

54 JMC



New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500
(603) 271-3421
FAX (603) 271-1438

www.WildNH.com
e-mail: info@wildlife.nh.gov
TDD Access: Relay NH 1-800-735-2964

August 26, 2013

Her Excellency, Governor Margaret Wood Hassan
and The Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Authorize the New Hampshire Fish and Game Department to extend an existing grant agreement with the Town of Alstead, NH, VC #177348, by extending the completion date From September 30, 2013 to June 30, 2015. This agreement was originally approved March 7, 2012, G&C item #44. Funding 100% Other (Fisheries Habitat Funds).

EXPLANATION

This extension request is to ensure the Project Partners can secure the necessary funding from other sources to complete the Project.

The goals of this project are to 1) complete a site-specific stream restoration design, 2) obtain the necessary permits and 3) complete the on-the-ground stream restoration in this reach of Warren Brook.

As a result of the October 2005 flood disaster, New Hampshire Fish and Game Department (NHFGD), New Hampshire Department of Environmental Services (DES) and other project partners provided funding for restoration planning and implementation for Warren Brook in the Town of Alstead. Upon the completion of the restoration planning effort and stabilization of Warren Brook in 2006 and 2007, further restoration efforts are still needed to restore Warren Brook. NHFGD, working with project partners and the Town of Alstead, has identified the reach of Warren Brook from State Route 123A to Griffin Hill Road as a high priority due to its instability, which continues to impact water quality and aquatic habitat.

The total project costs are budgeted at \$145,700. DES will provide 60% (\$87,400) of the total costs, through funding provided by Section 319 of the Clean Water Act, and these funds require that they must be matched by a local, state, or private share of at least 40 percent. New Hampshire Fish and Game will provide \$35,000 (24%) of the project costs. A table of the Project's matching funds is provided in Attachment A.

Her Excellency, Governor Margaret Wood Hassan
And the Honorable Council
August 26, 2013
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This project has many funding partners including the Town of Alstead, NH Department of Environmental Services. Additionally, in kind services are going to be provided by Cold River Materials (a local business), the Cold River Local Advisory Committee and Headwaters Hydrology, an engineering firm specializing in stream restoration design based in Littleton, NH.

The agreement has been approved by the Office of the Attorney General as to form, execution, and content. We respectfully request your approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'G. Normandeau', written in a cursive style.

Glenn Normandeau
Executive Director

A handwritten signature in black ink, appearing to read 'Kathy Ann LaBonte', written in a cursive style.

Kathy Ann LaBonte, Chief
Business Division

AMENDMENT

This Agreement (hereinafter called the "Amendment") dated 22nd day of August 2013, by and between the State of New Hampshire acting by and through its New Hampshire Fish and Game Department (hereinafter referred to as the "State"), and the Town of Alstead, NH VC #177348 (hereinafter called the "Contractor").

WHEREAS, pursuant to an agreement (hereinafter called the "grant") dated, January 31, 2012, approved by the Governor and Council on March 7, 2012, Item #44, the Contractor agreed to perform certain services upon the terms and conditions specified in the Contract and in consideration of payment by the State of certain sums specified therein; and

WHEREAS, pursuant to the provisions of paragraph 20 of the Grant, the Grant may be amended, waived or discharged only by written instrument executed by the parties thereto; and

NOW THEREFORE, in consideration of the foregoing, and the covenants and conditions contained in the Grant and set forth herein, the parties hereto do hereby agree as follows:

1.) Amendment and Modification of Grant:

The Grant is hereby amended as follows:

(A) The completion date shall be extended from September 30, 2013 to June 30, 2015.

2.) Effective Date of Amendment

This Amendment shall take effect upon the date of approval by the Governor and Executive Council of the State of New Hampshire.

3.) Continuance of Agreement

Except as specifically amended and modified by the terms and conditions of this Amendment, the Grant, and the obligations of the parties thereunder, shall remain in full force and effect with the terms and conditions set forth therein.

IN WITNESS WHEREOF, the parties set their hands as of the day and year first above written.

THE STATE OF NEW HAMPSHIRE

Fish and Game Department of New Hampshire

BY: [Signature] DATE: 8/22/13

Town of Alstead, Michael Jasmin
Name of Contractor and Authorized Signor

BY: [Signature] DATE: 8/20/2013
TITLE: Selectman

Acknowledgment: State of New Hampshire, County of Merrimack

On 8/22/2013, before the undersigned officer, personally appeared the person identified to be the person whose name appears above in signing on behalf of the contractor and acknowledged that s/he executed this document in the capacity indicated below.

IN WITNESS THEREOF, I hereunto set my hand and official seal.

Tanya L. Haskell
Signature of Notary Public or
Justice of the Peace

TANYA L. HASKELL, Notary Public
My Commission Expires October 6, 2015
Name/Title of Notary Public or
Justice of the Peace

APPROVED BY THE ATTORNEY GENERAL (Form, Substance and Execution)

BY: [Signature]
Attorney General's Office

DATE: 9-10-13



New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500
(603) 271-3421
FAX (603) 271-1438

WO# 1473784
Governor & Council Approved
Date: 3/7/12
Item #: 44

RQ# 127049
PO 6000723

www.WildNH.com
e-mail: info@wildlife.nh.gov
TDD Access: Relay NH 1-800-735-2964

February 7, 2012

His Excellency, Governor John H. Lynch
and The Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Authorize the New Hampshire Fish and Game Department to enter into a grant agreement with the Town of Alstead, NH, VC #177348, in the amount of \$35,000 to complete the *Lower Warren Brook Restoration Project*, effective upon Governor and Council approval through September 30, 2013. Funding 100% Other (Fisheries Habitat Funds).

Funding is available in the account as follows:

03 75 75 752020-2127 INLAND FISHERIES MANAGEMENT-Fisheries Habitat Management

	<u>FY 2012</u>
20-07500-21270000-020-500208	\$35,000

EXPLANATION

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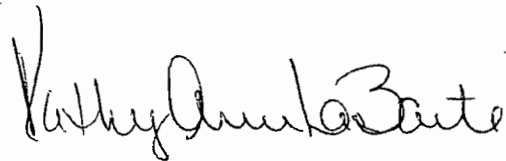
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Glenn Normandeau
Executive Director

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Kathy Ann LaBonte, Chief
Business Division