

Wetlands Bureau Decision Report

Decisions Taken
06/04/2007 to 06/10/2007

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

**2000-02293 NH DEPT OF TRANSPORTATION
ROCHESTER Cochecho River, Axe Handle Brook**

Requested Action:

Request time extension on the permit to June 20, 2012 in accordance with Rule Env-Wt 502.01(a).

APPROVE TIME EXTENSION:

Improve the Spaulding Turnpike between Exits 11 and 16 by widening from a current two-lane, undivided roadway to a four-lane, limited access divided highway to increase roadway capacity and safety, while improving traffic flow. The project involves the reconstruction and reconfiguration of Exits 12-16. Approximately 12 acres of impact will occur mainly to palustrine forested and emergent wetlands with impacts to the Cochecho River and Axe Handle Brook. Proposed mitigation includes wetland creation and habitat preservation on 48.1 acres of land at the City Concrete site. NHDOT project #10620D.

With Conditions:

1. The wetland impacts associated with this approval are based on field identification and mapping of wetland type and function noted in the document entitled "Spaulding Turnpike From Exit 11 to Exit 16, Strafford County, New Hampshire, Final Environmental Assessment" (hereinafter "FEA"), Section 4.3.3.
2. The proposed modifications to bridge structures, namely the bridges over the Cochecho River and Axe Handle Brook, shall be carried out as proposed in the FEA, as presented in plans, as stated in the public hearing on May 8, 2002, and as noted in letter received July 11, 2002.
3. During final design and construction work, wetland impacts that exceed the 12 acres represented in the plans as submitted with the DES Wetlands Bureau/Army Corps of Engineers permit application, shall require submittal of a permit amendment request to be reviewed and approved by the DES Wetlands Bureau.
4. During final design of roadway construction plans, a joint review shall be held by state and federal agencies regarding proposed water quality treatment features such as grassed swales or detention basins that may cause additional wetland impacts. This review will determine the necessity for a permit amendment.
5. Final design plans for roadway construction shall be submitted to DES Wetlands Bureau and Rochester Conservation Commission for each contract with a summary of wetland impacts for the associated contract work. Review and comments from DES Wetlands Bureau and the Rochester Conservation Commission shall be considered by NHDOT and incorporated into the design where it is reasonably appropriate.
6. During final design, efforts shall be made to avoid or minimize surface water impacts by utilizing steepened side slopes so as to minimize fill and culvert lengths where fish passage is not an issue.
7. As recommended by the UNH Cooperative Extension Office, a beaver pipe will be installed at the existing fill section north of Chestnut Hill Road, to maintain water levels and facilitate small mammal passage at this location.
8. During final design, NHDOT shall consider the installation of a culvert under Chestnut Hill Rd. adjacent to the Turnpike to facilitate small mammal passage between the isolated wetland and the Cochecho River corridor to the south. The potential location of the culvert is shown on a map prepared by NHDOT dated 5/15/02.
9. The DES Wetlands Bureau shall be notified in advance of pre-construction meetings at all of the proposed bridge crossing locations.
10. Construction shall adhere to the proposed groundwater protection measures for treating runoff in the project area as described in the FEA, section 4.5.4.
11. Construction shall adhere to the proposed management measures for stormwater treatment for streams in the project area as described in the FEA, section 4.4.4.
12. Stream crossings in areas that support fish shall be reviewed for adequate fish passage.
13. The proposed project will impact approximately 12.2 acres of the 100-year floodplain along the Cochecho River, compensation will occur as described in the FEA, section 4.6.4. During final design phase, additional measures to minimize encroachment into either the 100-year floodplain or floodway will be explored by NHDOT.
14. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless otherwise specified.
15. Issuance of DES Wetlands Bureau permit is contingent upon review of final erosion control plans for each phase including details for streamflow diversion and temporary siltation/erosion control measures to be implemented during construction.

