

Wetlands Bureau Decision Report

Decisions Taken
11/27/2006 to 12/03/2006

DISCLAIMER:

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

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

APPEAL:

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

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

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

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

MAJOR IMPACT PROJECT

**2004-01185 COLEMAN, JAMES
MEREDITH Lake Winnepesaukee**

Requested Action:

Fill 1700 sq ft to construct 50 linear ft of breakwater, with a 6 ft gap at the shoreline, and a 6 ft x 30 ft cantilevered pier connected to a 4 ft x 30 ft piling pier by a 6 ft x 35 ft walkway in an "F" configuration accessed by an existing landing on an average of 116 ft of frontage on Black Cat Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. requested 40 day hold and never commented once 40 days had passed.

APPROVE PERMIT:

Fill 1700 sq ft to construct 50 linear ft of breakwater, with a 6 ft gap at the shoreline, and a 6 ft x 30 ft cantilevered pier connected to a 4 ft x 30 ft piling pier by a 6 ft x 35 ft walkway in an "F" configuration accessed by an existing landing on an average of 116 ft of frontage on Black Cat Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by DeGrace Design dated May 24, 2004, as received by the Department on June 4, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. 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.
4. 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.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. 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.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
9. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
10. 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.
11. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 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.
12. The breakwater shall have an irregular face to dissipate wave energy.
13. Support pilings shall be spaced a minimum of 12 ft apart as measured center to center.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a breakwater.
2. The applicant has an average of 116 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII, and therefore meets Rule Wt 402.14.
5. Field inspection on August 6, 2004 found no obvious evidence of sand migration along this shoreline.
6. This project was originally approved on March 11, 2005.
7. On June 5, 2005 an abutter to the subject property appealed the approval of the permit to the Wetlands Council.
8. On February 2, 2006, the Wetlands Council upheld the appeal of the project on the basis that the Applicant had failed to

document the need for the breakwater and remanded the application to the Bureau so the deficiency could be corrected.

9. On June 12 2006 and November 6, 2006, the Applicant submitted photographs documenting 2 ft high waves on 5 separate days during the 2006 boating season.

10. The Applicant has submitted evidence meeting the requirements of Rule Env-Wt 402.06 (c), Breakwaters.

11. The deficiency in the application, cited by the Wetlands Council, has been corrected therefore this application is approved.

-Send to Governor and Executive Council-

2005-00513 NH DEPT OF TRANSPORTATION
BARTLETT Rocky Branch

Requested Action:

Remove a bridge that was previously bypassed, temporarily impacting 14,100 sq. ft. of river.

Conservation Commission/Staff Comments:

Cons. Comm. and River Comm. - no comment.

Inspection Date: 06/13/2005 by Gino E Infascelli

APPROVE PERMIT:

Remove a bridge that was previously bypassed, temporarily impacting 14,100 sq. ft. of river. NHDOT project #14372.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 2/05, as received by the Department on August 25, 2006.
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. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Work to be during low flow.
5. All roots of woody vegetation to remain in place.
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 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.
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. The structure shall not be placed in the water during removal.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), alteration of more than 200 linear feet of river channel 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. DES Staff conducted a field inspection of the proposed project on June 13, 2005. Field inspection determined that the bypassed bridge is no longer necessary and the impacts for removal are all temporary.
5. DES Staff finds that this project will not have a significant impact on these riverine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1. Therefore, a public hearing is not required.

2005-02042 HABERSTROH, BRIAN
NEWINGTON Little Bay

Requested Action:

Construct a 4 ft. x 70 ft. permanent timber pier with a 3 ft. x 52 ft. ramp connected to a 4 ft. x 20 ft. seasonal float section terminating with a 240 sq. ft. seasonal float in a "T" configuration on 150 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Newington Conservation Commission intervened on this application and then filed a follow-up report with comments and recommended project specific conditions.

Inspection Date: 04/18/2006 by Frank D Richardson

APPROVE PERMIT:

Construct a 4 ft. x 70 ft. permanent timber pier with a 3 ft. x 52 ft. ramp connected to a 4 ft. x 20 ft. seasonal float section terminating with a 240 sq. ft. seasonal float in a "T" configuration on 150 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by NHSC, Inc. dated 07/19/05 (last revised 8/21/06), as received by the Department on August 29, 2006.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit and plan shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on adjacent tidal wetlands. Work on the shoreline shall be limited to the immediate vicinity of the pier.
7. The decking of the dock shall have a minimum of 4 feet clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks.
8. The seasonal float sections of this docking facility shall be constructed so as to rest on float stops at low tide to prevent the sections from sitting on the mud at low tide. Design of the float stops shall be coordinated with the DES, the National Marine Fisheries Service (NMFS), the permittee and the marine contractor.
9. The seasonal components of this docking system shall be removed from the water during the non-boating season and stored out of DES jurisdiction (not along the shoreline).

10. This shall be the only boat docking structure on this frontage.
11. NH DES Wetlands Bureau Southeast Region staff as well as the Newington Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), projects in tidal 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(a)and(c), 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 April 18, 2006. Field inspection determined that with the recommended reduction in size, as presented in revised plans approved, this docking facility is the least environmentally impacting practicable alternative for this shoreline frontage.
6. Report from the Chief Harbor Master at the PDA Division of Ports and Harbors finds that this project will have no negative affect on navigation in the channel.
7. Approval of this project is consistent with other docking facilities permitted by the DES in this area.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem.

-Send to Governor and Executive Council-

2005-02848 GAGNON, MARC
LEMPSTER Unnamed Wetland

Requested Action:

Deny request to dredge and fill 95,300 square feet of wetlands to create a 4.7 acre pond for snowmobile racing.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny request to dredge and fill 95,300 square feet of wetlands to create a 4.7 acre pond for snowmobile racing.

With Findings:

1. On July 24, 2006 DES received an application from Marc E. Gagnon to create a 4.7 acre pond for the purpose of snowmobile racing.
2. On July 25, 2006 DES issued a Notice of Incomplete Standard Dredge and Fill Application finding that the application to be "administratively incomplete" because the following items were not provided:
an application fee of \$9530 as required by RSA 482-A:3, I and mitigation plans and submissions required by Wt 800, Env Wt 302.03, and Wt 501.02(a)(6).
3. The letter notified the applicant that the Bureau is obligated to deny the application if the required missing items were not received within 120 days of the letter.
4. RSA 482-A:3, XIV (b) provides that the Department shall process applications within 14 days or send notice to the applicant identifying any additional information required to make the application administratively complete.
5. RSA 482-A:3, XIV (v) requires DES to specify to the applicant that if the required information is not received within 120 days of the request, the department shall deny the application.
6. On July 25, 2006 DES requested an application fee and mitigation plans and submissions and DES has not received any response to its requests.
7. In its July 25, 2006 letter DES notified the applicant that it will be obligated to deny the application if the additional information has not been received in 120 days.
8. Since the July 25, 2006 letter was issued, 120 days has passed and therefore DES is required to deny the application.

**2006-01918 HEILIG, FRANCIS & KATHLEEN
DURHAM Little Bay**

Requested Action:

Construct a 4' x 20' permanent tidal pier to a 2' x 15' ramp to a 10' x 16' float, overall structure length 43', providing one under-sized slip on 650' of frontage on Little Bay.

Inspection Date: 11/16/2006 by Dori A Wiggin

APPROVE PERMIT:

Construct a 4' x 20' permanent tidal pier to a 2' x 15' ramp to a 10' x 16' float, overall structure length 43', providing one under-sized slip on 650' of frontage on Little Bay.

