

April 21, 1997

Mr. William F. Lawless  
Chief, Regulatory Division  
U.S. Army Corps of Engineers  
424 Trapelo Road  
Waltham, MA 02254-9149

Dear Mr. Lawless:

The U.S. Fish and Wildlife Service has reviewed the proposed replacement of the NH Route 135 bridge over the Johns River in Dalton, New Hampshire for the presence of federally-listed or proposed threatened or endangered species.

The project consists of the elimination of the railroad bridge over NH Route 135, reconstruction of the bridge over the Johns River, and raising and realignment of approximately 1,500 feet of NH Route 135. The proposed project will bring the NH Route 135 bridge over the Johns River up to grade with the railroad bridge spanning the Connecticut River. In order to accomplish this, the existing bridge abutments in the Johns River will be removed and new abutments built. The new abutments will hold a larger span than is currently in place, necessitating the cutting back of both banks of the River and the placement of stone fill to the point of the old abutments. The upriver bank of an existing boat ramp at the mouth of the Johns River will also be stabilized and the boat ramp parking lot will be rebuilt.

Minor slope impacts to vegetated wetlands will result from raising the roadway embankment at the NH Route 135 bridge. Impacts to the Johns River will result from the construction of riprap aprons to protect the new bridge abutments. Approximately 1,000 sq. ft. of river bed below ordinary highwater will be adversely affected. In addition to this fill, approximately 17,000 sq. ft. of forested, scrub-shrub, riverine and emergent wetlands along the road corridor will be filled.

A survey conducted by Normandeau Associates, Inc., on April 17, 1997 did not locate any dwarf wedgemussels in the immediate action area. However, dwarf wedgemussels were found at the confluence of the Johns River with the Connecticut River, less than 100 feet downriver of the project area, in stronger current than exists in the backwater adjacent to the boat ramp. Dwarf wedgemussels were also found in the mainstem of the Connecticut River scattered for a distance of approximately 0.1 miles upriver (to the railroad bridge) of its confluence with the Johns River.

The reproductive period for dwarf wedgemussels is generally from March through June. During this time, mussels may be especially sensitive to sedimentation. Increased sedimentation may disrupt the release of glochidia, prevent intake of food and potentially suffocate the mussels, since they are often found on or near the surface of the river bottom during this period. Adverse effects from this project to dwarf wedgemussels located at and below the confluence of the Johns and the Connecticut Rivers may be avoided by limiting the time of year in which instream construction occurs, and by employing necessary measures to limit siltation of the waters of the Connecticut River. The NHDOT proposes to initiate instream construction after June 15, thereby avoiding disturbance to dwarf wedgemussels during the reproductive period. Additionally, erosion control measures based on best management practices and conditioned in the New Hampshire Wetlands Permit (#96-00629) will further reduce or avoid adverse effects to dwarf wedgemussels located within 100 yds. of the action area.

In view of the above, the dwarf wedgemussel population in the mainstem of the Connecticut River at its confluence with the Johns River is not expected to be adversely affected, either directly or indirectly, as a result of the proposed action. Therefore, it is not necessary to continue the formal consultation requested in your February 13, 1997 letter.

Preparation of a Biological Assessment or further consultation with us under Section 7 of the Endangered Species Act is not required. Should project plans change, or additional information on listed or proposed species becomes available, this determination may be reconsidered.

Thank you for your cooperation and please contact Susi von Oettingen of this office at (603) 225-1411 if we can be of further assistance.

Sincerely yours,

Michael J. Bartlett  
Supervisor  
New England Field Office

CC: Reading File  
John Kanter, NH Fish and Game  
Lori Summer, NH Wetlands Board  
David Van Luven, NHNHI  
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