16. 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.
17. The project engineer shall oversee installation of erosion controls and periodically verify that the controls are being properly maintained throughout construction.
18. Appropriate storm water management and erosion control Best Management Practices shall be implemented to ensure turbidity impacts are minimized and water quality standards are not violated.
19. Construction equipment shall not be located within surface waters.
20. There shall be no further alteration of wetlands or surface waters without amendment of this permit.
21. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete or have been temporarily suspended, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 2:1.
22. 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.
23. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
24. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners.
25. 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 and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
26. The NHDOT shall limit unnecessary removal of vegetation within riparian areas during road construction and areas cleared of vegetation are to be revegetated as quickly as possible.
27. Standard precautions shall be taken not to import or transport soil or seed stock from nuisance, invading species such as purple loosestrife or phragmites.
28. Land clearing in wetland areas during highway construction is to be kept to a minimum to reduce impacts on wildlife habitat.
29. The proposed mitigation as detailed in the FEA, Section 4.3.4 shall be followed for compensation of wetland impacts associated with the proposed project. The design shall be in accordance with details as represented in the plans provided in the DES Wetlands Bureau/Army Corps of Engineers permit application, Figure 5.
30. The NHDOT shall submit impact amounts with each corresponding phase and provide equivalent mitigation for the wetland and floodplain impacts. Modifications to the mitigation proposal shall be considered if amendments filed during final design and construction work result in impacts exceeding the acreage represented in the original application.
31. Mitigation construction shall coincide with roadway construction and the proposed schedule shall be submitted to the DES Wetlands Bureau for review.
32. The acreage of wetland creation and habitat preservation for the selected sites shall be consistent with that described in the FEA, Section 4.3.4.
33. The DES Wetlands Bureau and Rochester Conservation Commission will be provided the opportunity to review and comment on all plans relative to the wetland mitigation site off Chestnut Hill Road (City Concrete site).
34. Preliminary landscape plans for each phase of the project shall be submitted to the Rochester Conservation Commission for review and comment. Landscape plans shall include plantings around detention basins, around wetland creation sites, and along the multi-use trail.
35. Prior to commencement of wetland construction, the site work contractor shall clean the tracks or wheels of the machinery to remove any soils which may contain noxious plants such as common reed (*Phragmites* sp.) or purple loosestrife before entering the site.
36. During wetland mitigation construction, a qualified wetland scientist shall monitor the fill removal to ensure that proper elevations, hydrology and soils will develop in the areas as necessary for successful establishment of a wetland plant community.
37. The applicant or its environmental consultant shall notify the Wetlands Bureau for review of final grading at the wetland creation and enhancement sites prior to topsoil placement or wetlands planting.
38. Wetland creation and enhancement areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
39. Wetland creation and enhancement areas shall be monitored by a qualified environmental consultant during the first, second, third and fifth years. Monitoring reports shall be submitted to the Wetlands Bureau and Conservation Commission at the end of the required growing seasons and include photographs, a summary on vegetative success, water table information, and remedial measures if necessary to improve wetland establishment. Remedial action will be considered if there is inadequate vegetative cover,

erosion problems, unsatisfactory hydrology, or unsuccessful functional implementation.

40. The NHDOT shall eradicate purple loosestrife by measures agreed upon by a joint state and federal agency review if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

41. The Wetlands Bureau shall be notified of subsequent transferrals of the mitigation site to another agency or organization that has been retained for management purposes.

ADDED CONDITION:

42 This shall be the only time extension for this project.

With Findings:

1. The request for time extension on the permit is in accordance with Rule Env-Wt 502.01(a).

2006-02555 TOLAND JR, PAUL
STRATHAM Squamscott River

Requested Action:

Construct a permanent 6 ft. x 20ft. timber pier on pilings, having 6 foot clearance of the deck over the marsh surface, with a seasonal 3 ft. x 40 ft. ramp to a 10 ft. x 20 ft. seasonal float on 150 linear feet of shoreline frontage on the Squamscott River.

Conservation Commission/Staff Comments:

The Stratham Conservation Commission expressed concerns about this project which been addressed by the applicant via the marine contractor.

Inspection Date: 02/23/2007 by Frank D Richardson

APPROVE PERMIT:

Construct a permanent 6 ft. x 20ft. timber pier on pilings, having 6 foot clearance of the deck over the marsh surface, with a seasonal 3 ft. x 40 ft. ramp to a 10 ft. x 20 ft. seasonal float on 150 linear feet of shoreline frontage on the Squamscott River.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated 9/15/06, as received by DES on September 22, 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 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. The decking of the dock shall have a minimum of 6 feet clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks.
6. This pier and the pre-existing gazebo in the tidal buffer zone shall be the only structures on this water frontage and all portions of the pier, ramp and float shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
7. The ramp and float shall be removed and stored out of tidal waters during the non-boating season (the ramp may be stored on the deck of the pier; the float removed entirely from tidal waters/wetlands).
8. 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 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 February 23, 2007. Field inspection determined the proposed pier/ramp/float is a typical configuration appropriate for this location.
6. Concerns of the Stratham Conservation Commission set forth in their letter dated October 10, 2006 have been fully addressed by the applicant by the marine contractor who has extensive experience in constructing piers in tidal waters.
7. Concerns initially expressed by the National Marine Fisheries Service have been abated and the project qualifies from approval by the US Army Corps of Engineers under the NH State Programmatic General Permit.
8. The NH Division of Ports and Harbors Chief Harbor Master has determined that "... the project would have no negative effect on navigation in the channel."
9. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem and provide safe boating access to the Squamscott River.

