



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH

680 Peverly Hill Road

Portsmouth N.H. 03801

(603) 427-1530 FAX (603) 427-1539

VIA EMAIL

June 30, 2025

Benjamin Bahk, Director
Water Enforcement Division
Office of Enforcement and Compliance Assurance
U.S. EPA (2243A)
1200 Pennsylvania Ave, NW
Washington, D.C. 20460

Re: Consent Decree 09-cv-283-PB
Monthly Report on Compliance for May 2025
City of Portsmouth, New Hampshire

Dear Mr. Bahk,

In accordance with Consent Decree 09-cv-283-PB, Section V, item paragraph 20, dated August 12, 2009 and as amended by Consent Decree Modification filed July 2, 2012 and approved by the Court on February 15, 2013 and as amended by Consent Decree Second Modification, Section III, item paragraph 6, filed on April 1, 2016 and approved by the Court on September 28, 2016 the City of Portsmouth is submitting this monthly report on compliance.

The City has completed all Consent Decree construction milestones relative to the upgrade of the Peirce Island Wastewater Treatment Facility ("PI WWTF"). A summary of those milestones and completion dates are set forth in the *Summary of Completed Work* section. Remaining commitments relative to the PI WWTF are the ongoing obligation to meet the existing NPDES permit and the nitrogen removal obligations set forth Section IV, Paragraph 8 of the Consent Decree. That reporting is set forth in the *Nitrogen Removal Reporting Summary* attached.

Outstanding are the City's obligations under its Supplemental Compliance Plan, referenced at paragraph 12.c of the Consent Decree. By letter dated April 18, 2024, EPA approved an updated schedule and project list. The status of that ongoing work is found in the *Supplemental Compliance Plan Project Status* section.

As required by the Consent Decree:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Please contact me if you have any questions or require additional information.

Sincerely,



Peter Rice
Director of Public Works
(603) 766-1416

cc: Solanch S. Pastrana-Del Valle, U.S. EPA New England – Region 1
Tracy L. Wood, NHDES Wastewater Engineering Bureau Administrator
Allen Brooks, Esq., Department of Justice, Environmental Protection Bureau Chief
Jaegun Lee, Enforcement Counsel, U.S. EPA New England – Region 1
David Gordon, Esq., U.S. Department of Justice
Tom Irwin, Esq., Conservation Law Foundation
Karen Conard, City Manager, City of Portsmouth
Suzanne Woodland, Deputy City Manager and Regulatory Counsel
Erich Fiedler, City Engineer

SUMMARY OF COMPLETED WORK

09-cv-283-PB SECTION	PI WWTF CONSTRUCTION MILESTONE	DATE COMPLETED
III.5.a.	Execute Contract to Construct Upgrades	August 25, 2016
III.5.b.	Submit Two Additional Milestones for EPA Review and Approval	November 29, 2016
III.5.b.	Additional Milestone 1: Transfer of the existing SCADA system to the new Headworks Building	October 18, 2017
III.5.b.	Additional Milestone 2: Startup and testing of the Secondary Influent Pump Station in the new Solids Building	May 7, 2019
III.5.c.	BAF Substantial Completion	December 31, 2019
III.5.d.	Achieve Compliance with NPDES Permit Limits	April 1, 2020

09-cv-283-PB SECTION	COMPLETED MITIGATION & SEWER SEPARATION PROJECTS	DATE COMPLETED
IV.8.a. Mitigation	Interim Enhanced Primary Treatment	January 9, 2018
IV.8.c. Mitigation	Stormwater Project	November 9, 2020
IV.8.e. Mitigation	Water Quality and Ecosystem Health Projects	April 2021
III.6.a. Sewer Separation Projects	Pleasant Street at the intersection with Court Street	November 2018
	McDonough Phase 3B: McDonough Street from Cornwall Street to Brewster Street and Langdon Street	June 2019
	Maplewood Avenue at Fairview Drive	May 2019
	Islington Street Phase 1: Columbia Street to Route 1 Bypass Overpass	October 2021
	Sagamore Ave Extension Project	August 2023
	Union Street Project	October 2023

NOTE:

Detailed information on completed milestones, mitigation projects and commitments can be found in previous reports.