With Conditions:

1. All work shall be in accordance with revised plans by Frank Heilig dated 7/24/2006, as received by the Department on 7/26/2006.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the tidal marsh or 1:1 ratio of deck height to width as appropriate, and shall have 3/4-inch spacing between the decking planks.
4. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The 4' x 20' permanent tidal pier to a 2' x 15' ramp to a 10' x 16' float, overall structure length 43', providing one under-sized slip on 650' of frontage on Little Bay approved herein shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
11. The float shall be constructed such as to rest on float stops at low tide to prevent the float from sitting on the mud at low tide. Design of the float stops shall be coordinated among DES, National Marine Fisheries Service ("NMFS"), and the applicant, or applicant's marine contractor.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. There is no dock on this property's frontage.
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. The permanent pier is designed at one foot of height for each foot of structure width, with 3/4 inch spacing between decking to prevent shading of the tidal vegetation; has a seasonal ramp and float; and is the minimum length necessary to reach usable water on tidal Little Bay.
4. The property shoreline is the shoulder of Cedar Point Road and owned by the Town of Durham. Todd Selig, Durham Town Administrator consented in an email to DES received 10/17/2006 to allow Frank Helig, who lives across Cedar Point Road from the frontage, to act as agent to apply for the permit and to install the dock on the Town's property, subject to DES approval. The Town of Durham has issued a building permit dated 7/7/2006 for the dock to Mr. Heilig.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. There were no NH Natural Heritage Bureau reported species for the project property. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors

which determined that the project would have no negative effect on navigation in the channel, per letter dated 8/7/2006; and the dock is located greater than 20 feet off the abutting property lines.

5. The Durham Conservation Commission did not report.
6. This dock is consistent with other tidal dock approvals in the seacoast.
7. DES staff field inspection on 11/16/2006 with finds that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem.
8. The permit has been conditioned to include the installation of float stops concurrent with comments received from National Marine Fisheries Service, the design of which is to be done in coordination with DES.

2006-02322 SANDERS, JAMES
PORTSMOUTH Piscataqua River & Back Channel

Requested Action:

Remove existing deteriorated non-conforming tidal dock and replace with a conforming 6' x 30' pier to a 3' x 30' ramp to an 8' x 30' float, overall structure length 86', providing two slips on 112 ft. of frontage; remove 120 linear ft. of existing deteriorated timber seawall and replace with 120 linear ft. (940 square ft.) of rip rap installed by cutting back into the bank, for shoreline stabilization on the Piscataqua River.

Inspection Date: 11/21/2006 by Dori A Wiggin

APPROVE PERMIT:

Remove existing deteriorated non-conforming tidal dock and replace with a conforming 6' x 30' pier to a 3' x 30' ramp to an 8' x 30' float, overall structure length 86', providing two slips on 112 ft. of frontage; remove 120 linear ft. of existing deteriorated timber seawall and replace with 120 linear ft. (940 square ft.) of rip rap installed by cutting back into the bank, for shoreline stabilization on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with revised plans by Pickering Marine dated 8/21/2006, as received by the Department on 9/06/2006.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the tidal marsh or 1:1 ratio of deck height to width as appropriate, and shall have 3/4-inch spacing between the decking planks.
4. This permit shall not be effective until recorded at the Rockingham County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The conforming replacement 6' x 30' pier to a 3' x 30' ramp to an 8' x 30' float, overall structure length 86', providing two slips on 112 ft. of frontage shall be the only dock structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
11. The float shall be constructed such as to rest on float stops at low tide to prevent the float from sitting on the mud at low tide. Design of the float stops shall be coordinated among DES, National Marine Fisheries Service ("NMFS"), and the applicant, or applicant's marine contractor.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for

the repair of existing structures pursuant to Wt 303.04(v).

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant currently has a deteriorated grandfathered non-conforming docking structure on the property that will be removed and replaced with a conforming structure providing 2 slips on 112 ft. of tidal frontage, and a deteriorated timber seawall that will be replaced with rip rap installed into a cut back bank.
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. The permanent pier is designed at one foot of height for each foot of structure width, with 3/4 inch spacing between decking to prevent shading of the tidal vegetation; has a seasonal ramp and float; and is the minimum length necessary to reach usable water on the Piscataqua River; the rip rap shoreline stabilization will be installed into a cut-back bank, so that the toe of the new slope will not extend further into the Piscataqua beyond the existing limit of the wall.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. There were no NH Natural Heritage Bureau reported species for the project property. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation in the channel, per letter dated 9/20/2006; and the dock is located greater than 20 feet off the abutting property lines.
5. The Portsmouth Conservation Commission recommends approval of the project per letter dated 9/14/2006, as received by DES on 9/15/2006.
6. This dock is consistent with other tidal dock approvals in the seacoast.
7. DES staff field inspection on 11/21/2006 verified the need for the proposed project, and finds that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem.
8. The permit has been conditioned to include the installation of float stops concurrent with comments received from National Marine Fisheries Service, the design of which is to be done in coordination with DES.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

**2002-00799 NH DEPT OF TRANSPORTATION DISTRICT ONE
LANCASTER Connecticut River**

Requested Action:

EMERGENCY PERMIT to restabilize the bank at the inlet to a 48 in. culvert and repair the headwall impacting 322 sq. ft. of stream and bank. NHDOT project #M107-5A.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm EMERGENCY PERMIT amendment issued on August 31, 2004 to restabilize the bank at the inlet to a 48 in. culvert and repair the headwall impacting 322 sq. ft. of stream and bank. NHDOT project #M107-5A.

With Conditions:

1. 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 project is classified as a minor impact project impact project per Rule Wt 303.03(l), as the work does not meet the minimum impact rule Wt 303.04(n).
2. The original project was necessary to stabilize the bank of the Connecticut River in order to stabilize Route 135 and the amendment to stabilize the bank at the inlet to a 48 in. culvert and repair the headwall was included in this file as the work was on

the same road and in the same town.

3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on April 24, 2002 and the amendment authorized on August 31, 2004.

4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2003-01195 MITCHELL, THEODORE & LISA
HAMPTON FALLS Unnamed Wetland**

Requested Action:

Approve name change to: Theodore & Lisa Mitchell, 24 Windgatae Lane, Dover, NH 03820 per request received 11/28/2006.

Previous owner: Christopher Gordon

APPROVE NAME CHANGE:

Fill 5,475 square feet of forested wetlands for the construction of an access road to buildable uplands where single-family residence is proposed for construction.

With Conditions:

1. All work shall be in accordance with plans by Parker Survey & Engineering dated August 1, 2003, with revisions dated March 17, 2004, as received by the Department on March 18, 2004.
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. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2005-02542 NH DEPT OF TRANSPORTATION
MARTINS LOCATION Peabody River**

Requested Action:

Follow-up application on EMERGENCY AUTHORIZATION ISSUED to backfill around a bridge wing and place riprap.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

CONFIRM EMERGENCY AUTHORIZATION:

EMERGENCY AUTHORIZATION ISSUED on October 25 2005 to backfill around a bridge wing and place riprap on the bank impacting 3821 sq. ft. (750 temporary) of river and bank. NHDOT project #99871V-1.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of river and bank.
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.

2005-02901 CARTY JR TRUST, JAMES
CENTER HARBOR Squam Lake

Requested Action:

Construct a 6 ft x 25 ft helical pile-supported wooden walkway wetland crossing to access a 6 ft x 100 ft helical piered wooden wetland crossing to access uplands and install a 6 ft x 40 ft seasonal dock with a concrete pad on 105 ft of frontage in Center Harbor on Squam Lake.

APPROVE PERMIT:

Construct a 6 ft x 25 ft helical pile-supported wooden walkway wetland crossing to access a 6 ft x 100 ft helical piered wooden wetland crossing to access uplands and install a 6 ft x 40 ft seasonal dock with a concrete pad on 105 ft of frontage in Center Harbor on Squam Lake.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates revised September 28, 2006, as received by the Department on September 28, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This approval does not authorize any impacts to abutting properties.
4. Should NHDES find that the dock installation area is wetlands and not uplands then the boardwalks, seasonal dock and concrete pad, shall then be completely removed from Wetlands Bureau jurisdiction and restored by a qualified professional after the Wetlands Bureau approves a restoration plan.
5. Seasonal piers shall be removed from the lake for five months during the non-boating season.
6. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
9. There shall be at least 10 ft spacings between helical piers.
10. Driveway access width shall not exceed 20 ft.
11. Fill width, measured at toe of roadway side slopes, shall be minimized and shall not exceed 50 ft.
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 minor impact project per Administrative Rule Env-Wt 303.03(h), alteration in the aggregate of less than 20,000 sq ft of nontidal 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(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Wetlands Bureau has submitted plans and data sheets from a certified wetlands scientist documenting an existing upland area adjacent to Squam Lake.

