



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
PROGRAM PLANNING AND INTEGRATION  
Silver Spring, Maryland 20910

APR 26 2010

To All Interested Government Agencies and Public Groups:

Under the National Environmental Policy Act (NEPA), an environmental review has been performed on the following action.

**TITLE:** Targeted Supplemental Environmental Assessment for the Homestead Woolen Mill Dam Removal Restoration Project

**LOCATION:** Greenland, NH

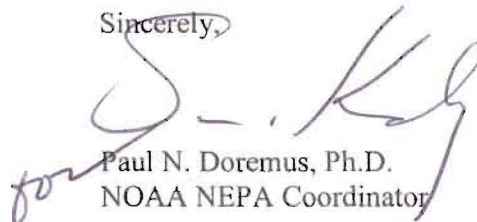
**SUMMARY:** The purpose of this project is to restore diadromous fish access to upstream spawning and rearing habitat, by funding removal of the Homestead Woolen Mill Dam in West Swanzey, New Hampshire, on the Ashuelot River. Removal of the dam will restore and improve fish passage conditions for Atlantic Salmon, American Shad, and Blueback Herring.

**RESPONSIBLE OFFICIAL:** Patricia A. Montanio  
Director, Office of Habitat Conservation  
National Oceanic and Atmospheric Administration  
1315 East-West Highway  
Silver Spring, MD 20910

The environmental review process led us to conclude that this action will not have a significant effect on the human environment. Therefore, an environmental impact statement will not be prepared. A copy of the finding of no significant impact (FONSI) including the supporting environmental assessment (EA) is enclosed for your information.

Although NOAA is not soliciting comments on this completed EA/FONSI we will consider any comments submitted that would assist us in preparing future NEPA documents. Please submit any written comments to the responsible official named above.

Sincerely,



Paul N. Doremus, Ph.D.  
NOAA NEPA Coordinator

Enclosure



Printed on Recycled Paper



## **Targeted Supplemental Environmental Assessment For The Homestead Woolen Mill Dam Removal Restoration Project**

### **Introduction**

The Community-based Restoration Program (CRP), under the authority of the Fish and Wildlife Coordination Act, 16 U.S.C. 661, as amended by the Reorganization Plan No. 4 of 1970 and the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 is proposing to provide financial assistance to a restoration activity entitled "Homestead Woolen Mill Dam Removal Restoration Project," through a partnership with The FishAmerica Foundation, and directly through the NOAA Open Rivers Initiative. Other financial assistance for the project is being provided by the United States Fish and Wildlife Service (USFWS), New Hampshire Fish and Game Department (NHFGD), New Hampshire Department of Environmental Services (NHDES), The Nature Conservancy (TNC), and New Hampshire Corporate Wetlands Restoration Partnership (NHCWRP).

### Purpose and Need for the Action

After reviewing the proposed project, we determined that the proposed action is in keeping with the purpose and need analyzed in the February 6, 2002 Programmatic Environmental Assessment (PEA) for the Community-based Restoration Program Implementation Plan and the June 23, 2006 Supplement (SPEA). Those programmatic documents analyze the impacts to the human environment generally resulting from the award of community-based grant funds to undertake a variety of coastal and marine habitat restoration activities. As described in the PEA/SPEA, certain site-specific impacts, such as impacts to properties eligible for or listed on the National Register of Historic Places (historic properties), and projects with the potential to adversely affect a federally threatened or endangered species or critical habitat (listed species) warrant additional analysis via a Targeted Supplemental Environmental Assessment (TSEA) to assess the potential for significant impact on the human environment. Specifically, the proposed action would have an adverse effect on the Homestead Woolen Mill and Dam and the West Swanzey Village Historic District which were both determined as eligible for the National Register of Historic Places, as well as the potential to adversely affect the federally endangered dwarf wedgemussel (*Alasmidonta heterodon*).

