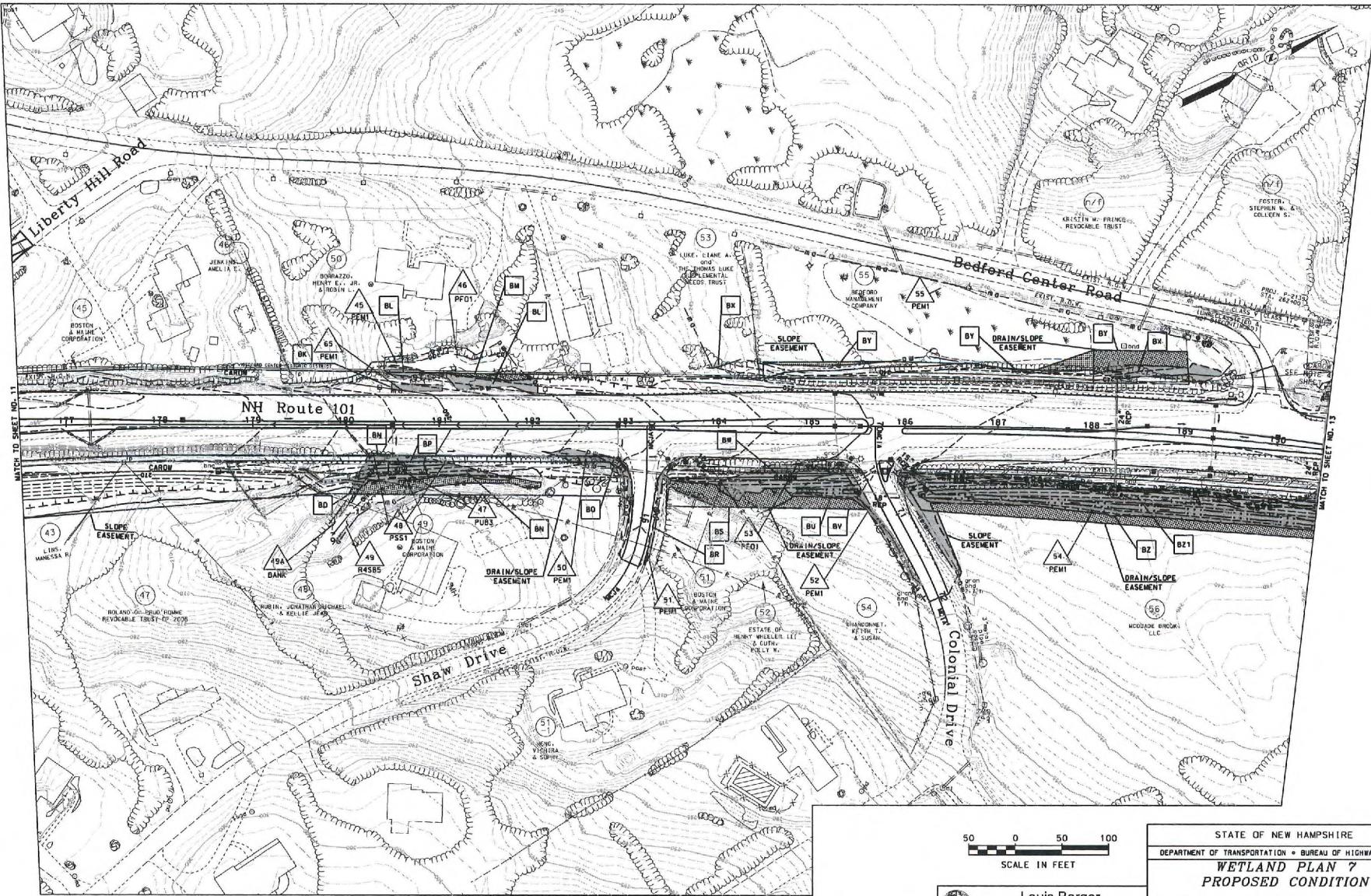
DCN STATE PROJECT NO. SHEET NO. TOTAL SHEETS