2006-00112 HOME PLATE II INC
KINGSTON Unnamed Wetland

Requested Action:

Applicant requests to increase impacts from 3,235 square feet to 4,290 square feet of palustrine forested wetland for the construction of a roadway for access to a 6-lot residential subdivision on 13.26 acres.

Conservation Commission/Staff Comments:

The Kingston Conservation Commission did not comment on the project.

APPROVE AMENDMENT:

Increase impacts from 3,235 square feet to impact 4,290 square feet of palustrine forested wetland for the realignment and construction of a roadway for safe access to a 6-lot residential subdivision on 13.26 acres.

With Conditions:

1. All work shall be in accordance with plans by Sublime Civil Consultants, Inc. dated June 22, 2006 and revised through November 15, 2006, as received by the Department on November 17, 2006.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent on approval by the DES Site Specific Program.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. 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.
8. Work shall be done during seasonal low flow conditions.
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 shall remain until the area is stabilized.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01, as the impacts are necessary for access.
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, as the crossings will be constructed in the narrowest point feasible and aligned to cross perpendicular to the wetland.
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. Due to an issue with sight distance of the previous approval, the Town of Kingston requested that the alignment of the roadway be revised for safety.
6. The relocation of the roadway resulted in a 1,055 square feet increase from the original impacts.
7. The Site Specific Program and Wetlands Bureau requested the requested impacts, culvert placement, and sheet-flow to be redesigned as the requested impacts detained water in wetlands.
8. The agent, Sublime Civil Consultants, Inc., revised the proposed plans to reflect no detention in wetlands for stormwater treatment.

2006-00363 ABDALLAH CONSTRUCTION CORP
RAYMOND Unnamed Wetland

Requested Action:

Dredge and fill a total of 8,960 sq. ft. of palustrine forested/ scrub-shrub and emergent(purple loosestrife dominated)wetlands to construct a roadway with culvert crossings and drainage structures to access a 10-lot single family residential subdivision on a 39.68 acre parcel of land of which 26.29 acres are dedicated as open space.

Conservation Commission/Staff Comments:

The Raymond Conservation Commission intervened on this application on March 09, 2006. No follow-up report was received.

APPROVE PERMIT:

Dredge and fill a total of 8,960 sq. ft. of palustrine forested/ scrub-shrub and emergent(purple loosestrife dominated)wetlands to construct a roadway with culvert crossings and drainage structures to access a 10-lot single family residential subdivision on a 39.68 acre parcel of land of which 26.29 acres are dedicated as open space.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell & Assoc. Inc. dated January 3, 2006, as received by the Department on February 22, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Rockingham 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.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.

With Findings:

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

2006-00432 DUBACH, FRANZ
THORNTON Unnamed Stream

Requested Action:

Dredge and fill 2,452 square feet along 148 linear feet of intermittent stream for access to the third phase of a 21-lot subdivision on approximately 140 acres, further described as follows:

1. Dredge and fill 1,036 square feet to install a 24-inch x 52-foot corrugated culvert for road access;

2. Dredge and fill 384 square feet to install a 24-inch x 24-foot corrugated culvert for driveway access to a single lot; and
3. Dredge and fill 1,032 square feet to install a 24-inch x 40-foot and a 15-inch x 32-foot corrugated culvert for common driveway access to a three lots.

APPROVE PERMIT:

Dredge and fill 2,452 square feet along 148 linear feet of intermittent stream for access to the third phase of a 21-lot subdivision on approximately 140 acres, further described as follows:

1. Dredge and fill 1,036 square feet to install a 24-inch x 52-foot corrugated culvert for road access;
2. Dredge and fill 384 square feet to install a 24-inch x 24-foot corrugated culvert for driveway access to a single lot; and
3. Dredge and fill 1,032 square feet to install a 24-inch x 40-foot and a 15-inch x 32-foot corrugated culvert for common driveway access to a three lots.

With Conditions:

1. All work shall be in accordance with plans by John March dated February 2006, and revised through October 2006, and plans dated October 2006, as received by the Department on October 31, 2006 and Subdivision Plans dated February 2006, as received by the Department on August 08, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent upon the receipt of evidence of the final lot numbers.
4. A permit amendment shall be requested by the applicant if final lot numbers are different than stated in this permit.
5. There shall be no further alteration of wetlands on lot numbers 12, 13, 14, 15, 16, 17, 18, and 19 for lot development, driveways, culverts, or for septic setback.
6. The property owners of lots 20 (21.4 acres) and 21 (27.6 acres) shall have the wetlands and surface waters delineated by a Certified Wetland Scientist prior to any future subdivision or alteration of wetlands or surface waters.
7. The deed which accompanies the sales transaction for lots 12, 13, 14, 15, 16, 17, 18, and 19 in this subdivision shall contain condition # 5 of this approval.
8. The deed which accompanies the sales transaction for lots 20 and 21 in this subdivision shall contain condition # 6 of this approval.
9. 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.
10. Work shall be done during low flow conditions.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Culverts shall be laid at original grade.
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. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that disturb between 50 and 200 linear feet of intermittent stream.
2. The applicant provided additional stormwater treatment.
3. Based on existing topography, town ordinances for road construction standards limit further development of lots 20 and 21.
4. The applicant indicated at most two(2) additional lots may be subdivided from tax map/lot 17/1-4 (50+/- acres). Topography limits road construction and development this parcel.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Thornton Conservation Commission signed the application.

7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-01389 THE WEST FAMILY TRUST, THOMAS WEST
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Construct a "U-shaped" docking facility consisting of two 5 ft 3 in x 40 ft seasonal docks hinged to two concrete pads with a seasonal 4 ft x 12 ft connecting walkway, install two seasonal PWC lifts, install one seasonal boat lift in the most easterly boat slip, and replenish existing 500 sq ft beach with 10 cu yd of sand on 285 ft of frontage in Moultonborough on Lake Winnepesaukee.

APPROVE PERMIT:

Construct a "U-shaped" docking facility consisting of two 5 ft 3 in x 40 ft seasonal docks hinged to two concrete pads with a seasonal 4 ft x 12 ft connecting walkway, install two seasonal PWC lifts, install one seasonal boat lift in the most easterly boat slip, and replenish existing 500 sq ft beach with 10 cu yd of sand on 285 ft of frontage in Moultonborough on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated November 21, 2006, as received by the Department on November 22, 2006.
2. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. 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 shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
6. Seasonal piers, boat lift, and PWC lifts shall be removed from the lake for five months during the non-boating season.
7. No portion of the seasonal piers shall extend more than 40 ft from the shoreline at full lake elevation.
8. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line. Replenishment shall not result in beach expansion.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The permittee shall continue to provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. 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.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
13. This permit does not authorize any dredging of the lakebed for any purposes.
14. Future request to dredge area immediately easterly adjacent to the boathouses shall result in reduction of boat slips on the frontage.
15. 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 facility that provides for 4 boat slips including previously existing boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

2006-01926 MILNOR, ELAINE
ALTON Lake Winnepesaukee

Requested Action:

Repair/replace existing 150 ft of existing retaining wall on 150 ft of frontage in West Alton on Lake Winnepesaukee.

