

Wetlands Bureau Decision Report

Decisions Taken
05/07/2007 to 05/13/2007

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

**2006-01950 WIDE WATERS LLC, KEITH VAN BUSKIRK
LACONIA Lake Winnepesaukee**

Requested Action:

Applicant proposes a 6 slip permanent docking facility consisting of a 6 ft x 50 ft piling supported dock, a 6 ft x 51 ft piling supported dock, a 6 ft x 53 ft piling supported dock and 3, three pile ice clusters, on 450 ft of frontage on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Reconsideration Request received May 22, 2007 from Watermark Marine Construction - np

Con Com comments; boatramp too shallow to use, individual ownership of docks, CSPA concerns.

NH Fish and Game submitting comments concerning winter Eagle roosting in area.

DENY PERMIT:

Applicant proposes a 6 slip permanent docking facility consisting of a 6 ft x 50 ft piling supported dock, a 6 ft x 51 ft piling supported dock, a 6 ft x 53 ft piling supported dock and 3, three pile ice clusters, on 450 ft of frontage on Lake Winnepesaukee, Gilford.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. In accordance with Rule Wt 302.04(a), Requirements for Application Evaluation, the applicant is required to demonstrate "the need for the proposed impact."
3. Env-Wt 302.04(d) states that the Department shall not grant a permit if:
 - (1) There is a practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction;
 - (2) The project would cause or contribute to significant degradation of waters of the state;
 - (3) The project will cause random or unnecessary destruction of wetlands; or
 - (4) The requirements of Env-Wt 302.03 are not met or where the applicant has failed to document consideration of factors as required in Env-Wt 302.04(a).
4. Pursuant to Env-Wt 302.01 "for nontidal wetlands, need shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands."
5. Pursuant to RSA 482-A:3,XIV(b) "Within 75 days of the issuance of a notice of administrative completeness for projects where the applicant proposes under one acre of jurisdictional impact and 105 days for all other projects, request any additional information that the department is permitted by law to require to complete its evaluation of the application, together with any written technical comments the department deems necessary. Any request for additional information shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if the requested information is not received within 120 days of the request, the department shall deny the application."
6. Pursuant to RSA 482-A:3,XIV(c) "Where the department requests additional information pursuant to subparagraph (b), the department shall, within 30 days of the department's receipt of the information:
 - (1) Approve or deny the application, in whole or in part; or
 - (2) Commence a non-adjudicative proceeding in accordance with this chapter and rules adopted by the commissioner; or
 - (3) Extend the time for response for good cause and with the written agreement of the applicant.
7. Pursuant to RSA 482-A, XIV(b), "where DES requests additional information, if that information is not received by DES within 120 days of the request, DES shall deny the application."

Findings of Fact

- 8. On July 28, 2006, the Wetlands Bureau received an application for surface water impacts, on the lot identified as Laconia tax map 168, lot 270-1, to construct a "Y" shaped permanent piling supported docking structure, a 6 ft x 50 ft piling supported docking structure a 6 ft x 51 ft piling supported docking structure a 6 ft x 53 ft piling supported docking structure, install 5, three pile ice clusters on 622 ft of frontage on Lake Winnepesaukee, Laconia.
- 9. On October 20, 2006, the Department sent a Request for More Information letter. Item # 5 of the letter requested "Please submit plans showing the distance between finger piers reduced to 25 ft to limit the impacts to the waterbody."
- 10. Between November 02, 2006 and November 28, 2006, the Department received several responses to the Request for More Information letter dated October 20, 2006. These responses did not completely and adequately address the requests in the Request for More Information letter dated October 20, 2006.
- 11. On December 05, 2006, the Department sent a second Request for More Information letter. This letter also requested for the second time to reduce the distance between the docking structures to 25 feet to minimize the impacts to public waters.
- 12. On February 13, 2007 the Department received information to the file requesting to separate the two docking facilities to the appropriate subdivided lots and requested an extension to the time to respond to the letter dated December 05, 2006 until March 23, 2007. The plans submitted with the information indicated the 3 docks would be located 30 ft apart.

Findings in Support of Denial

- 13. The applicant did not submit the alternative with the least impacting alternative as required by Env-Wt 302.04(a). Pursuant to Env-Wt 302.04 (d), the project is denied.
- 14. Pursuant to RSA 482-A:3, the applicant did not submit the requested information as of the requested extension date of March 23, 2007. Therefore the application is denied.

2006-03235 TEXAS NH LLC
GILFORD Lake Winnepesaukee

Requested Action:

Install two seasonal 6 ft x 40 ft docks attached to two 4 ft x 6 ft concrete pads located behind the natural undisturbed shoreline, replace two bumper piles adjacent to an existing 14 ft x 47 ft crib pier attached to a 20 ft x 21 ft 8 in crib pier and dredge abandoned crib materials from 160 sq ft of lakebed adjacent crib pier on an average of 689 ft of frontage on Mark Island, Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com has no concerns

Inspection Date: 03/21/2007 by Dale R Keirstead

APPROVE PERMIT:

Install two seasonal 6 ft x 40 ft docks attached to two 4 ft x 6 ft concrete pads located behind the natural undisturbed shoreline, replace two bumper piles adjacent to an existing 14 ft x 47 ft crib pier attached to a 20 ft x 21 ft 8 in crib pier and dredge abandoned crib materials from 160 sq ft of lakebed adjacent crib pier on an average of 689 ft of frontage on Mark Island, Lake Winnepesaukee, Gilford.

With Conditions:

- 1. All work shall be in accordance with plans by Watermark Marine Construction dated December 14, 2006, as received by the Department on December 26, 2006, and dredge plan dated March 12, 2007, as received by the Department on April 03, 2007.
- 2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
- 3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not

previously permitted or grandfathered.