-Send to Governor and Executive Council-

2006-02841 CLEARY, MICHAEL
DURHAM Little Bay

Requested Action:

Construct a tidal dock including a 6' X 105' permanent pier to a 3'x 46' ramp to a 30' x 10' float, overall structure length 156', providing 2 slips on 135 ft. of frontage on Little Bay.

Install 780 sq. ft. of rip rap (65' x 12') on severely eroded and undercut bank on property shoreline.

Inspection Date: 03/08/2007 by Dori A Wiggin

APPROVE PERMIT:

Construct a tidal dock including a 6' X 105' permanent pier to a 3'x 46' ramp to a 30' x 10' float, overall structure length 156', providing 2 slips on 135 ft. of frontage on Little Bay.

Install 780 sq. ft. of rip rap (65' x 12') on severely eroded and undercut bank on property shoreline.

With Conditions:

1. All work shall be in accordance with revised plans by Pickering Marine dated 4/27/2007, as received by the Department on 5/2/2007.
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. Construction of this tidal docking structure consisting of a 6 ft. x 105 ft. permanent pier connecting to a 3 ft. x 46 ft. ramp connecting to a 30 ft. x 10 ft. float, overall structure length 156 ft., providing two slips (as defined by RSA 482-A:2, VIII (a)), on 135 ft. of frontage on Durham Tax Map 12 Lot 1-15 on Little Bay 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. There is currently no docking structure on the property to provide access to the water.
- 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, with ¾ inch spacing between decking, does not cross any tidal vegetation; has a seasonal ramp and float; and is the minimum length necessary to reach usable water on Little Bay.
- 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. 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, per letter dated 11/8/2006; and the dock is located greater than 20 ft. off the abutting property lines. The Durham Conservation Commission reviewed the application and support the proposal. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the vicinity. The tidal mudflat community reported by the NHB will not be affected by this project.
- 5. This application has received review of the federal PGP Joint Processing Meeting on 1/18/2007. National Marine Fisheries ("NMFS") commented that the application was eligible as proposed, with the condition of float stops to be included in the permit. DES has included this condition.
- 6. This dock is consistent with other tidal dock approvals in the seacoast.
- 7. DES staff field inspection on 3/8/2007 found that the site is accurately represented in the application, and that the shoreline is eroding into the yard between the bay and the dwelling. The shoreline needs stabilization that can withstand more force of wind and ice than vegetation can provide.
- 8. DES issued an emergency authorization on 5/16/2007 to install the rip rap following increased bank erosion as a result of the April 2007 storms and flooding.

-Send to Governor and Executive Council-

**2007-00755 US FOREST SERVICE
CAMPTON Unnamed Wetland**

Requested Action:

Dredge and fill 9,206 square feet of wetlands with 2 perennial and 2 intermittent stream crossings as well as upgrading an existing perennial stream crossing with a 4' x 8' box culvert (impacting a total of 340 linear feet within the bed and banks of the streams) to construct a new USDA Forest Service Administrative Office Complex serving the White Mountain National Forest on a 43 acre parcel in Campton. In addition, temporarily impact 653 square feet within a perennial stream (impacting 114 linear feet) to install utility lines.

Conservation Commission/Staff Comments:

*In an email dated 5/31/07, the Pemigewasset River Local Advisory Committee stated that they visited the site and found nothing of concern as the wetland impacts are minimal and most appear to be seasonal flows.

Inspection Date: 07/26/2006 by Craig D Rennie

APPROVE PERMIT:

Dredge and fill 9,206 square feet of wetlands with 2 perennial and 2 intermittent stream crossings as well as upgrading an existing perennial stream crossing with a 4' x 8' box culvert (impacting a total of 340 linear feet within the bed and banks of the streams) to

construct a new USDA Forest Service Administrative Office Complex serving the White Mountain National Forest on a 43 acre parcel in Campton. In addition, temporarily impact 653 square feet within a perennial stream (impacting 114 linear feet) to install utility lines.