Reports are published on the City's website: www.cityofportsmouth.com/publicworks/wastewater/resources

NITROGEN REMOVAL REPORTING SUMMARY

For a five-year period, commencing June 1, 2020, achieve a seasonal average total nitrogen (TN) effluent concentration from May 1st through October 31st of no greater than 8 mg/L and a monthly average total nitrogen effluent concentration no greater than 8 mg/L from June 1st through October 31st for the Peirce Island Wastewater Treatment Facility with the upgrade.

The average concentration of effluent total nitrogen in the month of May 2025 was 5.3 mg/L TN. The report submitted with the City's Discharge Monitoring Report (DMR) for NPDES Permit NH0100234 is attached.

	<i>Average TN Concentration (mg/L)</i>	<i>Seasonal Average TN Concentration (mg/L) May – October*</i>
May 2020	9.5	5.4
June 2020	6.6	
July 2020	4.9	
August 2020	6.1	
September 2020	4.0	
October 2020	3.2	
November 2020	2.6	
December 2020	3.0	
January 2021	3.0	
February 2021	4.2	
March 2021	4.0	
April 2021	3.0	
May 2021	5.2	4.0
June 2021	3.8	
July 2021	3.4	
August 2021	3.7	
September 2021	3.3	
October 2021	5.1	
November 2021	3.8	4.9
December 2021	4.6	
January 2022	6.5	
February 2022	5.6	
March 2022	4.0	
April 2022	5.2	
May 2022	5.0	4.6
June 2022	4.6	
July 2022	5.7	
August 2022	4.7	
September 2022	4.3	
October 2022	4.4	
November 2022	3.3	3.9
December 2022	3.4	
January 2023	3.8	
February 2023	4.3	
March 2023	4.6	
April 2023	3.7	
May 2023	3.8	3.9
June 2023	3.6	
July 2023	3.9	
August 2023	3.7	
September 2023	3.8	

October 2023	4.6	5.5
November 2023	4.1	
December 2023	4.6	
January 2024	5.5	
February 2024	5.4	
March 2024	5.8	
April 2024	7.8	5.3
May 2024	5.2	
June 2024	5.1	
July 2024	6.4	
August 2024	4.5	
September 2024	6.8	
October 2024	3.5	4.5
November 2024	4.4	
December 2024	4.7	
January 2025	4.7	
February 2025	4.2	
March 2025	5.1	
April 2025	4.1	
May 2025	5.3	

**Seasonal average concentration was calculated using the individual TN data points for the time period of the season.*

SUPPLEMENTAL COMPLIANCE PLAN PROJCT STATUS

This document identifies the sewer separation projects and infiltration and inflow projects approved by the EPA in a letter to the City dated April 14, 2024. Reporting is required pursuant to Paragraph 6.a. of the Consent Decree Second Modification.

ISLINGTON STREET PHASE 2	Required completion date:
	November 30, 2024
Current Status (phase of work)	Anticipated Construction Completion Date:
COMPLETE	September 2024
<i>Comments:</i>	
Sewer separation and Consent Decree work is complete.	
<i>Special Note: Additional work not required by Supplemental Compliance Plan</i>	
During construction, the City identified opportunities to separate several additional catch basins and resolve long-standing flood issues in the area. The City intends to work with the Contractor to continue with additional construction scope in the 2025 construction season. This additional work is not required by the Supplemental Compliance Plan but is part of the City's ongoing efforts to leverage opportunities to undertake additional separation work when funds are available.	

INFLOW AND INFILTRATION REDUCTION CONTRACT 1	Required completion date:
	October 31, 2026
Current Status (phase of work)	Anticipated Construction Completion Date:
FINAL DESIGN	2025
<i>Comments:</i>	
During the NHDES Environmental Review, Natural Heritage Bureau reviewers requested an additional environmental survey to assess potential impacts on newly identified endangered species. The additional survey will impact the original schedule. A request for a one-year extension was requested by the City and granted by EPA on to June 25, 2025. The new project deadline is October 31, 2026.	