4. These shall be the only structures on this water frontage and all portions of the docking structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. The crib shall be dredged to the existing lakebed level.
8. Seasonal piers shall be removed from the lake for the non-boating season.
9. No portion of the seasonal piers shall extend more than 40 feet from the shoreline at full lake elevation.
10. The concrete pads shall be located completely behind the natural undisturbed shoreline at full lake elevation of 504.32.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 688 feet of frontage along Lake Winnepesaukee.
3. A maximum of 10 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
4. The proposed docking facility will provide 9 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
5. Public hearing is waived based on field inspection, by NH DES staff, on March 21, 2007, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. The construction of seasonal docks on the frontage is less impacting than the construction of permanent docks.

-Send to Governor and Executive Council-

2007-00362 COUNTRY CLUB SHORES LLC
LACONIA Lake Opechee

Requested Action:

Install three 6 ft x 30 ft seasonal piers to the south of an existing 6 ft x 47 ft pier on 569 ft of frontage in Laconia on Lake Opechee.

Inspection Date: 05/10/2007 by Chris T Brison

APPROVE PERMIT:

Install three 6 ft x 30 ft seasonal piers to the south of an existing 6 ft x 47 ft pier on 569 ft of frontage in Laconia on Lake Opechee.

With Conditions:

1. All work shall be in accordance with plans by DMC surveyors dated November 14, 2006, as received by DES on February 22, 2007.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. Removal of debris; such as dead logs, branches, and rocks, from the lakebed is strictly prohibited, and shall require a separate permit.
4. Entire docking facility shall not provide more than 8 boatslips.
5. This permit does not authorize beach replenishment.
6. This permit does not authorize any maintenance dredging.
7. All seasonal docks shall be removed from the lake for 5 months during the non-boating season.
8. No portion of the 3 newly installed docks shall extend more than 30 feet from the shoreline at full lake elevation.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
10. Unnecessary removal of vegetation for dock installation shall be strictly prohibited.
11. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 569 feet of frontage along Lake Opechee.
4. A maximum of 8 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
5. The proposed docking facilities in combination with those existing will provide 8 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
6. Public hearing is waived based on field inspection, by NH DES staff, on May 10, 2007, with the finding that the project impacts will not significantly impair the resources of Lake Opechee.
7. Proposal to cluster docking systems along one section of shoreline is the least impact to the shoreline as it reduces associated bank impacts.

-Send to Governor and Executive Council-

2007-00410 WIDE WATERS LLC, KEITH VAN BUSKIRK
LACONIA Lake Winnepesaukee

Requested Action:

Construct a 6 ft x 60 ft permanent piling supported dock connected to a 6 ft x 29 ft permanent piling supported dock by a 6 ft x 12 ft walkway in a "Y" configuration, install 2, three pile ice clusters, install a permanent boatlift in the center slip with a 14 ft x 30 ft seasonal canopy on 170 ft of frontage on Lake Winnepesaukee, Laconia.

APPROVE PERMIT:

Construct a 6 ft x 60 ft permanent piling supported dock connected to a 6 ft x 29 ft permanent piling supported dock by a 6 ft x 12 ft walkway in a "Y" configuration, install 2, three pile ice clusters, install a permanent boatlift in the center slip with a 14 ft x 30 ft seasonal canopy on 170 ft of frontage on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated July 17, 2006, revision date February 08, 2007, as received by the Department on April 19, 2007.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. The dock shall not extend more than 60 ft lakeward at full lake elevation of 504.32.
9. The minimum clear spacing between piles shall be 12 feet.
10. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The proposed docking facility is adjacent to a proposed docking facility by the same owner on the adjacent lot, file number 2006-01950. Pursuant to RSA 482-A:11 the projects shall be reviewed in combination and constitute a major docking facility.

3. The applicant has an average of 170 feet of frontage along Lake Winnepesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
6. Public hearing is waived based on field inspection, by NH DES staff, on December 13, 2006, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2006-00600 BKP DYNASTY TRUST
WOLFEBORO Lake Winnepesaukee

Requested Action:

Amend permit to include tie-off pilings.

APPROVE AMENDMENT:

Amend permit to read: Construct two 6 ft x 30 ft piling piers connectetd by a 5 ft x 34 ft walkway over the bank in a U-shaped configuration with 3 tie off pilings within the center double boat slip on 225 ft of frontage in Wolfeboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey revised as received by the Department on May 1, 2007.
2. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Permanent piers shall not extend lakeward more than 30 ft from the reference line.
4. The minimum spacing for pile bents shall be 12 ft center to center.
5. No walkway or dock on the frontage shall exceed a 6 ft width without further approval from the Department.
6. Dock access stairs shall be constructed over the bank, and shall not be recessed into the bank.
7. Unnecessary removal of vegetation shall be prohibited.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
10. Accessory structures on the frontage, such as decks, patios, gazebos, etc. within 50 ft of the reference line shall be subject to the following: must be at least 20 ft landward of the reference line, shall not exceed 20 ft in height, shall not exceed a 150 sq ft area, and shall not be constructed in slopes steeper than 25%.
11. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
12. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
13. If seasonal boatlifts or seasonal personal watercraft lifts are later installed, they shall require another permit, and will be installed in such a manner as to not exceed the already reached 4 boatslip limit.
14. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
15. This permit does not authorize any dredging activities.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), Construction of a docking system that provides for 4

boatslips.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 225 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
5. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2006-01773 UNITED CONSTRUCTION COMPANY
GRANTHAM Unnamed Stream North Branch Sugar River

Requested Action:

Dredge and fill 7,950 square feet of intermittent and perennial stream and associated palustrine forested wetlands to install a 24-inch x 80-foot open-bottomed metal arch culvert for an intermittent stream road crossing; and a 36-inch x 60-foot, 48-inch x 28-foot, and 36-inch x 20-foot open bottomed metal arch culvert for three (3) separate perennial stream crossings for road and common driveway access to a 17-lot subdivision on ± 57 acres (phase I); and restore approximately 30 linear feet of perennial stream for the removal of an existing 18-inch culvert.