With Conditions:

1. All work shall be in accordance with plans by USDA Forest Service dated December 8, 2006, as received by DES on April 12, 2007, and in accordance with plans received by DES on June 8, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow conditions.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. 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).
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Temporary impact areas within the perennial stream shall be restored and replanted to a pre-construction condition to promote long term stability.

With Findings:

1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(i), as stream impacts are greater than 200 linear feet within the bed and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule 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 Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 26, 2006 with USDA Forest Service staff, their consultant, and US Fish & Wildlife Service staff. DES found that the wetland and stream impacts will occur within areas that have been previously disturbed and altered from past gravel mining that occurred in the 1960's for the construction of Interstate 93.
6. On May 31, 2007, DES received an email from the Pemigewasset River Local Advisory Committee (PRLAC) stating that they visited the site and found nothing of concern as the wetland impacts are minimal and most appear to be seasonal flows.
7. The applicant is proposing to mitigate stream impacts by upgrading and improving an existing road crossing within a perennial stream by removing a 48" and 60" culvert and replacing with a 4' x 8' box culvert. This will allow for better aquatic resource passage and will promote better long term stability within the stream channel.
8. Public hearing is not required with the finding that the project will not impact wetland areas that are considered to be of special value from a local, regional, or state perspective pursuant to Rule Env-Wt 101.87. In addition, the USDA Forest Service completed an Environmental Assessment in May 2004 which included a 30 day public comment period. Public comments received were

incorporated into the overall project design.

**2007-01186 NH DEPT OF TRANSPORTATION
DOVER Bellamy River**

Requested Action:

Remove deteriorated concrete and replace the voids to protect six of the steel bridge supports impacting 242 sq. ft. (192 sq. ft. temporary) of estuarine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. choses not to intervene.

APPROVE PERMIT:

Remove deteriorated concrete and replace the voids to protect six of the steel bridge supports impacting 242 sq. ft. (192 sq. ft. temporary) of estuarine wetlands. NHDOT project #11657.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 5/21, as received by the Department on May 30, 2007.
2. 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.
3. 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).
4. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

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 Rule 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 project was presented at the Natural Resource Agency Coordination Meeting held at the NHDOT on May 16, 2007 where no concerns were raised.
6. The species listed in the NH Natural Heritage Bureau memo of 2/28/07 will not be impacted by this project.
7. DES Staff finds that this project will not have a significant impact on these estuarine 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.

MINOR IMPACT PROJECT

**2002-00148 ROCHESTER DPW, CITY OF
ROCHESTER Willow Brook**

Requested Action:

Permitte requests waiver of Administrative Rules Env-Wt 502.01, Duration of Permit, to provide time extension on expired permit to allow a public transportation project to proceed, until newly applied-for permit is issued.

APPROVE AMENDMENT:

Approve time extension to 12/5/2007.

Dredge and fill a total of 1768 sq ft along a total of 132 linear feet of Willow Brook, for the widening and reconstruction of Franklin St and South Main St, further described as follows: Impact area 1, shall be a fill of 123 sq ft of scrub-shrub wetland along the western slope of Franklin St for road slope stabilization. Impact area 2, is for the rip rap of a drainage swale ditch impacting 34 sq ft and 5 linear feet of the bank of Willow Brook. Impact area 3, is the placement of 90 sq ft of rip-rap within the existing brick arch culvert. Impact area 4, is for 51 sq ft of riprap to be placed within the bank (10 linear ft), and channel (13 linear ft) of Willow Brook for protection of an existing culvert outlet. Impact area 5, is 196 sq ft along 35 linear ft of Willow Brook to place riprap for inlet protection to an existing culvert. Impact area 6, is to place 258 sq ft of rip rap along 69 linear ft of Willow Brook at the outlet of two existing culvert and to temporarily impact 503 sq ft for the maintenance and reconstruction of those culverts. Impact area 7, is for construction of a plunge pool for permanent impacts of 280 sq ft and temporary impacts of 233 sq ft.

