



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: [www.des.nh.gov/organization/divisions/water/wetlands](http://www.des.nh.gov/organization/divisions/water/wetlands)  
 Notification Status: [www.des.nh.gov/onestop](http://www.des.nh.gov/onestop)



**Permit by Notification - Project Specific Criteria**  
**Project Number: 7**

**Maintenance, repair or replacement of a nondocking structure**

**1. PROJECT SPECIFIC CRITERIA**

This project type is for maintenance, repair or replacement of a nondocking structure 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(x)	The proposed project is maintenance, repair or replacement of a non-docking structure, such as a culvert, headwall, bridge, dam, residential utility line or rip-rap slope of less than 50 linear feet.
Env-Wt 303.04(x)(1)	There is no change in location, configuration, construction type or dimension of the nondocking structure, except for stream crossings (see the <b>Stream crossing maintenance, repair or replacement requirements project specific criteria</b> section below).
Env-Wt 303.04 (x)(3) Env-Wt 101.47	The structure in its current location, configuration, construction type and dimensions; (a) Was previously permitted by the department and has not been abandoned; or (b) Would be considered grandfathered and has not been abandoned.
Env-Wt 506.01(b)	Construction on the proposed project has NOT already begun (after-the-fact).
Env-Wt 303.02(f) and RSA 482-A:15	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 ft. buffer and you are not in the prime wetland a PBN may be used. See following Prime Wetlands Link: <a href="http://des.nh.gov/organization/divisions/water/wetlands/prime_wetlands.htm">http://des.nh.gov/organization/divisions/water/wetlands/prime_wetlands.htm</a>
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 <b>not</b> 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 <b>OR</b> I have received information (the <i>NHB DataCheck Results</i> 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: <a href="https://www2.des.state.nh.us/nhb_datacheck/">https://www2.des.state.nh.us/nhb_datacheck/</a>
Env-Wt 506.01(c)	The proposed project does NOT include a subdivision.
<b>Stream crossing maintenance, repair or replacement requirements:</b>	
Env-Wt 903.01(e)	The stream crossing is the only stream crossing included in the project.
Env-Wt 904.06(b)	If slip lining; slip lining shall not occur more than once.
Env-Wt 904.04	The proposed stream crossing project is on a watercourse where the contributing watershed less than 640 acres; Determine your watershed size: USGS StreamStats link <a href="http://water.usgs.gov/osw/streamstats/new_hampshire.html">http://water.usgs.gov/osw/streamstats/new_hampshire.html</a>
Env-Wt 904.04	The proposed project is not within a Designated River corridor; Designated Rivers Link: <a href="http://des.nh.gov/organization/divisions/water/wmb/rivers/designriv.htm">http://des.nh.gov/organization/divisions/water/wmb/rivers/designriv.htm</a>

**Stream crossing maintenance, repair or replacement requirements cont'd:**

Env-Wt 904.04	<p>The proposed project is not on a watercourse that is listed on the <a href="#">surface water assessment 305(b) report</a> in effect at the time of application as not attaining surface water quality standards for aquatic life based on one or more of the following:</p> <ul style="list-style-type: none"><li>a.) Benthic macroinvertebrates index of biological integrity;</li><li>b.) Habitat assessment;</li><li>c.) Stream channel stability; or</li><li>d.) Fish assemblage index or biological integrity</li></ul> <p>Link: <a href="http://des.nh.gov/organization/divisions/water/wetlands/documents/impairments-tier3.pdf">http://des.nh.gov/organization/divisions/water/wetlands/documents/impairments-tier3.pdf</a></p>
Env-Wt 904.04	<p>The proposed stream crossing is not within a 100-year flood plain NHOEP link: <a href="http://www.nh.gov/oep/programs/floodplainmanagement/maps.htm">http://www.nh.gov/oep/programs/floodplainmanagement/maps.htm</a></p>
Env-Wt 903.01(e)(2) &(3); 904.06 and 904.07	<p>The stream crossing does not have a history of causing or contributing to flooding that damages the crossing or other human infrastructure;</p>
Env-Wt 303.04(x)(2), Env-Wt 904.01, Env-Wt 904.06 & 904.07(c)	<p>The stream crossing is designed and constructed so as to:</p> <ul style="list-style-type: none"><li>(a) not be a barrier to sediment transport;</li><li>(b) prevent the restriction of high flows and maintain existing low flows;</li><li>(c) Not obstruct or to otherwise substantially disrupt the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction;</li><li>(d) Not cause an increase in the frequency of flooding or overtopping of banks;</li><li>(e) Preserve watercourse connectivity where it currently exists;</li><li>(f) Restore watercourse connectivity where:<ul style="list-style-type: none"><li>(1) connectivity previously was disrupted as a result of human activities; and</li><li>(2) restoration of connectivity will benefit aquatic life upstream or downstream of the crossing or both;</li></ul></li><li>(g) Not cause erosion, aggradation, or scouring upstream or downstream of the crossing;</li><li>(h) Not cause water quality degradation;</li><li>(i) Not diminish the hydraulic capacity of the crossing; and</li><li>(j) Not diminish the capacity of the crossing to accommodate aquatic life passage.</li></ul>
Env-Wt 904.03(f)	<p>If the crossing is Tier 2 (200-640 acre watershed size), the submitted plans shall be stamped by a professional engineer who is licensed under RSA 310-A to practice in New Hampshire.</p>

## 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

(<http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm>) for a list of the links provided below

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 telephone number and proposed location.