APPROVE PERMIT:

Dredge and fill 7,950 square feet of intermittent and perennial stream and associated palustrine forested wetlands to install a 24-inch x 80-foot open-bottomed metal arch culvert for an intermittent stream road crossing; and a 36-inch x 60-foot, 48-inch x 28-foot, and 36-inch x 20-foot open bottomed metal arch culvert for three (3) separate perennial stream crossings for road and common driveway access to a 17-lot subdivision on ± 57 acres (phase I); and restore approximately 30 linear feet of perennial stream for the removal of an existing 18-inch culvert.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consultants, LLC dated February 07, 2007, and revised through April 02, 2007, as received by the Department on April 12, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during annual low flow conditions.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

RESTORATION:

21. This permit is contingent upon the restoration of approximately 30 linear feet of perennial stream channel in accordance with plans received April 12, 2007.
22. The schedule for construction of the restoration area shall coincide with site construction unless otherwise considered and authorized by the DES Wetlands Bureau.
23. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration area is constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
24. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
25. Materials used to emulate a natural channel bottom must be rounded and smooth stones similar to the natural stream substrate and shall not include angular riprap or gravel.
26. Wetland soils from areas vegetated with purple loosestrife (*Lythrum salicaria*) shall not be used in the restoration site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
27. Only native wetland species appropriate to the area shall be planted.
28. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications and shall contain no reed canary grass (*Phalaris arundinacea*).
29. Mulch used within the wetland restoration area shall be natural straw or equivalent.
30. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the DES Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
31. Restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional stream/wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
32. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands DES within sixty (60) days of the completion of construction.
33. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to assess the system and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second year following the completion of the restoration site.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 square feet of wetlands.
2. The Environmental Protection Agency requested: a) a vernal pool survey, b) buffers along tributaries needed for possible wood turtle use, and c) large culverts with a sufficient openness ratio and natural bottom.
3. The NHEG Nongame and Endangered Wildlife Program requested: a) minimum 75-foot no-cut buffers along Littfield Brook and any tributaries to Corydon Branch to provide habitat for wood turtle and brook floater mussels, b) a vernal pool survey, and c) 100-foot no-cut vernal pool buffer to provide feeding opportunities for wood turtle.
4. The Natural Heritage Bureau indicated the presence of Brook floater (*Alasmidonta varicosa*), a state endangered species, and

Wood turtle (*Glyptemys insculpta*), a state species of concern, in the project vicinity.

5. The applicant submitted a vernal pool survey and narrative, completed by a NH certified wetland scientist, in which a single vernal pool was identified.
6. Proposed lot lines around the vernal pool and associated wetland have been revised to allow for this area to be included in "open space".
7. "Open space" will be used for passive recreation and will be protected by the covenants of a homeowners association.
8. A vernal pool 100-foot no-cut buffer will be established by deed restrictions prohibiting cutting or disturbance.
9. A 75-foot buffer has been provided along Littlefield Brook and all unnamed perennial streams by deed restrictions.
10. Incorporating common driveways and revising the road layout has eliminated three (3) of the originally proposed stream crossings.
11. The applicant has revised all project crossings, which are all stream crossings, to open-bottomed spans.
12. Stormwater detention basins were relocated or reduced in size to allow for a greater buffer between the basins and stream channels.
13. This project is phase one (1) of a two (2) phased development. Conceptual plans for the second phase have been provided.
14. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
15. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
16. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-02742 LEONARD, EARLENE
BROOKFIELD Kingswood Lake

Requested Action:

Repair and/or replace 98 linear ft of existing retaining wall "in kind" on 236 ft of frontage on Kingswood Lake in Brookfield.

APPROVE PERMIT:

Repair and/or replace 98 linear ft of existing retaining wall "in kind" on 236 ft of frontage on Kingswood Lake in Brookfield.

With Conditions:

1. All work shall be in accordance with plans by Tumbledown Construction as received by the Department on October 19, 2006.
2. Replacement wall shall maintain existing length and height.
3. The replacement wall shall be built within the footprint of the existing wall and shall not encroach further into the waterbody the existing wall.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j) repair or replacement of retaining walls.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-03029 GROB, MONTY
DORCHESTER South Branch Baker River**

Requested Action:

Dredge and fill 3,300 square feet palustrine forested and scrub-shrub wetlands associated with intermittent and perennial streams to install a 14-foot x 5.5-foot x 8-foot bridge intermittent stream crossing (wetland impact 1); a 20-inch x 20-foot culvert intermittent stream crossing and an 18-inch x 24-foot culvert for associated wetlands (wetland impact 2); and a 14-foot x 5.5-foot x 8-foot bridge perennial stream crossing (wetland impact 3) to upgrade an existing woods road to allow for property access.

APPROVE PERMIT:

Dredge and fill 3,300 square feet palustrine forested and scrub-shrub wetlands associated with intermittent and perennial streams to install a 14-foot x 5.5-foot x 8-foot bridge intermittent stream crossing (wetland impact 1); a 20-inch x 20-foot culvert intermittent stream crossing and an 18-inch x 24-foot culvert for associated wetlands (wetland impact 2); and a 14-foot x 5.5-foot x 8-foot bridge perennial stream crossing (wetland impact 3) to upgrade an existing woods road to allow for property access.

