

Wetlands Bureau Decision Report

Decisions Taken
03/31/2008 to 04/06/2008

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 Lawrence E. Morse, 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

**2006-02697 DUCHARME, STEVEN
LITCHFIELD Chase Brook**

Requested Action:

After-the-fact 100 sq. ft. impacts for the installation/ replacement of two (2) 8 in. dia. culverts and removal of rip-rap and subsequent stream bank restoration plantings along 577 linear feet of Chase Brook per LOD WET 06-136.

Conservation Commission/Staff Comments:

A-T-F per LOD WET 06-136 for 577 linear feet of stream bank restoration and installation / replacement of 2 culverts

APPROVE AFTER THE FACT:

After-the-fact 100 sq. ft. impacts for the installation/ replacement of two (2) 8 in. dia. culverts and removal of rip-rap and subsequent stream bank restoration plantings along 577 linear feet of Chase Brook per LOD WET 06-136.

With Conditions:

1. All work shall be in accordance with plans by Marc Ducharme, P.E. dated 4/22/2007, as received by DES on May 09, 2007 & October 31, 2007 together with Stream Restoration narrative dated May 4, 2007 as received by DES on May 09, 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. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
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. Wetland restoration area along stream bank shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
6. The restoration area shall be monitored for invasive plant species such as Purple Loosestrife for a period of five (5) years from the date of this A-T-F approval during which time invasive species shall be removed by uprooting and destroyed thereafter.
7. Work shall be done during low flow.

With Findings:

1. This A-T-F approval, when implemented according to the project specific conditions applied, will bring this site into compliance with DES Wetlands Bureau LOD WET 06-136.

**2007-01949 BEDFORD, TOWN OF
BEDFORD Unnamed Wetland**

Requested Action:

Dredge 28,224 sq. ft. and fill 5,876 sq. ft. of palustrine forested, scrub shrub, and emergent wetlands for construction of a public recreational pond, fire suppression dry hydrant, pond level control structure and pathways. Compensatory mitigation includes plantings to add a vegetated border around the pond to provide an enhanced area for wildlife and execute a conservation easement on the property to the Bedford Land Trust.

Conservation Commission/Staff Comments:

1. The Bedford Conservation Commission provided a letter to DES in support of approval of the pending application.

APPROVE PERMIT:

Dredge 28,224 sq. ft. and fill 5,876 sq. ft. of palustrine forested, scrub shrub, and emergent wetlands for construction of a public recreational pond, fire suppression dry hydrant, pond level control structure and pathways. Compensatory mitigation includes plantings to add a vegetated border around the pond to provide an enhanced area for wildlife and execute a conservation easement on the property to the Bedford Land Trust.

With Conditions:

1. All work shall be in accordance with plans and narratives by TFMoran Inc., plans revision dated November 9, 2006, as received by DES on August 13, 2007 and narratives dated March 6, 2008, as received by DES on March 7, 2008.
2. This permit is contingent on the applicant coordinating with and receiving approval by the DES Waste Management Division for the proposed work. If approval is required it shall be obtained and submitted to the Wetlands Bureau before the start of construction.
3. Work shall be done during low flow.
4. At least 72 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Program staff at the project site or at the DES Office in Concord, NH. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
6. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion, pond dewatering and erosion control plans. Those plans shall detail the timing and method of stream flow diversion and pond dewatering during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
7. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
8. 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.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. 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.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading 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.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. 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).
16. Only native plant species shall be used within the wetland and wildlife enhancement areas.
17. Wetland plantings shall have at least 75% successful establishment after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
18. A post-construction report documenting the status of the wetlands impact areas and wetlands enhancement/planting areas shall be prepared by a Certified Wetland Scientist (CWS) and submitted to the DES Wetlands Bureau within 60 days of the completion of the project.
19. The CWS shall submit monitoring reports to the DES Wetlands Bureau at the end of each growing season for two years following the completion of the project.
20. This permit is contingent upon the execution of a conservation easement on 6.2 acres of land to the Bedford Land Trust as depicted on plans received.

21. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
22. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
23. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
24. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
25. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
26. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
27. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).
28. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
29. 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.
30. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
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 proposal for a public pond is located within a man-made area that functions as stormwater detention area.
6. The proposed impacts will not result in a loss of the detention functions provided at this site.
7. The addition of a vegetated buffer provides enhancement of wetland functions and meets the rule Env-Wt 803.06(b).
8. The permanent protection of this Town owned property will provide the necessary stewardship of the resources and functions they provide.
9. DES has received comments from one resident of Bedford that is in opposition to the proposed project. The resident is an abutter to a town parcel that borders the proposed project.
10. The resident's objects are outlined in comment letters dated August 22, 2007, as received by DES on August 23, 2007 and October 23, 2007, as received by DES on October 25, 2007. In summary the letters discuss the following items: (1) concerns that an abutter to the project had not been notified; (2) a letter received states the project would require filling and does not say dredging and the application to the state includes dredging and neglects to fill in the cubic yards of material to be removed; (3) comments regarding an engineer's letter discussing the excavation of 2 to 8 feet of material from the existing forested wetlands and underlying soil to make the pond and the amount of material to be removed and disposed of and how the design does not minimize impacts to wetlands as required but permanently destroys wetlands and Bedford has other skating facilities; (4) the application states there are no adverse impact of abutting landowners, stating "This is either "obfuscation or deliberate misleading. "Visually, they plan to destroy natural area of so that Bedford can have a "mini Rockefeller Center" *. But more importantly, the volume of dredging proposed will disturb land which is already contaminated and possibly release pockets of contaminants that will further damage the aquifer. My water supply comes from a well as does the water for others on the same aquifer."; (5) photographs with the application show natural habitat which has not been investigated for wildlife and neglects wildlife that frequent land in Bedford Center. The resident also requested that the applicant start the application over and comply with the noticing requirements and further provide the DES and the abutters with accurate information regarding their intent. The second letter received by DES on October 25, 2007 is a cover letter to an attached letter that was sent to the NH DES Hazardous Waste Division. In the cover letter the resident requests to know if the application has been corrected and completed and requests that an updated site assessment and an

environmental impact study be conducted before considering the application.

11. On August 16, 2007, DES received a copy of the certified mail receipts documenting that the abutter in question had been notified of the submitted application.

12. The sample abutter notification letter sent with the application appears to be a general form letter used by the applicant's agent. The letter does clearly state that the plans show the proposed project and wetlands impacts and that the plans are available for viewing at the Town and the DES Wetlands Bureau. The application information and plans clearly depict each type of activity in wetlands and wetlands impact areas. The cubic yard information is only required for work in public waters.

13. The current wetland and pond will be expanded to create an area large enough for a public skating pond in the winter months. The wetland fill/loss will be from the creation of the access trails. The new pond boundaries will be planted/enhanced with wetland plant species. The existing wetlands appear to be wetlands that have been historically impacted and provide stormwater function.

14. The DES Wetlands Bureau has not received any information documenting that the proposed pond site is contaminated with hazardous materials.

15. The contamination concerns are due to a remediation project on an adjacent property.

16. The applicant's agent has been in contact with the NH DES Waste Management Division and has agreed to have soil within the proposed dredge area tested prior to the start of construction and will notify them of the results. The applicant's agent has also informed the DES Wetlands Bureau that the DES Waste Management Division did not think there would be an issue at the pond site.

17. This approval is contingent on coordination with and approval of the project by NH DES Waste Management Division.

18. The applicant did investigate the functions and values of the wetlands to be impacted and did find that wildlife habitat is one of the function and values of the site. The increased pond area will still provide wildlife habitat and the pond boundaries will be planted to enhance buffers and provide additional wildlife habitat.

19. On January 11, 2008, DES requested more information on the pending application. On March 7, 2008, DES received a response to the requested information.

20. The site is surrounded by residential and commercial buildings, town roads and Route 101.

21. The proposed project is to provide public skating pond and access to Town property.

22. The property will be protected by a conservation easement.

23. DES has not received any other objections to the proposed project.

24. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest and will not have a significant impact on, or adversely affect the values of, the resources identified under RSA 482-A:1.

**2007-02436 BRETTON WOODS LAND COMPANY LLC, MT WASHINGTON RESO
CARROLL Dartmouth Brook**

Requested Action:

Temporarily impact approximately 4,731 sq. ft. of wetlands, to include 430 linear feet of impacts to perennial and intermittent streams, for the installation of utility lines and bridge construction to provide access and utility service to a proposed 199 unit residential development.

