

Wetlands Bureau Decision Report

Decisions Taken
05/19/2008 to 05/25/2008

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

**2001-00212 NH DEPT OF TRANSPORTATION, DISTRICT 2
MANCHESTER Merrimack River And Tributaries**

Requested Action:

NHDOT requests an amendment for 5,160 sq.ft. of temporary impact to Little Cohas Brook to construct the southerly pier for the bridge spanning the brook for the Airport Access Roadway. 28 piles to support trestle will be installed and removed once the work is completed.

APPROVE AMENDMENT:

AMENDED PERMIT: Construct a new highway beginning along the F.E. Everett Turnpike at the existing Bedford toll facility and extending easterly over the Merrimack River, Heritage Trail, and the NH Main Line Railroad. Temporary impacts include 5,160 sq.ft. for installation of 28 piles to support a trestle for access to the southern side of Little Cohas Brook. East of the Merrimack River crossing, the alignment will overpass NH Route 3A for approximately 1.6 km (1.0 mi) before turning northerly and entering the south side of the Manchester Airport for a total length of 3.2 km (2.0 mi). The project proposes to fill 11.57 acres of wetlands to accommodate increases in traffic volumes on roads currently accessing the Airport, as well as future increases caused by the expansion of the Airport and the expected development of industrial lands in the vicinity of the Airport. The Merrimack River and NH Route 3A structures will also include the width necessary to allow for a bike/pedestrian trail to be developed on the north side, which will connect US Route 3 with NH Route 3A. On the eastern side of the river, a proposed connector road, approximately 0.6 km (0.4 mi) in length, will link the Access Road to NH Route 3A. Approximately 0.6 km (0.4 mi) of NH Route 3A will be reconstructed. A maximum of two at-grade intersections, just east of the Route 3A overpass, may be developed along the easterly side of the Access Road to provide access to the industrially zoned lands south of the Airport. One of the intersections will connect opposite the connector road to NH Route 3A to form a four-way intersection.

Proposed mitigation includes preservation of land centered in the Little Cohas Marsh Waterfowl Management Area in Londonderry. The New Hampshire Department of Transportation (hereinafter "NHDOT") will secure leases on several properties totaling approximately 480 ac of wetland and upland habitat. The leases are scheduled to expire in 2004 and acquisition of those properties will occur prior to expiration. Several additional parcels currently under NHFG or Town of Londonderry ownership are located in this area.

Another portion of the mitigation package includes the preservation of important wetland wildlife habitat and travel corridors associated with the industrially-zoned lands south of the Airport. This proposal seeks to re-establish and protect safe passage for wildlife along existing riparian or wetlands corridors by enhancing or maintaining zones of undeveloped connectivity between the Merrimack River, Little Cohas Marsh and the Musquash Conservation Area. Provisions will be included for the construction of a limited number of wildlife-friendly roadway crossings over the protected corridors. NHDOT will acquire land along the lower Little Cohas Brook and lands further downstream. Restoration of an unnamed tributary behind the Britta facility and creation of a wetland connector between this tributary and the re-routed tributary that flows northerly to Little Cohas Brook will occur. An additional large forested block will also be protected. This parcel contains a vernal pool and large, forested wetlands adjacent to lands proposed for protection by the AES facility within the Eco-Industrial Park with the potential to enhance vernal pool habitat by creating additional depressions within the forested wetland. An additional corridor connection will be protected that connects the Airport mitigation site with area to the south along the escarpment slope and continues easterly along Horse Trail Brook. NHDOT will also protect a 15 ac tract containing two vernal pools adjacent to the Airport preservation tract.

In addition, the proposed mitigation includes the construction of a wildlife travel corridor under NH Route 3A at the northwestern corner of the Airport mitigation site. The design involves the diversion of surface waters from an existing intermittent stream to be conveyed in a northerly direction via a broad low-gradient vegetated channel to be created within existing uplands before joining an existing wetland drainage west of Route 3A. This existing narrow drainage will be widened to accommodate the broad, low-gradient channel and an access trail under NH Route 3A with the construction of an arched structure providing a wide opening for the public with off-road parking nearby to allow for car-top boating access to the River.

A total of 37 acres of land will be protected in Bedford, Merrimack and Manchester for bald eagle habitat protection. In addition,

an eagle conservation and management plan is required as a part of the US Fish and Wildlife Service Biological Opinion.

The total proposed acquisition of land to compensate for wetland impacts, bald eagle habitat impacts, and secondary impacts due to providing access to the industrially-zoned lands south of the Airport encompasses an estimated 748 ac. Of this total, discounting the 37 ac of eagle habitat protection, approximately 416 ac are wetland and 295 ac are upland. NHDOT shall secure all lands associated with the entire mitigation package prior to advertisement of any construction contract.

With Conditions:

With amended conditions:

1. The wetland impacts associated with this approval are based on wetland boundaries as listed by wetland type and function noted in the Manchester Airport Access Road Bedford-Manchester-Londonderry-Litchfield-Merrimack Final Environmental Impact Statement (hereinafter "FEIS"), Table 4.4-2 and figure 4.4-2 and plans provided in the New Hampshire Department of Environmental Services Wetlands Bureau (hereinafter "NHDES")/Army Corps of Engineers permit application.
2. During final design and construction work, wetland impacts that exceed 11.57 acres as represented in the plans provided in the NHDES/Army Corps of Engineers permit application and materials presented in the NHDES file, shall require submittal of a permit amendment request to be reviewed by the NHDES.
3. During final design of roadway construction plans, a joint review shall be held by state and federal agencies regarding proposed water quality treatment features such as grass swales or detention basins that may cause additional wetland impacts for construction to confirm need, location, and necessity for a permit amendment.
4. Final design plans for roadway construction shall be submitted to NHDES and appropriate Conservation Commission for each contract with a summary of wetland impacts for the associated contract work. Review and comments from NHDES and Conservation Commissions shall be considered by NHDOT and incorporated into the design where it is reasonably appropriate.
5. During final design, efforts to avoid or minimize surface water impacts shall continue by providing steep side slopes to minimize culvert lengths where fish passage is not an issue.
6. The NHDES shall be notified in advance of pre-construction meetings at all of the proposed bridge crossing locations with sufficient notice to facilitate attendance.
7. The proposed groundwater protection measures for treating runoff in the project area as described in the FEIS, section 4.3.2.4 shall be adhered to for minimizing impacts and wells impacted by the project will be replaced as part of the project.
8. The proposed management measures for stormwater treatment for streams in the project area as described in the FEIS, section 4.3.1.2 shall be adhered to for minimizing contaminants from highway runoff.
9. The proposed bridge structure over the Merrimack River will be designed with a closed drainage system to limit water quality impacts to the River.
10. A water quality monitoring program will be established through the coordination of the NHDES, Watershed Management Bureau and Site Specific Bureau which includes appropriate sampling procedures and parameters for testing water quality conditions.
11. The conservation measures noted in the USFWS Biological Opinion dated January 3, 2002 proposed to reduce the effects of the project construction on bald eagles shall be incorporated in the completion of the final design plans and carried out.
12. The NHDES shall be provided a status on negotiations with the NH Mainline Railroad to secure protection of the 8.0 acre of land across from the rock outcrop/Devon Street area on a yearly basis until the parcel has been secured for protection.
13. The Little Cohas Brook shall be spanned to minimize impacts to wetlands and reduce fragmentation impact of this riparian corridor. Roadway side slopes associated with most of the substantial encroachments shall be steepened to 2:1. During final design, plans shall be discussed with the Wetlands Bureau and comments incorporated into the design where appropriate.
14. The temporary trestle shall be installed in accordance with plans received May 8, 2008 as prepared by E.D. Swett, Inc.
15. The temporary trestle shall be removed once work is complete and the area restored.
16. Dredged material shall be placed out of the NHDES jurisdiction unless otherwise specified.
17. Final erosion control plans shall be subject to review and approval by NHDES.
18. 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.
19. The project engineer shall oversee installation of erosion controls and periodically verify that the controls are properly maintained during construction.
20. Appropriate storm water management and erosion control Best Management Practices (BMP) shall be implemented to ensure turbidity impacts are minimized and water quality standards are not violated. If the BMP conflicts with terms or conditions of this

permit, the terms and conditions of this permit shall control.

21. Construction equipment shall not be located within surface waters.

22. There shall be no further alteration of wetlands or surface waters without amendment of this permit.

23. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete or have been temporarily suspended, 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 2:1.

24. 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.

25. 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.

26. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners.

27. The contractor responsible for completion of the work shall utilize techniques described in the NHDES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

28. The NHDOT shall limit unnecessary removal of vegetation within riparian areas during road construction and areas cleared of vegetation shall be re-vegetated as quickly as possible.

29. Standard precautions shall be taken not to import or transport soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

30. Land clearing in wetland areas during highway construction is to be kept to a minimum to reduce impacts on wildlife habitat.