With Conditions:

1. All work shall be in accordance with plans by A&D Klumb Environmental, LLC as received by the Department on April 10, 2007.
2. Work shall be done during annual low flow conditions.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Culverts shall be laid at original grade.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 20,000 square feet of wetlands.

2. The proposed project is upstream of the commencement of the 4th order designation of the South Branch Baker River, which is the convergence with Rocky Brook in Dorchester.
3. The applicant has confirmed the proposed access is not associated with any recent or proposed subdivision.
4. Access from Route 120 is limited by steep slopes.
5. The perennial stream crossing is required to access the northwestern portion of the property.
6. Open-bottom bridges that span the top-of-bank width were provided for both perennial stream crossings and one (1) of the two (2) intermittent stream crossings.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00195 LAWSON, CHARLES & CYNTHIA
NEW LONDON Pleasant Lake

Requested Action:

Stabilize and restore 40 linear ft of existing retaining wall "in-kind" in New London on Pleasant Lake.

APPROVE PERMIT:

Stabilize and restore 40 linear ft of existing retaining wall "in-kind" in New London on Pleasant Lake.

With Conditions:

1. All work shall be in accordance with cross section as received by the department on April 20, 2007 and revised top view plans as received by DES on May 2, 2007.
2. The replacement wall shall maintain existing length, height and configuration.
3. The replacement wall shall be constructed within the foot print of the existing wall and shall not encroach further onto the waterbody than the existing wall.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
9. The vegetation plan shall be implemented and maintained after wall completion.
10. Unnecessary removal of vegetation shall be prohibited.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j) repair or replacement of existing retaining walls
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00275 MILLS COVE REALTY ON WINNIPESAUKEE, BRIAN FORTIER
ALTON Lake Winnepesaukee

Requested Action:

Install a 6 ft by 40 ft seasonal dock attached to a 3 ft x 7 ft concrete pad connected to a previously permitted 6 ft x 40 ft seasonal dock by a 4 ft x 12 ft seasonal walkway in a "U" shaped configuration on an average of 151 ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com has no objections
NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Install a 6 ft by 40 ft seasonal dock attached to a 3 ft x 7 ft concrete pad connected to a previously permitted 6 ft x 40 ft seasonal dock by a 4 ft x 12 ft seasonal walkway in a "U" shaped configuration on an average of 151 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by revision dated April 02, 2007, as received by DES on April 09, 2007.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
6. Seasonal pier shall be removed from the lake for the non-boating season.
7. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
8. The seasonal docks shall be installed so as not to create a navigational hazard for the abutters.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of any docking system that exceeds the design and construction criteria discussed for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 151 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2007-00704 SCHACHT, STEPHEN
ANTRIM Unnamed Stream

Requested Action:

Dredge and fill 185 square feet of an intermittent tributary to Great Brook and impact 20 linear feet of Great Brook bank to complete hydraulic improvements to an existing weir to improve flooding control of Great Brook. Improvements include cutting and removing concrete (0.5 cubic yards), installation of flash board pins, removal of flashboards, removal of 100 square feet (6 cubic yards) of debris, and replacement of erosion protection stone along the weir.

APPROVE PERMIT:

Dredge and fill 185 square feet of an intermittent tributary to Great Brook and impact 20 linear feet of Great Brook bank to complete hydraulic improvements to an existing weir to improve flooding control of Great Brook. Improvements include cutting and removing concrete (0.5 cubic yards), installation of flash board pins, removal of flashboards, removal of 100 square feet (6 cubic yards) of debris, and replacement of erosion protection stone along the weir.

With Conditions:

1. All work shall be in accordance with plans by Quantum Construction Consultants, LLC dated November 14, 2006, and November 27, 2006, as received by the Department on April 13, 2007.
2. Work shall be done during low flow conditions.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
19. A post-construction report documenting the status of the completed construction, including photographs during and post construction, shall be submitted to the Wetlands DES within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that alter less than 200 linear feet of a perennial stream channel or its banks.
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
3. The Antrim Conservation Commission signed the Minimum Impact Expedited Application.
4. The DES Wetlands Bureau received a copy of a September 28, 2006, email communication from the DES Dam Bureau indicating DES Dam Bureau approval is not required for this project.
5. The applicant's agent confirmed the roadway swale that will be impacted for temporary access is not jurisdictional.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

- 7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2006-01287 GREAT BAY NATIONAL WILDLIFE REFUGE
NEWINGTON Great Bay

Requested Action:

Amend permit to include beaver control pipe in culvert repair.

APPROVE AMENDMENT:

Dredge and fill approximately 400 sq. ft. of wetlands to replace a failed 12" culvert with a 18' x 40' culvert and install beaver control pipe on existing public trail at Great Bay National Wildlife Refuge, and remove existing beaver fence and debris.

With Conditions:

- 1. AMENDED: All work shall be in accordance with plans by Ducks Unlimited, Inc. dated 2/24/2006, as received by the Department on 5/23/2006.
- 2. This permit is contingent upon receipt by DES of revised plans eliminating the beaver control structure.
- 3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 6. Proper headwalls shall be constructed within seven days of culvert installation.
- 7. Work shall be done during low flow.

With Findings:

- 1. Pursuant to discussion with NH Fish & Game Non-game and Endangered Wildlife personnel on May 1, 2007, upon reexamination of the request, the beaver control pipe is acceptable at the proposed location in association with the culvert replacement.