WILLARD AVENUE SEWER SEPARATION	Required completion date:
	December 31, 2025
Current Status (phase of work)	Anticipated Construction Completion Date:
CONSTRUCTION	Summer 2025
<i>Comments:</i>	
The Contractor is on site and continuing construction on schedule.	

FLEET STREET PHASE 1	Required completion date:
	December 31, 2026
Current Status (phase of work)	Anticipated Construction Completion Date:
PRELIMINARY DESIGN	December 31, 2026
<i>Comments:</i>	
Design and permitting are in progress. The City continues to attempt to negotiate easements and access with adjacent property owners. The City submitted NHDES wetland permit application for outfall work and marsh restoration. No change in April.	

INFLOW AND INFILTRATION REDUCTION CONTRACT 2	Required completion date:
	October 31, 2028
Current Status (phase of work)	Anticipated Construction Completion Date:
PRELIMINARY DESIGN	TBD
<i>Comments:</i>	
Contract 2 Sewer Rehabilitation is at approximately 30% design. The design is based on an SSES study completed by Woodard & Curran and updated by Underwood Engineers in 2020.	

FLEET STREET PHASE 2	Required completion date:
	December 31, 2028
Current Status (phase of work)	Anticipated Construction Completion Date:
Final Design	Winter 2026
<i>Comments:</i>	
The City is in the process of awarding the Fleet Street Phase 2A project to the responsive low Bid Contractor. Construction is scheduled to begin on September 1, 2025.	

LONG TERM CONTROL PLAN UPDATE	Required completion date:
	October 31, 2030
Current Status (phase of work)	Anticipated Completion Date:
Not started	October 31, 2030
<i>Comments:</i>	
The Long-Term Control Plan (LTCP) Update was extended to 2030. The City intends to begin updates to the LTCP as projects listed in the consent decree are completed and monitored for effectiveness. Prior to LTCP deadlines, the City has applied for State Revolving Funds to perform updates to the Wastewater System Model.	

Peirce Island Effluent Nitrogen

June, 2025

Date	EFF Flow MGD	EFF Ammonia as N mg/l	EFF Nitrate/Nitrate mg/l	EFF TKN mg/l	Total Nitrogen mg/l
5/1/2025	3.63				
5/2/2025	4.75				
5/3/2025	4.70				
5/4/2025	5.06				
5/5/2025	8.47	0.08	5.10	1.12	6.22
5/6/2025	7.79				
5/7/2025	7.81	0.08	2.55	0.80	3.35
5/8/2025	6.18				
5/9/2025	7.38				
5/10/2025	12.20				
5/11/2025	10.62				
5/12/2025	7.95	0.07	6.00	0.98	6.98
5/13/2025	6.62				
5/14/2025	6.20	0.32	6.30	1.05	7.35
5/15/2025	5.17				
5/16/2025	5.51				
5/17/2025	4.68				
5/18/2025	4.74				
5/19/2025	4.38	0.79	3.47	2.08	5.55
5/20/2025	4.24				
5/21/2025	3.85	0.08	3.02	1.28	4.30
5/22/2025	5.68				
5/23/2025	7.07				
5/24/2025	6.29				
5/25/2025	5.17				
5/26/2025	5.07	0.46	2.77	1.55	4.32
5/27/2025	4.50				
5/28/2025	4.71	0.96	2.21	2.25	4.46
5/29/2025	4.33				
5/30/2025	4.27				
5/31/2025	4.79				

Minimum	3.63	0.07	2.21	0.80	3.35
Maximum	12.20	0.96	6.30	2.25	7.35
Average	5.93	0.36	3.93	1.39	5.32



REGION 1

BOSTON, MA 02109

Dated as indicated on electronic signature

Via electronic mail only

Suzanne M. Woodland
Deputy City Manager/Regulatory Counsel
1 Junkins Avenue
City of Portsmouth, NH 03801
smwoodland@cityofportsmouth.com

Re: City of Portsmouth, New Hampshire - Consent Decree 09-CV-283-PB Extension Request

Dear Ms. Woodland:

The U.S. Environmental Protection Agency ("EPA") has reviewed the request by the City of Portsmouth ("City") dated June 13, 2025, to extend the completion of its Infiltration/Inflow ("I/I") Reduction Contract #1 Project pursuant to the above-captioned Consent Decree. The request has also been reviewed by the New Hampshire Department of Environmental Services ("NHDES") and the Conservation Law Foundation ("CLF").