APPROVE PERMIT:

Repair/replace existing 150 ft of existing retaining wall on 150 ft of frontage in West Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Arthur Milnor as received by the Department on November 20, 2006.
2. Repair shall maintain existing size, location and configuration.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
8. Shall replacement wall fail within a 6 year period from date of completion, the landowner shall file a new application for retaining wall replacement with stamped plans prepared by a certified professional in erosion and sediment control and site may be subject to further stormwater evaluation and control.
9. The new replacement wall shall be maintained such that the structure shall conform to reasonable safety standards. Failure to maintain a structure in a safe condition shall be considered a violation as per Administrative Rule Env-Wt 402.10.
10. Wall shall not reflect or re-direct currents towards adjacent wetlands or structures, or otherwise contribute to erosion.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), retaining wall repair/replacement.
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.

Requested Action:

Repair/Replace existing docking facility "in-kind".

PBN DISQUALIFIED:

Repair/Replace existing docking facility "in-kind".

With Findings:

1. In accordance with Administrative Rule 303.04, repairs of retaining walls shall be performed "in the dry."
2. The Department sent a letter on August 8, 2006 asking whether or not work was to be conducted "in the dry."
3. There was no indication of work to be conducted "in the dry" on the incomplete response as received by the Department on

August 28, 2006.

4. No cross-section was submitted as previously requested on August 8, 2006.

2006-02140 BOW, TOWN OF
BOW Bow Bog Brook

Requested Action:

Dredge and fill 800 square feet within the bed and banks of Bog Brook to replace an existing failed structure with a 12 foot 10 inch x 8 foot 4 inch CMP arch culvert, spanning the bed of the brook.

APPROVE PERMIT:

Dredge and fill 800 square feet within the bed and banks of Bog Brook to replace an existing failed structure with a 12 foot 10 inch x 8 foot 4 inch CMP arch culvert, spanning the bed of the brook.

With Conditions:

1. All work shall be in accordance with plans by Provan and Lorber Inc dated July 2006 and revised through November 6, 2006, as received by the Department on November 7, 2006.
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 low flow.
4. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be seeded/mulched or matted and stabilized within three days of the completion of this project.
4. 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.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
7. All work shall be done from the top of the bank or within the bank. No equipment shall enter surface waters.
8. 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.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. 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.
14. 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.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The previously existing structure failed as a result of the high waters this past spring.

2006-02141 BOW, TOWN OF
BOW Bow Bog Brook

Requested Action:

Retain 43 foot x 20 foot span x 8 foot rise three sided rigid bridge culvert and associated walls and headwalls (1500 square feet of impact and approx 100 linear feet of impact) within the bed and banks of Bow Bog Brook and associated wetlands.

APPROVE AFTER THE FACT:

Retain 43 foot x 20 foot span x 8 foot rise three sided rigid bridge culvert and associated walls and headwalls (1500 square feet of impact and approx 100 linear feet of impact) within the bed and banks of Bow Bog Brook and associated wetlands.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(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 Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The previously existing structure failed as a result of the high waters this past spring.

2006-02144 SMITH, KAREN
NORTHWOOD Harvey Lake

Requested Action:

Remove existing retaining wall and related debris from the lakebed and stabilize disturbed bank with natural weathered stone and vegetation along 75 ft of shoreline on 112 ft of frontage in Northwood on Harvey Lake.

APPROVE PERMIT:

Remove existing retaining wall and related debris from the lakebed and stabilize disturbed bank with natural weathered stone and vegetation along 75 ft of shoreline on 112 ft of frontage in Northwood on Harvey Lake.

With Conditions:

1. All work shall be in accordance with top view plans by Pellettieri Associates Inc. as received by the Department on November 30, 2006, and planting plan and cross-sections as received by the Department on August 16, 2006.
2. Bank restoration that is replacing wall shall not be any further lakeward than existing retaining wall.
3. Retaining wall debris removed from the lakebed shall be removed completely out of Wetlands Bureau jurisdiction.

4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that "existing structures" were not previously permitted or grandfathered.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dated photographic documentation of the shoreline restoration shall be submitted to the Wetlands Bureau as a notification of completion of the project.
9. Shall restructured bank fail within a 6 year period from date of completion, the landowner shall file a new application for retaining wall replacement with stamped plans prepared by a certified professional in erosion and sediment control and site may be subject to further evaluation.
10. The restructured bank shall be maintained such that the structure shall conform to reasonable safety standards. Failure to maintain a structure in a safe condition shall be considered a violation as per Administrative Rule Env-Wt 402.10.
11. Restructured bank shall not reflect or re-direct currents towards adjacent wetlands or structures, or otherwise contribute to erosion.
12. Proposed plantings shall be maintained and replaced with native/non-invasive species if they do not survive.
13. Retaining wall removal shall occur during drawdown.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k), projects that disturb between 50 to 200 linear feet of shoreline.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-02307 WJP DEVELOPMENT LLC
EXETER Unnamed Wetland

Requested Action:

Dredge and Fill a total of 7,335 sq. ft. of degraded palustrine forested/scrub-shrub and emergent wetlands for work associated with the revitalization of an existing shopping plaza to alleviate traffic and pedestrian safety concerns and to improve treatment of stormwater runoff.

Conservation Commission/Staff Comments:

The Exeter Conservation Commission submitted a request to intervene on the application and a non-specific report received by the Bureau on Sept. 29, 2006 stating : "We feel that it is premature to comment until a final plan has been approved [by the Exeter Planning Board]." No follow-up report was received.

APPROVE PERMIT:

Dredge and Fill a total of 7,335 sq. ft. of degraded palustrine forested/scrub-shrub and emergent wetlands for work associated with the revitalization of an existing shopping plaza to alleviate traffic and pedestrian safety concerns and to improve treatment of stormwater runoff.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 06/20/06 (last revised 8/11/06), as received by the Department on September 05, 2006.

2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. In addition to alleviating traffic and safety concerns, the project also proposes significant improvements to stormwater treatment.
6. Stormwater runoff treatment proposed will significantly reduce the sediment and pollutant load in stormwater that currently flows directly from the site towards the Exeter Reservoir.

**2006-02315 ROY BROTHERS OIL
FITZWILLIAM Unnamed Wetland**

Requested Action:

Dredge and fill 4,400 square feet of forested wetlands to install an 18-inch x 95-foot HDPE culvert for a required second access way to an existing oil and gas facility.

APPROVE PERMIT:

Dredge and fill 4,400 square feet of forested wetlands to install an 18-inch x 95-foot HDPE culvert for a required second access way to an existing oil and gas facility.

With Conditions:

1. All work shall be in accordance with plans by Souhegan Valley Environmental, Inc. dated March 22, 2005, as received by the Department on October 31, 2006.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters.
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. Culverts shall be laid at original grade.
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).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of greater than 3,000 square feet and less than 20,000 square feet of wetlands.
2. The proposed second access way is required by NHDOT and the Fitzwilliam Fire Department.

3. There will no impacts to jurisdictional areas within 20-feet of abutting property lines.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. 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.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-02569

NH DEPT OF TRANSPORTATION

LEE Little River

Requested Action:

Repair wing wall by installing a 5 ft. wide x 6 ft. high concrete block by pinning to underlying ledge for stabilization impacting 280 sq. ft. (200 sq. ft. temporary) of river and bank.

Conservation Commission/Staff Comments:

Cons. Comm. no comment

APPROVE PERMIT:

Repair wing wall by installing a 5 ft. wide x 6 ft. high concrete block by pinning to underlying ledge for stabilization impacting 280 sq. ft. (200 sq. ft. temporary) of river and bank. NHDOT project #99035V.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 9/06, as received by the Department on September 26, 2006.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. 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.
5. 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.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; 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.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. 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. Matting and pinning shall stabilize slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. 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.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

16. 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.
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(l), alteration of less than 200 linear feet of a river channel or its bank.
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 area of concern noted by the NH Natural Heritage Bureau is more than 3/4 of a mile downstream of the project and therefore the permitted work will have no impact to that area.

2006-02816 COWERN, RICHARD & JOYCE
HEBRON Newfound Lake

Requested Action:

Repair existing retaining walls on 200 ft of frontage in Hebron on Newfound Lake.