2006-02363 LARSON, DONALD
MEREDITH Lake Winnepesaukee

Requested Action:

Temporarily impact a total of 40 sq ft of lake bed to install a submarine cable to supply electricity to Beaver Island from Big Beaver Island on Lake Winnepesaukee in Meredith.

APPROVE AMENDMENT:

Temporarily impact a total of 40 sq ft of lake bed to install a submarine cable to supply electricity to Beaver Island from Big Beaver Island on Lake Winnepesaukee in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated October 28, 2006, as received by the Department on November 3, 2006.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. No more than 5 cubic yards of material shall be disturbed.
7. Cable shall be partially buried to avoid becoming a boating hazard.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ae), Installation of residential utility lines and associated temporary impacts to permit utility services for a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-03059 CAMUSO REALTY TRUST, GERALD & MARGARET
HAMPTON Unnamed Wetland Atlantic Ocean**

Requested Action:

In-kind replacement of approximately 80 linear feet of an unpermitted, existing 3"x3"x8' wooden timber retaining wall on a residential lot of 0.11 acre with approximately 57 feet of frontage on the Atlantic Ocean.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission (HCC) did not sign the Minimum Impact Expedited Application. The HCC commented on the project which are noted in the findings.

APPROVE PERMIT:

In-kind replacement of approximately 80 linear feet of an unpermitted, existing 3"x3"x8' wooden timber retaining wall on a residential lot of 0.11 acre with approximately 57 feet of frontage on the Atlantic Ocean.

With Conditions:

1. All work shall be in accordance with plans by Margaret A. Camuso, as received by DES on January 12, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. Replacement shall maintain existing size, location and configuration.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Appropriate siltation/erosion/turbidity controls shall be in place immediately adjacent to the existing wall prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. This permit does not allow for work on or encroach onto the Keleher property. All work shall occur on the Camuso property only.

8. All exposed areas shall be restored and regraded to original contours, and seeded upon completion.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration..
2. The existing wall is in disrepair therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. This particular wall will be replaced in-kind therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Pursuant to Env-Wt 304.04 (a), the applicant attempted to obtain written concurrence from the abutter identified as Joseph & Mary Keleher (Hampton Tax Map 134 Lot 39).
6. On April 6, 2007, DES received correspondence from the aforementioned abutter relative to finding #5. In this letter the Keleher's express their concerns with the wall replacement. Additionally, they 'do not concur with any impact that would result from the project that is proposed.'
7. DES hereby waives rule Env-Wt 304.04(a), with the following findings: a.) absolutely no work can or will occur on the Keleher's property as conditioned on the permit; b.) siltation fence must be installed immediately adjacent to the existing wall to ensure there is no erosion onto the Keleher property as conditioned on the permit; c.) this replacement will be in-kind.
8. DES received the following comments/stipulations from the Hampton Conservation Commission for the project: a.) The fence will be less than 3 feet high and made of plastic with space between the slats to allow for wind to pass through without affecting the fence or abutting property; b.) There will be no intrusion onto the abutter's property during construction; c.) The final product will conform to the statues; d.) This is an after-the-fact permit application to replace a previously existing non-permitted structure.
9. With regard to the HCC comments/stipulations, DES makes the following findings: a.) DES does not regulate the height of or construction material of fencing. This construction limitation is enforced at the local level; b.) See finding #7 (b); c.) this permit is only for the in-kind replacement of the existing wall; d.) this permit retains the existing wall.

FORESTRY NOTIFICATION

2007-00878 PRATT, PETER
BRENTWOOD Unnamed Stream

COMPLETE NOTIFICATION:
Brentwood Tax MAP 224, Lot# 1

2007-00936 CAMARA, H DAVID
TWIN MOUNTAIN Unnamed Stream

COMPLETE NOTIFICATION:
Twin Mountain Tax Map 207, Lot# 5 & 6

2007-00940 ANDERSON, S KATHERINE
HILLSBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Hillsboro Tax Map 12, Lot# 136 & 140

**2007-00969 JONES, ALLAN
WEBSTER Unnamed Stream**

COMPLETE NOTIFICATION:
Webster Tax Map 4, Lot# 38

EXPEDITED MINIMUM

**2007-00116 WILSON REVOC TRUST, WENDY
LACONIA Lake Winnisquam**

Requested Action:

Install 31 ft of rip rap combined with planting native vegetation along the shore of Lake Winnisquam, Laconia.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

DENY PERMIT:

Install 31 ft of rip rap combined with planting native vegetation along the shore of Lake Winnisquam, Laconia.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a minimum impact project in accordance with Rule Env-Wt 303.04(m), projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.
3. Pursuant to Env-Wt 302.01 "for nontidal wetlands, need shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands."
4. Pursuant to Env-Wt 404.03 "Natural vegetation shall be left intact to the maximum extent possible. If space and soil conditions allow, unstable banks shall be cut back to a flatter slope, seeded, and replanted with native, non-invasive trees and shrubs."
5. Pursuant to Env-Wt 101.75 "Rip-rap means cobble-sized and boulder-sized rocks placed on a bank to prevent erosion."
6. Pursuant to Env-Wt 404.04(c) "Applications to use rip-rap adjacent to great ponds or water bodies where the state holds fee simple ownership shall include a stamped surveyed plan showing the location of the normal high water shoreline and the footprint of the proposed project."
7. Pursuant to Env-Wt 404.04(a) "Rip-rap applications shall be considered only where the applicant demonstrates that anticipated turbulence, flows, restricted space, or similar factors render vegetative and diversion methods physically impractical."
8. Pursuant to Env-Wt 404.04(b) "Applications for rip-rap shall include: (1) Designation of a minimum and maximum stone size; (2) Gradation; (3) Minimum rip-rap thickness; (4) Type of bedding for stone; (5) Cross-section and plan views of the proposed installation; (6) Sufficient plans to clearly indicate the relationship of the project to fixed points of reference, abutting properties, and features of the natural shoreline; and (7) A description of anticipated turbulence, flows, restricted space, or similar factors that would render vegetative and diversion methods physically impractical."
9. In accordance with RSA 482-A:3,XIV(b) "Within 75 days of the issuance of a notice of administrative completeness for projects where the applicant proposes under one acre of jurisdictional impact and 105 days for all other projects, request any additional information that the department is permitted by law to require to complete its evaluation of the application, together with any

written technical comments the department deems necessary."