Inspection Date: 09/27/2007 by Mark A Mirabella

APPROVE PERMIT:

Temporarily impact approximately 7,005 sq. ft. of wetlands, to include 261 linear feet of impacts to perennial and intermittent streams, for the installation of utility lines and bridge construction to provide access and utility service to a proposed 199 unit residential development.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering PLLC entitled: Existing Wetland Conditions plan sheet 1 of 1 dated September 2007; plan sheets 18, 26, and 46 of 47 dated December 2007; Subdivision Plan sheets 1, 2 and 3 of 3 and plan sheets 20, 21, 27, 34, 43, 45 and 47 of 47 revision dated January 3, 2008; plan sheets 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 22, 23, 24, 25, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 42 and 44 of 47, revision dated January 11, 2008; as received by DES on January 15, 2008 as well as plans entitled: Overall Site Plan sheets 5 and 6 of 47 revision dated February 1, 2008, as received by

DES on February 28, 2008.

2. The proposed activity discharges stormwater to a tributary of an Outstanding Resource Water (ORW). The project must be constructed so as to protect water quality and ensure compliance with the antidegradation provisions of Env-Ws 1708.05. On December 12, 2007, the applicant was provided conditions that would need to be met to satisfy the provisions of Env-Ws 1708.05 and the applicant agreed to address those conditions through the Alteration of Terrain Program permit process. Therefore, this Wetlands permit is not effective until the Alteration of Terrain permit is issued by DES.
3. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
4. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau and New Hampshire Fish and Game Department, of a final stream and wetland restoration plan. The plan shall be prepared with guidance from a New Hampshire Certified Wetland Scientist ("CWS") and New Hampshire Licensed Engineer.
6. Work shall be done during low flow.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
8. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #7 of this approval.
9. 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.
10. 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.
11. Orange construction fencing shall be placed at the limits of construction adjacent to wetlands and surface waters to prevent accidental encroachment.
12. The streambed, stream bank and wetland restoration work shall be monitored by a CWS.
13. A post-construction report documenting the status of the restored streambed, banks and wetlands shall be prepared by the CWS and submitted to the DES Wetlands Bureau within 60 days of the completion of each restored impact area.
14. Native material removed from the streambed and banks during utility line installation and bridge construction, shall be stockpiled separately and reused to simulate the natural stream channel and banks within the temporary impact areas. Any new materials used must be similar to the natural stream and wetland substrates and shall not include angular rip-rap.
15. The temporary stream, stream bank and wetlands impacts shall be restored to their original grades and to a stable condition within three days of completion of each crossing.
16. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoil shall be stockpiled separately from subsoil and shall be replaced following backfill.
17. Wetland restoration shall not be considered successful if sites are invaded by nuisance species such as common reed or purple loosestrife during the first two full growing seasons following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species.
18. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
19. Only native plant species shall be used within the restoration areas.
20. The CWS shall submit restoration monitoring reports to the DES Wetlands Bureau at the end of each growing season through the completion of the project with a minimum of two consecutive growing season reports.
21. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
22. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
23. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
24. Unconfined work within the perennial streams, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
25. 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.
26. Prior to commencing work on a structure located within surface waters, a cofferdam shall be constructed to isolate the work

area from the surface waters.

27. Temporary cofferdams shall be entirely removed immediately following construction.
28. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
29. 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.
30. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
31. Within three days of final grading 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.
32. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
33. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
34. 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).
35. 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.
36. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
37. 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.
38. All refueling of equipment shall occur at least 100 feet from surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i); Projects that alter the course of, or disturb 200 or more linear feet of, an intermittent or perennial nontidal stream or river channel or its banks. For intermittent streams, the distance shall be measured along the thread of the channel.
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 included 6 conceptual project designs that included a range of required wetlands impacts, from 110,673 sq. ft. of to 36,144 sq. ft. of wetlands impacts. The final design which was further refined through meetings with DES, New Hampshire Fish and Game Department and federal review agencies resulted in a least impacting alternative of 7,005 sq. ft. of temporary wetlands and surface water impacts to construct access and utility service to the residential development.
6. The applicant has provided a design that includes bridges for all wetland and surface water crossings, eliminating all permanent impacts.
7. The applicant provided bridges over small intermittent stream areas where conventional culverts are often allowed.
8. DES Staff conducted a field inspection of the proposed project on September 27, 2008.
9. The applicant has addressed the fish and wildlife concerns to the satisfaction of the New Hampshire Fish and Game Department.
10. The applicant is providing forested buffers for most of the wetland areas on the site.
11. The applicant limited residential units on the eastern half of the site to help preserve wildlife corridors to the White Mountain National Forest lands to the east.
12. The requirements of the DES Watershed Management Bureau for Water Quality Standards associated with an Outstanding Resource Water are being addressed through the DES Alteration of Terrain Program's permitting process.
13. The project is contingent on approval by the DES Alteration of Terrain Program.
14. The DES Wetlands Bureau received comments from a member of the Carroll Conservation Commission regarding archeological sites in and around Dartmouth Brook.
15. The comment letter was also addressed to the NH Division of Historic Resources.
16. This permit is contingent on coordination by the applicant with the NH Division of Historic Resources to assess and mitigate

the project's effect on historic resources.

17. The DES Wetlands Bureau received comments from an abutter and a "Landowner who looks directly over this area" expressing their concerns and opposition to the proposed project. Concerns are in regards to increased traffic, effects on wetlands and wildlife that inhabit the area, environmental impacts from the amount of units and concerns with water supply.
18. The DES Wetlands Bureau received and intervention letter from the Carroll Conservation Commission.
19. A follow-up report was prepared and submitted by an individual member of the Carroll Conservation Commission expressing concerns and recommendations regarding the proposed project.
20. The member's concerns and recommendations were in regards to the density of development, infrastructure, hydrology, habitat, rare threatened and endangered species, Canadian Lynx, American marten, "North Country Signature Species", stream and fish, birds, rare plant and natural communities.
21. Concerns raised regarding increased traffic, development density and water supply are not part of the application review for impacts to surface waters and wetlands.
22. The applicant has worked with the New Hampshire Fish and Game Department to address fisheries, wildlife and habitat concerns.
23. The applicant has worked with the US Fish and Wildlife Service to address wildlife concerns.
24. As stated above DES Watershed Management Bureau's water quality standards for the project are required to be met and will be reviewed through the DES Alteration of Terrain Program's permitting process.
25. There are no permanent impacts proposed for the site that are within the jurisdiction of the DES Wetlands Bureau.
26. The applicant has spanned all wetland and surface waters areas which will help preserve the integrity of the wetland and stream systems.
27. The DES Wetlands Bureau received comments from the Bethlehem Conservation Commission.
28. The applicant provided a response letter to the Bethlehem Conservation Commission comments to address their concerns. No further comments from the Bethlehem Conservation Commission were received.
29. A public hearing was not held with the finding that the temporary impacts to wetlands and surface waters will not significantly impair the resources of the wetlands and surface waters.

**2007-02989 EXETER REGION COOPERATIVE SCHOOL DISTRICT, SAU 16
EXETER Prime Wetland**

Requested Action:

Perform construction activities on 77,546 sq. ft. of previously developed uplands being adjacent to designated prime wetlands for work associated with the redevelopment a former school site to a community center with appurtenant parking and storm water management facilities.

Conservation Commission/Staff Comments:

"The Exeter Conservation Commission recommends that the permit be granted ... The project will have a positive impact to the Little River and its buffer ..."

A Prime Wetlands public hearing for this project being adjacent to designated prime wetlands was held on February 26, 2008.

Inspection Date: 01/11/2008 by Frank D Richardson

APPROVE PERMIT:

Perform construction activities on 77,546 sq. ft. of previously developed uplands being adjacent to designated prime wetlands for work associated with the redevelopment a former school site to a community center with appurtenant parking and storm water management facilities.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated October 16, 2007, as received by DES on December 24, 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. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

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. Culvert outlets shall be protected in accordance with 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).
7. NH DES Wetlands Bureau Southeast Region staff and the Exeter Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
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 project, as approved and conditioned, 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 detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
6. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
7. The approved plans and conditions of the permit provide for the existing buffer adjacent to the Prime Wetland area to be maintained.
8. This project will enhance the vegetated buffer adjacent to the designated prime wetlands and greatly improve on existing conditions by reducing the existing impervious areas on site by 25,581 square feet.
9. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the development.
10. Based on the inspection conducted on January 11, 2008 by NH DES Wetlands Bureau Southeast Region staff, the project involves minimal environmental impacts.
11. Based on the findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.
12. A Prime Wetland Public Hearing, under the authority of RSA 482-A:15 was held on this application on February 26, 2008.