In its June 2025 request, the City states that while it has complied with all deadlines thus far, newly-imposed New Hampshire Natural Heritage Bureau ("NHNHB") permitting requirements for the I/I Reduction Contract #1 Project are projected to delay the construction timeline. With the additional time, the City proposes to conduct further environmental field surveys of the areas impacted by the project; obtain additional NHNHB-required permits; put the I/I removal project out for bid in the Fall 2025; and commence construction in 2026.

The City also represents that the anticipated delay has no known negative environmental impact and that the proposed deadline-extension will not affect the December 2028 final completion date for the overall schedule set forth in its previously-approved Supplemental Compliance Plan.

By this letter, EPA approves the City's June 2025 request pursuant to the Consent Decree. Both the NHDES and CLF concur with the updated plan. Accordingly, the City shall complete the I/I Reduction Contract #1 Project by October 31, 2026.

If you have any questions, please contact Solanch Pastrana Del Valle, Environmental Engineer, at (617) 918- 1746 or pastrana-del-valle.solanch@epa.gov, or Jaegun Lee, Enforcement Counsel, at (617) 918-1511 or lee.jaegun@epa.gov.

Sincerely,

JAMES CHOW Digitally signed by JAMES CHOW
Date: 2025.06.25 15:56:42 -04'00'

James Chow, Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 1

cc: David Gordon, U.S. Department of Justice
Chris Aslin, N.H. Department of Justice
Tom Irwin, Conservation Law Foundation
Benjamin Bahk, U.S. EPA
Solanch S. Pastrana-Del Valle, U.S. EPA Region 1
Jaegun Lee, U.S. EPA Region 1
Tracy L. Wood, NHDES
Karen Conard, City of Portsmouth
Peter Rice, City of Portsmouth
Erich Fiedler, City of Portsmouth



CITY OF PORTSMOUTH

Suzanne M. Woodland
Deputy City Manager / Regulatory Counsel

Legal Department
Municipal Complex
1 Junkins Avenue
Portsmouth, New Hampshire 03801
smwoodland@portsmouthnh.gov
(603) 610-7240

June 13, 2025

VIA EMAIL

Solanch Pastrana-Del Valle
Department of Enforcement and Compliance Assurance Division
US EPA New England Region 1
Mail Code: 04-4
5 Post Office Square
Boston, MA 02109-3912

Benjamin Bahk, Director
Water Enforcement Division
Office of Enforcement and Compliance Assurance
US EPA (2243A)
1200 Pennsylvania Ave, NW
Washington, D.C. 20460

Re: Consent Decree 09-cv-283-PB
Notice of Force Majeure and Request for Extension of Time
for Inflow and Infiltration Reduction Contract 1
City of Portsmouth, New Hampshire

Dear Ms. Salanch and Mr. Bahk,

In accordance with Section VII, Force Majeure of Consent Decree 09-cv-283-PB dated August 12, 2009 and as amended by Consent Decree Modification filed July 2, 2012 and approved by the Court on February 15, 2013 and as amended by Consent Decree Second Modification, Section III, item paragraph 6, filed on April 1, 2016 and approved by the Court on September 28, 2016 the City of Portsmouth advises the Environmental Protection Agency that the City will be unable to meet the October 2025 deadline for completing Inflow and Infiltration Reduction Contract 1. The City requests extending the deadline for completion to October 31, 2026.

As you know from the monthly reporting, the City has completed all Consent Decree construction milestones relative to the upgrade of the Peirce Island Wastewater Treatment Facility ("PI WWTF"). Remaining commitments relative to the PI WWTF are the ongoing obligation to meet the existing NPDES permit, and the nitrogen removal obligations set forth Section IV, Paragraph 8 of the Consent Decree, which are being met.