Findings of Fact

10. On January 23, 2007 the Wetlands Bureau received a Minimum Impact Expedited Application for surface water impacts, on the lot identified as Laconia tax map 21, lot 11, to install 31 linear feet of rip rap on the shoreline of Lake Winnisquam.
11. On February 15, 2007 the Wetlands Bureau sent a Notification of Incomplete Expedited Application letter pursuant to RSA 482-A:3, requesting the applicant to submit information to the file to complete the required information.
12. The Notification of Incomplete Expedited Application requested the applicant submit information to the file addressing Env-Wt 404.03 documenting that vegetation stabilization will not effectively stabilize the shoreline.
13. The Notification of Incomplete Expedited Application requested the applicant submit information to the file addressing Env-Wt 404.03 documenting that vegetation stabilization will not effectively stabilize the shoreline.
14. The Notification of Incomplete Expedited Application requested the applicant submit information to the file addressing the requirements of Env-Wt 404.01, demonstrating the proposed project is the least intrusive but practical method.

Rulings in Support of Denial

15. Pursuant to Env-Wt 302.01, the applicant did not submit information to the file to justify the need to impact the shoreline.
15. Pursuant to Env-Wt 404.01 the applicant did not submit the least intrusive but practical method for shoreline stabilization.
16. The applicant did not submit the information as required pursuant to Env-Wt 404.03.
17. The applicant did not submit the information as pursuant to Env-Wt 404.04, therefore the application is denied.

2007-00147 NEWBURY, TOWN OF NEWBURY Todd Lake

Requested Action:

Dredge and fill 15 square feet and temporarily impact 255 square feet of the bank of Todd Lake to replace a 12-inch culvert with twin 18-inch x 44-foot culverts; extend an existing 18-inch culvert by 10 feet; and install additional stormwater treatment.

APPROVE PERMIT:

Dredge and fill 15 square feet and temporarily impact 255 square feet of the bank of Todd Lake to replace a 12-inch culvert with twin 18-inch x 44-foot culverts; extend an existing 18-inch culvert by 10 feet; and install additional stormwater treatment.

With Conditions:

1. All work shall be in accordance with plans by Provan and Lorber, Inc. dated November 2006, and revised through March 2007, as received by the Department on April 13, 2007.
2. There shall be no impacts to the lake bed.
3. Work shall be done in the dry.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), alteration of less than 50 linear feet along the shoreline of a lake or pond or its bank.
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
3. The Newbury Conservation Commission signed the Minimum Impact Expedited Application.
4. The Town of Newbury has received written consent from the owners of the common land on which work will occur in jurisdiction, tax map/lot 182-512 and 185-525.
5. Work will not occur below the Todd Lake normal pool elevation.
6. Riprap stabilization as an alternative to the proposed culvert extension was not chosen due to the steep slope of the bank of Todd Lake in the project area.
7. Jurisdictional areas impacted by the culvert extension and replacement are limited to Todd Lake.
8. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-00549 UNH - FACILITIES & DESIGN CONSTRUCTION
DURHAM Unnamed Stream Drainage Swale**

Requested Action:

Maintenance dredge 500 sq. ft. of sump pump discharge outlet/drainage swale choked with cat tails.

APPROVE PERMIT:

Maintenance dredge 500 sq. ft. of sump pump discharge outlet/drainage swale choked with cat tails.

With Conditions:

1. All work shall be in accordance with plans by University of NH dated 12/15/2006, as received by DES on 3/28/2007.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
8. No fill shall take place in Atlantic white cedar swamps.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredging of non-tidal drainage ditches.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the

department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Durham Conservation Commission signed the expedited application.

2007-00601 UNH - FACILITIES & DESIGN CONSTRUCTION
DURHAM Unnamed Wetland

Requested Action:

Fill 150 sq. ft. of wetlands to provide access for roof maintenance equipment for Snively Arena.

APPROVE PERMIT:

Fill 150 sq. ft. of wetlands to provide access for roof maintenance equipment for Snively Arena.

With Conditions:

1. All work shall be in accordance with plans by University of NH dated 3/5/2007, as received by DES on 4/3/2007.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
8. No fill shall take place in Atlantic white cedar swamps.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant needs equipment access to the north side of the arena for on-going roof maintenance.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Durham Conservation Commission signed the expedited application.

2007-00691 LOWER BARTLETT WATER PRECINCT
BARTLETT Unnamed Wetland

Requested Action:

Temporarily impact approximately 232 sq. ft. of perennial stream bed and bank for repair and replacement of an existing water main

adjacent to Spring Hill Road.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact approximately 232 sq. ft. of perennial stream bed and bank for repair and replacement of an existing water main adjacent to Spring Hill Road.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering PLLC, plan sheets titled Brook Crossing Notes and Details and Wetlands Impact Plan, dated March 2007, as received by DES on April 12, 2007.
2. If applicable the Town shall obtain temporary construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2007-691 prior to construction.
3. Area shall be regraded to original contours following completion of work.
4. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Streambed and bank restoration materials shall be used with stockpiled materials as noted on approved plans and shall not include angular rip-rap.
11. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Work shall be done during low flow.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), Maintenance, repair, or replacement of a nondocking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed utility line/water main replacement is below the bed of the stream and will be located in the same location as the existing water main.
6. The proposed impact is a temporary impact.

