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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

April 21, 2016

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the New Hampshire Fish and Game Department (NHFGD) to budget and expend seventy-three thousand and two hundred eighty-one dollars (\$73,281) for the purpose of the completion of work on the Winnicut River Dam Removal and Fish Passage Project in Greenland, New Hampshire, effective upon Governor and Council approval through June 30, 2017.

Funds to be budgeted as follows:

020-07500-23520000 WHIP Fish Migration – FY 2017

<u>Class</u>		<u>Current Budget</u>	<u>Change</u>	<u>Revised Budget</u>
103	Contracts for Operational Services	0	\$73,281	\$73,281
	Total Expenses	\$0	\$73,281	\$73,281
<u>Source of Funds</u>				
407689	Agency Income	0	\$73,281	\$73,281
	Total	\$0	\$73,281	\$73,281

EXPLANATION

The Winnicut River Dam in Greenland, NH, was removed in 2009 to restore fish habitat and improve riverine processes. Due to a hydraulic constriction beneath Route 33, the Project required the installation of a fishway below the Route 33 Bridge to pass diadromous and resident fish species. Although deemed "Substantially Complete," there are a number of outstanding issues with the Project that need to be remedied. NHFGD, owner of the former dam, new fishway, and adjoining property, will continue to work collaboratively with the Department of Environmental Services (DES), National Oceanic and Atmospheric Administration (NOAA), and United States Fish and Wildlife Service (USFWS) to evaluate these issues to determine remedies for outstanding and corrective work.

REGION 1

629B Main Street
Lancaster, NH 03584-3612
(603) 788-3164
FAX (603) 788-4823
email: reg1@wildlife.nh.gov

REGION 2

PO Box 417
New Hampton, NH 03256
(603) 744-5470
FAX (603) 744-6302
email: reg2@wildlife.nh.gov

REGION 3

225 Main Street
Durham, NH 03824-4732
(603) 868-1095
FAX (603) 868-3305
email: reg3@wildlife.nh.gov

REGION 4

15 Ash Brook Court
Keene, NH 03431
(603) 352-9669
FAX (603) 352-8798
email: reg4@wildlife.nh.gov

Her Excellency, Governor Margaret Wood Hassan
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April 21, 2016

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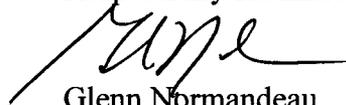
Fifty thousand dollars (\$50,000) of funding became available as part of the 25 percent non-federal match monies associated with the original federal funds used towards the project. As the project became "substantially complete" the release of the match monies from Conservation License Plate Grants, through the Town of Greenland (grantee), became available.

Twenty-three thousand two hundred eighty-one dollars (\$23,281) from DES became available as the result of an action by the Department of Justice to return retainage funds which were released by a bank without authorization and erroneously to the original contractor in the Winnicut Dam project. This unused retainage should have been left in escrow in order to complete the aforementioned work on the project.

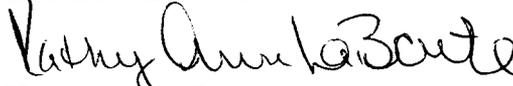
The funds were included in the FY2016 state budget and will not be spent in this fiscal year due to continued negotiations with the original contracted engineering company and collaboration with USFWS and NOAA fish passage specialist on the best corrective action to the fish passage construction issue. We request that these funds be budgeted in FY2017.

General Funds will not be requested to support this project.

Respectfully submitted



Glenn Normandeau
Executive Director



Kathy Ann LaBonte
Chief Business Division

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The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner
March 31, 2014

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTIONS

1. Authorize the Department of Environmental Services (DES) to enter into an memorandum of agreement (MOA) with the New Hampshire Fish and Game Department (NHFG) (VC # 177911) in the amount of \$23,281 for the purpose of the completion of work on the Winnicut River Dam Removal and Fish Passage Project (Project) in Greenland, New Hampshire, effective upon Governor and Council approval through June 30, 2018. 100% Rivers/Lakes Mgmt/Protect Funds.
2. Further authorize DES to provide payment of \$23,281 to NHFG for the purpose of the completion of work on the Project upon Governor and Council approval. 100% Rivers/Lakes Mgmt/Protect Funds.

Funding is available in the account as follows:

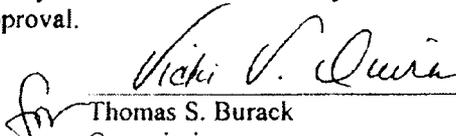
03-44-44-442010-0852-073-500582	<u>FY 2014</u>
Dept. Environmental Services, Rivers/Lakes Mgmt/Protect Fund, Grants- Non-Federal	\$23,281

EXPLANATION

Per RSA 487:42, DES created the Rivers Management and Protection Fund. One of the uses for the fund is to "restore, preserve, and maintain the state's rivers." The Winnicut River Dam in Greenland, NH was removed in 2009 to restore habitat and improve river processes. Due to a hydraulic constriction beneath Route 33, the Project required the installation of a fishway below the Route 33 Bridge to pass diadromous and resident fish species. While the project, which was originally funded by the National Oceanic and Atmospheric Administration and Natural Resources Conservation Services among other sources, has been deemed substantially complete, there are a number of outstanding issues with the Project that need to be remedied. NHF&G, owner of the former dam, new fishway, and adjoining property, will continue to work collaboratively with the DES and other agencies to evaluate these issues to determine remedies for additional actions.

The purpose of this MOA is to provide a mechanism and funding to complete tasks associated with the Winnicut River Dam Removal Project. These tasks include: study the performance of the fishway and construct modifications to improve fish passage; produce signage to comply with Section 106 requirements; conduct land management activities on NHF&G property near the dam; and facilitate other corrective work.

In the event that other funds become no longer available, General Funds will not be requested to support this project. The agreement has been approved by the Office of the Attorney General as to form, execution, and content. We respectfully request your approval.


Thomas S. Burack
Commissioner

OF GREENLAND
GENERAL FUND
PO BOX 100
GREENLAND, NH 03840-2251

THE PROVIDENT BANK
HAMPTON, NEW HAMPSHIRE
53-7402-2113

8/1/2013

PAY TO THE ORDER OF New Hampshire Fish and Game Department

\$ **50,000.00

Fifty Thousand and 00/100***** DOLLARS

Cheri Patterson
New Hampshire Fish and Game Department
225 Main Street
Durham, NH 03824

Jim Rolston
AUTHORIZED SIGNATURE

MEMO

Winnicut Dam Project Reimbursement



TOWN OF GREENLAND

New Hampshire Fish and Game Department

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
7/19/2013	Bill	Winnicut Dam	50,000.00	50,000.00	.	50,000.00
					Check Amount	50,000.00

Cash and Cash Equiv Winnicut Dam Project Reimbursement

50,000.00

Date: 12/11/2011
 Sold For: 100000
 00010001
 Massachusetts Income
 50000.00
 Total: 50,000.00
 Tender: 50,000.00
 Check: 50,000.00