31. Measures to minimize impacts to the Natural Heritage Inventory (NHI) exemplary plant community known as Southern New England Stream Bottom Forest will be reviewed during final design and provided to the NHDES and office of NHI for review and approval.

32. The proposed mitigation package as detailed in amended application materials dated February 6, 2002 and materials submitted on October 1, 2002 shall be followed for compensating impacts associated with the proposed project.

33. Modifications to the mitigation proposal may be required if necessary changes to the project cause impacts that significantly exceed acres represented in the application.

34. The final design plans for the wildlife corridor under Route 3A including planting schedule shall be submitted for review by the NHDES and Manchester Conservation Commission.

35. During work at the wildlife corridor under Route 3A, a qualified wetland scientist shall monitor the re-grading and associated slope work to ensure that the area will result in successful establishment of a vegetated channel/corridor.

36. Habitat restoration and enhancement work at the wildlife corridor under Route 3A shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or it shall be replanted and re-established until the area resembles a vegetated channel/corridor satisfactory to the NHDES Wetlands Bureau.

37. Habitat restoration and enhancement area shall be monitored by a qualified environmental consultant during the first, second, third and fifth years. Monitoring reports shall be submitted to the NHDES and appropriate Conservation Commission during the five years, at the end of the required growing seasons, and include photographs, a summary on vegetative success and remedial measures if necessary to improve plant establishment. Remedial action will be considered if there is inadequate vegetative cover, or erosion problems.

38. Baseline documentation reports for all lands to be protected shall be completed and submitted to NHDES within one year following NHDOT securing the parcels.

39. The NHDOT shall record the condition of the preserved lands as part of the third and fifth year monitoring reports to insure compliance with the preservation requirements.

40. The NHDES shall be notified in writing of any transfers of the preservation lands and mitigation sites to another organization that has been retained for management purposes and the name of the entity responsible to continue long-term management and/or stewardship of the lands.

41. Conservation easements that may 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.

42. Final conservation easement language shall be recorded at the Registry of Deeds Office and a copy submitted to the NHDES.

43. Activities in contravention of the conservation easement shall be construed as a violation of this permit, and those activities shall be subject to the enforcement powers of the NHDES and/or the New Hampshire office of the Attorney General.

With Findings:

1. The proposed amendment involves temporary impacts that will be restored following completion of the bridge and is of minimal environmental impact.

**2006-01506 VINTAGE TRUST, C/O ENTHUSIASTS INC
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Applicant requests an amendment and waiver to Rule Env-Wt 402.02, Dimensions, to increase the width of an approved pier to 8 ft.

DENY AMENDMENT:

Amende permit to replace the previously approved structure consisting of two 6 ft x 30 ft piling piers and a 4 ft x 30 ft piling pier connected by a 6 ft x 50 ft piling pier in an "E" configuration with a structure consisting of an 8 ft x 30 ft piling pier and a 4 ft x 30 ft piling pier connected by an 8 ft x 50 ft piling pier in an "F" configuration on an average of 1,647 of frontage along Lake Winnepesaukee on Long Point, Moultonborough.

With Findings:

Standards for Approval

1. Rule Env-Wt 402.02, Dimensions, limits the approvable standard dimensions for a permanent dock on a lake or pond of 1,000 acres or more to a deck width not to exceed 6 feet.
2. In accordance with Rule Env-Wt 204.02, Procedures, each request for a waiver shall be filed in writing, shall include the information specified in Env-Ws 204.03.
3. In accordance with Rule Env-Wt 204.03, Content and Format of Requests, the person requesting the waiver shall provide the rule number(s) of the specific section(s) of the wetland rules for which a waiver is being sought, a full explanation of why a waiver is being requested, including an explanation of the hardship that would be caused by compliance with the rule, a full explanation of the alternate that is proposed to be substituted for the requirement in the rule, including written documentation or data, or both, to support the alternative, and a full explanation of why the applicant believes that having the waiver granted will meet the criteria in Wt 204.04.
4. In accordance with Rule Env-Wt 204.03, Content and Format of Requests, (b) the property owner and the person requesting the waiver, if other than the property owner, shall sign the request.
5. In accordance with Rule Env-Wt 204.04 Criteria, a request for a waiver shall be granted if granting the request is consistent with the intent and purpose of the rule being waived and strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

Findings of Fact

1. On April 2, 2008, the Department received a request to amend the permit issued October 5, 2006 for the modification of docking facilities on property identified as Moultonborough tax map 257, lot 001.
2. The Applicant requested that the permit be amended such that one of three docking structures on the frontage, which had been approved to consist of two 6 ft x 30 ft piling piers and a 4 ft x 30 ft piling pier connected by a 6 ft x 50 ft piling pier in an "E" configuration would be replaced with one consisting of an 8 ft x 30 ft piling pier and a 4 ft x 30 ft piling pier connected by an 8 ft x 50 ft piling pier in an "F" configuration.
3. The Applicant was informed by staff that they would need to apply for a waiver of Rule Env-Wt 402.02 in accordance with Part Env-Wt 204 before the Department would consider the requested 8 ft pier width.
4. On April 29, 2008, the Department received a letter from the Applicant requesting a waiver of Rule Env-Wt 402.02 to allow 8 ft

- wide piers in order to accommodate a vessel having a passenger loading ramp.
- 5. The request for the rule waiver was not signed by the owner of the property.
- 6. There is an "F" shaped docking facility already existing on the frontage which consists of a 63 ft 9 in x 11 ft 2 in crib pier and a 9 ft 1 in x 24 ft 1 in crib pier extending from a 5 ft x 14 ft 4 in pier connected by a 12 ft x 57 ft 10 in wood and stone walkway.
- 7. The Applicant offered no explanation of what hardship would be caused by compliance with the 6 ft width limit for new pier construction.
- 8. The Applicant offered no explanation of why the existing 63 ft 9 in x 11 ft 2 in crib pier could not accommodate the loading ramp of the vessel in question.
- 9. The subject property is not an island property and is accessible over land.
- 10. The Applicant provided no evidence or documentation supporting the need for a docking facility that could accommodate a loading ramp or even the need for the loading ramp mentioned in the waiver request.
- 11. The Applicant provided no evidence that approval of the additional width requested would be consistent with the intent and purpose of the rule being waived.

Rulings in Support of the Decision

- 1. The property owner failed to sign the waiver request as required per Rule Env-Wt 204.02.
- 2. The Applicant failed to provide the information documenting that the waiver would be consistent with the intent and purpose of the existing rule as required per Rule Env-Wt 204.03.
- 3. The criteria outlined in Rule Env-Wt 204.04 relative to the issuance of waivers have not been met and, therefore, Rule Env-Wt 402.02 shall not be waived.
- 4. The amendment proposes to construct a docking facility that exceeds the dimensions allowed per Rule Env-Wt 402.02 and, therefore, is not approvable.

-Send to Governor and Executive Council-

2007-01418 DEMERS, DENNIS
HOOKSETT Unnamed Wetland

Requested Action:

Dredge and fill 6785 square feet adjacent to a prime wetland for access in the subdivision of 133.3 acres into 45 single family residential lots.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit request to dredge and fill 6785 square feet adjacent to a prime wetland for access in the subdivision of 133.3 acres into 45 single family residential lots.

With Findings:

- 1. A request for additional information dated September 4, 2007, addressed to the applicant and copied to the agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
- 2. The agent for the applicant entered into a mutual agreement with the Department to extend the deadline for review until May 2, 2008.
- 3. The Department conducted a meeting on April 10, 2008, meeting notes do not indicate any further discussion of extending the permitting timeframes.
- 4. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES shall deny the application.
- 5. DES did not receive the requested additional information within the agreed upon timeframe and therefore the application has been denied.

2007-02424 WEARE, TOWN OF
WEARE Piscataquog River, Horace Lake & Marsh

Requested Action:

Dredge and fill a total of 8400 square feet to replace and upgrade the existing public bridge adjacent to and within the bed and banks of the Lake Horace Marsh Prime Wetland and the bed of Lake Horace further described as follows: Permanently impact 8400 square feet for roadway expansion, side slopes and to improve roadway alignment and temporarily impact 3000 square feet for construction impacts.

APPROVE PERMIT:

Dredge and fill a total of 8400 square feet to replace and upgrade the existing public bridge adjacent to and within the bed and banks of the Lake Horace Marsh Prime Wetland and the bed of Lake Horace further described as follows: Permanently impact 8400 square feet for roadway expansion, side slopes and to improve roadway alignment and temporarily impact 3000 square feet for construction impacts.

With Conditions:

1. All work shall be in accordance with plans by SEA Consultants dated March 2007, as received by the Department on February 29, 2008.
2. 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.
3. Any construction initiated after July 1, 2008, shall be compliant with the Comprehensive Shoreland Protection Act, RSA 483-B:5-a as effective at the time construction is initiated and may require an additional permit from the Department.
4. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B .
6. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).
7. 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.
8. The applicant shall notify in writing the DES Wetlands Bureau and the Conservation Commission of their intention to start construction no less than five (5) business days prior to the commencement of construction.
9. Work shall be conducted during low water conditions.
10. 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.
11. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
12. 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.
13. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
14. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
15. No equipment shall enter the water.
16. All work shall be done from the top of the bank.
17. Except in the permitted impact areas there shall be no dredging, removal, or disturbance of any existing vegetative undergrowth within the 100 foot prime wetland buffer. The placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
18. Any additional human activities within the 100 foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by the Department of Environmental Services, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
19. 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.
20. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
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. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.

