

Attachment B

New Hampshire Natural Heritage Bureau Letter, dated 2/5/16





NEW HAMPSHIRE NATURAL HERITAGE BUREAU

DRED - DIVISION OF FORESTS & LANDS
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Date: February 5, 2016

To: Sherrie Trefry, Director of Energy and Environmental Services, VHB

From: Amy Lamb, Ecological Information Specialist, NHB

Subject: Coordination Summary for the Merrimack Valley Reliability Project

This memo is a follow-up to NHB14-4809, the Natural Heritage Bureau review of the Merrimack Valley Reliability Project (MVRP). The MVRP consists of the installation of a new 345kV electric transmission line within an existing right-of-way, extending from a substation in Tewksbury, MA to the Scobie Pond substation in Londonderry, NH. In NH, the project would go through the towns of Pelham, Windham, Hudson, Derry, and Londonderry. Portions of the line will require widening of the existing right-of-way (tree clearing). The project includes installation of new transmission structures, and will require relocation of existing lines in some locations.

NHB14-4809 indicated the presence of several known plant, wildlife, and natural community records located in the vicinity of the project area, including ten rare plant species, two exemplary natural communities, one invertebrate species, and five wildlife species. (Note: this memo only addresses rare plants and natural communities, as wildlife is under the jurisdiction of NH Fish & Game and is not NHB's area of expertise.)

Out of the ten rare plants listed on the review, the following four species fell within the project area; VHB proposed surveying for these plants in 2015:

| <u>Scientific Name</u> | <u>Common Name</u> | <u>Listing Status</u> |
|--------------------------------|------------------------------------|-----------------------|
| <i>Desmodium rotundifolium</i> | Round-leaved trailing tick trefoil | Threatened |
| <i>Hypoxis hirsuta</i> | Common star-grass | Threatened |
| <i>Paronychia canadensis</i> | Smooth forked whitlow-wort | Endangered |
| <i>Vulpia octoflora</i> | Eight-flowered six weeks grass | Endangered |

In NHB14-4809, former NHB Ecological Information Specialist Melissa Coppola requested a pre-application meeting to discuss impacts to plants, natural communities and wildlife. Therefore, after completion of the surveys, a meeting was held with VHB and NHB to discuss survey results and determine next steps (October 13, 2015). Initial surveys identified common star-grass (*Hypoxis hirsuta*) and birdfoot violet (*Viola pedata*), in two general survey areas. A patch of Torrey's Mountain Mint (*Pycnanthemum torrei*) was also found, though not included on the original NHB memo; the location of this plant was inadvertently not collected.

NHB requested additional surveys for plants in appropriate habitat areas within the corridor, specifically areas within ¼ mile of known NHB records. VHB agreed to target additional areas for 2016 surveys, based on 2015 survey findings and locations of known NHB records. The 2016 surveys would thus include all of the 10 plants listed on the NHB review, plus *Pycnanthemum torrei*, and would occur in 4 locations along the corridor. Survey time periods were also adjusted to reflect observed flowering times the previous year and flowering times of the newly added species. NHB approved the final survey protocol on December 21, 2016.

During the October 13, 2015 meeting, BMPs to avoid and minimize impacts to plants were also discussed. VHB has agreed to measures to avoid and minimize impacts to rare plants, including relocating structures and access roads where feasible, and reconfiguring work pads/staging/stockpiling areas to avoid rare plant populations. Some changes have already been made based on 2015 surveys, and a post-survey 2016 meeting is anticipated to review survey findings and determine avoidance and minimization measures.

Additionally, the following BMPs have been agreed upon to minimize impacts to rare plants:

- Install high-visibility fencing adjacent to rare plant populations (in a manner that does not disturb the plants) to alert workers to the sensitive area and prevent encroachment
- Install brightly-colored survey ribbons if installation of fencing would be detrimental to the rare plant population
- Signage will be installed to indicate an Environmentally Sensitive Area, but will not specify the presence of rare plants or identify the species present
- Field biologists familiar with the project will conduct trainings to make all construction personnel aware of the rare species occurring within the right-of-way, and the best management practices (BMPs) to employ when working near rare species
- Work areas will be inspected regularly by environmental monitors to ensure that rare plant populations are protected
- Rare plant species names will not be included on construction plans, in an effort to keep the location of these resources confidential
- Where rare plants cannot be completely avoided, measures will be taken to minimize impacts on a location and species-specific basis
- Plants will only be transplanted as a last resort; after all other options have been exhausted to avoid and minimize impacts, NHB, Project biologists/botanists, and the New England Wildflower Society (NEWFS) will work together to develop a transplanting plan (if necessary).

VHB has agreed to contact NHB prior to the 2016 surveys to confirm survey protocols. VHB and NHB will meet after the 2016 surveys to review survey results and determine any avoidance, minimization, and mitigation measures, as necessary. NEWFS has agreed to assist with and/or oversee any needed transplanting.