☐ 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/](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/river/designriv.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/river/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

H. **Abutter Notification** (Env-Wt 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 (defined Env-Wt 101.03) 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

Exemption: Abutter notification shall not be required for projects in utility rights-of-way (Env-Wt 501.01(c))

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)

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.

☐ 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** (Env-Wt 301.01 & 506.03 and Env-Wq 1411.01)

**A sketch 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 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;  
Link to Env-Wt 301.01: <http://des.nh.gov/organization/commissioner/legal/rules/documents/env-wt300-700.pdf>
6. The location of the 100-year floodplain, if applicable to the proposed project;
7. If the topography is to be permanently altered, the existing and proposed topography, including a reference to elevation;
8. 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>
9. 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.

**Additional Stream Crossing Plan Requirements (903.03(a))**

10. A USGS map with the approximate boundaries and size of the contributing watershed. Watershed maps can be drawn for most streams using the USGS StreamStats link:  
[http://water.usgs.gov/osw/streamstats/new\\_hampshire.html](http://water.usgs.gov/osw/streamstats/new_hampshire.html)

Plans showing the following information:

11. At least 3 reference points outside of the construction disturbance area;
12. Clearing limits showing all work areas covered by special project requirements with notes;
13. Structure location with inlet and outlet inverts;
14. Extent of channel excavation and filling;
15. Road locations, including road edges and centerline;
16. Channel work identified including bank erosion control features, grade control, and channel linings;
17. Estimated drainage area at the crossing location;

Streambed details, with figures, which show the following:

18. The distance from the top of the right bank to the top of the left bank;
19. Approximate elevations, spacing, diameters, and locations of rocks for steps, bankline, and other channel rocks for roughness;
20. Details for sediment retention structures, if any, within embedded structures; and
21. A visual estimate of dominant channel materials upstream, downstream, and if applicable, within the existing crossing;

**Additional Stream Crossing Plan Requirements Cont'd (903.03(a))**

Existing crossing metrics, including:

22. Existing riparian zone, including the extent and type of existing vegetation surrounding or in the stream bank;
23. Existing crossing type and dimensions, including material, length, and dimensions; and
24. Existing tailwater control, including its location and materials, and pool configuration;

The dewatering system, as follows:

25. Estimates of the maximum flow anticipated during construction, including any summer storm estimates;
26. Location, height, and width of the diversion dam;
27. Sump locations, including estimate of necessary flow and sump capacity;
28. Backwater prevention method; and
29. Sediment treatment plan with methods, release point, and extent;

Erosion and pollution controls, as follows:

30. Any additional methods of controlling erosion;
31. A stormwater management plan, including but not limited to where to cover stockpiles and place straw bales;
32. Pollution control methods for pumps, fuel stations, and equipment storage;

Footings, including the following:

33. Estimate of bearing capacity;
34. Footing depth and width for bottomless arch or bridge;

Structural details of the crossing, including the following:

35. Structural section, gauge or thickness, and material, minimum and maximum cover limits;
36. Structures, drawn to scale, on elevation view showing bed material location relative to structure, and special backfill zones;
37. Structural excavation quantity and total excavation estimate.

**Additional Tier 2 Stream Crossing Plan Requirements (Env-Wt 904.03(f)):**

38. Plans that are stamped by a professional engineer who is licensed under RSA 310-A to practice in New Hampshire

## POST THIS PAGE

### NHDES WETLANDS BUREAU FILE #:

(File # obtained here: [http://www2.des.state.nh.us/OneStop/Wetland\\_Permits\\_Query.aspx](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 # 7

### Maintenance, repair or replacement of a nondocking structure

If you are not able to comply with all of 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 regional permitting reviewer for your town 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. (\* record the date of the plan here for future reference);
4. All work in jurisdiction shall be located at least 20 feet from abutting property boundaries unless written permission is submitted in compliance with Env-Wt 304.04(a);
5. Repair/replacement shall maintain existing size, location, configuration, and construction type;
6. Machinery shall not be located within surface waters. All work must be conducted from the top of the bank.
7. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Wq 1700;
8. 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.
9. 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.
10. 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;
11. Work shall be conducted during low water conditions;
12. 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.
13. 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;
14. 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.
15. All construction related debris and material shall be placed outside of the DES Wetlands Bureau jurisdiction.
16. For culvert replacements, proper headwalls shall be constructed within seven calendar days of culvert installation.
17. This permit is contingent on approval by the DES Dam Safety Bureau, **if required by that program's rules**. The applicant shall contact the DES Dam Bureau at: <http://des.nh.gov/organization/divisions/water/dam/index.htm> / (603) 271-3406 to ensure that a dam permit is not required. \_\_\_/\_\_\_/\_\_\_ (date of contact) \_\_\_\_\_ (name of DES Dam Bureau staff person consulted);
18. 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.