23. 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.

24. 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.

25. Silt fencing must be removed once the area is stabilized.

26. A land resource professional shall inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

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 proposed project is to improve the existing town bridge from a single lane structure to a two lane structure.

3. The town and their engineer has determined overall conditions and geometry of the existing bridge warrant complete replacement of the structure.

4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 5. The proposal will fill in portions of Lake Horace which is a man made lake for the proposed road widening.

6. The applicant has provided a signed easement with the State of New Hampshire as approved by Governor and Council allowing the fill in the waterbody.

7. The road widening will also impact the edge of Lake Horace Marsh for the proposed road widening.

8. The area of the proposed Prime Wetland impacts are along the existing roadway slope.

9. The proposal will be installing planted rip rap in this area where currently no vegetation exists.

10. Currently the stormwater flows off of the roadway untreated into the Prime Wetland, this proposal will attempt to install vegetation to capture some of the sediment.

11. NH Fish and Game has provided a letter indicating that they do not anticipate impacts to Brook Floaters as a result of this project.

12. The NH Management Advisory Committee met on January 23, 2008, the committee advised DES to document its interpretation of "Channel" within the context of RSA 483.

13. The project meets the intent of Natural Rivers Protection, RSA 483:9, III, as the alterations to the channel result in an overall net gain in the size of the channel opening and improve the ability of the Piscataquog River to transport water and sediment through the structure in low and high flows.

14. The project meets the intent of Natural Rivers Protection, RSA 483:9, III, as the alignment of the proposed structure is being improved to be more in line with the thalweg of the river improving the channel platform.

15. The project meets the intent of Natural Rivers Protection, RSA 483:9, III, as the alterations to the channel will result in an increase in substrate for aquatic habitat.

16. The proposed downstream ecological water control structure permitted under 2007-2190 will improve the overall health of the marsh by maintaining the water level, this proposed project would not be able to move forward without the replacement of this structure.

17. The engineering plans accurately locate the boundary of the wetlands, surface waters and prime wetlands.

18. The applicant has provided evidence which demonstrates that his/her 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.

19. The erosion controls, and stabilization methods, will protect the ability of the wetlands to retain floodwaters and silt.

20. 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.

21. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.

22. 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.

23. A public hearing for the proposed project was held on January 31, 2008, there were no negative comments from the public relative to the proposed project.

24. 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.

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.

**2007-02961 NH DEPT OF TRANSPORTATION
HINSDALE Kilburn Brook**

Requested Action:

Request an amendment to increase the total impacts by 3,330 sq. ft. to stabilize the project as a result of new geotechnical information.

Conservation Commission/Staff Comments:

Ashuelot River Advisory Committee requested the DOT maintain and enhance shady vegetation as much as possible.

Cons. Comm. - no comment

Inspection Date: 02/08/2006 by Gino E Infascelli

APPROVE AMENDMENT:

AMENDMENT: Reconstruct a portion of NH Route 63 including drainage structures and the stabilization of 400 linear feet of banks impacting 14,845 sq. ft. of palustrine and riverine wetlands and banks (1,800 sq. ft. temporary). NHDOT project #14540N.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design (undated), as received by the Department on April 25, 2008.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. This permit is contingent upon the submission of stamped engineering plans specifically for the bank stabilization design in accordance with Rule Wt 404.04.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. All work shall be above Ordinary High Water as shown on the plans.
6. Construction equipment shall not be located within surface waters.
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; and 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. 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.
9. 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.
10. 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.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
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. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and

areas cleared of vegetation to be revegetated as quickly as possible.

14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. The impacts associated with the temporary work shall be restored immediately following construction.
17. Humus and seed mix shall be added to the slope above the Q50 elevation to promote natural vegetation.

With Findings:

1. This is a major impact project per Administrative Rules Env-Wt 303.02(c) and (i), disturbance of more than 200 linear feet of bank.
2. The applicant coordinated reviews of the project through the Natural Resource Agency meetings on March 15 and August 23, 2006 along with the amended project discussed on January 16 and April 16, 2008.
3. The amendment is needed to "key in" the stone as the result of further geotechnical information.

2008-00625 PENNICHUCK WATER WORKS
MERRIMACK Souhegan River

Requested Action:

Dredge and Fill a total of 21,145 sq. ft. (dredge 7,050 sq. ft. for dam & apron removal + 4,105 sq. ft. for pilot channel; fill 4,005 sq. ft. temporary impact for coffer dam installation + 5,985 sq. ft. permanent impact for stone rip-rap shoreline stabilization)for work associated with the removal of the Merrimack Village Dam on the Souhegan River to restore 14 miles of impounded water to free flowing conditions to provide an opportunity for diadromous fish passage and improve the overall ecology of the river system.

Conservation Commission/Staff Comments:

"The Merrimack Conservation Commission has reviewed the Dredge & Fill Application submitted for this project. We have reviewed the materials and have no objections."

The Souhegan River Local Advisory Committee "enthusiastically support removal of this dam ..."

Inspection Date: 10/24/2007 by Frank D Richardson

APPROVE PERMIT:

Dredge and Fill a total of 21,145 sq. ft. (dredge 7,050 sq. ft. for dam & apron removal + 4,105 sq. ft. for pilot channel; fill 4,005 sq. ft. temporary impact for coffer dam installation + 5,985 sq. ft. permanent impact for stone rip-rap shoreline stabilization)for work associated with the removal of the Merrimack Village Dam on the Souhegan River to restore 14 miles of impounded water to free flowing conditions to provide an opportunity for diadromous fish passage and improve the overall ecology of the river system.

With Conditions:

1. All work shall be in accordance with plans by Gomez and Sullivan Engineers, P.C. dated 3/2008 (last revised 5/14/08) & Stream Bank Stabilization and Planting Plan dated 4/2008 (last revised 5/09/08), as received by DES on May 15, 2008.
2. This permit is contingent on approval of the project and authorization to proceed with work under the jurisdiction of the DES Dam Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. 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.
5. NH DES Wetlands Bureau Southeast Region staff and the Merrimack Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
6. At least 48 hours prior to the start of the dam removal project, a pre-construction meeting shall be held with NHDES Water Division staff at the project site or at the DES Office in Concord, N.H. 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, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. A qualified environmental professional and/or NH Certified Wetlands Scientist shall be retained by the permittee to oversee the project and provide the DES Wetlands Bureau and the Merrimack Conservation Commission with semi-annual photo-illustrated

reports documenting all phases of the project from pre- to post construction for the 5-year duration of the permit. These reports shall be submitted on or before June 30 and December 30 of each year.

8. The name and contact information for the qualified environmental professional/ CWS selected shall be given to the DES Wetlands Bureau and the Merrimack Conservation Commission prior to the start of work.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Dredged material and demolition debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Stream bank stabilization planting areas shall have at least 85% successful establishment of the riparian and wetlands vegetation planted and/or seeded after two (2) growing seasons, or it shall be replanted and re-established until a functional vegetated stream bank is replicated in a manner satisfactory to the DES Wetlands Bureau.
12. Work shall be done during low flow.
13. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
14. 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.
15. 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.
16. Temporary cofferdams shall be entirely removed immediately following construction.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
18. Faulty equipment shall be repaired prior to entering jurisdictional areas.
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 major impact project per Administrative Rule Env-Wt 303.02(c)(g)&(i).
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 October 24, 2007. Field inspection determined that the work associated with the removal of the Merrimack Village Dam on the Souhegan River will restore 14 miles of impounded water to free flowing conditions to provide an opportunity for diadromous fish passage and improve the overall ecology of the river system.
6. This is a pro-active river restoration project supported by the DES as well as federal, state and local authorities or resource agencies.
7. No compensatory wetlands mitigation is required for the impacts associated with this restoration project.

MINOR IMPACT PROJECT

2006-01700 HOOKSETT DEVELOPMENT LLC, STEVEN BLUM
HOOKSETT Unnamed Wetland

Requested Action:

Amendment request to correct the amount of impacted area from 15390 to 15460, as impact area "T" was never included in the total impact calculation.

APPROVE AMENDMENT:

Dredge and fill 15460 square feet of impact in the subdivision of approximately 300 acres into 179-multi family townhouse units, 91-single family cluster development houses and elderly housing. Mitigate for the proposed impacts by preserving 146.6 acres on site.