With Conditions:

1. All work shall be in accordance with sheet 2 of 5 of plans by CLD Consulting Engineers dated January 2002 as received by the Department on January 25, 2002 and sheet 3 of 5 of plans by CLD Consulting Engineers dated January 2002 revised through April 2002, as received by the department on April 18, 2002 and sheet 1 of 1 by CLD Consulting Engineers dated June 27, 2002 as received by the department July 18, 2002.
2. Any further alteration of areas that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Construction equipment shall not be located within surface waters.
5. 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.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Work shall be done during low flow.
11. 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.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
13. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
14. 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.
15. 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.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. Silt fencing must be removed once the area is stabilized.
18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
19. The applicant shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
20. 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.

With Findings:

1. Pursuant to Administrative Rule PART Env-Wt 204, Waivers, the permittee requests a waiver to rule Env-Wt 502.04, Duration of Permit, per request dated 5/23/2007 from CLD Engineers, as received by DES on 5/23/2007, in order to proceed with a delayed public transportation project.
2. The permittee has address the requirements of Env-Wt 204.02, Procedures, and of Env-Wt 204.03, Content and Format of Requests, with this waiver request.
3. DES finds that the request complies with the criteria for waiver approval set out in Env-Wt 204.04, Criteria, therefore the request for a time extension is approved. Permit 2002-148 shall be extended for a period of six months to allow the newly filed application, 2007-908, to be processed.

2004-00133 BROOK SHIRE LLC
WEARE Unnamed Wetland

Requested Action:

Amend permit description to include the dredging and filling of an additional 370 square feet of Huse Brook for the construction of a temporary crossing.

Conservation Commission/Staff Comments:

The Conservation Commission has no objections to the proposed project.

APPROVE AMENDMENT:

Amend permit description to include the dredging and filling of an additional 370 square feet of Huse Brook for the construction of a temporary crossing for a total of 4,289 square feet of impact (formally 3,919 square feet) of palustrine forested and riverine wetlands to provide access in a 31-Lot subdivision with approximately 76 acres of open space to be established.

With Conditions:

1. All work shall be in accordance with the following plans by Bedford Design Consultants:
 - a.) Dated March 17, 2004, as received by the Department on March 26, 2004;
 - b.) Temporary Wetland Crossing Plan dated November 22, 2006, as received by the Department on January 23, 2007.
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. 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, N.H. 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.
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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. 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 properly rip rapped.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

14. 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. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
16. Any clearing required for the temporary crossing shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
17. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity.
18. Stream banks shall be restored to a stable condition and shall be restored to the same as or better than pre-construction conditions.
19. Wetlands shall be restored to their pre-construction conditions within the temporary crossing, including restoration of original grades.
20. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.
21. Wetland restoration of temporary impact area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This project will impact 3,919 sq ft of nontidal wetlands and is therefore a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal jurisdictional 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.

**2006-02040 T & D REALTY TRUST, PATRICIA PRUDHOMME
ALTON Lake Winnepesaukee**

Requested Action:

Amend permit to relocate the docking structure and correct dock lengths.

Conservation Commission/Staff Comments:

Con Com has no objections

APPROVE AMENDMENT:

Amend permit to read: Permanently remove an existing 144 sq ft permanent docking structure and construct a 6 ft by 32 ft permanent piling supported dock and a 6 ft x 34 ft permanent piling supported dock connected by a 6 ft by 12 ft permanent walkway in a "U" shaped configuration on an average of 154 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders revision dated April 26, 2007, as received by the Department on April 30, 2007.
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. 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. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.

5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. This permit does not allow for maintenance dredging.
7. The dock shall not extend more than 34 ft lakeward at full lake elevation of 504.32.
8. The minimum clear spacing between piles shall be 12 feet.
9. 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 permanent docking system that provides less than 5 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.
5. The location of the proposed project meets the requirements for a breakwater in accordance with Rule Env-Wt 402.06.
6. The construction of a permanent dock in this location is less impacting than a breakwater.
7. The applicant has an average of 154 feet of shoreline frontage along Lake Winnepesaukee.
8. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
9. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
10. The amended dock plan meets the requirements of RSA 482-A:3,XIII.

2007-00154 HIGH-FOREST PARTNERS, LLC, PAUL MULCAHEY
KEENE Unnamed Stream

Requested Action:

Dredge and fill 1,400 square feet (110 linear feet) of intermittent stream to install a 75-foot x 24-inch RCP culvert and associated riprap for access to forest management activities and eventually to a single-family residence.