Any party may apply for reconsideration with respect to any matter determined in this action within 20 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

MINOR IMPACT PROJECT

2006-00231 FERDINANDO, RICHARD
GILFORD Lake Winnepesaukee

Requested Action:

Amend permit to remove 3 sq ft of dock surface and add 1 three pile ice cluster west of docking structure.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE AMENDMENT:

Amend permit to read: Relocate one rock from within the center boatslip between two 6 ft x 25 ft seasonal piers connected by a 28 ft x 15 ft walkway to a location 57 ft from the east property line, install one 3 pile ice cluster west of the docking structure, on 161 ft of frontage on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans dated May 6, 2006, as received by the Department on May 08, 2006 and amendment request plan revision dated April 02, 2008, as received by the Department on April 02, 2008.
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 turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. 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 Wt 303.03(a), projects that do not meet the criteria of Rules Wt 303.02, Wt 303.04 and Wt 303.05.
2. The ice cluster will prevent continued repairs to the permanent section of the docking structure, thus being least impacting.

**2007-00663 TRUE VALUE LAND & HOMES LLC
NEW DURHAM Unnamed Wetland**

Requested Action:

Amend permit to reflect changes in impact following Planning Board review changing total permitted impact from 9,350 sq. ft. for 4 crossings to 9,875 sq. ft. for 5 crossings; total net additional impact over 5 crossings is an additional 525 sq. ft.

APPROVE AMENDMENT:

Dredge and fill an amended total of 9,875 sq. ft. of wetlands over 5 locations to construct a roadway for a 27-lot Open Space Conservation Subdivision on 63 acres, including: 3,425 sq. ft. of impact and install a 4' x 3' x 40' box culvert to cross an intermittent stream; 1,750 sq. ft. of impact and install a 18" x 45' culvert; 2,125 sq. ft. of impact and install a 24" x 45' culvert; and 2,525 sq. ft. of impact and install a 18" x 45' culvert; impact 50 sq. ft. of bank for installation of a footbridge for a trail within the property's conservation area.

With Conditions:

1. All work shall be in accordance with Amended plans by Norway Plains and Associates, Inc. dated 1/7/2008, as received by the Department on 1/24/2008.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. 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.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. 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).
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Silt fencing must be removed once the area is stabilized.
11. Within three days of final grading 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.

12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

14. Proper headwalls shall be constructed within seven days of culvert installation.

15. Culvert outlets shall be protected in accordance with 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).

16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

17. Work shall be done during low flow.

With Findings:

1. The amendment results in reductions of impacts at most crossings over what was previously permitted, with the minimal increase in impact necessary to address an abutter's concerns, or related to the installation of a footbridge for a trail through the conservation area on the property.

2. The New Durham Conservation Commission did not comment on the original application; were provided with a copy of the amendment materials at the time of the amendment submission to DES, and did not comment on the amendment to DES.

**2007-00850 UNITED METHODIST CHURCH
ENFIELD Tributary To Mascoma River**

Requested Action:

Confirm Emergency Authorization issued April 27, 2007, to dredge and fill 400 square feet (25 linear feet) of perennial stream bank impact for riprap stabilization.

Inspection Date: 10/05/2006 by Kirsten Pulkkinen

Inspection Date: 04/16/2003 by Kirsten Pulkkinen

CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization issued April 27, 2007, to dredge and fill 400 square feet (25 linear feet) of perennial stream bank impact for riprap stabilization.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of a nontidal perennial stream channel or its banks.

2. DES Staff conducted a pre-application field inspection of the proposed site on April 16, 2003. The field inspection documented the foundation was in jurisdiction and a Standard Dredge and Fill Application was required for removal of the foundation and stabilization of the bank as well as the removal of pieces of the foundation in the stream bed. Alternative biostabilization methods were suggested.

3. DES Staff conducted a second pre-application field inspection of the site on October 05, 2006. The field inspection documented that a 2006 fire had caused the foundation to fail. Alternative biostabilization methods, a top-of-bank buffer and removal of foundation pieces from the stream bed were suggested. The applicant/agent understood an application was required for the

proposed activities.

4. The building's foundation was removed and remaining sand backfill material temporary stabilized in the fall of 2006 without approvals from the DES Wetlands Bureau.
5. An application to riprap stabilize 400 square feet (25 linear feet) of the perennial stream bank was submitted to the town of Enfield and signed by the Enfield Town Clerk on April 25, 2007.
6. During the time the application was at the town, the 2007 floods caused the perennial stream sand bank and temporary stabilization to fail.
7. On April 27, 2007 an Emergency Authorization was issued to stabilize 25 linear feet of the failing sand bank.
8. On May 10, 2007, the above referenced Standard Dredge and Fill Application was received by the DES Wetlands Bureau.
9. The Standard Dredge and Fill Application did not contain all post-construction items required to satisfy the conditions of the April 27, 2007 Emergency Authorization.
10. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
11. 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.
12. 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.

2007-01283 MCCLELLAN, JOHN
HARTS LOCATION Tributary To Bemis Brook

Requested Action:

Dredge and Fill approximately 1200 sq. ft. (includes 600 sq. ft. temporary impacts) of stream bed, banks along an existing man-made pond to replace a washed out culvert, headwall/impoundment wall and access crossing. Work in jurisdiction consists of removal of the old structure, installation of twin 16 in. x 20 ft. culverts with a concrete intake structure, associated filling and temporary cofferdams and erosion and turbidity controls.

APPROVE PERMIT:

Dredge and Fill approximately 1200 sq. ft. (includes 600 sq. ft. temporary impacts) of stream bed, banks along an existing man-made pond to replace a washed out culvert, headwall/impoundment wall and access crossing. Work in jurisdiction consists of removal of the old structure, installation of twin 16 in. x 20 ft. culverts with a concrete intake structure, low flow controls, associated filling and temporary cofferdams and erosion and turbidity controls.

With Conditions:

1. All work shall be in accordance with plans by J. McClellan sheets 1, 2, and 3 of 5 revision dated January 9, 2008, as received by DES on January 14, 2008 and plan sheets 4 and 5 of 5 revision dated February 11, 2008 and narratives dated February 14, 2008, as received by DES on March 31, 2008.
2. The applicant or any future owner shall be responsible for maintaining the integrity of the proposed intake structure such that the structure is always in good working order to provide downstream flows.
3. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. There shall be no further impacts to the pond, stream or its bank's other than for maintenance or improvements of the approved crossing and outlet structure. Any improvements or maintenance within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. 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.
8. Unconfined work within the pond and stream, exclusive of work associated with installation of a cofferdam, shall be done during

periods of low flow.

9. 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.
10. 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.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. There shall be no excavation or operation of construction equipment in flowing water.
13. 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.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. 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.
16. 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.
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. Faulty equipment shall be repaired immediately.
19. 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.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
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. DES Staff conducted a field inspection of the proposed project.
5. The applicant previously received a permit from DES (File #2004-01575) for a bridge across Bemis Brook to access to the property. The bridge project was completed.
6. There was a previous permit issued in 1987 by the DES Wetlands Board to a previous owner to enlarge the manmade pond (File #0-223).
7. The proposed structure will stabilize the existing failed and eroding banks and culvert and maintain the existing manmade pond.
8. The new crossing provides/restores access to an existing camp.
9. An alternative access route would require a wetlands impact east of the pond and would require a large area of clearing and grading for a new access road around the pond.
9. The Dam Bureau has reviewed the project and the proposed structure does not appear to meet the definition of a dam, therefore, a permit is not required by the Dam Bureau.
10. The applicant is providing a low flow structure to maintain flows from the pond site during low flow conditions.
11. The DES Watershed Bureau has reviewed the proposed project and required that new structure be maintained to provide downstream flows.

**2007-01729 NORTHFIELD, TOWN OF
NORTHFIELD Knowles Pond**

Requested Action:

Dredge and fill 4160 sq. ft. (includes 220 sq. ft. of temporary impacts) of wetlands for repair and maintenance to and existing dam located on Knowles Pond. Work in wetlands consists of repairs to the down gradient embankment, removal of vegetation along the

dam, installation of an emergency spillway, replacement of a discharge culvert, installation of toe drains and construction of an access road along the toe of the dam.