With Conditions:

1. All work shall be in accordance with plans by VHB Inc dated June 21, 2006, and revised through December 26, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Waste Water Engineering Program.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The proposed emergency access located within the easement area if constructed shall be constructed utilizing a spanning structure.
6. The deed which accompanies the sales transaction for each of the units in this subdivision shall contain condition #4 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
8. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific 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.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during periods of non-flow and under low water conditions.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are: 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.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Wetland crossing A shall be installed with a permeable road base in order to maintain the hydrology of the wetland and not channelize all the flows through the single culvert.
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. Area of temporary impact shall be regraded to original contours following completion of work.
17. Mulch within the restoration area shall be straw.
18. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
19. 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.
20. 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.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Silt fencing must be removed once the area is stabilized.
23. 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).
24. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of sewer line construction through that area.

Mitigation Conditions:

25. This permit is contingent upon the preservation of approximately 146.6 acres identified as "Open Space and Conservation Land" on Plans by VHB Inc dated June 21, 2006, and revised through December 26, 2006. The conservation land area, which includes 42.94 acres of wetlands and approximately 103.66 acres of contiguous upland buffer, shall be conveyed to State of NH Fish and Game by Warranty Deed and be under their stewardship.
26. The restrictions to be placed on the open space/preservation areas, as outlined in the Warranty Deed granted to NH Fish and Game shall be written to run with the land, and both existing and future property owners shall be subject to these restrictions.
27. A plan providing the boundaries of the preservation lot shall be submitted to DES Wetlands Bureau for review prior to recordation with the Merrimack County Registry of Deeds.
28. A copy of the recording of the deed, and preservation lot plan, from the Merrimack County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
29. The open space/preservation area boundaries shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to the start of construction.
30. Signs to indicate the location of and restrictions on the preservation areas shall be posted no further than every 150 feet along the boundary of the conservation areas prior to the start of construction.
31. The logging activities in the open space/preservation area shall be severely limited by the Warranty Deed.
32. There shall be no removal of the existing vegetative undergrowth within the preservation area and clear cut logging, the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
33. Activities in contravention of the Warranty Deed 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).

With Findings:

The Department reaffirms findings 1-21 of the original approval:

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 wetlands proposed to be impacted by this application are groundwater seeping wetlands. There is only one wetland with an intermittent stream channel proposed to be impacted.
3. The vast majority of the proposed impacts are for access or for sewage line construction.
4. There is 1220 square feet of wetland impact for a proposed detention basin. These wetlands are man made and the only function they are performing is stormwater detention and water quality. These functions will be enhanced with the construction of the basin.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided a buffer to the existing heron rookery and has provided a 100 foot buffer to all of the vernal pools located on the site.
7. The proposed development is a cluster with open space a traditional subdivision would have a greater impact to the wetland resources.
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 to achieve project purpose 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.
10. DES Wetland Bureau Staff and NH Fish and Game Staff conducted a field inspection of the proposed project on July 27, 2006. Field inspection determined the location of the heron rookery and discussed relocating and reconfiguring the lot lines of 3 lots adjacent to this resource. The wetlands to be impacted by the project are palustrine forested wetland with some indication of man modifications to the area and the systems. The vernal pool cluster and the heron rookery are to be maintained and buffered within the open space.
11. DES Wetland Bureau Staff and representatives of the Federal Agencies conducted a site inspection on October 18, 2006. This second site inspection the wetlands to be impacted are less valuable than those to be preserved and development adjacent to the vernal pool cluster should be redesigned to provide a 100 foot buffer in all locations.
12. The applicant has provided a function and value assessment of the wetlands on site, illustrating that the preserved, wetlands are of higher functions and values and were less degraded over time than the impacted wetlands.
13. The total land development is approximately 150 acres. The project consists of developing 179 multi-unit townhouses, 91 single family residential lots and elderly housing with associated parking, clubhouse amenities, access, and stormwater treatment. This use is consistent with local development goals and zoning within the Town of Hooksett.

- 14. The applicant provided four alternate layouts of the proposed development. The permitted alternative is the least impacting to the environment and wetland resources.
- 12. DES requested the wetland crossing A be constructed with a permeable road base to allow for water to travel through the area unimpeded and without being channelized through a culvert.
- 13. The applicant has utilized retaining walls and 2:1 side slopes to reduce overall impacts to the wetlands.
- 14. Existing drainage patterns will remain unchanged as there will be no increase in flow from the proposed development.
- 15. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction to achieve project purpose per Wt 302.03.
- 16. The applicant has provided mitigation in accordance with Administrative Rules Chapters Env-Wt 300 and Env-Wt 800. This mitigation specifically entails preservation of 146.6 acres of upland buffer on site.
- 17. The wetlands to be preserved on site are palustrine forested wetlands, a beaver impoundment with a heron rookery and associated perennial streams, and a complex of vernal pools and are pristine in nature. These wetlands have greater functions and values than those of the wetlands lost with the construction of this project.
- 18. The mitigation proposal submitted to DES exceeds the mitigation compensation ratios for upland buffer preservation as required by Rule Env-Wt 803.05, Table Env-Wt 800-1.
- 19. The Hooksett Planning Board voted to conditionally approve the site plan.
- 20. The NH Fish and Game Commission has agreed to hold the proposed preservation area in fee.
- 21. The Hooksett Conservation Commission has no objections to the proposed project.

And makes the following additional finding:

- 22. The impact area "T" was illustrated on the approved plan set the impact however the area was not included in the final impact totals.

**2007-01717 HOPKINTON, TOWN OF
HOPKINTON**

Requested Action:

Dredge and fill 400 square feet within the bed and banks of an unnamed perennial stream to replace an existing steel culvert with a box culvert.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny request to dredge and fill 400 square feet within the bed and banks of an unnamed perennial stream to replace an existing steel culvert with a box culvert.

With Findings:

- 1. A request for additional information dated November 20, 2007, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
- 2. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
- 3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2007-02062 36 TIGER TRAIL TRUST, CHRISTOPHER GRZYNINSKI
MEREDITH Lake Winnepesaukee**

Requested Action:

Amend permit to install two permanent boatlifts with in the boathouse slips provided.

Conservation Commission/Staff Comments:

Con Com has no objections

APPROVE AMENDMENT:

Amend permit to read: Permanently remove an existing 6 ft x 32 ft permanent dock and wharf along the bank, excavate 1,245 sq ft from 34 linear ft of shoreline and dredge 16 cubic yards from 292 sq ft of lakebed to construct a 900 sq ft, 2-slip, dug-in boathouse adjacent to an existing 6 ft x 27 ft 10 in piling pier, and install two permanent boatlifts in the slips provided, on an average of 255 ft of frontage on Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated August 21, 2007, revision date December 02, 2007, as received by DES on December 06, 2007, and cross section plans dated August 21, 2007, revision date November 7, 2007, and boatlift amendment plans by Folsom Design Group revision dated April 07, 2008, as received by DES on April 23, 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 recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit to construct a boathouse shall not be effective until the existing house and patio are completely removed from the property.
4. No new primary structure shall be constructed on the property within 50 ft of the reference line which is defined as Elevation 504.32. Construction of the dredged inlet for the boathouse will result in the relocation of the reference line.
5. This approval shall not allow the construction of any boathouse if, in the event that a new primary structure is constructed on the property prior to the construction of the proposed boathouse, the dredge associated with the construction of the boathouse would result in the distance from the primary structure to the surface water within the boathouse being less than 50 ft as required per RSA 483-B:9 II.
6. The portion of the existing docking structure to be removed for the construction of the boathouse shall be completely removed as proposed prior to any work for the construction of the boathouse.
7. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
8. 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.
9. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 524.32) above normal high water (Elev. 504.32).
10. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
11. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
12. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. 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 water at the work site has returned to normal clarity.
14. 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.
15. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
16. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the

department's jurisdiction per Env-Wt 302.03.

4. The applicant has an average of 255 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

**2007-02280 BOYER, DONALD
CONCORD Hot Hole Pond**

Requested Action:

Dredge and fill 1800 square feet for access to a proposed single family residential lot in the subdivision of 60 acres.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny request to dredge and fill 1800 square feet for access to a proposed single family residential lot in the subdivision of 60 acres.

With Findings:

1. A request for additional information dated December 21, 2007, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2007-02599 DINEEN, JOHN & GINA
GILFORD Lake Winnepesaukee**

Requested Action:

Remove 13.4 sq ft of deck over the water and drive 4 pilings to support a permanent boatlift and a 14 ft x 30 ft seasonal canopy in an existing non-conforming docking facility consisting of two 5.75 ft x 32.4 ft piers attached to a 30.75 ft x 19.4 ft deck in a "U" configuration on an average 229 ft of frontage on Lake Winnepesaukee.

APPROVE PERMIT:

Remove 13.4 sq ft of deck over the water and drive 6 pilings to support a permanent boatlift and a 14 ft x 30 ft seasonal canopy in an existing non-conforming docking facility consisting of two 5.75 ft x 32.4 ft piers attached to a 30.75 ft x 19.4 ft deck in a "U" configuration on an average 229 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated January 24, 2008, as received by DES on February 4, 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 recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only docking structures on this water frontage and all portions of these structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal structures shall be removed from the lake for the non-boating season.
5. Canopies shall be of seasonal construction type and shall be removed for the non-boating season.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project fails to meet the requirements of Rule Env-Wt 402.20, Modification of Existing Structures.
2. This project is deemed approved pursuant to RSA 482-A:3, XIV, (f).

