Final Notice and Public Review of a Proposed Activity in a Floodplain and Near Wetlands in Lancaster, New Hampshire

To: All interested Agencies, Groups, and Individuals

The Northern Border Regional Commission (NBRC) is considering whether to fund the following Proposed Action under the Catalyst program. NBRC has prepared an 8-Step Decision-Making Process review in compliance with Executive Order (EO) 11988 (Floodplain Management) as amended by EO 13690 (Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input), which established a more protective standard for evaluating flood risk to ensure projects funded by the Federal government are more resilient to the impacts of flooding. Additionally, NBRC is in compliance with Executive Order (EO) 11990 (Protection of Wetlands), which established a more protective standard for wetlands. This standard aims to avoid, to the extent possible, the long and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands where there is a practicable alternative.

The purpose of the Proposed Action is to complete an in-kind replacement of 0.5 miles of water and sewer line in Lancaster, New Hampshire (Figure 1). This work would occur on Summer Street between Indian Brook (44°29'54.0" N 71°34'04.3" W) and Page Hill Road (44°30’21.4” N 71°34’04.9” W). The infrastructure replacement would connect two (2) improved ends of water infrastructure and dovetail a 2025 Federal Highway Administration (FHA) project to redesign the Route 3 N intersection for a safer flow of traffic. NBRC has determined that the Proposed Action’s footprint exists within both an FFRMS floodplain and NWI wetlands and accordingly warrants an analysis under the 8-Step Decision-Making Process.

The applicant considered the following alternatives in selecting the proposed action:

No Action Alternative: The No Action Alternative would result in no federal funds going to support the Summer Street waterline replacement. This alternative would leave the existing water main improvements without upgraded connections, leaving the potential for continued joint separation and failure of the existing wastewater infrastructure. A No Action Alternative thus has the potential for greater adverse effects on local businesses, residences, and the environment due to effluent discharge into Indian Brook and surrounding regions.

Alternative Option #1: No viable alternative site can be identified that would still meet the need of the Proposed Action. The existing infrastructure is to be replaced where it is currently located, and determining an alternative site would incur higher costs in construction, designs, environmental reviews, and installation. In addition, the amount of time to identify and install a new system elsewhere has the potential for the existing system to fail. A replacement in the exact location of the current system, as proposed, would be less costly, less disruptive to floodplains, and allow the current sewage connections to be maintained for existing users.

Nature-Based Alternative: EO 13690 requires federal agencies to consider nature-based approaches when developing project alternatives. Nature-based approaches were considered as alternatives to the Proposed Action. However, no viable nature-based alternatives were identified that would still meet the needs of the Proposed Action.

Through the 8-Step Decision-Making Process, NBRC identified the potential for the Proposed Action to impact property, lives, and natural values. The applicant has identified the following to minimize potential impacts:

Property Impacts: The Proposed Action is estimated to cost $2,432,418, representing additional property/monetary value at the project site. To mitigate potential property impacts, measures will be implemented to reinforce existing structures and infrastructure against flooding events.

Impacts on Lives: To mitigate impacts on lives, the replacement of the outdated system will focus on improving infrastructure resilience. This includes implementing measures to reduce the occurrences of inflow and infiltration in aged sewer mains, enhancing drainage systems to minimize runoff, and upgrading water main connections to prevent joint separation and reduce the frequency of water main breaks.

Natural Impacts: Measures will be taken to minimize natural impacts, particularly concerning project ground disturbance. Erosion control measures will be implemented during construction to mitigate short-term sedimentation and potential soil erosion. Additionally, runoff management practices will be employed to prevent sediment and pollutants from entering nearby water bodies, such as Indian Brook and adjacent wetlands.

It is NBRC's determination that the importance of the Proposed Action to update failing and inadequate sewer, water, and storm drain systems in the floodplain and wetland outweighs the requirements of EO 11988 and EO 13690 (to avoid direct or indirect support of floodplain development and reduce the risk of flood loss) and EO 11990 (to avoid to the extent possible the long and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands where there is a practicable alternative).

Files that document compliance with steps 1 through 6 of EO 11988 (as amended by EO 13690) and EO 11990 are available for public inspection upon request. Please send an email request to nepa@nbrc.gov. The 8-Step Decision-Making Process materials will be provided in electronic format unless a hard copy is specifically requested.

This notice provides people who may be affected by activities in the floodplain and wetlands and those who have an interest in the protection of the natural environment with an opportunity to express their concerns and provide information. NBRC is accepting comments on this notice for seven (7) days from May 22nd, 2024, through the end of the day of May 28th, 2024.

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