APPROVE PERMIT:

Repair existing retaining walls on 200 ft of frontage in Hebron on Newfound Lake.

With Conditions:

1. All work shall be in accordance with plans by Richard Cowern dated October 1, 2006 as received by the Department on November 3, 2006.
2. Repair shall maintain existing size, location and configuration.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. 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.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
9. Shall replacement wall fail within a 6 year period from date of completion, the landowner shall file a new application for retaining wall replacement with stamped plans prepared by a certified professional in erosion and sediment control and site may be subject to further stormwater evaluation and control.
10. The new replacement wall shall be maintained such that the structure shall conform to reasonable safety standards. Failure to maintain a structure in a safe condition shall be considered a violation as per Administrative Rule Env-Wt 402.10.
11. Wall shall not reflect or re-direct currents towards adjacent wetlands or structures, or otherwise contribute to erosion.
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 minor impact project per Administrative Rule Env-Wt 303.03(j), repair of existing retaining wall that may require work in the water.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided

evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

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

2006-02893 ZELOSKI, RICHARD
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Excavate 450 sq ft of bank along 32 linear ft of shoreline to construct an 18 ft x 30 ft perched beach wit 5 ft wide access steps to the water on 271 ft of frontage in Moultonborough on Lake Winnepesaukee.

APPROVE PERMIT:

Excavate 450 sq ft of bank along 32 linear ft of shoreline to construct an 18 ft x 30 ft perched beach wit 5 ft wide access steps to the water on 271 ft of frontage in Moultonborough on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated October 2, 2006 as received by the Department on November 15, 2006.
2. 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.
3. All dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of the normal high water line. (The normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
5. The steps installed for access to the water shall be located completely landward of the normal high water line.
6. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. No work is authorized to the existing 3 slip, "U" shaped, permanent pier.
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 minor impact project per Administrative Rule Env-Wt 303.03(g) removal of no more than 20 cubic yards of materials.
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. Plans submitted by the Applicant show the average slope through the area of impact to be 24.3%.

MINIMUM IMPACT PROJECT

**2004-00581 NH DEPT OF TRANSPORTATION, DISTRICT 2
UNITY Spring Brook**

Requested Action:

Follow-up application for the EMERGENCY PERMIT to repair a wing wall and stabilize a slope failure.

CONFIRM EMERGENCY AUTHORIZATION:

EMERGENCY PERMIT issued on 4/9/06 to repair a wing wall and stabilize a slope failure impacting 349 sq. ft. of stream and bank (265 sq. ft. temporary). NHDOT project #M215-14.

With Conditions:

1. 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.

**2004-00693 NH DEPT OF TRANSPORTATION
CANDIA Unnamed Wetland**

Requested Action:

Follow-up for the EMERGENCY AUTHORIZATION to remove a collapsed stone box culvert and replace with a 24 in. culvert.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm the EMERGENCY AUTHORIZATION issued on April 23, 2004 to remove collapsed stone box culvert and replace with a 24 in. culvert impacting 400 sq. ft. of marsh. NHDOT project #M509.

With Conditions:

1. 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.

**2005-00954 NH DEPT OF TRANSPORTATION, DISTRICT ONE
LOW BURBANK GRA**

Requested Action:

Follow-up application for the EMERGENCY AUTHORIZATION ISSUED on May 12, 2005 to install a 24" culvert adjacent to a 30" culvert, dredge 36 ft. upstream and 20 ft. downstream of an 18 in. culvert and dredge 18 ft. upstream of a 24 in. culvert impacting 462 sq. ft. (422 sq. ft. temporary) of streams and banks.

CONFIRM EMERGENCY AUTHORIZATION:

EMERGENCY AUTHORIZATION ISSUED on May 12, 2005 to install a 24" culvert adjacent to a 30" culvert, dredge 36 ft. upstream and 20 ft. downstream of an 18 in. culvert and dredge 18 ft. upstream of a 24 in. culvert impacting 462 sq. ft. (422 sq. ft. temporary) of streams and banks. NHDOT project #14457.

With Conditions:

1. 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.

**2005-01157 NH DEPT OF TRANSPORTATION
CONWAY Unnamed Wetland**

Requested Action:

Follow-up application for the EMERGENCY PERMIT to replace an 18 in. x 60 ft.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

CONFIRM EMERGENCY AUTHORIZATION:

Confirm EMERGENCY PERMIT to replace an 18 in. x 60 ft. culvert with an 18 in. x 71 ft. culvert impacting 450 sq. ft. (300 sq. ft. temporary) of seasonal stream. NHDOT project #M301-1.

With Conditions:

1. 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.

**2005-02541 NH DEPT OF TRANSPORTATION
ERROL Moose Pond**

Requested Action:

Follow-up application for the EMERGENCY AUTHORIZATION for slope stabilization adjacent to a bridge

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

CONFIRM EMERGENCY AUTHORIZATION:

Confirm EMERGENCY AUTHORIZATION issued on October 25, 2005 to install stone for slope stabilization adjacent to a bridge impacating 96 sq. ft. of stream and bank. NHDOT project #99871V-2.

With Conditions:

1. 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.

**2006-01361 WRIGHT, THOMAS & BARBARA
CONTOOCOOK Unnamed Stream**

Requested Action:

Replace 70 linear feet of existing failed 3 foot culvert with a 70 linear foot 3 foot plastic pipe, with no change to location or configuration in an unnamed perennial stream.

APPROVE PERMIT:

Replace 70 linear feet of existing failed 3 foot culvert with a 70 linear foot 3 foot plastic pipe, with no change to location or configuration in an unnamed perennial stream.

With Conditions:

1. All work shall be in accordance with plans by Tom Wright dated November 8, 2006, as received by the Department on November 9, 2006.
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 low flow.
4. 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.

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

6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-02352 TURGEON, ARMARD
ROLLINSFORD Unnamed Wetland

Requested Action:

Dredge and fill 1,432 sq. ft. of wetlands and install a 24" x 51' culvert for a roadway crossing for a 3-lot subdivision on 27.1 acres.

APPROVE PERMIT:

Dredge and fill 1,432 sq. ft. of wetlands and install a 24" x 51' culvert for a roadway crossing for a 3-lot subdivision on 27.1 acres.

With Conditions:

1. All work shall be in accordance with revised plans by Civil Consultants dated 10/19/2006, as received by the Department on 10/25/2006.
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 Wt 303.04(f), projects involving less than 3,000 sq. ft. of impact to swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01: the applicant must cross the wetland

which runs across the property, to access the buildable upland area of the lot.

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.

There were no species reported by the NH Natural Heritage Bureau.

5. The Rollinsford Conservation Commission did not sign the expedited application, and did not report further.

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(), alteration of ...

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

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

**2006-02362 JACKSON GRAY BUILDING CONDOMINIUM ASSOCIATION, DR
PORTSMOUTH Unnamed Wetland**

Requested Action:

Dredge and fill 630 sq. ft. pocket of isolated wetlands for parking lot expansion at an existing medical facility.

Inspection Date: 11/16/2006 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill 630 sq. ft. pocket of isolated wetlands for parking lot expansion at an existing medical facility.

With Conditions:

1. All work shall be in accordance with plans by Oak Point Associates dated 8/25/2006, as received by the Department on 9/8/2006.

2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

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

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

6. 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(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. Field inspection by DES on 11/16/2006 observed that the cars parking at the facility currently use not only the spaces, but the vegetated lot edges, the travel ways, building accesses and the street, creating a congested and unsafe situation. The isolated wetland occurs in the otherwise best suitable expansion location present on the site.

3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. No NH Heritage Bureau species of concern were reported for this project.

