

Sarah Simon

Subject: FW: NHFG Request for Additional Information - NHB24-0576 200 New Boston Road, Goffstown
Attachments: Spotted_Blandings Flyer_2024.pdf; Wood Turtle Flyer_2024 revision.pdf

From: Fitzgibbons, Patrick <Patrick.H.Fitzgibbon@wildlife.nh.gov>
Sent: Wednesday, September 25, 2024 2:29 PM
To: Sarah Simon <ssimon@gpinet.com>
Cc: FGC: NHFG review <NHFGreview@wildlife.nh.gov>; Alex Camm <acamm@gpinet.com>; David Jordan <djordan@gpinet.com>; Schulz, Jessica <Jessica.L.Schulz@des.nh.gov>
Subject: RE: NHFG Request for Additional Information - NHB24-0576 200 New Boston Road, Goffstown

Good Morning Sarah,

New Hampshire Fish and Game has completed review of materials submitted for consultation for NHB24-0576 on 9/25/2024 (site plans dated 7/3/2024) prepared by Sarah Simon and Greenman-Pederson, Inc. The project involves subdividing existing 40 acre parcel into two lots for a single family dwelling. The site is located on 200 New Boston Road in Goffstown, NH.

Permit applications associated with this project:

(note if you apply for other permits not listed below, you must notify NHFG and request a response to see if recommendations provided below can be applied to other permit applications. All anticipated permits that may be required or will be applied for MUST be identified on the NHB datacheck results letter or the NHB letter is not considered valid and cannot be applied to a consultation/permit application review).

NHDES- Shoreland Standard Permit—(Not yet filed)

NHDES- Wetland Standard Dredge and Fill—(Not yet filed)

Based on the NHB DataCheck results letter and the information provided in the submission as well as in communications and materials provided during our consultation review, 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 (update highlighted text as applicable) and provide to NHDES for final review and copy NHFG.**
 - **For all other permits, please include recommended permit conditions in final plan sheets plans as written below (update highlighted text as applicable) and provide to NHDES for final review and copy NHFG. Permit reviewers will adopt/include NHFG permit conditions in the permit if approved.**
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NHB24-0576 New Hampshire Fish and Game Recommended Permit Conditions:

1. **Brook Floater (State Endangered) and Spotted Turtle (State Threatened) 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. **See Plan Sheet xxxxxx Include attached flyers to plan sheet set.**

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 while the project is under active construction.
3. 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. **See Plan Sheet xxxxxx**
4. A 50' no-cut, no-disturb buffer shall be maintained along the Piscataquog river. Placards marking this areas shall be placed every 100 feet along the buffer boundary.
5. Turtles may be attracted to disturbed ground during nesting season. Turtle nesting season occurs approximately May 15th – June 30th. All turtle species nests and northern black racer nests are protected by NH laws. If a nest is observed or suspected, operators shall contact 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.
6. 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.
 - a. 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.
7. 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.
8. The NHFG, including its employees and authorized agents, shall have access to the property during the term of the permit. , along with NHFG contact information. *Include attached flyer to plan sheet set.*

For Species of Special Concern only, use:

Incorporation of NHFG recommendations is not required for Species of Special Concern; however, Wood Turtle are protected under other state laws or rules, and incorporation of recommendations is highly recommended or may be required for certain permits. Applicants would still be responsible for any actions that may result in the take of this species. **The recommendations below should be incorporated into site plans below the Permit Conditions aforementioned in order to help minimize potential take to rare wildlife species.** If not incorporated and impacts to this species were to occur, applicants may be legally liable for take.

Recommended Additional Wildlife Protection for Species of Special Concern:

1. Wood Turtle (Special Concern) occur within the vicinity of the project area. All operators and personnel working on or entering the site should be made aware of the potential presence of this species and should be provided flyers that help to identify this species, along with NHFG contact information. *Include attached flyer to plan sheet set.*

NHFG has completed our review of materials submitted for consultation under FIS 1004. No further coordination with NHFG is requested at this time. Please note that additional or a new consultation may be required in accordance with [Fis 1004.08\(b\)4](#) if there are changes in project design that is referenced above which might result in potential impacts to

threatened and endangered species, whether suggested to avoid harm to the species, or which could serve to increase the potential of adverse impacts to species.

These recommendations have been transmitted to the applicable permitting agency. Questions or concerns on NHFG recommendations provided in this communication **must** follow [FIS 1004.12](#) that requires a written request for further consultation provided within 10 days of receipt of this communication. Note that NHFG recommendations may be withdrawn pursuant to [FIS 1004.13](#).

Patrick Fitzgibbons
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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 NHFGreview@wildlife.nh.gov or can be sent hardcopy by mail. **The NHB datacheck results letter number needs to be included in the email subject line to read as “NHBxx-xxxx_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 NHFGreview@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.