2007-00692 DAVIS, KENNETH
HANCOCK Unnamed Wetland

Requested Action:

Dredge and fill approximately 100 square feet of forested wetlands to upgrade an existing woods road and replace existing twin 4-inch culverts with a 15-inch x 16-foot culvert for driveway access to a single family residence.

APPROVE PERMIT:

Dredge and fill approximately 100 square feet of forested wetlands to upgrade an existing woods road and replace existing twin 4-inch culverts with a 15-inch x 16-foot culvert for driveway access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks, LLC as received by the Department on April 12, 2007.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to a piece of property for single family building lot.
2. The Hancock Conservation Commission signed the Minimum Impact Expedited Application.
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
4. Access is to a single family residence; there is no recent or proposed subdivision.
5. The jurisdictional area is a forested wetland, not an intermittent stream.
6. The wetland runs parallel to Longview Road across the property, approximately 200 feet from the road.
7. The 4-inch culverts estimated installation date is 20 years ago; the applicant is not certain of the installation date.
8. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00715 TOWN OF ALSTEAD
ALSTEAD Warren Brook

Requested Action:

Temporary impacts along two different sections of Warren Brook of approximately 470 linear feet of Warren Brook for the construction of a temporary bridge and removal of woody debris, both fallen and standing, that is posing risk to infrastructure and/or water quality. All impacts areas will be repaired, seeded, and mulched as the project is completed. The work area is approximately 125 feet in length in one section and extends up slope approximately 5 linear feet; the second work area is 345 feet in

length and extends up slope approximately 25 feet. The site is marked by NRCS engineer at DSR #31, as identified by the Town of Alstead and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

APPROVE PERMIT:

Temporary impacts along two different sections of Warren Brook of approximately 470 linear feet of Warren Brook for the construction of a temporary bridge and removal of woody debris, both fallen and standing, that is posing risk to infrastructure and/or water quality. All impacts areas will be repaired, seeded, and mulched as the project is completed. The work area is approximately 125 feet in length in one section and extends up slope approximately 5 linear feet; the second work area is 345 feet in length and extends up slope approximately 25 feet. The site is marked by NRCS engineer at DSR #31, as identified by the Town of Alstead and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

With Conditions:

1. All work shall be in accordance with drawings and narratives by the USDA Natural Resources Conservation Service (NRCS) entitled "Streambank Stabilization", Town of Alstead, DSR Site #31, and Construction Specifications 2, 5, 6, 8, 11, 21, 23, 24, 61, 64 and 95 submitted in support of the permit application as received by the DES Wetlands Bureau on April 19, 2007 and narrative by NRCS titled "Streambank Stabilization" as received by the DES Wetlands Bureau on April 19, 2007.
 2. Prior to commencing work, the applicant shall submit a final "Pollution Control Plan" to the DES Wetlands Bureau for review and approval.
 3. The applicant shall obtain temporary construction easements or written agreements from affected landowners prior to the start of work.
 4. The applicant shall notify the DES Wetlands Bureau, the Town Board of Selectman and the Town Conservation Commission of the start work, notification shall be given at least 5 days prior to the start of work.
 5. A finalized plan set and follow-up report with photographic documentation shall be filed with the DES Wetlands Bureau within 14 days of the completion of work.
 6. Work shall be inspected by NRCS to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
 7. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
 8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the river. In-stream work shall not exceed five (5) consecutive days in total unless specifically authorized by the DES Wetlands Bureau.
 9. The permittee and/or their contractor shall monitor the weather and shall not commence work within flowing water, including the installation of cofferdams, when rain is forecast.
 10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
 11. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands and lined with hay bales or other acceptable sediment trapping liners.
 12. Material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
 13. There shall be no excavation or filling conducted in flowing water.
 14. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas.
 15. Cleared areas that will be revegetated shall be replanted with similar native (noninvasive) species.
 16. Erosion control structures must be removed once the area is stabilized.
 17. Temporary structures installed to isolate the work area and channel flow through the work area during construction shall be entirely removed immediately following construction.
 18. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.
 19. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
 20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
- shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of altered or degraded wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. This stabilization site was identified by the Town of Alstead following the October 2005 flooding and qualified by a multi-disciplinary team from the USDA-NRCS to be funded as part of the Emergency Watershed Protection (EWP) program.
5. The shoreline stabilization site was identified by the Town because of the ongoing erosion and potential threat to adjacent and downstream infrastructure and property.
6. There were no Natural Heritage Bureau or New Hampshire Fish & Game threatened, endangered or species of special concern or exemplary natural communities identified through a data review of the project area.