Formal consultation with the New Hampshire State Historic Preservation Officer (NHSHP) was initiated in June, 2003, pursuant to 36 C.F.R. Part 800, of the regulations implementing Section 106 of the National Historic Preservation Act (NHPA), and a Memorandum of Agreement (MOA) between NMFS and the NHSHP was fully executed in July 2009. The consultation between NMFS and NHSHP concluded that the proposed undertaking will have an adverse effect on the Homestead Woolen Mill and Dam and the West Swanzey Village Historic District which were both determined as eligible for the National Register of Historic Places and the MOA includes mandatory stipulations for resolving those adverse effects. As part of the proposed action, NMFS

will implement those stipulations, which, for NEPA purposes, will mitigate the adverse effects to historic properties.

Formal consultation with the United States Fish and Wildlife Service (USFWS) was initiated in January 2009, in accordance with Section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.), due to potential impacts to dwarf wedgemussel (*Alasmidonta heterodon*), and a Biological Opinion (BO) was issued on July 17, 2009. The BO concluded that the proposed action is not likely to jeopardize the continued existence of the dwarf wedgemussel. This non-jeopardy determination was based on review of the current status of the dwarf wedgemussel in the Ashuelot River watershed and throughout its range, the environmental baseline for the project area, and the effects of the proposed actions, including beneficial effects and cumulative effects.

This TSEA tiers to and incorporates by reference the pre-existing PEA and SPEA in accordance with 50 C.F.R. §1502.20 and NAO 216-6, subsection 5.09a. This TSEA level of review is conducted in accordance with the implementation procedures described in the SPEA and appropriately focuses on consideration of effects to historic properties and listed species and means for mitigating those effects through consultation in accordance with Section 106 of the NHPA, as implemented by 36 C.F.R. Part 800, and Section 7 of the ESA of 1973, as amended (16 U.S.C. 1531 et seq.) Beyond consideration of site-specific effects to historic properties and listed species, our review of the proposed action has not revealed any substantial changes in the proposed action or new potentially significant adverse effects to other elements of the human environment which would require additional review in the TSEA or supplementation of the pre-existing NEPA documents.

#### **Preferred Alternative: Description of Proposed Action**

NMFS is proposing to fund removal of the Homestead Woolen Mill Dam in West Swanzey, New Hampshire, on the Ashuelot River. NMFS has been working with the dam owner (Homestead Woolen Mills, Inc.) and other project partners for several years to implement dam removal.

The Ashuelot River is an ecologically and culturally significant river in southwestern New Hampshire, flowing nearly 65 miles from its source in Pillsbury State Park until its confluence with the Connecticut River in Hinsdale, NH. The river was recognized as a state designated river by the NHDES Rivers Management and Protection Program for its natural and cultural resources in 1993. In addition, it is included in the Silvio O. Conte National Fish and Wildlife Refuge Act, administered by the United States Fish and Wildlife Service (USFWS), and has been recently targeted for conservation by The Nature Conservancy in its Land Conservation Plan for New Hampshire's Coastal Watersheds (2006) and River Continuity Assessment of the Ashuelot River Basin (2007). Despite the presence of multiple barriers within the watershed, there is high quality spawning habitat available for many diadromous fish species and the USFWS has identified the Ashuelot River as one of the four most important refuges for the federally-listed endangered dwarf wedgemussel.

Efforts to restore and enhance diadromous fish populations (including Atlantic salmon, American shad and blueback herring) in the Ashuelot River began in 1995 with the stocking of Atlantic salmon fry by the NHFGD and the USFWS. By 1998, the NHFGD had developed an Ashuelot River Restoration Plan to restore a significant portion of the river to its natural state and allow migratory fish passage. Today, the NHFGD continues to stock salmon fry, American shad, and blueback herring into the Ashuelot River in an effort to restore sustainable populations as barriers on the river are removed. Removal of the dam will allow fish access to important spawning and nursery habitat above the dam and is expected to contribute to ecological improvements associated with free-flowing river conditions in this segment of the Ashuelot River (e.g., water quality improvements, natural transport of sediment and nutrients).