APPROVE PERMIT:

Dredge and fill 4160 sq. ft. (includes 220 sq. ft. of temporary impacts) of wetlands for repair and maintenance to and existing dam located on Knowles Pond. Work in wetlands consists of repairs to the down gradient embankment, removal of vegetation along the dam, installation of an emergency spillway, replacement of a discharge culvert, installation of toe drains and construction of an access road along the toe of the dam.

With Conditions:

1. All work shall be in accordance with plans and narratives by Quantum Construction Consultants, LLC dated March 4, 2008, as received by DES on March 5, 2008.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
4. Work shall be done during low flow.
5. No drawdown of the pond shall occur between May 15 and August 15 in order to avoid impacts to nesting common loons. If drawdown of the Pond is required at anytime for the proposed work the applicant shall coordinate with and receive approval from the New Hampshire Fish and Game Department before the drawdown occurs.
6. 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.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Unconfined work within the pond, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. 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.
10. 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.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. There shall be no excavation or operation of construction equipment in flowing water.
13. 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.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
16. 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.
17. 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.
18. 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).
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
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.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
22. 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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f)
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 New Hampshire Natural Heritage Bureau submitted records that a plant species, little bluet and animal species, common loon have been identified on Knowles Pond.
6. The plant species was not identified near the proposed dam repair site and the project has been conditioned for the timing of drawdown (if required) as requested by the New Hampshire Fish and Game Department to avoid impacts to the common loon.
7. The dam repairs are being conducted as a requirement of the DES Dam Bureau and to protect the conservation area, pond and to reduce the risk of possible dam failure.
8. The applicant provided a copy of the easement granting permission for work on the dam and access road.

2007-01834 BROOKFIELD POWER NEW ENGLAND
DUMMER Androscoggin River

Requested Action:

Repair approximately 30 linear feet (400 sq. ft.) of eroded bank near the tailrace area at an existing power station.

APPROVE PERMIT:

Repair approximately 30 linear feet (400 sq. ft.) of eroded bank near the tailrace area at an existing power station.

With Conditions:

1. All work shall be in accordance with plans by SYT Design Consultants revision dated February 12, 2008, and narratives by Brookfield Power, as received by DES on March 5, 2008.
2. Work shall be done during low flow.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
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. 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.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. 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.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
9. 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.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
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(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).

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 bank erosion was a result of a heavy rainfall event in October 2005.
6. The bank must be repaired to prevent further erosion of the slope and sedimentation of the adjacent river.
7. The repairs are within the bank created when the dam was constructed and there are no wetland impacts proposed.

2007-01886 RICHARDS, SARAH
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

The Applicant requests reconsideration of the Departments March 13, 2008 decision to deny an application to replace an existing pier with a "U" shaped pier and perch an existing 506 sq ft beach on 388 ft of frontage in Moultonborough, on Lake Winnepesaukee.

Inspection Date: 04/01/2008 by Chris T Brison

APPROVE RECONSIDERATION:

Reconsider and approve ppermit to: Remove an existing "L-shaped" permanent dock and install two 6 ft x 40 ft seasonal docks connected by a 6 ft x 12 ft seasonal walkway accessed by a 6 ft x 8 ft walkway, perch an existing 506 sq ft beach on 388 ft of frontage in Moultonborough, on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with reconsideration plans by Center Harbor Dock and Pier as received by DES on March 26, 2008.
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 registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. 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.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. This permit does not authorize maintenance dredging.
6. Only 5 cubic yards of sand shall be deposited on the beach after it has been perched.
7. This permit does not authorize the deposition of sand lakeward of the normal high water mark.
8. This permit does not authorize retaining wall or rip-rap construction outside of the perched beach construction area within Wetlands jurisdiction.
9. No portion of the dock shall extend further lakeward than the distances indicated on the approved plans.
10. All portions of the docking facility must be removed from the lakebed for 5 months during the non-boating season.
11. The unnecessary removal of vegetation is prohibited.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. The lakeside perched beach retaining wall shall not be lakeward or below the normal high water mark elevation.
14. 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 or modification of a minor docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. Excessive dock length extending from normal high water mark justified as it avoids rock removal and further fragmentation of the shoreline.
4. 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.

5. 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.

2007-02261 ROBINSON, DAVID
HUDSON Unnamed Wetland

Requested Action:

Dredge and fill 3,040 sq. ft. of palustrine forested/ scrub-shrub wetlands, containing a seasonal stream, to construct a driveway with two (2) culvert crossings to access a single-family house lot on a 12.03 acre parcel of land.

Conservation Commission/Staff Comments:

The Hudson Conservation Commission recommends approval of the project.

APPROVE PERMIT:

Dredge and fill 3,040 sq. ft. of palustrine forested/ scrub-shrub wetlands, containing a seasonal stream, to construct a driveway with two (2) culvert crossings to access a single-family house lot on a 12.03 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Maynard & Paquette Engineering Associates, LLC dated February 28, 2007 (last revised 11/29/07), as received by DES on December 03, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, for septic setback or other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. Culvert outlets shall be protected in accordance with 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).
8. Work shall be done during seasonal low flow conditions.
9. NH DES Wetlands Bureau Southeast Region staff and the Hudson Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
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.

2007-02502 PETERBOROUGH, TOWN OF
PETERBOROUGH Bogle Brook

Requested Action:

Dredge and fill 1,218 square feet of Bogle Brook bed and bank and associated palustrine forested wetlands to replace an existing

closed bottom arch culvert with a bridge span, including the restoration/realignment of the stream and riprap stabilization of the banks.

APPROVE PERMIT:

Dredge and fill 1,218 square feet of Bogle Brook bed and bank and associated palustrine forested wetlands to replace an existing closed bottom arch culvert with a bridge span, including the restoration/realignment of the stream and riprap stabilization of the banks.

With Conditions:

1. All work shall be in accordance with plans by Jacobs Edwards and Kelcey dated January 2008, as received by the Department on March 24, 2008, and erosion and sediment control plans dated February 23, 2008, as received by the Department on March 28, 2008.
2. Photographs of construction illustrating the downstream side and appropriate erosion and sediment control measures shall be submitted daily via email to kpulkkinen@des.state.nh.us.
3. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
4. Work shall be done during low flow conditions.
5. 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.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. 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.
10. 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 twenty (20) feet of undisturbed vegetated buffer.
11. 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.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
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. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert, between wingwalls and beyond. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
16. The recreated stream channel bed must maintain the natural and a consistent streambed elevation and not impede stream flow.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic.
18. 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.
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.
21. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
22. 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.
23. A post-construction report documenting the status of the completed project shall be submitted to the DES Wetlands Bureau

within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that alter the course or disturb less than 200 linear feet of perennial nontidal stream channel or its banks.
2. The existing arch culvert failed in April 2007 flood event. March 08, 2008 flows caused the failed structure to dislodge. In response the town had the structure removed and sheet piling installed.
3. The applicant has requested an expedited review of the response to the March 24, 2008 response to the January 08, 2008 Request for More Information and that work be allowed to continue at this time.
4. Old Greenfield Road provides access to approximately 50 households. Residents and emergency services have been using a gravel road during the failure.
5. NHFG has approved work at this time with the condition the construction process is well documented to confirm erosion is minimized.
6. The applicant has obtained temporary construction easements for on work proposed on abutting properties.
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.

2007-02781 WHEELER, NANCY
HAMPTON Atlantic Ocean

Requested Action:

Perform construction activities within 4,000 sq. ft. of the previously developed upland tidal buffer zone (tbz) for work associated with building a 2-unit townhouse with appurtenant parking and landscaping. Approximately 3,395 sq. ft. of previously impacted tbz will be restored by the removal of 265 linear feet of existing stone wall and the removal of 2,600 sq. ft. of impervious surface to be replaced with native vegetation. The remaining impervious surfaces used for parking and access will be replaced with pervious surface materials.

Conservation Commission/Staff Comments:

"The [Hampton] Conservation Commission does not oppose the granting of a Standard Dredge and Fill application [sic] for the project at 165 Island Path (plan revision 2 dated January 30, 2008). We would like to commend the applicant with their willingness to work with us to improve the site. We ask that the Conservation Commission be notified when construction commences and at completion."