**2007-02804 NH DEPT OF TRANSPORTATION
PITTSFIELD Unnamed Stream**

Requested Action:

Replace twin 36 in. x 40 ft. culverts with twin 36 in. x 65 ft. culverts and install headers impacting 876 sq. ft. of stream and banks.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Replace twin 36 in. x 40 ft. culverts with twin 36 in. x 65 ft. culverts and install headers impacting 876 sq. ft. of stream and banks.

NHDOT project #M316-17.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 3 dated 10/25/07 as received by the Department on Nov. 28, 2007.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. 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.
4. Construction equipment shall not be located within surface waters.
5. 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.
6. 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).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

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 stream and banks.
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.

**2008-00064 HUCKINS, LESTER
BARNSTEAD**

Requested Action:

Dredge and fill a total of 1,562 sq. ft. of wetlands including installation of a 72" x 20' pipe arch culvert and associated wing walls, impacting 40 linear ft. of perennial stream bank impacts, and installation of twin 36" x 20' culverts, impacting 20' linear ft. of seasonal stream, for construction of a shared driveway to two lots.

APPROVE PERMIT:

Dredge and fill a total of 1,562 sq. ft. of wetlands including installation of a 72" x 20' pipe arch culvert and associated wing walls, impacting 40 linear ft. of perennial stream bank impacts, and installation of twin 36" x 20' culverts, impacting 20' linear ft. of seasonal stream, for construction of a shared driveway to two lots.

With Conditions:

1. All work shall be in accordance with revised plans by Ames MSC dated 4/15/2008, as received by the Department on 4/25/2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Strafford 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.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. There shall be no further alteration of wetlands for lot development, driveways, or additional culverts.
8. 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.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. 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.
15. Work shall be done during low flow.

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 intermittent or perennial non-tidal stream channel or banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The crossings are necessary to reach buildable uplands.
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 crossings are occurring in the narrowest locations and two lots will share one driveway.
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. There were no species of concern reported by the NH Heritage Bureau as occurring in the project vicinity.
5. The applicant has designed the pipe arch crossing in accordance with the comments of the Barnstead Conservation Commission to protect the perennial stream resource.

2008-00345 NEWBURY, TOWN OF
NEWBURY Lake Sunapee

Requested Action:

Dredge and fill 177 square feet (5 linear feet) of perennial stream and temporarily impact 120 square feet of Lake Sunapee to install a 5-foot open-bottomed concrete box culvert extension and pedestrian bridge abutment for the sidewalk project along the Newbury Harbor parking and recreation area.

APPROVE PERMIT:

Dredge and fill 177 square feet (5 linear feet) of perennial stream and temporarily impact 120 square feet of Lake Sunapee to install a 5-foot open-bottomed concrete box culvert extension and pedestrian bridge abutment for the sidewalk project along the Newbury Harbor parking and recreation area.

With Conditions:

1. All work shall be in accordance with plans by KV Partners, LLC dated January 30, 2008, and revised through February 13, 2008, as received by the Department on March 06, 2008.
2. The applicant shall comply with any requirements by the DES Waste Management Division.
3. 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.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B as it exists at the time of construction.
5. Work shall be done during annual low flow conditions.
6. 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.
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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. 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.
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to entering jurisdictional areas.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
22. 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.
23. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
24. 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.

25. This permit is contingent upon the restoration of 120 square feet of wetlands and perennial stream channel in accordance with plans received March 06, 2008 and to the satisfaction of the DES Wetlands Bureau within 10 days of completion of construction.
26. Area of temporary impact shall be regraded to original contours following completion of work.
27. All material removed during work activities shall be removed down to the level of the original hydric soils.
28. All material removed during work activities shall be placed out of DES's jurisdiction.
29. Mulch within the restoration area shall be straw.
30. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturer's specifications.
31. The restored stream channel bed must maintain the natural stream bed elevation.
32. Stream and lake banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
33. A post-construction report documenting the status of the restored streambed and banks 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(1), 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); and Env-Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.02.
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.

2008-00379 PAYNE, DAVID
ELKINS Pleasant Lake

Requested Action:

Remove an existing 6 ft x 32 ft seasonal pier and install two 6 ft x 50 ft seasonal piers, each anchored by a 4 ft x 6 ft concrete pad, connected by a 6 ft x 10 ft seasonal walkway, and install 2 seasonal boatlifts on an average of 377 ft of frontage on Pleasant Lake, in Elkins.

APPROVE PERMIT:

Remove an existing 6 ft x 32 ft seasonal pier and install two 6 ft x 50 ft seasonal piers, each anchored by a 4 ft x 6 ft concrete pad, connected by a 6 ft x 10 ft seasonal walkway, and install 2 seasonal boatlifts on an average of 377 ft of frontage on Pleasant Lake, in Elkins.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 22, 2008, as received by DES on March 13, 2008.
2. 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.
3. 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 installation.
4. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. All seasonal structures shall be removed from the lake for the non-boating season.
6. No portion of the docking facility shall extend more than 50 feet from the shoreline at full lake elevation.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip docking facility.
2. 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.
3. 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.
4. The modification of the existing docking facility should have no adverse impact on any endangered or threatened species.
5. The applicant claims an average of 377 feet of shoreline frontage along Pleasant Lake.
6. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

**2008-00400 ST METHODIOS FAITH & HERITAGE CENTER LLC
HOPKINTON Clement Pond**

Requested Action:

Dredge 885 square feet within the bed and banks of Clement Pond for the installation of a dry hydrant.

APPROVE PERMIT:

Dredge 885 square feet within the bed and banks of Clement Pond for the installation of a dry hydrant.

With Conditions:

1. All work shall be in accordance with plans by Moser Engineering dated March 10, 2008, as received by the Department on March 14, 2008.
2. Any construction initiated after July 1, 2008, shall be compliant with the Comprehensive Shoreland Protection Act, RSA 483-B:5-a as effective at the time construction is initiated and may require an additional permit from the Department.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
4. No stumps shall be removed within 50 feet of the reference line per RSA 483-B.
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.
6. Work shall be done during drawdown.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. No equipment shall enter the water.
10. Prior to commencing work within surface waters, a cofferdam shall be constructed to isolate work area from the surface waters.
11. 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.
12. Work within jurisdiction, 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.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. Mulch within the wetland restoration area shall be straw.
17. Seed mix within the wetland restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.

18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.02.
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. There are no abutters to this project as there are no properties within 1/4 mile of the work area that are not across a public roadway.

MINIMUM IMPACT PROJECT

**2007-02501 FORSYTHE, SAMUEL
ALTON Lake Winnepesaukee**

Requested Action:

Repair 71 linear ft of breakwater, a 9 ft x 63 ft pier including the supporting cribs and pilings, and 3 tie-off pilings, and retain a seasonal boatlift on an average of 131 ft of frontage on Lake Winnepesaukee, in Alton.

APPROVE PERMIT:

Repair 71 linear ft of breakwater, a 9 ft x 63 ft pier including the supporting cribs and pilings, and 3 tie-off pilings, and retain a seasonal boatlift on an average of 131 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised April 16, 2008 and received by DES on April 23, 2008.
2. Only existing rocks which have fallen from the structures shall be used for repair. No additional rocks shall be brought on site.
3. 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.
4. This permit does not allow for maintenance dredging.
5. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
6. The repairs shall maintain the existing size, location and configuration of the structures.
7. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.

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

With Findings:

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

2007-02512 CORMIER, DOUGLAS
WINDHAM Canobie Lake

Requested Action:

Construct a 6 ft x 180 ft boardwalk on top of an existing causeway to access a 6 ft x 30 ft seasonal dock on 200 ft of frontage in Windham on Canobie Lake.

Inspection Date: 02/09/2008 by Chris T Brison

APPROVE PERMIT:

Construct a 6 ft x 180 ft boardwalk on top of an existing causeway to access a 6 ft x 30 ft seasonal dock on 200 ft of frontage in Windham on Canobie Lake.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on May 16, 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 dredging for any purpose.
6. This permit does not authorize sand deposition for any purpose.
7. This permit does not authorize retaining wall or rip-rap construction within Wetlands jurisdiction.
8. This permit does not authorize the placement of fill other than boardwalk construction, on top of the existing causeway.
9. Boardwalks shall be of ¾ inch slatted construction to allow circulation of air and water, and allow the penetration of light
10. Boardwalk shall be elevated so as to not completely obstruct light.
11. The seasonal dock shall be removed from the lakebed for 5 months during the nonboating season.
12. The seasonal dock shall not extend more than 30 ft from the end of the 180 ft boardwalk and underlying causeway.
13. Temporary access road shall be completely restored within 60 days of boardwalk completion.
14. This permit does not authorize the use of fill to construct the temporary access road.
15. Construction equipment mats shall be used for equipment access to reduce soil compaction.
16. Construction equipment shall only be operated within the limits of the equipment mats.
17. This permit does not authorize wheeled or tracked construction equipment to enter wetlands jurisdiction or land with an elevation below 220.26.
18. Helical piers shall be installed with hand operated equipment only.
19. Existing "T-shaped" seasonal dock shall be permanently removed from Wetlands jurisdiction prior to boardwalk construction.
20. Work shall be conducted at draw down.
21. Dock and boardwalk shall not exceed a 6 ft width at any point.
22. 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.
23. The unnecessary removal of vegetation is prohibited.
24. 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.
25. 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(a), construction of a seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Construction of a 6 ft wide boardwalk on top of an existing 180 ft long causeway is a lesser impact than filling in the entire structure to maintain elevations above the normal high water mark elevation.