The dam once provided water power to the Homestead Woolen Mill, located immediately west of the dam, as well as a box mill that was once located on the east side of the river near a remnant tailrace. Structural analysis by the New Hampshire Department of Environmental Services (NHDES) Dam Safety program and private engineers indicates that the dam structure, dating from 1850 and composed mostly of timbers and rock, is unsound, in danger of failure, and represents a significant safety hazard. The current owner, Homestead Woolen Mills, Inc., contacted state officials to discuss dam removal following a 1997 inspection that revealed multiple deficiencies and because the dam had become an economic and safety liability. The Town of Swanzey was offered the opportunity to acquire the dam but voted not to pursue its acquisition in 2006.

Removal of the dam is expected to take approximately 2 weeks of work and will include removal of the full vertical extent of the crib dam and causeway, including all metal, timber, concrete, and other introduced materials that may be present, and hauling the material to a landfill for disposal. All stone ballast removed from the dam area will be re-used to construct three rock vanes structures in the streambed below the dam to create grade controls and reduce the potential for scour or changes to the riverbank, stabilize the channel and provide additional protection to an historic bridge located upstream. Although the rock vane structures themselves will require large boulders, the stone ballast will be used to fill in the voids. Additionally, the structures will concentrate water flow toward the center of the channel to provide the most efficient fish passage for the targeted species, including American shad. Concrete abutments on either end of the dam will remain in place to protect the mill foundation.

Channel stabilization is necessary to protect upstream properties and infrastructure, including the Thompson Covered Bridge, a historic structure listed on the National Register of Historic Places in 1980 and located approximately 200 feet upstream from the dam. The center pier of the bridge is located within the river channel and its integrity is currently threatened by river flows. Dam failure or removal of the dam is expected to increase scour and further threaten the bridge's integrity. Design plans for the removal of the Homestead Woolen Mill Dam include the installation of three cross vanes within the river to create grade controls, stabilize the channel and provide additional protection to the Thompson Covered Bridge. Further stabilization of the Thompson Covered Bridge is being undertaken by the Town of Swanzey and New Hampshire Department of

Transportation (NHDOT) and will occur either prior to or concurrently with the proposed action. The Federal Highway Department is acting as lead federal agency for the stabilization project and has satisfied its own NEPA analysis, including Section 106 and Section 7 consultations.

### **No Action Alternative**

Under the no action alternative, the CRP would not fund the proposal to remove the Homestead Woolen Mill Dam and the dam would continue to prevent diadromous fish passage to upstream foraging and spawning habitat. The Homestead Woolen Mills, Inc. would be responsible for upkeep and repair of the dam which serves no useful purpose.

### **Impacts of the Preferred Alternative:**

#### Impacts to Historic Properties

Removing the Homestead Woolen Mill Dam, while providing access to habitat for diadromous fish, will have adverse effects on historic resources associated with disturbance of the existing dam. The Homestead Woolen Mill and Dam is part of a mill complex located adjacent to the Ashuelot River in West Swanzey, New Hampshire. The complex has undergone multiple periods of new construction and reconfiguration, with extant portions dating from 1866-1977 and includes an intact, mid 19<sup>th</sup> century timber crib dam with a wooden spillway, one of several constructed on the Ashuelot River in the 19<sup>th</sup> and early 20<sup>th</sup> centuries. The dam stretches 175 feet across the full width of the river and is comprised of 12-18 inch log cribbing that is spiked, bolted, and pegged together to form an inverted V shape, which is filled with rocks and covered with planks to create a smooth spillway. Dam safety reports indicate that customary rock fill used to anchor timber crib dams is largely missing. The dam is partially protected from the full weight of upstream flow by an existing gravel causeway once used to divert flow during dam repairs in 1966. The dam is in very poor condition and partially failed during flooding in October 2005, when high flows dislodged and ruptured downstream decking material along approximately half of the crest and downstream face of the dam closest to the Homestead Mill. Based on the current condition of the dam, it is likely that the dam will fully breach within the next several years. The current owner, Homestead Woolen Mills, Inc., contacted state officials to discuss dam removal following a 1997 inspection that revealed multiple deficiencies and because the dam has become an economic and safety liability. The Town of Swanzey was offered the opportunity to acquire the dam but voted not to pursue its acquisition in 2006.