Inspection Date: 01/11/2008 by Frank D Richardson

APPROVE PERMIT:

Perform construction activities within 4,000 sq. ft. of the previously developed upland tidal buffer zone (tbz) for work associated with building a 2-unit townhouse with appurtenant parking and landscaping. Approximately 3,395 sq. ft. of previously impacted tbz will be restored by the removal of 265 linear feet of existing stone wall and the removal of 2,600 sq. ft. of impervious surface to be replaced with native vegetation. The remaining impervious surfaces used for parking and access will be replaced with pervious surface materials.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 10/25/07 (last revised 1/30/08), as received by DES on February 26, 2008.
2. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. There shall be no further alteration of areas within DES Wetlands Bureau jurisdiction for lot development or other construction

activities.

5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. 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.
7. All paving materials and stone wall materials to be removed from the site shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. A qualified environmental professional, preferably a NH Certified Wetland Scientist, shall be retained to monitor the removal of impervious surfaces and restoration planting work in accordance with approved plans. The name and contact information for this person shall be provided to the DES Wetlands Bureau and the Hampton Conservation Commission prior to the start of construction.
9. An annual report shall be prepared and submitted to the Wetlands Bureau and the Hampton Conservation Commission by December 1st for each year following issuance of this permit, for the 5-year duration of the permit, which documents, by photographs and written narrative, site conditions before, during and following construction relative to removal of impervious surfaces, restoration plantings and control of invasive species.
10. Tidal buffer zone vegetation replication/ restoration areas shall have at least 75% successful establishment of native vegetation after two (2) growing seasons, or they shall be replanted and re-established until these areas are replicated/ restored in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a)& (b), alteration of areas within 100 feet of the highest observable tide line and within 50 feet of a salt marsh.
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. DES Staff conducted a field inspection of the proposed project on January 11, 2008. Field inspection resulted in a recommendation by staff to remove a portion of stone wall on peninsula (265 linear feet) as well as all impervious pavement from site and reestablish natural vegetation to bring overall site conditions to be more nearly conforming with the CSPA.
6. DES Wetlands Bureau Southeast Region staff issued a letter on January 24, 2008, based on file review, that there is no outstanding compliance issue on this property.
7. Although compensatory mitigation is not required for this project, the applicant has agreed to the following: a) Approximately 3,395 sq. ft. of previously impacted tbz will be restored by the removal of 265 linear feet of existing stone wall and the removal of 2,600 sq. ft. of impervious surface to be replaced with native vegetation. b) The remaining impervious surfaces used for parking and access will be replaced with pervious surface materials.
8. Federal resource agency review of this application under the NH Programmatic General Permit found it to be "eligible as proposed".

2007-02889 PARRELLA JR, JOSEPH & SHARON KELLEY
ALTON Lake Winnepesaukee

Requested Action:

Regrade the frontage and place 100 linear feet of rip rap along the bank on property having 100 feet of frontage on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com has no objections

DENY PERMIT:

Regrade the frontage and place 100 linear feet of rip rap along the bank on property having 100 feet of frontage on Lake Winnepesaukee, in Alton.

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 minor impact per Rule Env-Wt 303.03(k), projects impacting between 50 and 200 feet of shoreline on a lake or pond that does not meet the criteria of Env-Wt 303.02.
3. In accordance with Env-Wt 101.75 "Rip rap means cobble-sized and boulder-sized rocks placed on a bank to prevent erosion."
4. In accordance with Env-Wt 404.04 Rip rap "(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. (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. (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."
5. In accordance with Env-Wt 404.01 "Least intrusive method, shoreline stabilization shall be by the least intrusive but practical method."
6. In accordance with Rule Env-Wt 302.04 "(d) the department shall not grant a permit is there is a less impacting alternative available."
7. In accordance with RSA 482-A:3, XIV, "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."

Findings of Fact

1. On December 11, 2007, the Wetlands Bureau received an application for surface water, bed and bank impacts, on the lot identified as Alton tax map 66, lot 10, to replace deteriorated and unsafe retaining wall with natural banking restoration on Lake Winnepesaukee, Alton.
2. The plans received on December 11, 2007 with the application indicated the entire length of shoreline on the property would have rip rap installed, all existing vegetation would be removed and the entire frontage regraded.
3. The information received on December 11, 2007, with the application indicate a stable shoreline with heavily established vegetation.
4. On February 11, 2008, the Wetlands Bureau sent a Request for More Information letter to the applicant that requested that the applicant submit: a) evidence, including an alternatives analysis, that the proposed alternative would have the least impact to wetlands and surface waters; b) a construction sequence describing details on siltation, erosion and turbidity controls to be used; c) plans showing rip-rap details required per Env-Wt 404.04; d) stamped, surveyed plans locating the proposed rip-rap relative to the normal high water line and property lines; e) details related to proposed drainage ditches and swales that would discharge directly to the lake; f) documentation that vegetative stabilization methods would not effectively stabilize the shoreline, and; g) a plan indicating the existing and proposed vegetation on the frontage.
5. The Request for More Information letter dated February 11, 2008, also stated that failure to provide a single and complete response to the items listed above within 120 days of the date of this request would result in denial of the application.
6. On March 07, 2008 the Wetlands Bureau received information to the file in response to the Request for More Information letter dated February 11, 2008. The plan submitted indicated the same placement of rip rap on the frontage as the original submitted plan.

Rulings in Support of Denial

1. The applicant failed submit all the information as required pursuant to Env-Wt 404.04, therefore, the application is denied pursuant to RSA 482-A:3, XIV.
2. The placement of rip rap and removal of all the existing vegetation to regrade the frontage is not the least impacting alternative, therefore, pursuant to Env-Wt 302.04(d) the application is denied.

**2008-00219 PSNH
SWANZEY Unnamed Wetland**

Requested Action:

Temporarily impact 31,700 square feet and permanently impact 491 square feet of palustrine emergent/scrub-shrub wetlands and intermittent stream in a utility right-of-way easement for the replacement of the 4.9 mile A-152 electrical transmission line in Keene and Swanzey.

APPROVE PERMIT:

Temporarily impact 31,700 square feet and permanently impact 491 square feet of palustrine emergent/scrub-shrub wetlands and intermittent stream in a utility right-of-way easement for the replacement of the 4.9 mile A-152 electrical transmission line in Keene and Swanzey.

With Conditions:

1. All work shall be in accordance with plans by Public Services of New Hampshire (PSNH) dated December 21, 2007, as received by the DES Wetlands Bureau on February 13, 2008.
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
3. All activity shall be in accordance with the current Comprehensive Shoreland Protection Act.
4. Work shall be completed in frozen or dry conditions or with the use of swamp mats or temporary construction bridges.
5. Prior to the installation; swamp mats shall be inspected for and removed of all vegetative matter.
6. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils. Swamp mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.
7. Prior to installation, new wood-pole structures; and upon removal, old wood-pole structures and appurtenances shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. The contractor shall remove the stumps of the old wood-pole structures in wetlands. If removal of the stump(s) will result in increased wetlands impacts, due to increased soil disturbance, the pole(s) shall be cut off at ground level.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. 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. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer 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.
17. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
18. There shall be no excavation or operation of construction equipment in flowing water.
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering wetlands.
20. Faulty equipment shall be repaired prior to entering wetlands.

21. 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.
22. All refueling of equipment shall occur 100 feet away from surface waters or wetlands during construction.
23. The qualified professional shall submit weekly monitoring reports including the status of the project and the work conducted each week, the status of the erosion control measures, restoration areas and color photographs of work areas and areas recently restored. These reports shall be submitted via e-mail to kpulkkinen@des.state.nh.us.
24. Wetland topsoil shall be stripped and segregated from subsoil and stockpiled separately from subsoil during construction. Soils shall be properly backfilled and restored to pre-existing grades.
25. All temporary impact to wetland shall be regraded to original contours and stabilized within 72 hours following the completion of work and 30 days of the start of work.
26. All temporary impacts to wetlands shall be restored to natural grade, stabilized, and replanted with native vegetation where necessary.
27. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
28. Mulch within the restoration areas shall be straw or seedless hay.
29. Seed mix within the restoration areas shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturer's specifications.
30. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
31. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following project completion. The applicant shall work with the DES Wetlands Bureau to attempt to eradicate nuisance species newly found along the right-of-way during this same period.
32. Wetland 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 wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
33. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. 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.
34. Recreated stream channel beds must maintain the natural stream bed elevation.
35. Stream banks shall be restored to their original grades and to a stable condition within 5 days of completion of construction.
36. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following project completion. The report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters.
2. Total project impacts for both Swanzey and Keene include 491 square feet of permanent wetland impact and 31,700 square feet of temporary wetland impact.
3. Project impacts proposed in Swanzey include 348 square feet of permanent impact and 25,060 square feet of temporary impacts and impacts proposed in Keene include 143 square feet of permanent impact and 6,640 square feet of temporary impact.
4. Project construction is not proposed within 50 feet of the Ashuelot River reference line and the proposed project is maintenance of an existing transmission utility line.
5. In correspondence dated February 27, 2008, the Ashuelot River Local Advisory Committee deferred action to the Swanzey and Keene Conservation Commissions given best management practices are implemented and the proposal is the least impacting alternative.
6. The Swanzey Conservation Commission signed the Minimum Impact Expedited Application.
7. In email correspondence dated January 28, 2008, the NHFG Nongame and Endangered Species Program stated it does not

anticipate impacts to rare, threatened or endangered wildlife species as a result of the project (NHB07-2063).