4. The Portsmouth Conservation Commission recommended approval of this project.

FORESTRY NOTIFICATION

2006-02435 WARICK MANAGEMENT CO INC
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map C4, Lot# 286

2006-02908 DRED
ANDOVER Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Timber Sale P-360 - Kearsarge State Forest

2006-02973 NEW ENGLAND FORESTRY FOUNDATION
WILTON Unnamed Stream

COMPLETE NOTIFICATION:
Wilton Tax Map C, Lot# 31 & 36

2006-02974 GLINES FAMILY PARTNERSHIP, KATHLEEN GLINES DOLE
CANTERBURY Unnamed Stream

COMPLETE NOTIFICATION:
Canterbury Tax Map 4, Lot# 12

2006-02975 JORDAN, BRUCE
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth Tax Map 410, Lot# 89

2006-02977 CROCKER, MICHAEL & CAROL
HENNIKER Unnamed Stream

COMPLETE NOTIFICATION:
Henniker Tax Map 1, Lot# 562B

2006-03008 NUDD, LINDA
BELMONT Unnamed Stream

COMPLETE NOTIFICATION:
Belmont Tax Map 228, Lot# 24

OTHER BUSINESS

**2006-01491 NEWMARKET, TOWN OF
NEWMARKET Prime Wetlands**

EXPEDITED MINIMUM

**2006-01944 TREACY, STEPHEN & JENNIFER
BROOKLINE Unnamed Wetland**

Requested Action:

Dredge and fill 1380 square feet of palustrine forested wetland including installation of a 15-inch x 55 foot culvert for access in the subdivision of 61 acres into 14 building lots.

Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact application.

APPROVE PERMIT:

Dredge and fill 1380 square feet of palustrine forested wetland including installation of a 15-inch x 55 foot culvert for access in the subdivision of 61 acres into 14 building lots.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated June 1, 2006, and revised through September 15, 2006 as received by the Department on September 29, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. 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. 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.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Work shall be done during periods of non-flow.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. 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).

13. 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.

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

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), 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 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.

**2006-02454 SEPPALA, ROBERT
RINDGE Unnamed Wetland**

Requested Action:

Dredge and fill 1800 square feet of palustrine forested wetland including installation of a 12-inch x 20 foot culvert for access to a proposed structure in the subdivision of approximately 7 acres into three lots.

APPROVE PERMIT:

Dredge and fill 1800 square feet of palustrine forested wetland including installation of a 12-inch x 20 foot culvert for access to a proposed structure in the subdivision of approximately 7 acres into three lots.

With Conditions:

1. All work shall be in accordance with plans by Carl Hangstrom as received by the Department on October 31, 2006, and Subdivision Plans by Vorce Soney and Associates Inc dated June 27, 2006, as received by the Department on September 25, 2006.
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 #x of this approval.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Work shall be done during periods of non-flow.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. Silt fencing must be removed once the area is stabilized.
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).

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 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 applicant has addressed the requirements of Env-Wt 304.09(a).

2006-02623 ARMANDI, SILVIO & JOAN
MIDDLETON Sunrise Lake

Requested Action:

Amend permit to delete condition #4 "Work shall be done at draw down".

APPROVE AMENDMENT:

Replace existing 46 linear ft. wooden retaining wall landward of existing beach with concrete block in same footprint; replenish existing beach with less than 10 cubic yard of sand above the high water line of Sunrise Lake.

With Conditions:

1. All work shall be in accordance with plans by Silvio Armandi dated 8/23/2006, as received by the Department on 10/11/2006.
2. 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.
3. 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.
4. 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.

With Findings:

1. All work is to be done above the normal high water line and accessed from the landward side so the condition does not apply.

2006-02846 HERRIOT, NEAL
CHESTERFIELD Unnamed Wetland

Requested Action:

Dredge and fill 1,350 square feet of forested wetlands to install two(2) 18-inch x 22-foot corrugated culverts along two(2) separate driveways accessing two(2) lots of a 3-lot subdivision.

APPROVE PERMIT:

Dredge and fill 1,350 square feet of forested wetlands to install two(2) 18-inch x 22-foot corrugated culverts along two(2) separate driveways accessing two(2) lots of a 3-lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated September 05, 2006, as received by the Department on November 08, 2006.
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. Work shall be done during low flow conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culverts shall be laid at original grade.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. The Chesterfield Conservation Commission signed the application.
3. No comments were submitted from the NHEG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. 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.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-02855 CHARLESTOWN, TOWN OF
CHARLESTOWN Unnamed Stream**

Requested Action:

Replace existing failed 71-inch x 103-inch x 40-foot CMP arch culvert at Benware Brook and dredge and fill approximately 270 square feet of intermittent stream to replace existing failed 48-inch x 40-foot CMP culvert and headwalls with a 48-inch x 40-foot HDPE culvert.

APPROVE PERMIT:

Replace existing failed 71-inch x 103-inch x 40-foot CMP arch culvert at Benware Brook and dredge and fill approximately 270 square feet of intermittent stream to replace existing failed 48-inch x 40-foot CMP culvert and headwalls with a 48-inch x 40-foot HDPE culvert.

With Conditions:

1. All work shall be in accordance with plans by The Town of Charleston dated October 24, 2006, as received by the Department on November 06, 2006.
2. Work shall be done during annual low flow conditions.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

6. There shall be no excavation or operation of construction equipment in flowing water.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Culverts shall be laid at original grade.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Native material removed from Benware Brook during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the arch culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
16. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Post-construction photographs documenting the status of the culvert replacements shall be submitted to the DES Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), maintenance, repair, or replacement of a culvert.
2. Benware Brook is a trickle at low flow.
3. Benware Brook stream diversion will be dam and pump.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
5. The Charleston Conservation Commission signed the application.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-02873 ACWORTH, TOWN OF
ACWORTH Cold River

Requested Action:

Request to remove woody debris and approximately 3,513 cubic yards of woody debris at DSR # 12, removal of woody debris along approximately 140 linear feet at DSR # 14 and removal of woody debris at DSR #40 along approximately 5,050 linear feet of the Cold River, Request to remove wood debris at DSR # 50 along approximately 725 linear feet and remove woody debris at DSR 61 along 1175 linear feet of the Cold River, as identified by the Town of Acworth and qualified by a federal agency's multi-disciplinary team to be funded as part of the USDA- NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding and as identified in Construction Specifications 704, 705, 706, 708, and 709.

APPROVE PERMIT:

Request to remove woody debris and approximately 3,513 cubic yards of woody debris at DSR # 12, removal of woody debris along approximately 140 linear feet at DSR # 14 and removal of woody debris at DSR #40 along approximately 5,050 linear feet of

the Cold River, Request to remove wood debris at DSR # 50 along approximately 725 linear feet and remove woody debris at DSR 61 along 1175 linear feet of the Cold River, as identified by the Town of Acworth and qualified by a federal agency's multi-disciplinary team to be funded as part of the USDA- NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding and as identified in Construction Specifications 704, 705, 706, 708, and 709.

With Conditions:

1. All work shall be in accordance with plans by the USDA Natural Resources Conservation Service (NRCS) entitled "Channel and Streambank Obstruction Removal, Town of Acworth, DSR Site 12, 14, 40" and Construction Specifications 704, 705, 706, 708, and 709 submitted in support of the permit application as received by DES Wetlands Bureau on November 27, 2006. For DSR sites 58 and 61 all work shall be in accordance with plans by the USDA Natural Resources Conservation Service (NRCS) entitled "Channel and Streambank Obstruction Removal, Town of Acworth, DSR Site 58, 61" and Construction Specifications 704, 705, 706, 708, and 709 submitted in support of the permit application as received by DES Wetlands Bureau on November 27, 2006.
2. Prior to commencing work, the applicant shall submit a "Pollution Control Plan" and "Debris Disposal Plan" to the DES Wetlands Bureau for review and approval.
3. The applicant shall obtain temporary construction easements or written agreements from affected landowners prior to the start of work.
4. The applicant shall notify the DES Wetlands Bureau, the Town Board of Selectman, the Town Conservation Commission, and the Cold River Local Advisory Committee at least two (2) days prior to the start of work.
5. A finalized plan set and follow-up report with photographic documentation shall be filed with the DES Wetlands Bureau within 14 days of the completion of work.
6. Work shall be inspected by NRCS to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
7. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the river. In-stream work shall not exceed (5) consecutive days in total unless specifically authorized by the DES wetlands bureau.
9. The permittee and/or their contractor shall monitor the weather and shall not commence work within flowing water, including the installation of cofferdams, when rain is forecast.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Discharge from dewatering work areas shall be to sediment basins that are located in uplands, and lined with hay bales or other acceptable sediment trapping liners.
12. Material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
13. There shall be no excavation or filling conducted in flowing water.
14. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas.
15. Cleared areas that will be revegetated shall be replanted with similar native (noninvasive) species.
16. Erosion control structures must be removed once the area is stabilized.
17. Temporary structures installed to isolate the work area and channel flow through the work area during construction shall be entirely removed immediately following construction.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
19. 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 activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet). All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of altered or degraded wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau'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 debris removal sites were identified by the Town of Acworth following the October 2005 flooding and qualified by a multi-disciplinary team from the USDA-NRCS to be funded as part of the Emergency Watershed Protection (EWP) program.