The Homestead Woolen Mill and Dam were determined to be eligible for the National Historic Registrar of Historic Places as a single property in December 2008 under Criterion A, for its significant long term association with the economic development of West Swanzey, and Criterion C, by representing a significant and distinguishable entity whose components may lack individual distinction. The complex displays the progression of mill architecture in the 19<sup>th</sup> and 20<sup>th</sup> centuries. Dating from 1850, the Homestead Dam is significant as an example of a mid 19<sup>th</sup> century timber crib dam and is the only remaining timber crib dam on the Ashuelot River. Removal of the dam will cause the loss of these characteristics.

These structures are contributing elements of the West Swansea Village Historic District. The Village of West Swanzey was determined to be eligible for the National Historic Registrar of Historic Places on December 2008 under Criterion A and C. The community is significant for association with local grist, lumber, textile and woodenware manufacturing in the Ashuelot River valley in southwest New Hampshire during the 19<sup>th</sup> and early 20<sup>th</sup> centuries as well as a significant example of community planning and contains a well preserved grouping of civic, residential, and industrial buildings displaying 19<sup>th</sup> century architecture. Removal of the dam will cause the loss of these contributing characteristics.

#### Mitigation

NOAA entered into a Memorandum of Agreement (MOA) with the NESHPO to resolve the potential adverse effects of the project. NMFS and the NESHPO agree that the undertaking shall be implemented in accordance with stipulations provided in the MOU, including historic documentation, interpretation including the erection of a NH Highway Historical Marker and creation of a public walking tour to include the dam site, and visual assessments to monitor archeological sensitive areas located upstream of the dam with potential for erosion. Via the MOA these appropriate mitigative stipulations have been agreed to by all parties. These mitigation measures, therefore, are considered part of the proposed action.

#### Impacts to Listed Species

Following consultation with the USFWS in accordance with Section 7 of the ESA of 1973, as amended (16 U.S.C. 1531 et seq.), a Biological Opinion (BO) was issued that concluded the proposed action will not jeopardize the continued existence of the dwarf wedgemussel.

Consultation was initiated in January 2009 in a meeting with the USFWS New England Field Office (NEFO) to discuss the proposed action and its potential to effect the dwarf wedgemussel. A Biological Opinion (BO) on the effects of the proposed action and an associated project to stabilize the Thompson Covered Bridge was completed based on information provided in a May 2009 biological evaluation (Dwarf Wedgemussel-Endangered Species Act-Section 7 Consultation: Homestead Dam and Thompson Covered Bridge on the Ashuelot River, Vanasse Hangen Brustlin, Inc. and Biodiversity 2009), Intra-Service Section 7 biological evaluation form, and electronic and phone correspondence between NEFO staff, project consultants, and the project manager (NHDES).

The dwarf wedgemussel is a federally listed species ranging from New Hampshire to North Carolina, in small creeks to deep rivers with suitable substrate. Human activity has significantly reduced its habitat with subsequent population decline and reduction in distribution of the species. Dwarf wedgemussel populations in the mainstem of the Connecticut River are currently separated from each other as well as from populations in the Ashuelot River by a series of dams. There are no populations below the Homestead Dam and the confluence of the Ashuelot and Connecticut Rivers and little if any genetic

exchange is possible. Mussels are scattered throughout a 15-mile stretch of the Ashuelot River and may number in the thousands. They are generally distributed in areas of free flowing river with sand, pebble, and gravel substrates. During intensive surveys conducted in 2003-2004, only two live animals were identified within the impoundment behind the Homestead Woolen Mill Dam.

Direct adverse effects of the proposed action may occur from the placement of fill materials on live animals during construction of rock vane structures, disturbance and mortality from marking and moving any mussels found within the project site, sedimentation from construction activities, and desiccation of mussels that may not be located and moved prior to the removal and subsequent drawdown of water. Impacts may be avoided or minimized by limiting the time of year in which construction may occur, limiting siltation during construction using appropriate erosion and sedimentation controls, and by relocating individuals to suitable, safer locations from areas where fill will be placed or in areas being dewatered during the impoundment drawdown. Indirect effects may include impacts to adult and larval mussels due to increased turbidity in the project site before vegetation become reestablished or when temporary cofferdams are removed.