APPROVE PERMIT:

Dredge and fill 1,400 square feet (110 linear feet) of intermittent stream to install a 75-foot x 24-inch RCP culvert and associated riprap for access to forest management activities and eventually to a single-family residence.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated December 29, 2006, and revised through November 07, 2006, as received by the Department on April 06, 2007.
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 to prevent accidental encroachment on wetlands.
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(l), alteration of less than 200 linear feet of an intermittent stream.
2. The applicant provided a reinforced concrete pipe (RCP) as requested by the NHFG Nongame and Endangered Wildlife Program.
3. The Keene Conservation Commission signed the Minimum Impact Expedited Application.
4. The applicant has received written consent from NHDOT owners of NH Route 9 right-of-way, abutters to the property on which project activities will take place, for work within 20 feet of their property lines, in accordance with Env-Wt 304.04(a).
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-00385 HAYES ESTATE, ROBERT
THORNTON Unnamed Wetland**

Requested Action:

Dredge and fill 5,880 sq. ft. (includes 200 sq. ft. of temporary impact) forested and scrub shrub wetlands for access to a proposed 14-lot residential subdivision. Work in wetlands consists of 5,680 sq. ft. of wetlands impacts for roadway filling, side slope grading and construction of an associated stormwater detention basin. Temporary wetlands impacts consist of removal of an existing culvert and restoration of the associated seasonal stream impacts.

Conservation Commission/Staff Comments:

The Pemigewasset River LAC reviewed the project and had no concerns.

APPROVE PERMIT:

Dredge and fill 5,880 sq. ft. (includes 200 sq. ft. of temporary impact) forested and scrub shrub wetlands for access to a proposed 14-lot residential subdivision. Work in wetlands consists of 5,680 sq. ft. of wetlands impacts for roadway filling, side slope grading and construction of an associated stormwater detention basin. Temporary wetlands impacts consist of removal of an existing culvert and restoration of the associated seasonal stream impacts.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering PLLC plan sheet 6 of 8, dated July 2006, plan sheets 5, 7 and 8 of 8, revision dated March 15, 2007 and plan sheets 3 and 4 of 8, revision dated March 29, 2007, as received by DES on May 22, 2007 and plan sheet 1 of 1, dated July 2006, as received by DES on May 24, 2007. In addition, all work shall be in accordance with narratives by Lobdell Associates Inc., as received by DES on February 23, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
6. Work shall be done during low flow.
7. The proposed seasonal stream restoration work shall be completed as the proposed subdivision road is constructed. A follow-up restoration monitoring report shall be prepared by a Certified Wetland Scientist (CWS) and submitted to DES within 60-days of completion of the restoration activities.
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. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

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

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

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

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

14. 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 minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 sq. ft. of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

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

5. DES received and existing conditions plan stamped by a Certified Wetland Scientist in accordance with Administrative Rule Env-Wt 304.09(a).

6. The applicant provided a "Wetland Impact Site Plan-Concept-1" plan and accompanying narrative demonstrating the minimal wetland area remaining within the proposed detention basin area after the impacts required from the side slope grading.

7. The New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program did not submit comments regarding the proposed project.

2007-00486 HERTEL, VAN & CONTANCE
ALTON Lake Winnepesaukee

Requested Action:

Repair 15 linear ft of an existing 77 ft dog-leg shaped breakwater with a 9 ft x 50 ft crib pier accessed by a 3 ft x 19 ft walkway fram a 12 ft x 30 ft crib pier, and dredge 8 cubic yards of material from 245 sq ft of lakebed adjacent to the docking structure on an average of 125 ft of frontage on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com requested 40 day hold on March 09, 2007, no follow up comments by 05/31/07

APPROVE PERMIT:

Repair 15 linear ft of an existing 77 ft dog-leg shaped breakwater with a 9 ft x 50 ft crib pier accessed by a 3 ft x 19 ft walkway fram a 12 ft x 30 ft crib pier, and dredge 8 cubic yards of material from 245 sq ft of lakebed adjacent to the docking structure on an average of 125 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated March 07, 2007 as received by DES on March 12, 2007.

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 construction.

3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation

action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.

4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. 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.
9. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of rock, gravel, sand, mud or other materials from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. NH NHI and NH Fish and Game will not be submitting comments.