Also outstanding are the City's obligations under its Supplemental Compliance Plan, referenced at paragraph 12.c of the Consent Decree. By letter dated April 18, 2024, EPA approved an updated schedule and project list. The status of that ongoing work is found in the Supplemental Compliance Plan Project Status section of the monthly reports. To date the City has complied with all deadlines and has taken on additional sewer separation work as described in those monthly reports.

Earlier this month it became clear that the completion of the Inflow and Infiltration Reduction Contract 1 project will be delayed due to additional permitting requirements for the project. In May of 2025, there were email exchanges between the New Hampshire Natural Heritage Bureau (NH-NHB) and the City's consulting engineering firm, Woodard and Curran which included the following recommendation from NH-NHB: "[b]ecause the rare plants were documented very close to proposed impact areas I recommend resurveying for these previously documented species to ensure they have not spread into proposed impact areas." The e-string is shown in the attached document (emails were cut and pasted into a document for convenience of this communication, but originals could be forwarded electronically).

This additional survey request, and its impact on the schedule of completion for this project, are summarized in the attached memorandum from Jason Jancaitis of Woodard and Curran attached to this communication. The City evaluated whether there was any opportunity to compress the bidding and construction schedule to meet the existing deadline, but there is no such opportunity as described in the memorandum.

-
The City is committed to conducting the additional survey requested by the NH-NHB this summer. This should allow for bidding of the project in the fall of 2025 and construction in 2026. Consequently, the City requests a one-year extension to complete Inflow and Infiltration Contract 1.

There is no known negative environmental impact from this delay. This project is intended to remove excess inflow and infiltration in the collection system thereby increasing capacity in the system in a portion of the City where there is an increasing lack of capacity in the collection system.

This delay in the construction of the Inflow and Infiltration Reduction Contract 1 will also not impact the overall schedule set forth in the Supplemental Compliance Plan which calls for all project work to be completed by December of 2028. The City is scheduled to kick off its next Long Term Control Plan Update in 2029 for completion by October 31, 2030.

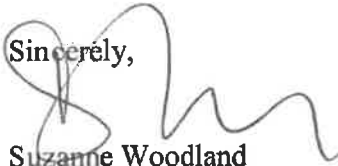
The City would be happy to provide any additional information or documentation that you may require to evaluate this request for an extension of the current deadline for this above-referenced project.

As required by the Consent Decree:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the

person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Please contact me if you have any questions or require additional information.

Sincerely,



Suzanne Woodland
Deputy City Manager/Regulatory Counsel

Attachments

cc:

Tracy L. Wood, NHDES Wastewater Engineering Bureau Administrator
Chris Aslin, Esq., Department of Justice, Environmental Protection Bureau
Jaegun Lee, Enforcement Counsel, U.S. EPA New England – Region 1
David Gordon, Esq., U.S. Department of Justice
Tom Irwin, Esq., Conservation Law Foundation
Karen Conard, City Manager, City of Portsmouth
Peter Rice, Director of Public Works
Erich Fiedler, City Engineer

From: DNCR: NHB Review <nhbreview@dn-cr.nh.gov>

Sent: Wednesday, May 21, 2025 12:11 PM

To: Jason Jancaitis <jjancaitis@woodardcurran.com>; Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>

Cc: Zachary M. Cronin <zmcronin@portsmouthnh.gov>; Benjamin Griffith <bgriffith@normandeau.com>

Subject: RE: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

You don't often get email from nbhreview@dn-cr.nh.gov. [Learn why this is important](#)

Hi Jason,

Thank you for confirming that more recent rare plant surveys have likely not been completed. Because the rare plants were documented very close to proposed impact areas I recommend resurveying for these previously documented species to ensure they have not spread into proposed impact areas.

NHB recommends the following:

- Survey for great bur-reed (*Sparganium eurycarpum*) in the proposed wetland impact areas SW of Nathaniel Drive **and** at Oriental Gardens
 - Survey should occur between mid-July and mid-August
 - Plants occur in shallow, circumneutral to basic, still or slow moving water
- Survey for dwarf glasswort (*Salicornia bigelovii*) and saltmarsh agalinis (*Agalinis maritima*) in the proposed wetland impact areas S of Greenleaf Woods Drive
 - Survey should occur between early August and early September
 - Plants occur in salt marshes

Please note that surveys only need to occur in suitable habitat in the proposed wetland impact areas identified above. If it is determined that suitable habitat for the documented rare plants is not present within the proposed impact areas, then surveys do not need to occur in those areas.