The majority of the dwarf wedgemussel population and habitat is not expected to be affected and the proposed action is expected to achieve beneficial effects. Removal of the dam will restore free flowing riverine habitat, improving multiple ecological conditions within the Ashuelot River. By improving existing habitat, the action will contribute to a diverse fish community, including a dwarf wedgemussel host species, the tessellated darter. Increased fish movement may allow the expansion of dwarf wedgemussel into restored habitat.

In summary, the BO concluded that the proposed action is not likely to jeopardize the continued existence of the dwarf wedgemussel. This non-jeopardy determination is based on the limited duration of adverse effects within much of the suitable habitat within the impoundment, and the very small and localized population of mussels that may be impacted. The few animals identified at the Homestead Dam are only a small fraction of the population within the Ashuelot River and their possible loss is not expected to significantly affect genetic diversity of long term productivity of the Ashuelot River population. Beneficial effects are anticipated as the proposed action is intended to restore natural riverine conditions and improve habitat, fish passage, and possibly expanding mussel habitat.

#### **Impacts of the No Action Alternative**

Under the no-action alternative, NMFS CRP would not fund the proposed project. Other agencies would still have the option to fund this project. However, the need for coastal habitat restoration is great, and this project responds to those needs and meets important priorities of the CRP, therefore not funding would not contribute to the fulfillment of the CRP purpose and need. There would be no foreseeable direct, indirect or cumulative impacts to the human environment under the no action alternative.

### **Comparison of Alternatives**

Based on the analysis presented here, including the capacity to mitigate the loss to historic resources and a non-jeopardy determination by the USFWS, the preferred alternative can be conducted in a manner that minimizes the impacts to historic resources and listed species. The No Action alternative does not immediately impact the historic resource or listed species, however, significant work is required to stabilize the dam, and the No Action alternative would not assure that historic preservation nor protection for the dwarf wedgemussel be provided prior to damage or loss of the resource. In addition, the preferred alternative meets the purpose of the CRP by restoring important habitat for fish species under NMFS jurisdiction, whereas the purposes of the CRP are not advanced via the No Action alternative.

### **References**

National Marine Fisheries Service, 2009. Memorandum of Agreement between the National Marine Fisheries Service and the New Hampshire State Historic Preservation office for the Removal of the Homestead Woolen Mill Dam, West Swanzey, New Hampshire. Agreement number HC- 2009-215.

New Hampshire Department of Historic Resources, 2008. Homestead Mill Complex Individual Inventory Form. Prepared by Vanesse Hangen Brustlin, Inc.

New Hampshire Department of Historic Resources, 2008. Homestead Mill Complex Area Form. Prepared by Vanesse Hangen Brustlin, Inc.

United States Fish and Wildlife Service, 2009. Biological Opinion and Incidental Take Statement for the Homestead Woolen Mills Dam Removal and Thompson Bridge Stabilization Project.



**Finding of No Significant Environmental Impact  
For The Homestead Woolen Mill Dam Removal Project,  
A Project of the  
National Marine Fisheries Service Community-based Restoration Program**

NOAA's National Marine Fisheries Service (NMFS) has prepared a Targeted Supplemental Environmental Assessment (TSEA) for a restoration activity funded through a NOAA Restoration Center Community-based Restoration Program partnership with the FishAmerica Foundation and the NOAA Open Rivers Initiative.

The action is funding of a project entitled the "Homestead Woolen Mill Dam Removal Project." The purpose and need of this project is to remove an obsolete dam from the Ashuelot River in West Swanzey, New Hampshire, to restore diadromous fish passage to upstream spawning and nursery habitat. The TSEA assesses the potential environmental impacts of this project that pertain to the National Historic Preservation Act (NHPA) and the Endangered Species Act of 1973 (ESA) only. The additional potential impacts for this type of project are analyzed in the February 6, 2002 Programmatic Environmental Assessment (PEA) for the Community-based Restoration Program (CRP) Implementation Plan and its June 23, 2006 Supplement (SPEA).