**2007-00509 C & E REALTY TRUST, CHARLES FORAN
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Remove 4 sq ft of dock surface and repair the remaining 4 ft x 33 ft 10 in ft piling pier connected to an 8 ft x 32 ft crib pier by a 4 ft x 12 ft walkway, relocate 3 existing tie off pilings and install 3 new pilings to support a permanent boatlift and a seasonal 14 ft x 30 ft canopy on an average of 190 ft of frontage on Tuftonboro Neck, on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com has no comments

APPROVE PERMIT:

Remove 4 sq ft of dock surface and repair the remaining 4 ft x 33 ft 10 in ft piling pier connected to an 8 ft x 32 ft crib pier by a 4 ft x 12 ft walkway, relocate 3 existing tie off pilings and install 3 new pilings to support a permanent boatlift and a seasonal 14 ft x 30 ft canopy on an average of 190 ft of frontage on Tuftonboro Neck, on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated March 05, 2007, as received by DES on March 16, 2007.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
5. 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), modification of a docking facility the provides no more than 3 boat slips.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has an average of 190 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
6. The applicant is reducing the existing docking structure by 4 sq ft, thus meeting the criteria set forth in Env-Wt 402.20.

2007-00759 EMMA BRENTWOOD REALTY TRUST LLC
BRENTWOOD Unnamed Wetland

Requested Action:

Dredge and fill a total of 9,985 sq. ft. of previously impacted palustrine emergent and shrub-scrub wetlands on this agrarian site for the development of a commercial nursery including construction of a gravel access drive, perennial storage area and nursery stock display area on a 7-acre parcel of land.

Conservation Commission/Staff Comments:

The Brentwood Conservation Commission has reviewed this project and reports that the design and proposed site work "... is expected to be an improvement on the existing conditions while providing for a reasonable and desirable commercial use of this site."

APPROVE PERMIT:

Dredge and fill a total of 9,985 sq. ft. of previously impacted palustrine emergent and shrub-scrub wetlands on this agrarian site for the development of a commercial nursery including construction of a gravel access drive, perennial storage area and nursery stock display area on a 7-acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated March 19, 2007, as received by DES on April 13, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. 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. 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).
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.

MINIMUM IMPACT PROJECT

**2006-01183 ROCHESTER PUBLIC WORKS DEPT., TOWN OF
ROCHESTER Unnamed Stream**

Requested Action:

Retain 760 sq. ft. (120 linear ft. of perennial stream channel & banks) of impact associated with emergency replacement of a failed 48" culvert with a 71" x 47" x 40' pipe arch culvert within the City of Rochester roadway at Ten Rod Road.

APPROVE AFTER THE FACT:

Retain 760 sq. ft. (120 linear ft. of perennial stream channel & banks) of impact associated with emergency replacement of a failed 48" culvert with a 71" x 47" x 40' pipe arch culvert at Ten Rod Road.

With Conditions:

1. All work shall be in accordance with plans by the City of Rochester Public Works Department dated 2/12/2007, as received by DES on 2/21/2007, and per application materials dated 4/5/2007 as received on 4/9/2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), repair or replacement of an existing non-docking structure. The change in dimensions is acceptable as it results in less environmental impact to the stream than the previous structure represented.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The after-the-fact application is in response to Emergency Authorization 2006-1183 issued for culvert failure damage which occurred during the May 2006 flooding events.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The increased culvert size was determined by FEMA in coordination with the City of Rochester. The new culvert provides greater stream flow capacity than the previous undersized culvert.
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. No species of concern were reported by the NH Heritage Bureau for this project.
5. The Rochester Conservation Commission signed the expedited application originally submitted.

**2006-02375 RSA DEVELOPMENT LLC, W PACKY CAMPBELL
MILTON Unnamed Wetland**

Requested Action:

Retain 10 sq. ft. of wetland impact for the installation of a private well to service a dwelling. Restoration of unauthorized wetland impacts is addressed under separate cover.

APPROVE AFTER THE FACT:

Retain 10 sq. ft. of wetland impact for the installation of a private well to service a dwelling. Restoration of unauthorized wetland impacts is addressed under separate cover.

With Conditions:

1. The work shall be in accordance with plans and all descriptive details by Berry Surveying & Engineering and Fraggie Rock Environmental Services dated January 29, 2007, as received by the Department on May 16, 2007.
2. Any further alteration of DES Wetlands Bureau jurisdictional areas on this property will require a new application and further permitting by the DES Wetlands Bureau.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. This after-the-fact approval is contingent upon restoration of unauthorized wetland impacts addressed under separate cover.

