

**Lower Merrimack River Local Advisory Committee (LMRLAC**

**77 Concord St, Nashua NH 03064**

**4 June 2020**

**Comments to DES Inland Wetlands Supervisor**

**Re: Hudson Logistics Center Dredge and Fill Permit Application DES File 2020-00956**

The Lower Merrimack River Local Advisory Committee reviewed the subject application remotely on June 4<sup>th</sup> in accordance with the Governor's Emergency Order #12 under Executive Order 2020-04 and hereby submits the following comments for consideration by the DES in reviewing the permit application.

**Wetland Disturbances**

The major disturbances of existing wetlands by the proposed project will occur inland of the ¼ mile corridor nominally overseen by the LMRLAC and appear to pose no direct threat to the public resources of the Merrimack River that this LAC is charged with protecting, The LAC was told by the applicant that there will be no net change in the volume of stormwater that flows into the Merrimack River from the upland area during storms as a result of the project's wetland disturbances.

The impacts of the major increase in impermeable surface in the wetlands and other disturbed areas of the project will be addressed in the context of the LAC's review of the forthcoming Alteration of Terrain (AOT) permit application. To that end we note that the amount of stormwater to be managed could be significantly reduced by using permeable pavements in the several employee parking lots, and therefore recommend that the project plan be so adjusted.

Most of The wetlands within the 250' partially forested shoreland buffer along the Merrimack River are not planned to be disturbed and are specifically called out for preservation in the application. This degree of river shoreland protection is quite satisfying.

However, two of the proposed infiltration basins seriously encroach into the 250' Shoreland Protection Area. The applicant reported that this encroachment was needed to avoid requiring the minor regrading that would be needed to adjust the nominal flood plain limits in a way that would allow the basins to be located where they would encroach less into the Shoreland Protection area. The LAC recommends that DES consider requiring the plans (CG 106, 124) to be revised to permit such relocation.

**Restoration of Scenic Beauty**

RSA 483.2 requires that "the scenic beauty and recreational potential of such [Designated] rivers shall be restored and maintained" when planning such riverside projects. To that end the LAC notes that the proposed large warehouses will seriously degrade the scenic beauty of the Shoreland unless their view from the center and far shore of the River is properly screened. To that end the LAC recommends that the DES require that the proposed plan be adjusted to include appropriate tree plantings on the West side of each new building.

**Mitigation on site:Promotion of increased public protection of the River through increased public access**

The State's interests in providing environmental protection and recreational access (RSA 483.2) to this largely inaccessible scenic Designated River segment would be significantly enhanced by increased public access to the River, both shore-side and on the water. The D&F application recognizes the desirability of both a shoreside recreational trail and a boat ramp. Indeed, the identified ramp location in a secluded corner of the project site is already planned to be served by a new access road and features an unusually low river bank, both of which are conducive to the low cost installation of a modern public boat ramp and suitable parking.

The need for such access on the Lower Merrimack has long been highlighted by the State Public Waters Access Advisory Board (PWAAB). A new ramp on the East side of the River would nicely complement the small ramp being renovated by Nashua on the West side and would provide needed access to the large and growing boating population in SE New Hampshire. Furthermore, it appears that both the recreational trail and new ramp could be designed and constructed in parallel with the major logistics center project and well within the \$700,000 the applicant has offered for mitigation.

**The LAC recommends that the State to require the applicant to deed trail and ramp easements to the Hudson Conservation Commission now, and to reallocate the offered \$700,000 in mitigation funding to the early design, permitting and construction of the trail and ramp as an integral part of the proposed project.**

**Next Steps**

The LMRLAC appreciates the opportunity to comment on the D&F permit application for this major riverfront project and looks forward to reviewing the forthcoming Alteration of Terrian permit application

*GP Porter*

Gene Porter, Chairman, LMRLAC

CC: DES Rivers Program; Hudson Planning Board; Hudson Conservation Commission; Nashua Regional Planning Commission; Merrimack River Watershed Commission