NOAA's Administrative Order (NAO) 216-6 (May 20, 1999) contains criteria for determining the significance of the impacts of a proposed action. In addition, the Council on Environmental Quality (CEQ) regulations at 40 C.F.R. §1508.27 state that the significance of an action should be analyzed both in terms of "context" and "intensity." The significance of this action is analyzed based on the NAO 216-6 criteria and CEQ's context and intensity criteria. The criteria listed below are relevant to making a Finding of No Significant Impact, and have been considered individually, as well as in combination with the others, and include:

- 1) Can the proposed action reasonably be expected to cause substantial damage to the ocean and coastal habitats and/or essential fish habitat as defined under the Magnuson-Stevens Act and identified in FMPs?

Response: No, this criterion was adequately considered in the SPEA, which analyzed a broad range of restoration activities. The response included in the SPEA's associated FONSI states:

"No. Implementation of the CRP is designed to enhance or restore ocean and coastal habitats, and/or fish habitats that are essential to federally managed fish as defined under the Magnuson-Stevens Act or identified in FMPs. Implementation of the CRP and project types evaluated in the SPEA will be beneficial to these habitats."

2) Can the proposed action be expected to have a substantial impact on biodiversity and/or ecosystem function within the affected area (e.g., benthic productivity, predator-prey relationships, etc.)?

Response: There will be no significant adverse impacts on biodiversity and/or ecosystem function. As concluded by the BO, the proposed action will impact a very small and localized population of dwarf wedgemussels within the project area that may be harmed or killed. The subpopulation of dwarf wedgemussels at the project site is only a fraction of the overall population in the Ashuelot River and the possible loss of a few individuals is not expected to significantly affect genetic diversity or long term productivity of the overall Ashuelot River population. Conservation measures, including siltation control measures and minimization of burial or desiccation of mussels will minimize impacts of incidental take. The action is expected to have net beneficial impacts on biodiversity and/or ecosystem function through restoration of fish passage, improvements to degraded habitat, and possible expansion of suitable wedgemussel habitat.

3) Can the proposed action reasonably be expected to have a substantial adverse impact on public health or safety?

Response: No, this criterion was adequately considered in the SPEA, which analyzed a broad range of restoration activities. The response included in the SPEA's associated FONSI states:

“No. Implementation of the CRP is designed to enhance habitat and would benefit the environment, as well as public health and safety. Projects that would alter floodplains or modify stormwater management structures to prevent erosion or improve water quality, and projects that would remove contaminated sediments to restore habitat would beneficially affect public health and safety. No adverse impacts on public health and safety are expected.”

4) Can the proposed action reasonably be expected to adversely affect endangered or threatened species, their critical habitat, marine mammals, or other non-target species?

Response: Although some adverse impacts to a small number or small percentage of animals would be likely, the level of impact on individuals is not likely to have a significant adverse impact on the species at the overall population level. The potential impacts are limited to dwarf wedgemussels at the project site, which comprise only a fraction of the overall population in the Ashuelot River, and are not likely to have a significant adverse impact on the species. The USFWS has reviewed any adverse impacts on species listed as threatened or endangered under the ESA and issued a Biological Opinion that concluded the action is not likely to

jeopardize the continued existence of the dwarf wedgemussel, and issued recommended conservation measures to further reduce incidental take.

5) Are significant social or economic impacts interrelated with natural or physical environmental effects?

Response: No, this criterion was adequately considered in the SPEA, which analyzed a broad range of restoration activities. The response included in the SPEA's associated FONSI states:

"No significant social or economic impacts are expected. CRP-implemented habitat restoration projects, especially those having an education component, may have a substantial beneficial effect to habitats supporting coastal or marine resources, the projects would likely have a directly related economic and/or social benefit as well. Beneficial impacts would result because education of local citizens and youth about environmental issues in the community and beyond, especially habitat restoration and conservation, would promote environmental understanding of living coastal and marine resources, stewardship, and sustainability of the resources. The sustainability of these resources contributes positively to the long-term economic stability of the affected community."