WETPLANS 06 13953 11 25

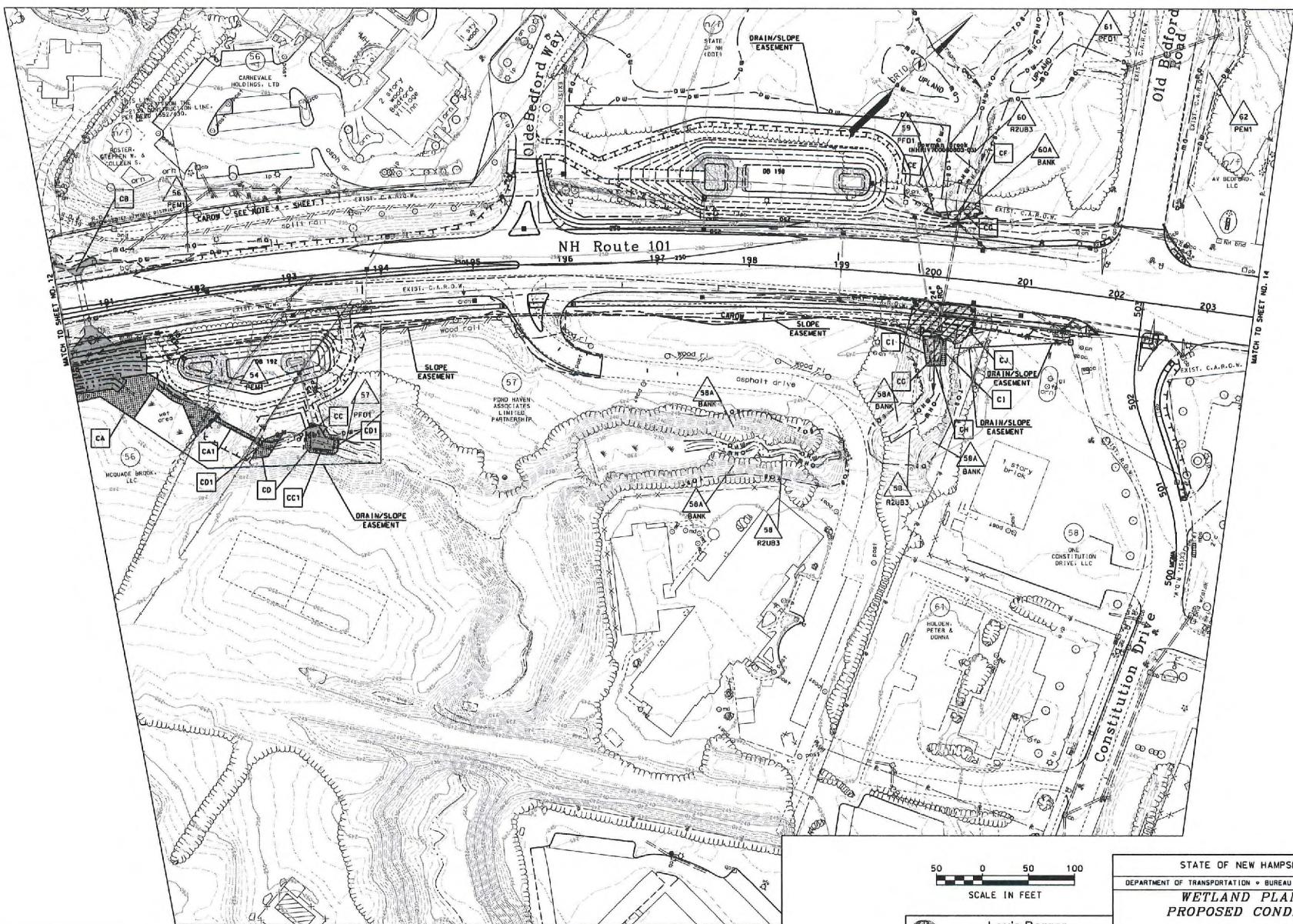
STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION • BUREAU OF HIGHWAY DESIGN
**WETLAND PLAN 6
PROPOSED CONDITION**



SUR PROCESSED	DATE	REVISIONS AFTER PROPOSAL	STATION	DESCRIPTION
NEW DESIGN	DATE	NUMBER	DATE	STATION
SHEET CHECKED	DATE			
AS BUILT DETAILS	DATE			



REVISIONS AFTER PROPOSAL			
NUMBER	DATE	STATION	DESCRIPTION



Louis Berger
Manchester, New Hampshire
(603) 644-6200

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION • BUREAU OF HIGHWAY DESIGN
**WETLAND PLAN B
PROPOSED CONDITION**
DON STATE PROJECT NO. SHEET NO. TOTAL SHEETS
WETPLANS 0B 13953 13 25