2007-02788 DIXON, SUZANNE
NEW DURHAM Unnamed Stream

Requested Action:

Retain 500 sq. ft. of impact and installation of a 24" x 20' replacement culvert in existing driveway to single family residence.

APPROVE AFTER THE FACT:

Retain 500 sq. ft. of impact and installation of a 24" x 20' replacement culvert in existing driveway to single family residence.

With Conditions:

1. All work shall be in accordance with plans by Suzanne Dixon dated 11/26/2007, as received by DES on 11/27/2007, and per supporting materials dated 4/21/2008 as received by DES on 4/21/2008.
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 further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert to provide access to a single family house lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The previously existing culvert was washed away in the 2006 floods.
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 applicant has increased the culvert dimension to better accomodate flow, but is staying within the original project bounds.
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. There were no species of concern reported for the project vicinity by the NH Heritage Bureau.
5. The New Durham Conservation Commission did not report.

2008-00169 ROUX TRUST, PHILIP
GILFORD Unnamed Wetland

Requested Action:

Dredge and fill 1100 sq. ft. of wetlands for access to two lots of a 4 lot residential subdivision (includes one remaining land/conservation easement lot) and a lot line adjustment. Work in wetlands consists of construction of Wetland Crossing "A" consisting of 600 sq. ft. of impact for the installation of an 18 in. x 45 ft. HDPE culvert, and associated headwalls, and Wetland Crossing "B" consisting of 500 sq. ft. of impact for the installation of an 18 in. x 45 ft. HDPE culvert.

APPROVE PERMIT:

Dredge and fill 1100 sq. ft. of wetlands for access to two lots of a 4 lot residential subdivision (includes one remaining land/conservation easement lot) and a lot line adjustment. Work in wetlands consists of construction of Wetland Crossing "A" consisting of 600 sq. ft. of impact for the installation of an 18 in. x 45 ft. HDPE culvert, and associated headwalls, and Wetland Crossing "B" consisting of 500 sq. ft. of impact for the installation of an 18 in. x 45 ft. HDPE culvert.

With Conditions:

1. All work shall be in accordance with narratives by Kathleen Surowiec, D/B/A/ Turtle Pond Enterprises, as received by DES on February 4, 2008 and April 28, 2008 and plans by Harold E. Johnson, Inc., revision dated April 21, 2008, as received by DES on April 28, 2008.
2. Work shall be done during low flow.
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. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Belknap 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.
7. 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.
8. 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.
9. 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.
10. The deed which accompanies the sales transaction for all lots within the subdivision having any portion within the 100-foot prime wetland buffer or prime wetland shall include the follow conditions:
11. The boundaries of the 100-foot prime wetland buffer (for lots with proposed activities) shall be clearly marked with orange construction fencing prior to construction and shall be remain marked until construction is complete and the work area is fully stabilized.
12. The boundaries of the 100-foot prime wetland buffer shall be permanently and clearly marked with signs every 75 feet to indicate the location of and restrictions on the area.
13. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans and narratives. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
14. There shall be no dredging, removal, or disturbance of any existing vegetative undergrowth within the 100-foot prime wetland buffer. The placement of fill, construction of structures, or storage of vehicles or hazardous materials is prohibited.
15. Any human activities within the 100-foot prime wetland buffer or prime wetland without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by the Department of Environmental Services, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. There are no activities proposed for the subdivision that are within 100 feet of the designated prime wetlands.

6. The applicant has provided plans that depict the boundary of the designated prime wetlands and the 100 foot prime wetland buffer and a plan that depicts the building envelope for the lot with proposed activities adjacent to the 100 foot prime wetland buffer.
7. A majority of the land that contains the prime wetland and 100 foot prime wetland buffer is the "remaining land" lot, which has been proposed to be held in a conservation easement.

2008-00356 FORTIER, DAVID & ANGELA
MILTON Unnamed Wetland

Requested Action:

Dredge and fill a total of 1,204 sq. ft. for construction of access for a 3-lot subdivision, including 704 sq. ft. of impact for a shared driveway crossing to two lots, and 500 sq. ft. for upgrade of an existing culverted logging crossing to serve as a driveway to the third lot.

APPROVE PERMIT:

Dredge and fill a total of 1,204 sq. ft. for construction of access for a 3-lot subdivision, including 704 sq. ft. of impact for a shared driveway crossing to two lots, and 500 sq. ft. for upgrade of an existing culverted logging crossing to serve as a driveway to the third lot.

With Conditions:

1. All work shall be in accordance with plans by Mott Survey Company dated 3/4/2008, as received by the Department on 3/10/2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. There shall be no further alteration of wetlands for lot development, driveways, or additional culverts.
5. No fill shall take place in Atlantic white cedar swamps.
6. 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.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
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. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) alteration of less than 3,000 sq. ft. of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The wetlands crossings are necessary to access buildable uplands on the property.
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 crossings make use of a shared driveway for two lots and an existing crossing for the third.
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. There were no species of concern reported by the NH Heritage Bureau for the project vicinity.

5. The Milton Conservation Commission did not report.

2008-00399 GLENDALE YACHT CLUB
GILFORD Lake Winnepesaukee

Requested Action:

Repair an existing major docking facility consisting of a 6 ft x 266 ft pier with 16 finger docks and a 6 ft x 237 ft pier with 22 finger docks, four 2 ft x 21 ft docks along the shore, two 2 ft x 22 ft docks along the shore, and a 6 ft x 60 ft dock on 240 ft of frontage in Smith Cove, in Gilford, on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com submitted comments requesting siltation measures during work

APPROVE PERMIT:

Repair an existing major docking facility consisting of a 6 ft x 266 ft pier with 16 finger docks and a 6 ft x 237 ft pier with 22 finger docks, four 2 ft x 21 ft docks along the shore, two 2 ft x 22 ft docks along the shore, and a 6 ft x 60 ft dock on 240 ft of frontage in Smith Cove, in Gilford, on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated March 07, 2008, as received by DES on March 14, 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 recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Repairs shall maintain the existing size, location and configuration of the structures.
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. This permit does not allow for any dredge or modification of the docking facilities.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

2008-00814 NAULT, DAVID
DUNBARTON Black Brook

Requested Action:

Dredge and fill 1676 square feet of palustrine forested wetland including installation of two culverts for access to an existing single family residence.

APPROVE PERMIT:

Dredge and fill 1676 square feet of palustrine forested wetland including installation of two culverts for access to an existing single family residence.

With Conditions:

1. All work shall be in accordance with plans by Dahlburg Land Services dated May 8, 2008, and revised through May 16, 2008, as

received by the Department on May 20, 2008.

2. 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.
3. Work shall be done during periods of non-flow.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. 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.
6. 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.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. 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); Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The conservation commission has provided a letter dated may 19, 2008, providing 6 comments.
6. The applicant has provided a letter from the Town of Dubarton Zoning Board indicating that these are lots of record and do not fall under the provisions of Env-Wt 304.09(a), so a complete delineation of the entire lot is not required.
7. The conservation commission has indicated that the crossing is 400 feet from Black Brook and is the least impacting alternative.
8. There is no indication that important wildlife habitat exists on this site therefore box culverts are not warranted for these crossings.
9. The applicant has provided a 2:1 slope for the driveway crossing through the wetlands, a 1:1 slope is typically seen as a safety hazard.

FORESTRY NOTIFICATION

**2008-00798 SIEMON FAMILY CHARITABLE TRUST, CARL
MILTON Unnamed Stream**

COMPLETE NOTIFICATION:
Milton Tax Map 20, Lot# 1

**2008-00820 ST HILAIRE, EMILY
WEARE Unnamed Stream**

COMPLETE NOTIFICATION:
Weare Tax Map 401, Lot# 15

**2008-00821 THE NATURE CONSERVANCY
FREEDOM Unnamed Stream**

COMPLETE NOTIFICATION:
Freedom Tax Map 10, Lot# 5

EXPEDITED MINIMUM

**2004-00967 DURGIN, MICHAEL & DIANE
WEARE Unnamed Stream**

Requested Action:

Approve amendment to increase the culvert length and linear feet of stream impact to revise the road centerline. The number of lots was reduced from 21 to 17.