6. The debris removal sites were identified by the Town because the debris continues to trap additional material and has the potential to move downstream during high flow events, form ice jams, and poses a threat to downstream infrastructure.

7 The DES Wetlands Bureau and DES Watershed Management Bureau inspected the project sites with NRCS staff on September 20, 2006.

8 The NH Natural Heritage Bureau did not have record of any rare or endangered species or exemplary natural communities near the project sites.

9 The Cold River Local Advisory Committee submitted comments to the DES Wetlands Bureau (received November 13, 2006) stating that they approve of the application as presented.

11. The Conservation Commission signed the application but did not submit comments.

2006-02924 WALPOLE, TOWN OF
WALPOLE Unnamed Wetland Streams

Requested Action:

Remove woody debris along approximately 256 linear feet of Mad Brook at DSR # 48, remove woody debris along approximately 1,100 linear feet of Houghton Brook at DRS # 55, remove woody debris along approximately 510 linear feet of Great Brook at DSR # 57 as identified by the Town of Walpole and qualified by a federal agency's multi-disciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding and as identified in Construction Specifications 704, 705, and 706, 708, 709.

APPROVE PERMIT:

Remove woody debris along approximately 256 linear feet of Mad Brook at DSR # 48, remove woody debris along approximately 1,100 linear feet of Houghton Brook at DRS # 55, remove woody debris along approximately 510 linear feet of Great Brook at DSR # 57 as identified by the Town of Walpole and qualified by a federal agency's multi-disciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding and as identified in Construction Specifications 704, 705, and 706, 708, 709.

With Conditions:

1. All work shall be in accordance with plans by the USDA Natural Resources Conservation Service (NRCS) entitled "Channel and Streambank Obstruction Removal, Town of Walpole, DSR Site #48, 55, 57" and Construction Specifications 704, 705, 706, 708, and 709 submitted in support of the permit application as received by the DES Wetlands Bureau on November 16, 2006.
2. Prior to commencing work, the applicant shall submit a "Pollution Control Plan" and "Debris Disposal Plan" to the DES Wetlands Bureau for review and approval.
3. The applicant shall obtain temporary construction easements or written agreements from affected landowners prior to the start of work.
4. The applicant shall notify the DES Wetlands Bureau, the Town Board of Selectman, the Town Conservation Commission, at least two (2) days prior to the start of work.
5. A finalized plan set and follow-up report with photographic documentation shall be filed with the DES Wetlands Bureau within 14 days of the completion of work.
6. Work shall be inspected by NRCS to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
7. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the river/brook. In-stream work shall not exceed five (5) consecutive days in total unless specifically authorized by the DES Wetlands Bureau.
9. The permittee and/or their contractor shall monitor the weather and shall not commence work within flowing water, including the installation of cofferdams, when rain is forecast.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands and lined with hay bales or

other acceptable sediment trapping liners.

12. Material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.

13. There shall be no excavation or filling conducted in flowing water.

14. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas.

15. Cleared areas that will be revegetated shall be replanted with similar native (noninvasive) species.

16. Erosion control structures must be removed once the area is stabilized.

17. Temporary structures installed to isolate the work area and channel flow through the work area during construction shall be entirely removed immediately following construction.

18. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.

19. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.

20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

21. 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(t), restoration of altered or degraded wetlands.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau'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 debris removal sites were identified by the Town of Walpole following the October 2005 flooding and qualified by a multi-disciplinary team from the USDA-NRCS to be funded as part of the Emergency Watershed Protection (EWP) program.

6. The debris removal sites were identified by the Town because the debris continues to trap additional material and has the potential to move downstream during high flow events, form ice jams, and poses a threat to downstream infrastructure.

7. The DES Wetlands Bureau and DES Watershed Management Bureau inspected the project sites with NRCS staff on September 20, 2006.

8. The NH Natural Heritage Bureau did not have record of any rare or endangered species or exemplary natural communities near the project sites.

10. The Conservation Commission signed the application but did not submit comments.

**2006-02943 WESTMORELAND, TOWN OF
WESTMORELAND Unnamed Stream**

Requested Action:

Request to remove woody debris along approximately 12,450 linear feet at DSR # 51, approximately 2,050 linear feet at DSR # 52, and approximately 2,590 linear feet at DSR # 53 all located on Mill Brook and as identified by the Town of Westmoreland and qualified by a federal agency's multi-disciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding and as identified in Construction Specifications 704, 705, 706, 708, 709.

APPROVE PERMIT:

Request to remove woody debris along approximately 12,450 linear feet at DSR # 51, approximately 2,050 linear feet at DSR # 52, and approximately 2,590 linear feet at DSR # 53 all located on Mill Brook and as identified by the Town of Westmoreland and qualified by a federal agency's multi-disciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding and as identified in Construction Specifications 704, 705, 706, 708, 709.

With Conditions:

1. All work shall be in accordance with plans by the USDA Natural Resources Conservation Service (NRCS) entitled "Channel and Streambank Obstruction Removal, Town of Westmoreland, DSR Site #51, 52, 53" and Construction Specifications 704, 705, 706, 708, and 709 submitted in support of the permit application as received by the DES Wetlands Bureau on November 17, 2006.

2. Prior to commencing work, the applicant shall submit a "Pollution Control Plan" and "Debris Disposal Plan" to the DES Wetlands Bureau for review and approval.
3. The applicant shall obtain temporary construction easements or written agreements from affected landowners prior to the start of work.
4. The applicant shall notify the DES Wetlands Bureau, the Town Board of Selectman, the Town Conservation Commission, at least two (2) days prior to the start of work.
5. A finalized plan set and follow-up report with photographic documentation shall be filed with the DES Wetlands Bureau within 14 days of the completion of work.
6. Work shall be inspected by NRCS to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
7. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the river. In-stream work shall not exceed five (5) consecutive days in total unless specifically authorized by the DES Wetlands Bureau.
9. The permittee and/or their contractor shall monitor the weather and shall not commence work within flowing water, including the installation of cofferdams, when rain is forecast.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands and lined with hay bales or other acceptable sediment trapping liners.
12. Material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
13. There shall be no excavation or filling conducted in flowing water.
14. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas.
15. Cleared areas that will be revegetated shall be replanted with similar native (noninvasive) species.
16. Erosion control structures must be removed once the area is stabilized.
17. Temporary structures installed to isolate the work area and channel flow through the work area during construction shall be entirely removed immediately following construction.
18. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.
19. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. 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(t), restoration of altered or degraded wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau'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 debris removal sites were identified by the Town of Westmoreland following the October 2005 flooding and qualified by a multi-disciplinary team from the USDA-NRCS to be funded as part of the Emergency Watershed Protection (EWP) program.
6. The debris removal sites were identified by the Town because the debris continues to trap additional material and has the potential to move downstream during high flow events, form ice jams, and poses a threat to downstream infrastructure.
7. The DES Wetlands Bureau and DES Watershed Management Bureau inspected the project sites with NRCS staff on September 20, 2006.
8. The NH Natural Heritage Bureau did not have record of any rare or endangered species or exemplary natural communities near the project sites.
9. The Conservation Commission signed the application and "fully endorsed the project and find no reason that it shouldn't proceed as planned and hope it will be approved by all appropriate agencies in an expedient manner".