8. Application materials state none of the species identified by NHB, except the Dwarf Wedge Mussel, have been identified along the project right-of-way.
9. Application materials state the Dwarf Wedge Mussel has been identified along portions of the Ashuelot River and no construction activities are proposed in or within 50 feet of the Ashuelot River.
10. Project completion in low-flow or frozen conditions may not be possible, and therefore, the project does not meet the minimum impact criteria of Env-Wt 303.04(af) and is minor impact in accordance with Env-Wt 303.03(h).
11. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
12. 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.
13. 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.

**2008-00315 HOPE FELLOWSHIP CHURCH
JAFFREY Unnamed Stream**

Requested Action:

Dredge and fill 1,130 square feet of perennial stream to install an embedded 54-inch x 40-foot squash CMP culvert for access to the upland portion of the Hope Fellowship Church lot for recreational use and future church construction.

APPROVE PERMIT:

Dredge and fill 1,130 square feet of perennial stream to install an embedded 54-inch x 40-foot squash CMP culvert for access to the upland portion of the Hope Fellowship Church lot for recreational use and future church construction.

With Conditions:

1. All work shall be in accordance with plans by Higher Design, PLLC dated December 10, 2008, as received by the Department on February 29, 2008.
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
3. Work shall be done during annual low flow conditions.
4. In the event there is flow at the time of construction a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
5. 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.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. 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.
10. 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 twenty (20) feet of undisturbed vegetated buffer.
11. 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.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. 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).

16. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert, between wingwalls and beyond. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.

17. The recreated stream channel bed (and box culvert) must maintain the natural and a consistent streambed elevation and not impede stream flow.

18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. 19. 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.

20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

21. 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 200 linear feet of a perennial stream channel or its banks.
2. A letter of concern dated February 18, 2008, was submitted to the DES Wetlands Bureau from an abutter regarding impacts to onsite ponds for a parking lot.
3. Proposed impacts are limited to a perennial stream crossing for access.
4. Agents for the applicant have indicated the proposed crossing use is currently planned for recreational activities. Church construction is planned, but will require additional funding.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. 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.
7. 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.

**2008-00373 PSNH
KEENE Unnamed Wetland**

Requested Action:

Temporarily impact 31,700 square feet and permanently impact 491 square feet of palustrine emergent/scrub-shrub wetlands and intermittent stream in a utility right-of-way easement for the replacement of the 4.9 mile A-152 electrical transmission line in Keene and Swanzey.

APPROVE PERMIT:

Temporarily impact 31,700 square feet and permanently impact 491 square feet of palustrine emergent/scrub-shrub wetlands and intermittent stream in a utility right-of-way easement for the replacement of the 4.9 mile A-152 electrical transmission line in Keene and Swanzey.

With Conditions:

1. All work shall be in accordance with plans by Public Services of New Hampshire (PSNH) dated December 21, 2007, as received by the DES Wetlands Bureau on February 13, 2008.
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
3. All activity shall be in accordance with the current Comprehensive Shoreland Protection Act. 4. Work shall be completed in frozen or dry conditions or with the use of swamp mats or temporary construction bridges.
5. Prior to the installation; swamp mats shall be inspected for and removed of all vegetative matter.
6. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize

rutting of the soils. Swamp mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.

7. Prior to installation, new wood-pole structures; and upon removal, old wood-pole structures and appurtenances shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. The contractor shall remove the stumps of the old wood-pole structures in wetlands. If removal of the stump(s) will result in increased wetlands impacts, due to increased soil disturbance, the pole(s) shall be cut off at ground level.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. 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. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer 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.
17. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
18. There shall be no excavation or operation of construction equipment in flowing water.
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering wetlands.
20. Faulty equipment shall be repaired prior to entering wetlands.
21. 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.
22. All refueling of equipment shall occur 100 feet away from surface waters or wetlands during construction.
23. The qualified professional shall submit weekly monitoring reports including the status of the project and the work conducted each week, the status of the erosion control measures, restoration areas and color photographs of work areas and areas recently restored. These reports shall be submitted via e-mail to kpulkkinen@des.state.nh.us.
24. Wetland topsoil shall be stripped and segregated from subsoil and stockpiled separately from subsoil during construction. Soils shall be properly backfilled and restored to pre-existing grades.
25. All temporary impact to wetland shall be regraded to original contours and stabilized within 72 hours following the completion of work and 30 days of the start of work.
26. All temporary impacts to wetlands shall be restored to natural grade, stabilized, and replanted with native vegetation where necessary.
27. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
28. Mulch within the restoration areas shall be straw or seedless hay.
29. Seed mix within the restoration areas shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturer's specifications.
30. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
31. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following project completion. The applicant shall work with the DES Wetlands Bureau to attempt to eradicate nuisance species newly found along the right-of-way during this same period.
32. Wetland 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 wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

33. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. 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.

34. Recreated stream channel beds must maintain the natural stream bed elevation.

35. Stream banks shall be restored to their original grades and to a stable condition within 5 days of completion of construction.

36. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following project completion. The report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters.
2. Total project impacts for both Swanzey and Keene include 491 square feet of permanent wetland impact and 31,700 square feet of temporary wetland impact.
3. Project impacts proposed in Swanzey include 348 square feet of permanent impact and 25,060 square feet of temporary impacts and impacts proposed in Keene include 143 square feet of permanent impact and 6,640 square feet of temporary impact.
4. Project construction is not proposed within 50 feet of the Ashuelot River reference line and the proposed project is maintenance of an existing transmission utility line.
5. In correspondence dated February 27, 2008, the Ashuelot River Local Advisory Committee deferred action to the Swanzey and Keene Conservation Commissions given best management practices are implemented and the proposal is the least impacting alternative.
6. The Keene Conservation Commission signed the Minimum Impact Expedited Application.
7. In email correspondence dated January 28, 2008, the NHFG Nongame and Endangered Species Program stated it does not anticipate impacts to rare, threatened or endangered wildlife species as a result of the project (NHB07-2063).
8. Application materials state none of the species identified by NHB, except the Dwarf Wedge Mussel, have been identified along the project right-of-way.
9. Application materials state the Dwarf Wedge Mussel has been identified along portions of the Ashuelot River and no construction activities are proposed in or within 50 feet of the Ashuelot River.
10. Project completion in low-flow or frozen conditions may not be possible, and therefore, the project does not meet the minimum impact criteria of Env-Wt 303.04(af) and is minor impact in accordance with Env-Wt 303.03(h).
11. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
12. 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.
13. 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

**2006-02269 NH DEPT OF ENVIRONMENTAL SERVICES, DAM BUREAU
DEERING Deering Reservoir**

Requested Action:

Approve amendment request to impact an additional 350 square feet and temporarily impact 350 square feet of the Piscataquog River to install a concrete extension pipe and energy dissipation basin.

APPROVE AMENDMENT:

Temporarily impact 8,390 square feet and permanently impact 430 square feet of the Deering Reservoir and Piscataquog River to repair an existing riprap embankment, dam spillway, and install an energy dissipation basin.