Conservation Commission/Staff Comments:

The Weare Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE AMENDMENT:

Dredge and fill approximately 520 square feet (70 linear feet) of intermittent stream and associated palustrine forested wetlands to install a 30-inch x 12-foot and 30-inch x 44-foot HDPE culvert for construction of a roadway for access to a 17-lot subdivision of approximately 53.9 acres.

With Conditions:

1. All work shall be in accordance plans by True Engineering, dated August 16, 2006, and revised through January 11, 2007, as received by the Department on February 08, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low flow conditions.
8. 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.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. 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.
11. 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.
12. 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.
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).

With Findings:

The DES Wetlands Bureau reaffirms original findings #2 - #5:

1. A memo from NH Fish and Game Dept. dated June 9, 2004, indicated that the project location has two (2) species of concern, Brook Floaters (*Alasmidonta varicosa*) and Blanding's turtle (*Emydoidea blandingii*). On August 31, 2004, NH Fish and Game Dept sent another letter after visiting the site (August 30, 2004) stating that the project does not pose a threat to brook floater. In addition, after review of the plans by DES, wetlands disturbance will be minimal thereby not affecting the Blanding's turtle.
2. The need for the proposed impacts has been demonstrated by the applicant per 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 Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

The DES Wetlands Bureau also makes the following additional finding(s):

5. 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).
6. The road centerline was revised for sight distance and grading issues.
7. The number of lots was reduced from 21 to 17, but the area of some proposed lots was increased.
8. The linear feet of stream impact was increased from 50 linear feet to 70 linear feet; and pursuant to Env-Wt 303.03(l), the project was reclassified from a minimum to minor impact project.

**2007-02837 CHILLIN & GRILLIN LLC, ROBERT ANDERSON
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Install a 16 ft x 24 ft seasonal canopy within the middle slip of an existing piling supported "U-shaped" dock on 495 ft of frontage in Tuftonboro on Lake Winnepesaukee.

APPROVE PERMIT:

Install a 16 ft x 24 ft seasonal canopy within the middle slip of an existing piling supported "U-shaped" dock on 495 ft of frontage in Tuftonboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on May 15, 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. This permit does not authorize sand deposition.
7. This permit does not authorize retaining wall or rip-rap construction within Wetlands jurisdiction.
8. All portions of the seasonal canopy must be removed for 5 months during the non-boating season.
9. The unnecessary removal of vegetation is prohibited.
10. 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(o) construction of a seasonal canopy
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.

**2007-02965 SAYERS, LEWIS & ANN
NEW HAMPTON Lake Waukewan**

Requested Action:

Repair/replace existing 10 ft x 18 ft boathouse.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Repair/replace existing 10 ft x 18 ft boathouse.

With Findings:

1. A request for additional information dated January 7, 2008, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2008-00108 WAHLSTROM, MARY
LACONIA Unnamed Wetland**

Requested Action:

Dredge and fill 320 square feet of palustrine forested wetland including installation of a 18-inch x 20 foot culvert for access to a proposed garage on an existing single family residential lot.

Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact application.

APPROVE PERMIT:

Dredge and fill 320 square feet of palustrine forested wetland including installation of a 18-inch x 20 foot culvert for access to a proposed garage on an existing single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Harold E Johnson Inc dated September 8, 2007, and revised through April 22, 2008, as received by the Department on April 25, 2008.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be done during periods of non-flow.
5. 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.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. 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.

9. Silt fencing must be removed once the area is stabilized.

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.

2008-00222 PETERSON, ANNE
JACKSON Road Side Ditch

Requested Action:

Dredge and fill approximately 410 sq. ft. of wetlands (roadside ditch) for access to a proposed subdivision that includes one cluster subdivision lot containing 4 home site lots and an open space lot and a remaining land lot ("parent lot"). Work in wetlands consists of installation of a 18 in. x 50 ft. HDPE culvert and associated inlet and outlet protection and headwalls for the access road to the cluster subdivision lot and open space lot.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the minimum impact expedited application waiving their right to intervene on the proposed project.

APPROVE PERMIT:

Dredge and fill approximately 410 sq. ft. of wetlands (roadside ditch) for access to a proposed subdivision that includes one cluster subdivision lot containing 4 home site lots and an open space lot and a remaining land lot ("parent lot"). Work in wetlands consists of installation of a 18 in. x 50 ft. HDPE culvert and associated inlet and outlet protection and headwalls for the access road to the cluster subdivision lot and open space lot.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, detail plan sheet 3 of 3 dated February 7, 2008, as received by DES on February 14, 2008, overall boundary and existing features plan sheet 1 of 5 revision dated April 8, 2008, as received by DES on April 21, 2008 and wetland impact plan sheet 2 of 4 and subdivision plan sheet 3 of 4 revision dated April 24, 2008, as received by DES on April 28, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands on the cluster development lots for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in the cluster development portion of the subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Carroll 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.
6. Any further subdivision or proposed alteration of wetlands, surface waters or their banks on the large remaining land lot ("parent lot") will require additional onsite delineation of areas under the jurisdiction of the DES Wetlands Bureau. If impacts to jurisdictional areas are needed a new application and further permitting will be required.
7. Work shall be done during low flow.
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. 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 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).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamp or wet meadow wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES received a signed agreement from an abutter within 20 feet of the proposed work in wetlands in accordance with Administrative Rule Env-Wt 304.04(a).
6. The large remaining land lot ("parent lot") contains existing dwellings and a large area of steep mountainside, therefore, there is no intentions for further development.
7. The applicant has provided supplemental information for the wetland delineation of the remaining parent lot that is not part of the proposed development.

**2008-00343 WARREN, ROBERT
CARROLL Unnamed Stream**

Requested Action:

Dredge and fill approximately 1,526 sq ft. of wetlands for installation of two wetland crossing to provide an access trail for recreation and service access to wildlife openings and forest trails under the NRCS Wildlife Habitat Incentives Program (WHIP). Work in wetlands consists of installation of one crossing containing an 18 in. x 30 ft. HDPE culvert, associated dredging and filling, outlet protection and headwalls and installation of a second crossing containing two 18 in. x 30 ft. HDPE culverts associated dredging and filling, outlet protection and headwalls.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the minimum impact expedited application waiving their right to intervene on the project.

APPROVE PERMIT:

Dredge and fill approximately 1,526 sq ft. of wetlands for installation of two wetland crossing to provide an access trail for recreation and service access to wildlife openings and forest trails under the NRCS Wildlife Habitat Incentives Program (WHIP). Work in wetlands consists of installation of one crossing containing an 18 in. x 30 ft. HDPE culvert, associated dredging and filling, outlet protection and headwalls and installation of a second crossing containing two 18 in. x 30 ft. HDPE culverts associated dredging and filling, outlet protection and headwalls.

With Conditions:

1. All work shall be in accordance with plans by U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) revision dated April 15, 2008, as received by DES on April 22, 2009.
2. Work shall be done during low flow.
3. The project shall be approved by NRCS before the start of work and monitored by NRCS until completed and fully stabilized.
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 further approval by the Bureau.
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. 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.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. 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.
9. 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).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamp or wet meadow wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project is for recreation and service access for wildlife openings as part of the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Wildlife Habitat Incentives Program (WHIP).
6. The project was designed by NRCS.

2008-00523 PAGEL, DAVID/GRACE
LACONIA Lake Winnepesaukee

Requested Action:

Convert existing beach to a 180 sq ft perched beach on 80 ft of frontage in Laconia on Lake Winnepesaukee.

APPROVE PERMIT:

Convert existing beach to a 180 sq ft perched beach on 80 ft of frontage in Laconia on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by Varney Engineering LLC as received by DES on May 19, 2008.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. No more than 10 cubic yards of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

7. 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.
8. 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.
9. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
10. This permit does not authorize dredging for any purpose.
11. Unnecessary removal of vegetation is strictly prohibited.
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(d) construction of a beach.
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.

2008-00534 BORGIA, JOHN
RYE Atlantic Ocean

Requested Action:

Impact 556 sq. ft. in the previously developed tidal buffer zone to repair and reconstruct an existing set of stone steps in the seawall at this location to provide safe beach access.

Conservation Commission/Staff Comments:

The Rye Conservation Commission recommends approval of the permit.

APPROVE PERMIT:

Impact 556 sq. ft. in the previously developed tidal buffer zone to repair and reconstruct an existing set of stone steps in the seawall at this location to provide safe beach access.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated March 2008, as received by DES on April 09, 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 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. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

2008-00568 GRAY, DONALD
SANBORNTON Unnamed Wetland

Requested Action:

Dredge and fill a total of 1580 square feet along an intermittent stream in two locations for driveway access to three separate lots in the subdivision of 27 acres into 6 single family lots.

Conservation Commission/Staff Comments:

The conservation commission signed the minimum impact expedited application.

APPROVE PERMIT:

Dredge and fill a total of 1580 square feet along an intermittent stream in two locations for driveway access to three separate lots in the subdivision of 27 acres into 6 single family lots.