GOLD DREDGE

2007-00935 FAY, NANCY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2007-00937 FAY, TERRY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2007-00939 SEEHORST, GUSTAVE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2007-00943 HEBERT, MICHAEL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2007-00945 AMBLO, MARK
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

TRAILS NOTIFICATION

2007-00934 MADBURY, TOWN OF
MADBURY Unnamed Wetland Stream

COMPLETE NOTIFICATION:
Madbury Tax Map7, Lot# 17 & 22

2007-00965 DRED
BRADFORD Unnamed Stream

COMPLETE NOTIFICATION:
Hillsboro/Bradford Low State Forest

LAKES-SEASONAL DOCK NOTIF

2007-00924 PONZOLI, VIRGIL
MEREDITH Wickwas Lake

COMPLETE NOTIFICATION:
Meredith NH Tax Map# R14 Lot# 14 Lake Wickwas

2007-00925 VARDARO, WILLIAM
BRADFORD Massasecum Lake

COMPLETE NOTIFICATION:
Bradford NH Tax Map# 19 Lot# 13 Massasecum Lake

2007-00927 COLLINS, RONALD
HEBRON Newfound Lake

COMPLETE NOTIFICATION:
Hebron NH Tax Map# 7 Lot# 2 Block# 22 Newfound Lake

2007-00928 EAS REVOCABLE TRUST
SALEM Arlington Pond

COMPLETE NOTIFICATION:
Salem NH Tax Map# 35 Lot 54 Block# 1857?
Arlington Pond

2007-00931 **GILL, JAMES S /MARIAN RUTH**
BARNSTEAD Lower Suncook Ave

COMPLETE NOTIFICATION:
Barnstead NH Tax Map# 31 Lot# 27 Lower Suncook Ave

2007-00946 **CONTE, KENNETH & DARLENE**
LOUDON Clough Pond

COMPLETE NOTIFICATION:
Loudon, NH Tax map 58 lot 45
Clough Pond

2007-00949 **CYR, BRIAN & MARTINA**
BROOKFIELD Kingswood Lake

COMPLETE NOTIFICATION:
Brookfield, NH Tax map 27 lot 13
Kingswood Lake

2007-00950 **OHARA, MIKE**
ASHLAND Squam Lake

COMPLETE NOTIFICATION:
Ashland, NH Tax map 15 lot 2 block 14
Squam Lake

2007-00958 **KING, WILLIAM**
MEREDITH Lake Winnepesaukee

COMPLETE NOTIFICATION:
Meredith, NH Tax map U25 lot 28
Lake Winnepesaukee

2007-00959 **VARDARO, WILLIAM**
BRADFORD Massasecum Lake

COMPLETE NOTIFICATION:
Bradford, NH Tax map 19 lot 13
Massasecum Lake

2007-00968 **ROLLINS, THOMAS & GRAE GARL**
MOULTONBOROUGH Lake Winnepesaukee

COMPLETE NOTIFICATION:

Moultonboro Tax Map 217, Lot# 25 Lake Winnepesaukee

2007-00973 MILLER, RICHARD
CENTER BARNSTEAD Locke Lake

COMPLETE NOTIFICATION:
Center Barnstead Tax map 35 lot 25
Locke Lake

2007-00974 WARNER, RICHARD
HANCOCK Norway Pond

COMPLETE NOTIFICATION:
Hancock Tax map U9 lot 9
Norway Pond

2007-00975 CONDYLLIS, KAREN
MILTON Northeast Pond

COMPLETE NOTIFICATION:
Milton Tax map 19 lot 2
Northeast Pond

ROADWAY MAINTENANCE NOTIF

2007-00941 ALTON, TOWN OF
ALTON Unnamed Stream

COMPLETE NOTIFICATION:
the town of Alton is proposing to replace a single 24-inch culvert located on Water Road. All proposed work will take place within the town's right of way

PERMIT BY NOTIFICATION

2007-00371 BULLS GAP DEVELOPMENT CORP
BARRINGTON Unnamed Wetland

Requested Action:
Dredge and fill 313 sq. ft. and install a 12" x 15 linear ft. culvert to construct a driveway for a single family house lot.

PBN IS COMPLETE:

Dredge and fill 313 sq. ft. and install a 12" x 15 linear ft. culvert to construct a driveway for a single family house lot.

With Findings:

1. The applicant has demonstrated that the project is not adjacent to the Town of Barrington designated prime wetlands.

**2007-00847 SOLES, JEROME/SHARON
BRENTWOOD Unnamed Wetland**

Requested Action:

Disqualify Permit by Notification to dredge and fill 175 square feet of wet meadow for driveway access to one (1) lot of a 2-lot subdivision.

Conservation Commission/Staff Comments:

The Brentwood Conservation Commission did not sign the PBN.

PBN DISQUALIFIED:

Disqualify Permit by Notification to dredge and fill 175 square feet of wet meadow for driveway access to one (1) lot of a 2-lot subdivision.

With Findings:

1. The proposed driveway access is associated with a proposed 6-lot subdivision; and therefore, does not meet the criteria of NH Administrative Rule Env-Wt 506.01, Projects Qualifying for Permit by Notification.

**2007-00906 PICKOWICZ, DONALD
GILMANTON Unnamed Stream**

Requested Action:

Dredge and fill 1,090 sq. ft. of wetlands and intermittent stream to install a 24" x 20' culvert to construct a driveway to access a single family house lot.

Conservation Commission/Staff Comments:

Conservation Commission signed PBN

PBN IS COMPLETE:

Dredge and fill 1,090 sq. ft. of wetlands and intermittent stream to install a 24" x 20' culvert to construct a driveway to access a single family house lot.

**2007-00910 POLIMENO, LAWRENCE
WOLFEBORO Lake Winnepesaukee**

Requested Action:

Repair or replace existing structures in-kind.

PBN IS COMPLETE:

Repair or replace existing structures in-kind.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2007-00952 BAILEY, RANDAL
DERRY Unnamed Stream

Requested Action:

Request to replace 18" culvert with 42" culvert due to recent flooding events.

PBN IS COMPLETE:

Request to replace 18" culvert with 42" culvert due to recent flooding events.

With Conditions:

1. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
2. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
3. Work shall be done during low flow.

With Findings:

1. This is a road that washed out partially during the floods and needs repairs.
2. In-kind replacement is waived as this project is an emergency and will not result in a negative environmental impact.
3. Culvert will be placed at channel bed.