Once the surveys are completed please contact NHB with the results.

- If the target rare plants **are found** please document plants with GPS, fill out a rare plant reporting form ([simple](#) or [detailed](#)), and provide diagnostic photos of the plants. Please also provide updated plans for these areas overlaid with the rare plant locations.
- If the target rare plants **are not found**, please put together a brief survey report/memo that includes the date of the survey, name of surveyor, map and photos of survey area, and a list of the dominant species observed.
- If any of the recommended survey areas are not surveyed due to lack of suitable habitat please also indicate which areas were not surveyed and what the habitat was that was not suitable for the nearby rare plants.

Please let me know if you have any questions.

Best,

Madeline (Maddie) Severance (*she/her/hers*)
Environmental Reviewer
New Hampshire Natural Heritage Bureau (NHB)
Division of Forests & Lands
N.H. Department of Natural & Cultural Resources
172 Pembroke Rd
Concord, NH 03301
(603)-271-2834
nhbreview@dncr.nh.gov
nhdfl.dncr.nh.gov
[NHB DataCheck Tool](#)

From: Jason Jancaitis <jjancaitis@woodardcurran.com>
Sent: Friday, May 16, 2025 2:54 PM
To: DNCR: NHB Review <nhbreview@dncr.nh.gov>; Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>
Cc: zmcronin@cityofportsmouth.com; Benjamin Griffith <bgriffith@normandeau.com>
Subject: RE: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

EXTERNAL EMAIL WARNING! This email originated outside of the New Hampshire Executive Branch network. Do not open attachments or click on links unless you recognize the sender and are expecting the email. Do not enter your username and password on sites that you have reached through an email link. Forward suspicious and unexpected messages by clicking the Phish Alert button in your Outlook and if you did click or enter credentials by mistake, report it immediately to helpdesk@doit.nh.gov!

To the best of my knowledge 2022 was the last time the plant populations in the area were checked.

Jason D. Jancaitis, PE
Senior Project Manager | Principal



978.482.7857 781.308.2569 woodardcurran.com

jjancaitis@woodardcurran.com

40 Shattuck Road, Andover, MA 01810



From: DNCR: NHB Review <nhbreview@dncr.nh.gov>
Sent: Friday, May 16, 2025 10:57 AM
To: Jason Jancaitis <jjancaitis@woodardcurran.com>; Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>
Cc: zmcronin@cityofportsmouth.com; Benjamin Griffith <bgriffith@normandeau.com>
Subject: RE: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

Hi Jason,

Thank you for providing detailed information, plans, and past coordination for the proposed project.

Please indicate the last time the wetland impact areas were visited and the rare plant populations were observed. Rare plants were documented nearby the proposed impact areas in 2022 and were not expected to be impacted, however it has been a few years and these populations may have expanded into proposed impact areas since then.

Thank you,

Madeline (Maddie) Severance (*she/her/hers*)
Environmental Reviewer
New Hampshire Natural Heritage Bureau (NHB)
Division of Forests & Lands
N.H. Department of Natural & Cultural Resources
172 Pembroke Rd
Concord, NH 03301
(603)-271-2834
nhbreview@dncr.nh.gov
nhdfl.dncr.nh.gov
[NHB DataCheck Tool](#)

From: Jason Jancaitis <jjancaitis@woodardcurran.com>
Sent: Wednesday, May 14, 2025 3:14 PM
To: DNCR: NHB Review <nhbreview@dncr.nh.gov>; Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>
Cc: FGC: NHFG review <NHFGreview@wildlife.nh.gov>; zmcronin@cityofportsmouth.com; Benjamin Griffith <bgriffith@normandeau.com>
Subject: RE: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

EXTERNAL EMAIL WARNING! This email originated outside of the New Hampshire Executive Branch network. Do not open attachments or click on links unless you recognize the sender and are expecting the email. Do not enter your username and password on sites that you have reached through an email link. Forward suspicious and unexpected messages by clicking the Phish Alert button in your Outlook and if you did click or enter credentials by mistake, report it immediately to helpdesk@doit.nh.gov!