6) Are the effects on the quality of the human environment likely to be highly controversial?

Response: No, this criterion was adequately considered in the SPEA, which analyzed a broad range of restoration activities. The response included in the SPEA's associated FONSI states:

"The quality of the human environment is expected to benefit from the proposed action, and implementation of the CRP to date has not been controversial. Completed projects have been beneficial to the quality of both human and natural environments. However, if the CRP wants to consider funding a proposed project that has an apparent substantial level of controversy, then a subsequent and independent NEPA review will be conducted for the project, and it would require an independent FONSI or other decision document, and would not be covered by this FONSI."

7) Can the proposed action reasonably be expected to result in substantial impacts to unique areas, such as historic or cultural resources, park land, prime farmlands, wetlands, wild and scenic rivers, essential fish habitat, or ecologically critical areas?

Response: No. Although the removal of the Homestead Woolen Mill Dam will result in an adverse effect on a structure considered individually eligible, and as a contributing element to a Small District, for the National Register of Historic Places, NMFS has worked closely with New Hampshire Division of Historic Resources (NH DHR) pursuant to 36 C.F.R. Part 800, of the regulations implementing Section 106 of the National Historic Preservation Act, to reduce and mitigate any impacts to historic and cultural

resources that may be adversely effected during or by removal of the dam. NMFS has entered into a Memorandum of Agreement (MOA) with the NH DHR to reach a resolution of the adverse effects of the proposed project and to mitigate those effects to the extent practicable. NMFS does not consider this level of adverse effects to historic resources significant under NEPA.

8) Are the effects on the human environment likely to be highly uncertain or involve unique or unknown risks?

Response: No, this criterion was adequately considered in the SPEA, which analyzed a broad range of restoration activities. The response included in the SPEA's associated FONSI states:

“Unique or unknown risks to the human environment may be possible in areas that have not been evaluated previously, but without a prior determination regarding the project-specific feasibility it is unlikely a specific proposal would be funded if these uncertainties exist. Occasionally, the CRP may provide a limited amount of funding for project-specific feasibility studies, when appropriate. It is unlikely that conducting habitat restoration feasibility studies would pose any substantial risk to the human environment.”

9) Is the proposed action related to other actions with individually insignificant, but cumulatively significant impacts?

Response: No, this criterion was adequately considered in the SPEA, which analyzed a broad range of restoration activities. The response included in the SPEA's associated FONSI states:

“The proposed action, when combined with related past, present, or reasonably foreseeable future actions, will not cause cumulative significant impacts to the human environment. Any impacts caused by the proposed action would generally be temporary, minor to moderate impacts due to ground disturbance or other construction-related activities from implementing specific projects, which then result in net long-term or permanent, moderate to substantial beneficial impacts on the affected communities, resources, and ecosystems of the United States. Due to the CRP's national scope and infrequency of projects occurring within the same geographic areas, the temporary negative impacts related to implementation would only be moderate, and isolated to project locations. Also, these negative impacts can be avoided, minimized or mitigated by best management practices and other measures, as described in the SPEA.

Many other federal, state, and local government agencies and private organizations implement similar beneficial projects across the United States to help restore and maintain natural ecosystems. Consequently, if and when other unrelated projects are planned or identified in a project area with spatially or temporally cumulative adverse impacts, the CRP staff can work with grantees to implement best management practices, and/or require project timing that will avoid cumulative adverse impacts, by using special award conditions as described

in the SPEA. The net beneficial impacts resulting from past projects, the proposed actions, and foreseeable future projects would be long-term and beneficial impacts. Overall, the sustainability of resources, especially living coastal and marine resources, would be enhanced.”

10) Is the proposed action likely to adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural or historical resources?

Response: Both the Homestead Woolen Mill Dam and associated Homestead Woolen Mill have been determined by the New Hampshire State Historic Preservation Officer (NHSPO) to be eligible for the National Register of Historic Places as individual resources and are considered contributing elements within the designated West Swanzey Historic District. NMFS has determined that the undertaking will have an adverse effect and has consulted with NHSPO, pursuant to 36 C.F.R. Part 800, of the regulations implementing Section 106 of the National Historic Preservation Act.