With Conditions:

1. All work shall be in accordance with plans by NH DES Dam Bureau dated July 01, 2006, and revised through January 11, 2008, and construction notes dated March 24, 2008, as received by the Department on April 04, 2008, and detail sheets dated July 01, 2006, as received by the Department on August 31, 2006.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Embankment riprap and dam spillway headwall repair shall be done during drawdown.
6. Pipe extension and energy dissipation basin work shall be done during low flow.
7. Work authorized shall not occur in fish spawning or nursery areas during the reproductive season, or within waterfowl nursery areas during the critical nesting period.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. 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.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. No equipment shall enter the water.
12. 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.
13. 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.
14. 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.
15. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
16. Temporary cofferdams shall be entirely removed immediately following construction.
17. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
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 restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
20. Repair shall maintain existing size, location and configuration.
21. 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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel.
2. The original low-level outlet was covered by 13 feet of fill and a gravel parking lot; this is a violation of Dam Safety rule Env-Wr 404.03(b). The pipe extension and energy dissipation basin installation is required to meet Dam Safety standards.
3. The pipe extension and energy dissipation basin installation was included in the original application, but was removed when subsurface investigations revealed that the original outlet was closer to Reservoir Road than originally thought, creating a hazardous condition for the work crew and general public.
4. The applicant proposed drawdown in the fall/winter to reduce impacts on the Common Loon.

5. The energy dissipation basin was relocated to reduce impacts to the Piscataquog River.
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.

**2007-00852 SMILEY, RICHARD
GREENVILLE**

Requested Action:

Confirm Emergency Authorization issued April 27, 2007, to repair/replace existing failed Blood Brook retaining wall with recovered blocks and new blocks as needed.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization issued April 27, 2007, to repair/replace existing failed Blood Brook retaining wall with recovered blocks and new blocks as needed.

With Conditions:

1. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if DES later determines that these "existing structures" were not previously permitted or grandfathered.

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 project was necessary to prevent damage to an existing driveway.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on April 27, 2007.
4. Review of the follow-up materials submitted pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. 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.
7. 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.

**2007-01415 PETRE, JUDY
CHARLESTOWN Unnamed Pond**

Requested Action:

Maintenance dredge 7,800 square feet of deposited sediment from an existing farm pond (Dam #41.21).

Conservation Commission/Staff Comments:

Conservation Commission finds the project to be beneficial;
Dam #41.21 was previously approved for maintenance dredge Wetlands File #M-1075.

APPROVE PERMIT:

Maintenance dredge 7,800 square feet of deposited sediment from an existing farm pond (Dam #41.21).

With Conditions:

1. All work shall be in accordance with plans received by the Department on March 13, 2008.
2. All work shall be done in the dry, frozen, or under draw down conditions.
3. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Machinery shall not be located within surface waters, where practicable.
5. Machinery shall be staged and refueled in upland areas.
6. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. 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 twenty (20) feet of undisturbed vegetated buffer.
8. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
9. Within three calendar 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.
10. 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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (k), maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.
2. An intermittent stream flows through the pond.
3. A letter of support for the project from the Charlestown Conservation Commission was received at the DES Wetlands bureau on September 10, 2007.
4. A previous maintenance dredge for this pond was approved under Wetlands File #M-1075.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. 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.
7. 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.

2007-01982 DRED
FREMONT Unnamed Wetland

Requested Action:

Retain 50 square feet of impact within the bed of an unnamed stream for the replacement of a failed, wooden 'beaver control pipe' with a 8-inch PVC pipe to mitigate flooding due to beaver activity.

Conservation Commission/Staff Comments:

The Fremont Conservation Commission did not comment on the project.

Inspection Date: 09/19/2007 by Eben M Lewis

APPROVE AFTER THE FACT:

Retain 50 square feet of impact within the bed of an unnamed stream for the replacement of a failed, wooden 'beaver control pipe' with a 8-inch PVC pipe to mitigate flooding due to beaver activity.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. A failed, wooden 'beaver control pipe' previously existed at this site. Failure of this pipe caused the downstream pond/wetland complexes to become inundated, thereby flooding the rail trail to the south. Therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The new pipe replaces the antiquated, failed pipe, 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. DES personnel inspected the site on September 19, 2007 and determined that the pipe can qualify as an after-the-fact permit as DES approves similar projects.

**2007-02285 LAMOUREX, PAUL
BERLIN Unnamed Wetland**

Requested Action:

Dredge and fill 622 sq. ft. of wetlands and associated intermittent drainage for access to a proposed commercial building on one lot of a two lot subdivision. Work in wetlands consists of installation of a 15 in. x 50 ft. plastic culvert, culvert headwalls, and associated grading and filling.

APPROVE PERMIT:

Dredge and fill 622 sq. ft. of wetlands and associated intermittent drainage for access to a proposed commercial building on one lot of a two lot subdivision. Work in wetlands consists of installation of a 15 in. x 50 ft. plastic culvert, culvert headwalls, and associated grading and filling.

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks, LLC, as received by DES on September 24, 2007 and plans by Beaver Tracks, LLC and York Land Services, LLC, as received by DES on March 5, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
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. Work shall be done during low flow.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on the proposed commercial lot.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands and surface waters.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be protected in accordance with 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).
10. 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.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. 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.

13. 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).

14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

15. 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(n) Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
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.

**2007-02656 UNH, KEVIN GARDNER
DOVER Cocheco River**

Requested Action:

Temporarily impact 5,000 sq. ft. of tidal mud flat in the Cocheco River, to install sixteen 1-meter square reactive geotextile mats as part of a study on the development of contaminated sediment remediation/treatment technologies by the Contaminated Sediments Center affiliated with the Environmental Research Group, at UNH.

APPROVE PERMIT:

Temporarily impact 5,000 sq. ft. of tidal mud flat in the Cocheco River, to install sixteen 1-meter square reactive geotextile mats as part of a study on the development of contaminated sediment remediation/treatment technologies by the Contaminated Sediments Center affiliated with the Environmental Research Group, at UNH.

With Conditions:

1. All work shall be in accordance with plans by UNH dated 11/2/2007, as received by DES on 11/6/2007.
2. No mats shall be placed over any existing vegetation.
3. All mats shall be removed from the resource upon completion of the study and disposed of out of wetlands jurisdiction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum by the Department, based on the amount of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project will yield necessary knowledge in the field of contaminated sediment remediation.
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. The proposal represents impacts that are temporary and minimally invasive as a means to study and develop contaminated sediment remediation technologies.
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. The project has been coordinated with the NH Heritage Natural Bureau ("NHB") to the NHB's satisfaction with regard to plant species of concern reported in the vicinity of the project, per NHB memo dated 3/12/2008. DES has included the NHB's recommendations in the permit conditions.
5. The Division of Ports and Harbors has inspected the site and stated in a letter dated 10/29/2007, received by DES on 10/30/2007, that placement of the mats will not impede navigation at this location.

6. The Dover Conservation Commission voted to unanimously endorse the project per email memo dated and received on 12/7/2007.
7. The project was reviewed by National Marine Fisheries Service ("NMFS") at a federal joint processing review meeting on 1/17/2008, and reported that the project was "Eligible as proposed" for Programmatic General Permit approval.

2007-02772 HAMPTON MEADOWS CONDO ASSOCIATION
HAMPTON Unnamed Pond

Requested Action:

Maintenance dredge accumulated sediments and debris from an 18,015 sq. ft. detention pond to restore its storage capacity and support of on-site irrigation system.

Conservation Commission/Staff Comments:

"The [Hampton] Conservation Commission does not oppose the granting of a Standard Dredge and Fill permit for the dredging for maintenance of one detention pond at 155 Drakeside Road ..."

APPROVE PERMIT:

Maintenance dredge accumulated sediments and debris from an 18,015 sq. ft. detention pond to restore its storage capacity and support of on-site irrigation system.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 6/28/07 (last revised 11/14/07), as received by DES on November 21, 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/or further permitting by the Bureau.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
6. Work shall be done during seasonal low flow conditions.

With Findings:

1. This maintenance dredge of a man-made detention pond to preserve its usefulness qualifies under RSA 482-A:31V(b).

2008-00073 MAROIS, MARK
DERRY Unnamed Wetland

Requested Action:

Dredge and fill 820 sq. ft. of palustrine forested wetlands to construct a driveway with a culvert crossing of a seasonal stream to access a single family house lot on a 22.67 acre parcel of land.

Conservation Commission/Staff Comments:

No report or comments were received on this application from the Derry Conservation Commission

APPROVE PERMIT:

Dredge and fill 820 sq. ft. of palustrine forested wetlands to construct a driveway with a culvert crossing of a seasonal stream to access a single family house lot on a 22.67 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated 2 October 2007, as received by DES on January 18, 2008.
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/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. Culvert outlets shall be protected in accordance with 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).
8. Work shall be done during low flow.