Ryan – Deanne Hergt forwarded your email regarding this project to me as part of the Environmental Review process. In the attached document, the first 8 pages include our previous




correspondence with NHB & NHFG, where the project was reviewed as project NGH22-2315. We had received the approvals from NHB & NHFG at that time, however after the approvals were obtained, the project was put on hold and the approvals have since lapsed. We plan to re-file with NHB & NHFG (and the Wetlands Bureau) as part of the updates to this project to get it out to bid. We note that the recent review included a finding that the area is now habitat to the Spotted Turtle and Blue-spotted salamander, which we will incorporate into our permitting efforts along with the Blanding's Turtle that was noted during the 2022 process.

Please let me know if you have any questions or need any other information from me.


Thanks,
Jason Jancaitis

Jason D. Jancaitis, PE
Senior Project Manager | Principal



 978.482.7857  781.308.2569  woodardcurran.com

 jjancaitis@woodardcurran.com

 40 Shattuck Road, Andover, MA 01810



From: DNCR: NHB Review <nhbreview@dn-cr.nh.gov>
Sent: Wednesday, May 7, 2025 2:16 PM
To: Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>
Cc: FGC: NHFG review <NHFGreview@wildlife.nh.gov>; zmcronin@cityofportsmouth.com
Subject: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

Attached, please find the review of the NH Natural Heritage Bureau's (NHB) database to determine whether the proposed project could impact rare species and exemplary natural communities.

If you received a comment on the DataCheck Letter from NHB, please reply to this email with any documents, photos, or information requested.

If you received a comment on the DataCheck Letter from NHFG, please follow the consultation requirements listed on the DataCheck Letter and coordinate with NHFGreview@wildlife.nh.gov

Best,
Ryan

Ryan Esch
Ecological Information Specialist

NH Natural Heritage Bureau
DNCR - Forests & Lands
172 Pembroke Rd
Concord, NH 03301
603-271-0687

If there are problems with your DataCheck letter or you need help using the DataCheck Tool, contact Ryan Esch: (603) 271-0687

If there is a rare plant or exemplary natural community and an NHB Comment on your DataCheck letter, contact Maddie Severance for any environmental review questions: (603) 271-2834

If there is a rare wildlife species and an NHFG Comment on your DataCheck Letter, contact Hayley Gray for any environmental review questions: (603) 271- 0467

MEMORANDUM



TO: Erich Fiedler, Zachary Cronin, City of Portsmouth
FROM: Jason Jancaitis
DATE: June 6, 2025
RE: Sewer Rehabilitation Contract #1 – Permitting Steps and Project Schedule

As part of the State of New Hampshire's Environmental Review for the above-referenced project, in May 2025 we received comments from New Hampshire Fish & Game Department (NHFG) and New Hampshire Heritage Bureau (NHNHB). Based on their review of the project areas, they are requiring that the areas included in the Contract be re-evaluated for the presence of endangered species, threatened species, or species of special concern. While these areas had previously been evaluated during earlier phases of the project, the presence of additional species of concern which were not present during earlier efforts caused NHFG and NHNHB to recommend additional permitting steps be taken to reflect the latest available information on these areas.

The first step in the process to secure the updated permits will be to schedule a pre-application meeting with NHFG and NHNHB to discuss the project permitting requirements. Following this meeting, the field survey will be performed by Normandeau Associates, and the updated permits will be filed with NHNHB and NHFG. We anticipate that these steps can be completed in Summer 2025.

Once the permits are obtained and NHDES has granted the City Permission to Advertise the project, the project can be publicly advertised. Bidding periods for projects similar to this one typically are approximately one month in duration. Pending completion of the permitting steps, bidding could take place in Fall of 2025, followed by award of the contract and mobilization for construction. Based on the amount of work in the project, we are estimating that the project can be completed in approximately 9 months, which would result in the work being completed in mid-2026.