Requested Action:

Install 24" culvert and Remove woody debris along 4,100 linear feet at DSR 19, 20, and 39 along the Cold River, Great Brook and excavate approximately 300 cubic yards at low flow channel for flood abatement, as identified by the Town of Langdon and qualified by a federal agency's multi-disciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding and as identified in Construction Specifications 704, 705, 706, 708, and 709.

APPROVE PERMIT:

Install 24" culvert and Remove woody debris along 4,100 linear feet at DSR 19, 20, and 39 along the Cold River and Great Brook and excavate approximately 300 cubic yards at low flow channel for flood abatement, as identified by the Town of Langdon and qualified by a federal agency's multi-disciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding and as identified in Construction Specifications 704, 705, 706, 708, and 709.

With Conditions:

1. All work shall be in accordance with plans by the USDA Natural Resources Conservation Service (NRCS) entitled "Channel and Streambank Obstruction Removal, Town of Langdon, DSR Site #19, 20, 39" and Construction Specifications 704, 705, 706, 708, and 709 submitted in support of the permit application as received by the DES Wetlands Bureau on November 21, 2006.
2. Prior to commencing work, the applicant shall submit a "Pollution Control Plan" and "Debris Disposal Plan" to the DES Wetlands Bureau for review and approval.
3. The applicant shall obtain temporary construction easements or written agreements from affected landowners prior to the start of work.
4. The applicant shall notify the DES Wetlands Bureau, the Town Board of Selectman, the Town Conservation Commission, and the Cold River Local Advisory Committee at least two (2) days prior to the start of work.
5. A finalized plan set and follow-up report with photographic documentation shall be filed with the DES Wetlands Bureau within 14 days of the completion of work.
6. Future slope stabilization work at the subject sites that is not included in the proposed project shall be subject to additional permitting by the DES Wetlands Bureau. The applicant shall submit a permit amendment request to the DES Wetlands Bureau including the appropriate documentation including any supporting engineering plans.
7. Work shall be inspected by NRCS to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
8. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the river. In-stream work shall not exceed five (5) consecutive days in total unless specifically authorized by the DES Wetlands Bureau.
10. The permittee and/or their contractor shall monitor the weather and shall not commence work within flowing water, including the installation of cofferdams, when rain is forecast.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands and lined with hay bales or other acceptable sediment trapping liners.
13. Material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
14. There shall be no excavation or filling conducted in flowing water.
15. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas.
16. Cleared areas that will be revegetated shall be replanted with similar native (noninvasive) species.
17. Erosion control structures must be removed once the area is stabilized.
18. Temporary structures installed to isolate the work area and channel flow through the work area during construction shall be entirely removed immediately following construction.
19. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.

- 20. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
- 21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
- 22. All 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(t), restoration of altered or degraded wetlands.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau'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 debris removal sites were identified by the Town of Gilsum following the October 2005 flooding and qualified by a multi-disciplinary team from the USDA-NRCS to be funded as part of the Emergency Watershed Protection (EWP) program.
- 6. The debris removal sites were identified by the Town because the debris continues to trap additional material and has the potential to move downstream during high flow events, form ice jams, and poses a threat to downstream infrastructure.
- 7. Removal of the standing trees is necessary to reduce mass failure of undercut and compromised river banks.
- 8. The DES Wetlands Bureau and DES Watershed Management Bureau inspected the project sites with NRCS staff on September 20, 2006.
- 9. The NH Natural Heritage Bureau did not have record of any rare or endangered species or exemplary natural communities near the project sites.
- 10. The Cold River Local Advisory Committee submitted comments to the DES Wetlands Bureau (received October 26, 2006) stating that they approve of the application as presented.
- 11. The Conservation Commission signed the application but did not submit comments.

GOLD DREDGE

2006-03003 SARGENT, KEVIN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

LAKES-SEASONAL DOCK NOTIF

2006-03001 MAHONEY, NEAL & LAURA
MEREDITH Winnepesaukee Lake

COMPLETE NOTIFICATION:
Meredith NH Tax Map# I08-12 Lot# 12 Lake Winnepesaukee

SHORELAND VARIANCE / WAIV

2006-00916 NADEAU, RONALD
BARRINGTON Ayers Lake

Requested Action:

Request a waiver from RSA 483-B:9, II(b) to allow the ridgeline height of an existing non-conforming structure within the primary building setback to be raised four feet on property having approximately 110 feet of frontage on Ayers Lake in Barrington, NH.

Inspection Date: 11/07/2006 by Eric M Skoglund

APPROVE CSPA WAIVER:

Request a waiver from RSA 483-B:9, II(b) to allow the ridgeline height of an existing non-conforming structure within the primary building setback to be raised four feet on property having approximately 110 feet of frontage on Ayers Lake in Barrington, NH.

With Conditions:

1. All work shall be conducted in accordance with plans designed by the Nadeaus dated April 24, 2006 and received by the department on April 28, 2006 and revised with supplemental information received on June 7, 2006, September 18, 2006, and November 14, 2006.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. All proposed vegetation shall be planted by July 1, 2007. Plantings shall have a 90% survival success rate by October 31, 2007. An initial monitoring report shall be submitted by November 15, 2007 documenting the success of the plantings.
6. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
7. The existing shed will be relocated outside of the 20 foot accessory structure building setback from the reference line.
8. This approval does not allow lakeward expansion of the primary structure.
9. The footprint of the structure will not be changed.
10. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. 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.
12. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
13. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
14. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.1.

With Findings:

1. The existing non-conforming structure, as identified on the Town of Barrington Tax Map 106 Lot 5, is located within the 50 foot primary building setback to public waters and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act (CSPA).
2. The existing non-conforming structure is located approximately 32 feet from the reference line. The existing deck is located 24 feet from the reference line.
3. Approximately 832 square feet of house and deck are within the primary building setback.
4. The expansion of the existing non-conforming structure consists of raising the ridgeline height four feet by adding four feet of

framing to the existing foundation wall. The existing deck will also be raised four feet to compliment the house.

- 5. The primary structure footprint will not be altered.
- 6. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
- 7. The applicant has proposed to relocate the existing shed outside of the 20 foot accessory structure setback.
- 8. The applicant has proposed to add more vegetation to the shoreline. A mix of highbush blueberries and button bushes (6-8) are proposed along the shoreline to provide better erosion and stabilization control.
- 9. The applicant's proposal provides at least the same degree of protection to the public waters.
- 10. The applicant's proposal is more nearly conforming and meets RSA 483-b:11, II, therefore the waiver is approved.

ROADWAY MAINTENANCE NOTIF

2006-02983 TOWN OF CORNISH, DAN FLYNN
CORNISH Unnamed Stream

2006-02999 TOWN OF STRAFFORD
STRAFFORD Unnamed Stream

PERMIT BY NOTIFICATION

2006-02963 VILLAGE DISTRICT OF EIDELWEISS
MADISON Little Pea Porridge Pond

Requested Action:
Temporarily impact approximately 90 square feet of Little Pea Porridge Pond bed and bank to replace existing failed dry hydrant.

PBN IS COMPLETE:
Temporarily impact approximately 90 square feet of Little Pea Porridge Pond bed and bank to replace existing failed dry hydrant.

2006-03015 REINAUER, DAVID & W CHARLENE
BELMONT Sunset Canal

Requested Action:

Repair/Replace existing wooden retaining wall "in-kind".

PBN IS COMPLETE:

Repair/Replace existing wooden retaining wall "in-kind".

With Findings:

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