With Conditions:

1. All work shall be in accordance with plans by LePene Engineering and Surveying dated March 2008, as received by the Department on April 14, 2008, and Subdivision plans also by LePene Engineering and Surveying dated April 14, 2008, and revised through April 3, 2008, as received by the Department on April 14, 2008.
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, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Work shall be done during periods of non-flow.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until 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. 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. Silt fencing must be removed once the area is stabilized.

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.

2008-00609 PUBLIC LAND HOLDINGS LLC
SOMERSWORTH Unnamed Wetland

Requested Action:

Dredge and fill a total of 935 sq. ft. of wetlands for construction of two driveway crossings, including 387 sq. ft. of impact and installation of a 18" x 24' culvert; and 548 sq. ft. of impact and installation of a 18" x 24' culvert for construction of an 11-lot subdivision on 35.5 acres.

APPROVE PERMIT:

Dredge and fill a total of 935 sq. ft. of wetlands for construction of two driveway crossings, including 387 sq. ft. of impact and installation of a 18" x 24' culvert; and 548 sq. ft. of impact and installation of a 18" x 24' culvert for construction of an 11-lot subdivision on 35.5 acres.

With Conditions:

1. All work shall be in accordance with plans by Beals Associates dated 4/8/2008, as received by the Department on 4/21/2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Strafford 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.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. There shall be no further alteration of wetlands for lot development, driveways, or additional culverts.
8. 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.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. 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.
15. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft. of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The crossings are necessary to reach buildable uplands.
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 applicants have avoided wetland impacts where possible.
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. There were no species of concern reported by NH Heritage Bureau for the project vicinity.
5. The Somersworth Conservation Commission signed the expedited application.

2008-00646 GREAT WOODS DEVELOPMENT, STEVEN MILLER
ROCHESTER Unnamed Wetland

Requested Action:

Dredge and fill 2,130 sq. ft. for one road crossing for construction of a 46-lot subdivision on 93.8 acres.

APPROVE PERMIT:

Dredge and fill 2,130 sq. ft. for one road crossing for construction of a 46-lot subdivision on 93.8 acres.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates dated April 2008, as received by the Department on

4/25/2008.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Strafford 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.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. There shall be no further alteration of wetlands for lot development, driveways, or additional culverts.
8. 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.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. 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.
15. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft. of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
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. There were no species of concern reported by NH Heritage Bureau for the project vicinity.
5. The Rochester Conservation Commission signed the expedited application.

GOLD DREDGE

2008-00810 OKESSON, ROBERT
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath con comm

LAKES-SEASONAL DOCK NOTIF

2008-00770 MAJUR, SHAWN
WAKEFIELD Belleau Lake

COMPLETE NOTIFICATION:
Wakefield NH Belleau Lake Tax Map# 30 Lot# 15

2008-00793 REGAN, MICHAEL & LISA
WAKEFIELD Pine River Pond

COMPLETE NOTIFICATION:
Wakefield NH Pine River Pond Tax Map# 92 Lot#13

2008-00796 COLEMAN, SUSAN
HARRISVILLE Russell Reservoir

COMPLETE NOTIFICATION:
Harrisville NH Russell Reservoir Tax Map# 41 Lot# 20-21

2008-00812 SPRAGUE, ALBERT & SUSAN
TILTON Silver Lake

Conservation Commission/Staff Comments:
Spoke with Mr Sprague on 5/20/08 received second seasonal dock application on same site. He said that the dock was never put in the year 2007 so he sent in another one in May of 2008.

JoAnn Robinson

COMPLETE NOTIFICATION:
Tilton NH Silver Lake Tax Map# U3 Lot# 35

ROADWAY MAINTENANCE NOTIF

2008-00803 NH DEPT OF TRANSPORTATION
ALEXANDRIA Unnamed Stream

COMPLETE NOTIFICATION:
Replace 35 feet of 18 inch concrete Culvert with 40 feet of Galvanized Corrugated 18 inch culvert pipe

2008-00816 NH DEPT OF TRANSPORTATION
KINGSTON Unnamed Stream

COMPLETE NOTIFICATION:

Extend 24" diameter concrete culvert 10', replace headwall and stabilize embankment

PERMIT BY NOTIFICATION

2008-00738 PSNH
NEWPORT Unnamed Wetland

Requested Action:

Temporarily impact approximately 346 square feet and permanently impact 1 square foot of palustrine forested, scrub-shrub and wet meadow wetlands in a utility right-of-way easement for the replacement of utility pole guy wires and the use of temporary mats and equipment bridges for access along a portion of an existing electric aerial power line in Newport.

PBN IS COMPLETE:

Temporarily impact approximately 346 square feet and permanently impact 1 square foot of palustrine forested, scrub-shrub and wet meadow wetlands in a utility right-of-way easement for the replacement of utility pole guy wires and the use of temporary mats and equipment bridges for access along a portion of an existing electric aerial power line in Newport.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(14), temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right-of-way that meet the criteria of Env-Wt 303.04(af).
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
3. Separate similar applications were filed in each of the three towns in which wetland impacts are proposed identifying impacts in that town for the described work along a 10-mile portion of an existing aerial electrical line in Newport, Lempster and Goshen. Each application was assigned a file number when received by the DES Wetlands Bureau; 2008-00738 (Newport), 2008-00753 (Lempster), and 2008-00754 (Goshen).
4. Total impacts in Newport include 346 square feet of temporary impact and 1 square foot of permanent impact; total wetland impacts in Lempster include 565 square feet of temporary impact and 4 square feet of permanent impact; total impact in Goshen include 382 square feet of temporary impact and 2 square feet of permanent impact.
5. This project is in support of the Lempster wind mill project.

2008-00753 PSNH
LEMPSTER Unnamed Wetland

Requested Action:

Temporarily impact approximately 565 square feet and permanently impact 4 square feet of palustrine forested, scrub-shrub and wet meadow wetlands in a utility right-of-way easement for the replacement of utility poles and guy wires and the use of temporary mats and equipment bridges for access along a portion of an existing electric aerial power line in Lempster.

PBN IS COMPLETE:

Temporarily impact approximately 565 square feet and permanently impact 4 square feet of palustrine forested, scrub-shrub and wet meadow wetlands in a utility right-of-way easement for the replacement of utility poles and guy wires and the use of temporary mats and equipment bridges for access along a portion of an existing electric aerial power line in Lempster.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(14), temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right-of-way that meet the criteria of Env-Wt 303.04(af).
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
3. Separate similar applications were filed in each of the three towns in which wetland impacts are proposed identifying impacts in that town for the described work along a 10-mile portion of an existing aerial electrical line in Newport, Lempster and Goshen. Each application was assigned a file number when received by the DES Wetlands Bureau; 2008-00738 (Newport), 2008-00753 (Lempster), and 2008-00754 (Goshen).
4. Total impacts in Newport include 346 square feet of temporary impact and 1 square foot of permanent impact; total wetland impacts in Lempster include 565 square feet of temporary impact and 4 square feet of permanent impact; total impact in Goshen include 382 square feet of temporary impact and 1 square foot of permanent impact.
5. This project is in support of the Lempster wind mill project.

2008-00754 PSNH
GOSHEN Unnamed Wetland

Requested Action:

Temporarily impact approximately 382 square feet and permanently impact 1 square foot of palustrine forested, scrub-shrub and wet meadow wetlands in a utility right-of-way easement for the replacement of utility pole guy wires and the use of temporary mats and equipment bridges for access along a portion of an existing electric aerial power line in Goshen.

PBN IS COMPLETE:

Temporarily impact approximately 382 square feet and permanently impact 1 square foot of palustrine forested, scrub-shrub and wet meadow wetlands in a utility right-of-way easement for the replacement of utility pole guy wires and the use of temporary mats and equipment bridges for access along a portion of an existing electric aerial power line in Goshen.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(14), temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right-of-way that meet the criteria of Env-Wt 303.04(af).
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
3. Separate similar applications were filed in each of the three towns in which wetland impacts are proposed identifying impacts in that town for the described work along a 10-mile portion of an existing aerial electrical line in Newport, Lempster and Goshen. Each application was assigned a file number when received by the DES Wetlands Bureau; 2008-00738 (Newport), 2008-00753 (Lempster), and 2008-00754 (Goshen).
4. Total impacts in Newport include 346 square feet of temporary impact and 1 square foot of permanent impact; total wetland impacts in Lempster include 565 square feet of temporary impact and 4 square feet of permanent impact; total impact in Goshen include 382 square feet of temporary impact and 1 square foot of permanent impact.
5. This project is in support of the Lempster wind mill project.

2008-00806 SARGENT, CAROL
OSSIPEE Ossipee Lake

Requested Action:

Install a seasonal boatlift on adjacent to and existing seasonal dock.

PBN IS COMPLETE:

Install a seasonal boatlift on adjacent to and existing seasonal dock.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ac) seasonal boatlift installation.