



The State of New Hampshire
Department of Environmental Services

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Robert R. Scott, Commissioner

March 1, 2022

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Authorize the New Hampshire Department of Environmental Services (NHDES) to enter into a Memorandum of Agreement (MOA) with the New Hampshire Fish and Game Department (NHFG), (VC #311244-B001) Concord, New Hampshire, in an amount not to exceed \$9,407 to improve wetland connectivity for semi-aquatic wildlife vulnerable to wetland loss, effective upon Governor and Council approval through December 31, 2023. 100 % Federal Funds.

03-44-44-442010-1882-085-588575
Dept. Environmental Services, Wetland Protection/ Development, Interagency XFR Out of Fed Funds

FY'22
\$9,407

EXPLANATION

The US Environmental Protection Agency issued a grant to NHDES to improve the Wetlands Bureau efforts to protect and restore wetlands of high ecological value. NHDES plans to provide federal grant funds to the NHFG for work related to habitat connectivity. The MOA with NHFG will assist in the technical aspects of the project to enhance wetland connectivity. This award is for limited coordination with state wildlife biologists who will provide technical expertise to fulfill the grant. The attached Memorandum of Agreement outlines the scope of work for NHFG biologists knowledgeable of semi-aquatic wildlife vulnerable to wetland loss. This grant while less than \$10,000 requires Governor and Council approval as the department has received funds in excess of the limit for this fiscal year.

New Hampshire's wetlands and stream systems provide important functions; including flood control, fish and wildlife habitat, water storage and recharge for both ground and surface waters. The information that is collected on the wetlands, and spatial analysis performed will be used to develop a prioritization scheme to identify key road crossing projects to improve aquatic connectivity for aquatic and semi-aquatic wildlife, with a focus on state-endangered turtles. Because these species require large mosaics of connected wetland habitats, they are an ideal umbrella species for wetland condition, and restoration plans developed for this species will directly benefit other semi-aquatic wildlife conservation efforts in the Northeast.

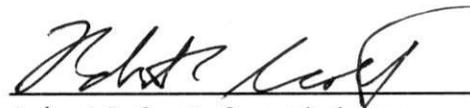
NHFG will provide technical expertise to guide the development of methods to assess road crossings that disrupt wetland connectivity for aquatic and semi-aquatic wildlife. The input from NHFG will

provide design guidance to educate regulatory and restoration practitioners to support future projects that will enhance wetland connectivity.

Total project costs are budgeted at \$14,910. NHDES will provide \$9,407 (63%) of project costs through a federal grant. NHFG will provide \$5,502 (37%) in matching funds. In the event Federal funds become unavailable, General funds will not be requested to support the project.

This agreement has been approved as to form, substance, and execution by the Office of the Attorney General.

We respectfully request your approval.

A handwritten signature in black ink, appearing to read "Robert R. Scott", written over a horizontal line.

Robert R. Scott, Commissioner

**MEMORANDUM OF AGREEMENT
BETWEEN
THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES
AND
THE NEW HAMPSHIRE FISH AND GAME DEPARTMENT**

I. PURPOSE

The purpose of this Memorandum of Agreement (MOA) is to outline the responsibilities of the parties for tasks associated with work described and funded by the Environmental Protection Agency, Wetland Program Development Grant, EPA-REG1-WPDG-21-01-Track 1, "Assessments and Prioritization of Wetland Road Crossings to Advance Restoration for Connectivity in New Hampshire", Grant Number 00A01007, CFDA #66.461. The grant was awarded to DES and several partners including the New Hampshire Fish and Game Department.

II. PARTIES

The parties to this MOA are the New Hampshire Department of Environmental Services (hereinafter "DES") and the New Hampshire Fish and Game Department (hereinafter "NHFG").

III. AUTHORITY

The DES Wetlands Bureau will partner with the NHFG to accomplish key activities in the New Hampshire Wetland Program Plan (NHWPP) that will greatly improve upon the DES Wetlands Bureau efforts to protect and restore wetlands of high ecological value, blocks of unfragmented habitat, and important fish and wildlife habitat. The grant outcomes will contribute to regional efforts in New England to enhance wetland connectivity and maintain key wildlife corridors to support landscape resiliency and endangered species recovery. The main objectives of the grant proposal are: (1) Develop methods to assess road crossings that disrupt wetland connectivity for aquatic and semi-aquatic wildlife, with focus on semi-aquatic freshwater turtles that are especially vulnerable to habitat fragmentation and wetland loss; (2) Assess 200-250 road crossings identified as critical wildlife corridors; (3) Develop the framework for prioritizing road crossings for restoration efforts to improve wetland connectivity; (4) Select 3-5 high-priority road crossing locations to develop conceptual engineering designs and restoration plans; and (5) Develop outreach materials and design guidance to educate regulatory and restoration practitioners to support future projects that will enhance wetland connectivity. The final outcomes of this grant will be completion of road crossing surveys in focal habitat areas, identification of locations for strategic restoration projects, and educational materials on road crossing designs that would benefit wildlife and enhance wetland connectivity.

IV. SCOPE OF WORK

The DES agrees to apply the funding provided under this MOA for the approved expenses associated with developing an assessment method, assist in selecting crossings for survey, work with partners to develop prioritization framework, and provide technical oversight of the development of design/guidance documents for distribution.

The NHFG agrees to participate in the Technical Advisory Committee. As members of the Technical Advisory Committee NHFG will participate in the committee's work to (1) provide guidance on survey methods and spatial analyses need to evaluate road crossings (2) determine criteria for prioritizing road crossing projects for restoration; (3) review the list of prioritized crossing and select 3-5 crossing for restoration design; (4) provide input/review on a design guidance manual, factsheets and outreach planning. One NHFG Biologist will assist DES in the coordination and grant implementation. NHFG agrees to submit an annual report to DES consisting of cost and a list of actions taken.

V. FUNDING

The DES will provide funding in the amount of \$9,407 to the NHFG account #20 07500 2125000 488544. NHFG agrees to return to NHDES any funds herein provided to the extent if NHFG fails to complete the project tasks. DES shall pay NHFG on an annual basis based on the invoiced amount of expenses incurred provided in annual invoices. Payment will be made within 30 days after receipt of a proper and approved invoice. Payment shall be made by interdepartmental funds transfer. The total budget shall not exceed \$9,407 over the course of this MOA. NHFG shall maintain supporting documentation for all costs incurred, and up to \$3,136 (25%) of non-federal match, for a period of three years beyond the end of this MOA for federal reporting and auditing purposes.

VI. TERMINATION

Either party may terminate this MOA by providing notice to the other thirty (30) days prior to termination.

VII. DURATION

This MOA shall continue in effect from the starting date of this MOA until December 31, 2023, unless terminated earlier by either party.

VIII. AGREEMENT

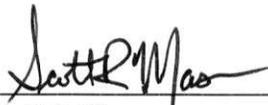
In WITNESS THEREOF, the parties hereto have executed this MOA, which shall become effective on the date the Governor and Executive Council of the State of New Hampshire approve the agreement.

NH Department of Environmental Services

NH Fish and Game Department



Robert R. Scott
Commissioner



Scott R. Mason
Executive Director

3/2/22

Date

1/3/22

Date

Approved by the Attorney General this 7th day of March, 2022, as to the form, execution and substance.

OFFICE OF THE ATTORNEY GENERAL