2008-00124 PREMO, COLIN
CLAREMONT Unnamed Stream

Requested Action:

Dredge and fill 865 square feet of intermittent stream and associated forested wetlands to install a 15-inch x 35-foot culvert for common driveway access to two(2) lots of a 4-lot subdivision on 26.5 acres.

APPROVE PERMIT:

Dredge and fill 865 square feet of intermittent stream and associated forested wetlands to install a 15-inch x 35-foot culvert for common driveway access to two(2) lots of a 4-lot subdivision on 26.5 acres.

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks, LLC as received by the Department on January 28, 2008, and subdivision plans by Paton Surveys, LLC dated August 30, 2007, as received by the Department on January 28, 2008.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 2 of this approval.
4. 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.
5. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
6. Work shall be done during low flow conditions.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culverts shall be laid at original grade.
12. 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).
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. The Claremont Conservation Commission did not sign the Minimum Impact Expedited Application.
3. In a letter dated January 22, 2008, the Claremont Conservation Commission stated because of the presence of wetlands on the eastern sections of the lots they were concerned about impacts from building construction and suggested relocating building construction to the western side of the lots as an alternative. The Commission also expressed concern for the Natural Heritage Bureau survey data for the site.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
5. This permit is conditioned that there shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
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.

FORESTRY NOTIFICATION

2008-00476 LABERGE, DARBY
CHARLESTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Charlestown Tax Map 223, Lot# 10

2008-00477 H&H INVESTMENTS LLC
FRANCESTOWN Unnamed Stream

COMPLETE NOTIFICATION:
FRancestown Tax MAp 8, Lot# 16.2 & 100

2008-00479 HARDWICK SR, DONALD
FRANCESTOWN Unnamed Stream

COMPLETE NOTIFICATION:
FRancestown Tax Map 4, Lot# 7, 9 & 10

2008-00480 HOMESTEAD TRUST II
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth Tax Map 203, Lot# 1 & 70

**2008-00481 STRATEMEYER, JOAN
LANGDON Unnamed Stream**

COMPLETE NOTIFICATION:
Langdon Tax Map 8, Lot# 01.0

**2008-00487 DRED
ALLENSTOWN Unnamed Stream**

COMPLETE NOTIFICATION:
Allenstown Tax Map 7, Lot# 2

**2008-00491 PFEIFLE, JOHN/MARY
WARNER Unnamed Stream**

COMPLETE NOTIFICATION:
Warner Tax Map 16, Lot# 81

**2008-00504 GRINDROD, BRIAN & CYNTHIA
CHESTER Unnamed Stream**

COMPLETE NOTIFICATION:
Chester Tax Map 2, Lot# 79-2

EXPEDITED MINIMUM

**2008-00061 DEVITTORI, JOHN
EFFINGHAM Province Lake**

Requested Action:
The Applicant requests reconsideration of the February 22, 2008 denial to replace an existing 49.8 linear ft retaining wall on 59 ft of frontage in Effingham on Province Lake.

APPROVE RECONSIDERATION:
Reconsider and approve permit to: Replace existing failed 49.8 linear ft of retaining wall on 59 ft of frontage in Effingham on Province Lake.

- With Conditions:
1. All work shall be in accordance with revised plans by John DeVittori as received by DES on March 13, 2008.
 2. Photographic documentation of the entire frontage shall be submitted to the Department within 30 days of the completion of the proposed project.
 3. Replacement wall shall maintain existing length, height and configuration.
 4. The new retaining wall shall be located completely within or landward of the existing wall so as not to create land within public

waters.

5. The replacement wall shall be lined with geo-textile fabric.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
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. The unnecessary removal of vegetation is prohibited.
11. This permit does not authorize maintenance dredging activities.
12. 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(c), 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(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-00285 THOMSON, THOMAS & SHEILA
ORFORD Unnamed Stream**

Requested Action:

Dredge and fill approximately 60 linear ft. of intermittent stream to construct two access roads for timber harvesting purposes. Work in wetlands consists of the construction of two intermittent stream crossings each containing an 18 in. diameter HDPE culvert with associated headwalls and outlet protection.

APPROVE PERMIT:

Dredge and fill approximately 60 linear ft. of intermittent stream to construct two access roads for timber harvesting purposes. Work in wetlands consists of the construction of two intermittent stream crossings each containing an 18 in. diameter HDPE culvert with associated headwalls and outlet protection.

With Conditions:

1. All work shall be in accordance with plans and narratives by the US Department of Agriculture, (USDA) Natural Resources Conservation Services (NRCS), "Czernin Woodlot" sheets 1 through 6 and "Pickerel Pond" sheets 1 through 7, title sheet revised date March 26, 2008, as received by DES on March 28, 2008.
2. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
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 shall be done during low flow.
3. 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.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. 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. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(g) Installation of a culvert, pole, or rock ford and associated fill to permit vehicular access to a piece of property for forest management.
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.

GOLD DREDGE

2008-00467 SAWYER, JOHN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2008-00485 GRAVES, DOUGLAS
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2008-00486 HOPKINS, GALE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

LAKES-SEASONAL DOCK NOTIF

2008-00482 SPATH, PETER
SPRINGFIELD Kolelemook Lake

COMPLETE NOTIFICATION:
Springfield, NH Tax map 23 Lot 730

Kolelemook Lake

2008-00483 GLASS, RODNEY
BELMONT Winnisquam Lake

COMPLETE NOTIFICATION:
Belmont, NH Tax map 107 Lot 111
Winnisquam Lake

2008-00484 MADIGAN, EDWARD
JAFFREY Gilmore Pond

COMPLETE NOTIFICATION:
Jaffrey, NH Tax map 227 Lot 31
Gilmore Pond

2008-00507 SPEAK, JON
CONWAY Conway Lake

COMPLETE NOTIFICATION:
Conway, NH Tax Map 274 Lot 3
Conway Lake

2008-00508 DUANE, DAVID/NANCY
WOLFEBORO Wentworth Lake

COMPLETE NOTIFICATION:
Wolfeboro, NH Tax Map 220 Lot 1
Lake Wentworth

PERMIT BY NOTIFICATION

2008-00353 CATE, GRANT
JACKSON Unnamed Wetland

Requested Action:
Dredge and fill 291 sq. ft. of wetlands for construction of a driveway to a single family building lot. Work in wetlands consists of installation of 12 in. x 24 ft. culvert, headwalls and associated grading and filling.

PBN IS COMPLETE:
Dredge and fill 291 sq. ft. of wetlands for construction of a driveway to a single family building lot. Work in wetlands consists of installation of 12 in. x 24 ft. culvert, headwalls and associated grading and filling.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.

2008-00470 BASSI, MARCIA
MEREDITH Lake Winnepesaukee

Requested Action:

Repair/replace existing retaining walls.

PBN IS COMPLETE:

Repair/replace existing retaining walls.

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.

2008-00489 NH FISH & GAME DEPARTMENT
BERLIN Unnamed Stream

Requested Action:

Temporally impact 69 square feet of perennial stream (Cold Brook) and install temporary cofferdams to replace a failed water supply line.

Conservation Commission/Staff Comments:

1. The previous PBN application (File #2007-02581) was disqualified because the requested information was not received within 20 days from the request.

PBN IS COMPLETE:

Temporally impact 69 square feet of perennial stream (Cold Brook) and install temporary cofferdams to replace a failed water supply line.

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 such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet and Env-Wt 303.04(l) Temporary cofferdams and other water control devices constructed in flowing water or adjacent to dams in conjunction with the repair or maintenance of existing structures. Temporary cofferdams means temporary watertight enclosures built in the water and pumped dry to expose the bottom so that construction may be undertaken. All such work shall be designed and supervised by a professional engineer and shall be removed upon completion of repair and/or maintenance.
2. This is a qualified Permit by Notification (PBN) project per Env-Wt 506.01(a)(4) The construction of a temporary cofferdam and other water control devices that meets the criteria in Env-Wt 303.04(l) and Env-Wt(a)(7)The maintenance, repair, or replacement of a nondocking structure that meets the criteria in Env-Wt 303.04(x).
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

2008-00498 PORTILLA, ROBERT & CANDANCE
GILFORD Lake Winnepesaukee

