THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES
LAND RESOURCES MANAGEMENT
WETLANDS BUREAU
29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
Phone: (603) 271-2147 Fax: (603) 271-6588
Website: http://des.nh.gov/organization/divisions/water/wetlands
Notification Status: http://des.nh.gov/onestop

Permit by Notification - Project Specific Criteria
Project Number: 1

Construction or modification of a seasonal pier or wharf (dock), located on a non-tidal stream or river or in a lake or pond that meets the criteria in Env-Wt 303.04(a).

If the you are proposing the installation of a single seasonal wharf or pier (dock) on property having at least 75 feet of frontage on a lake or pond (NOT a river, stream or tidal area), consider filing a Seasonal Dock Notification for Lakes and Ponds. Review the Seasonal Dock Notification for Lakes and Ponds form (http://des.nh.gov/organization/divisions/water/wetlands/categories/forms.htm) to confirm your project complies with the requirements.

1. PROJECT SPECIFIC CRITERIA This project type is for construction or modification of a seasonal pier or wharf (dock), located on a non-tidal stream or river or in a lake or pond that meets the project specific criteria listed below. By signing the PBN form you are confirming the project meets all of the following project specific criteria.	
Env-Wt 303.04(a)	The proposed project consists of the construction or modification of a seasonal pier or wharf (dock), with no more than 2 slips, including previously existing slips.
Env-Wt 402.01	The proposed project meets the approvable configurations for all docks located on lakes, ponds, nontidal rivers and streams.
Env-Wt 402.02	The proposed project meets the navigation space requirements.
Env-Wt 402.03	The proposed project meets the approvable standard dimensions for a seasonal pier or wharf.
Env-Wt 402.04 RSA 482-A:3, XIII	The proposed project meets the abutting property line setbacks or I have obtained the notarized, written consent of the abutting property owner(s).
RSA482-A:3, XIII(b)	Any boat secured to dock shall not extend beyond the extension of the property line
Env-Wt 402.05	The proposed project meets the design, installation, and maintenance requirements for a seasonal pier or wharf.
Env-Wt 402.10	The proposed project meets the size and construction requirements for stairways.
Env-Wt 402.11	The proposed project will be maintained so as to be useable for its intended purpose. Future maintenance may require additional permits.
Env-Wt 402.12, 402.13 & 402.14	The proposed project meets the minimum requirements for shoreline frontage unless certain conditions are met.
Env-Wt 506.01(b)	Construction on the proposed project has NOT already begun.
RSA 482-A:3, IV-a(j)	The project is NOT in or within 100 feet of a wetland that had been designated by a municipality as a prime wetland. Note: If your Town is not subject to the 100 foot buffer and you are not in the prime wetland, a PBN may be used. See following Prime Wetlands link: http://des.nh.gov/organization/divisions/water/wetlands/prime_wetlands.htm

1. PROJECT SPECIFIC CRITERIA CONT'D	
Env-Wt 303.02	Does not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, undisturbed tidal buffer zone or involve any work within 50 feet of a salt marsh.
Env-Wt 303.02(k)	The proposed project has **not** been identified by Natural Heritage Bureau (NHB) as an exemplary natural community, and/or does not have documented occurrences of state or federally listed endangered or threatened species **OR** I have received information (the *NHB DataCheck Results* Letter) from NHB and/or the NH Fish and Game Department providing me with recommendations to avoid potential impacts. See 2.E. below. NHB DataCheck Link: https://www2.des.state.nh.us/nhb_datacheck/

2. NOTIFICATION ATTACHMENT CHECKLIST & INSTRUCTIONS

This application will be returned to you if items noted with a (🗐) are not provided with your notification.

Refer to the Wetlands Bureau Technical Assistance webpage for a list of the links provided below

Link: http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm

Provide attachments in the order listed.

🗐 A. **Application Fee**

Check or money order for $200 payable to "Treasurer – State of NH" (RSA 482-A:3, I (c))

🗐 B. **Completed Permit by Notification form**

Application form with applicant's name, mailing address and daytime telephone number and the street address of the proposed project site.

🗐 C. **Required Signatures**

Property Owner (page 4 PBN form) and Municipal Clerk (page 5 PBN form)

🗐 D. **USGS Map**

A copy of a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined (surveyed property boundaries not required). The map must be at an unaltered scale of 1:24,000 or 1" = 2,000 feet (1:25,000 metric map).

Topographic Map Links: http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm

🗐 E. **NHB Review**

Refer to the link below to answer no. 5.a. on the PBN form

1. Required letter/memo from the Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: https://www2.des.state.nh.us/nhb_datacheck/ or by phone (603) 271-2215 x 323. *Questions related to completing this process should be directed to the Natural Heritage Bureau.*

2. Copies of any additional comments received from NHB and/or the NH Fish and Game Department.

🗐 F. **Designated River Check** RSA 482-A:3,I(d)(2)

1. Refer to the designated river list and map link below to answer no. 5.b on the PBN form

http://des.nh.gov/organization/divisions/water/wmb/rivers/desigriv.htm

2. If you are within ¼ mile of a designated river, notify the Local River Advisory Committee (LAC) by sending a copy of the complete application and supporting materials via certified mail

LAC informational link: http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm

🗐 G. **Tax Map** (Env-Wt 501.02(a)(1)& 505.01(e))