Cultural resource materials have been developed for this project including a NH DHR Homestead Mill Complex Area Form, NH DHR Homestead Mill Complex Individual Inventory Form, and Phase 1A and 1B archaeological surveys. Opportunities were provided to potential Consulting Parties to participate in project planning through public meetings, and meetings with NH DHR over a three-year period, and written letters were provided to potential Interested Parties to afford them an opportunity to become formally involved in the Section 106 consultation process.

In accordance with 36 C.F.R.800.6 (a)(1) NOAA has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation and the ACHP has chosen not to participate in the consultation pursuant to 36 C.F.R. 800.6 (a) (1)(iii). NMFS has entered into a Memorandum of Agreement (MOA) with the NH DHR to reach a resolution of the potential adverse effects of and associated mitigation for the proposed project.

Therefore, although some adverse effects to a site have been identified, implementing the measures in the MOA will limit them to a level that is not significant in a “human environment” context.

11) Can the proposed action reasonably be expected to result in the introduction or spread of a nonindigenous species?

Response: No, this criterion was adequately considered in the SPEA, which analyzed a broad range of restoration activities. The response included in the SPEA’s associated FONSI states:

“No. Implementation of the CRP should not cause or promote the introduction

or spread of nonindigenous species, and as described in section 2.2 and 4.1 of the SPEA, some project-specific actions may intentionally be conducted to prevent or avoid the introduction or spread of invasive species, and protect habitat for native species.”

12) Is the proposed action likely to establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration?

Response: No. Commitment of funds for this undertaking does not obligate NMFS’s involvement in future, similar actions. In addition, any future proposed undertaking that may adversely impact historic or cultural resources or threatened or endangered species will require consultation with the appropriate State Historic Preservation Officer, pursuant to 36 C.F.R. Part 800, of the regulations implementing Section 106 of the National Historic Preservation Act, or consultation with the USFWS, pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) and additional NEPA analysis.

13) Can the proposed action reasonably be expected to threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment?

Response: No, this criterion was adequately considered in the SPEA, which analyzed a broad range of restoration activities. The response included in the SPEA’s associated FONSI states:

“No. As described in Section 6.0 of the SPEA, implementation of the CRP will comply with all federal regulatory requirements, and to the extent possible with and state and local laws, and is expected to enhance or restore habitats and the environment that support coastal and marine living resources.”

NMFS and project partners have undertaken extensive pre-application coordination with local, state, and federal permitting authorities. There are no expected outstanding issues and all final permit applications have been submitted. Issuance of permits is expected in July 2009.

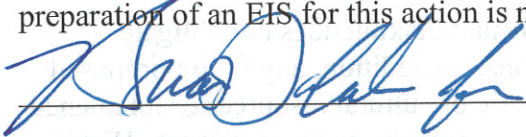
14) Can the proposed action reasonably be expected to result in cumulative adverse effects that could have a substantial effect on the target species or non-target species?

Response: No, this criterion was adequately considered in the SPEA, which analyzed a broad range of restoration activities. The response included in the SPEA’s associated FONSI states:

“No. As explained in the above response to criterion 9, the proposed action can reasonably be expected to result in cumulative *beneficial* effects on target species (i.e., federally protected or managed species or fisheries). The net cumulative effect could have a substantial positive impact on the target species. The net additive effects resulting from past projects, the proposed action, and reasonably foreseeable future projects that would affect target species would constitute a long-term beneficial impact to those species.”

DETERMINATION

In view of the information presented in this document and the analysis contained in the supporting Targeted Supplemental Environmental Assessment prepared for the Homestead Woolen Mill Dam Removal Project, it is hereby determined that this project will not significantly impact the quality of the human environment as described above and in the TSEA. In addition, all beneficial and adverse impacts of the proposed action have been addressed to reach the conclusion of no significant impacts. Accordingly, preparation of an EIS for this action is not necessary.



---

Date 4/13/10

Patricia Montanio  
Director, Office of Habitat Conservation  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
U.S. Department of Commerce