A legible copy or tracing of the tax map from the municipal office

2. NOTIFICATION ATTACHMENT CHECKLIST & INSTRUCTIONS CONT'D

H. **Abutter Notification** (Env-Wt 101.03, 501.01(c), 501.02(a)(1)& 505.01(f))

Confirm the submitted tax map illustrates the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters with each lot labeled with the abutter's name(s) and mailing address(es); or provide a list of abutters' names and mailing addresses to cross-reference with the tax map

Sample Abutter Notification Letter: http://des.nh.gov/organization/divisions/water/wetlands/documents/abutter-notification.doc

Abutter: any person who owns property immediately adjacent and contiguous to the property on which the project will take place. This does not include those properties across a public road. An abutter includes an owner of any flowage rights on or immediately adjacent to the property on which the project will take place. If the project is located on waterfront or another area which by its configuration would cause the project to affect non-contiguous properties, owners of those properties are considered as abutters. The term does not include the owner of a parcel of land located more than one- quarter mile from the limits of the proposed project.

I. **Permission for work within 20 feet** (Env-Wt 304.04, Env-Wt 402.04 and RSA 482-A:3, XIII)

If jurisdictional impacts occur within 20 feet of an abutting property line or imaginary extension thereof over surface water, signed permission letter(s) from the affected abutters must be included with this application (Env-Wt 304.04).

A notarized, written agreement with any abutter(s) when the proposed seasonal pier or wharf is located within 20 feet of the property line or imaginary extension thereof over surface waters.

J. **Photographs** (Env-Wt 501.02(a)(3) & 505.01(i))

Attach legible and labeled color photographs clearly depicting the jurisdictional areas to be impacted, the resource outside of impact area, any shoreline structures and culvert inlet/outlets

K. **Plan:** A plan showing the proposed project, including the plan requirements listed below:

1. An overview of the property and proposed impact areas in relation to the property lines;
2. The scale, if any, used on the plan. If the drawing is not to scale, the dimensions of all existing and proposed structures and all other relevant features necessary to clearly define the project;
3. A labeled north-pointing arrow to indicate orientation;
4. A legend that clearly indicates all symbols, line types, and shading used on the plan;
5. The location of the 100-year floodplain, if applicable to the proposed project;
6. If the topography is to be permanently altered, the existing and proposed topography, including a reference to elevation;
7. Proposed methods of erosion and siltation control indicated graphically and labeled, or annotated as necessary. * See the Erosion Prevention and Sedimentation Control Practices Guide: http://des.nh.gov/organization/divisions/water/wetlands/documents/pbn-erosion-guide.pdf
8. The general shape of the shoreline including the shoreline frontage length and either;
   a. The full water body elevation; or
   b. The highest observable tidal line for tidal waters;

   Shoreline frontage determination: add the length of the natural navigable shoreline (which may be shown on the tax map) to the length of a straight line drawn between the two side property boundaries, and divide by two. Both lengths are measured at the normal high water line.
9. The footprint of all existing and proposed structures on the property;
10. The intended use of each proposed structure;
11. The distance from existing and proposed work to abutting property lines.
12. For projects that include work in the protected shoreland (SWQPA); the reference line; the primary building line, 50 feet from the reference line; and any local setbacks.
13. The location of wetlands delineated in accordance with Env-Wt 301.01, shoreline, surface waters, areas within 100 feet from the highest observable tideline, and sand dunes on site, and their relation to the proposed project.

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NHDES WETLANDS BUREAU FILE #:

(File # obtained here: http://www2.des.state.nh.us/OneStop/Wetland_Permits_Query.aspx)

PROPERTY OWNER NAME:

PROJECT DESCRIPTION: (description from the completed NHDES PBN form)

NOTIFICATION CONDITIONS FOR PBN PROJECT # 1

Construction or modification of a seasonal pier or wharf (dock), located on a non-tidal stream or river or in a lake or pond that meets the criteria in Env-Wt 303.04(a).

If you are not able to comply with the conditions listed below, your project does not qualify for the PBN process. Please discuss these conditions with your contractor prior to construction. **By signing the PBN Form you are certifying that you understand all of these conditions and will adhere to them.** Failure to adhere to these conditions may result in DES pursuing enforcement against you and/or your contractor. If you need clarification, please contact the reviewer for your project type as indicated on http://des.nh.gov/organization/divisions/water/wetlands/categories/contactus.htm or call (603) 271-2147. Keep this page for your records.

1. The applicant shall post the completed and signed PBN Form at the site prior to commencing the project;
2. All work shall be conducted in accordance with plans dated ___/___/___*, submitted with the PBN Form
3. All work in jurisdiction shall be located at least 20 feet from abutting property boundaries unless notarized written permission is submitted in compliance with Env-Wt 402.04;
4. Machinery shall not be located within surface waters. All work must be conducted from the top of the bank.
5. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Wq 1700;
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland;
7. 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.
8. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized;
9. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting;
11. This permit to replace or repair existing structures shall not preclude DES from taking any enforcement action or revocation action if the DES later determines that these “existing structures” were not previously permitted or grandfathered.
12. All construction related debris and material shall be placed outside of the DES Wetlands Bureau jurisdiction.
13. For culvert replacements, proper headwalls shall be constructed within seven calendar days of culvert installation.
14. The proposed project will be maintained so as to be useable for its intended purpose. Future maintenance may require additional permits.
15. Within 10 calendar days following the completion of the project, photographs shall be submitted to DES depicting the areas where the impact occurred. Mount or print dated and labeled photos on 8-1/2” x 11” sheets of paper.