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 surface waters/wetlands.
2. This proposal meets the criteria of Chapter Wt 300 for approvable minimum impact projects.
The installed private well is located approximately 18 inches inside the wetland boundary.
3. Restoration of unauthorized wetland impact on this property is a condition of approval and is addressed under separate cover.

**2006-02735 SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FOREST
CONCORD Unnamed Wetland Mill Brook**

Requested Action:

Amendment request to alter conditions 10, and 11 of the original approval.

APPROVE AMENDMENT:

Remove sediment from approximately 4033 square feet of scrub shrub wetland and create/restore 1000 square feet of wetland by removing existing foot path.

With Conditions:

1. Sediment deposition areas located within jurisdiction shall be removed by August 15, 2007, and shall be placed out of DES's jurisdiction.
2. The restoration shall be completed under dry conditions.
3. The restoration shall be done according to the Plans and Narrative by West Environmental dated September 29, 2006, and as conditioned by this Approval. Any changes or alterations to the Plan must be requested in writing and approved by DES in writing prior to implementing any such changes or alterations.
4. All persons involved in restoration activities on the Property shall have read and become familiar with the provisions of the Plan and this Approval prior to beginning restoration work on the Property. A copy of the Plan and this Approval shall be kept posted at the Property during the time restoration work continues on the Property.
5. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. The permittee shall designate a wetland scientist who will be responsible for monitoring and ensuring that the restoration areas are completed in accordance with the approved plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the Wetland Scientist prior to the start of work and if there is a change of status during the project.
7. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
8. Siltation, erosion and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. There shall be no Green Ash (*Fraxinus pennsylvanica*) removed from the site.
10. Removal of sediment from within the downstream wetland area shall be by vacuum truck or by conventional methods with limited removal of shrubby vegetation from within that wetland.
11. Equipment shall only enter DES jurisdictional areas on the Property as indicated on the plans received February 12, 2007.
12. All material removed during restoration activities shall be removed down to the level of the original hydric soils.
13. All material removed during restoration activities shall be placed out of DES's jurisdiction.
14. All steps shall be taken during the restoration necessary to ensure that no water quality violations occur on the Property.
15. The permittee shall attempt to control species that appear on the "New Hampshire Prohibited Invasive Species List", and those found on the New Hampshire Restricted Invasive Species List", by measures agreed upon by the Wetlands Bureau if the species is found in the restoration areas during construction and during the early stages of vegetative establishment.
16. Documentation confirming use of the appropriate seed mix shall be forwarded to DES.

17. Within three days following the last activity in the restoration area or where restoration activities are suspended for more than 3 days, all soils exposed by restoration activities shall be stabilized by seeding and mulching.
18. An initial monitoring report with photographs shall be provided to DES Wetlands file 2006-02735, no later than September 1, 2007. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Photographs should depict all stages of restoration sequencing.
19. A second monitoring report including photographs shall be provided to DES Wetlands Bureau file 2006-02735, at the end of the first full growing season but no later than September 1, 2008.

With Findings:

The Department reaffirms findings 1-5 of the original approval and makes the following additional finding:

6. The cost of the project is significantly decreased by the use of small equipment to remove the bulk of the sediment within the deep areas.

2006-03074 FOSTER, TIMOTHY
CONTOOCOOK Tributary To Hardy Spring Brook

Requested Action:

Replace existing twin (failed) 36 in. x 20 ft. corrugated metal culverts (CMP) with twin 60 in. x 20 ft. and associated headwalls and roadway grading within a perennial stream (Hardy Spring Brook).

APPROVE PERMIT:

Replace existing twin (failed) 36 in. x 20 ft. corrugated metal culverts (CMP) with twin 60 in. x 20 ft. and associated headwalls and roadway grading within a perennial stream (Hardy Spring Brook).

With Conditions:

1. All work shall be in accordance with plans and narratives submitted by Timothy Foster, as received by DES on May 9, 2007.
2. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.
5. Prior to commencing work on the structure located within surface waters, a cofferdam shall be constructed to isolate the structure work area from the surface waters.
6. 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.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Culverts shall be set at or below the natural stream bed elevations and shall not impede or redirect natural stream flows.
10. No dredging or redirection of the natural stream channel or its banks shall be conducted.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. No rip-rap shall be used in the bed of the natural stream or within the culverts. If inlet and outlet protection is needed embedded round stone or river rock shall be used.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. 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.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each

operator shall be trained in its use.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, or replacement of a non-docking structure.
2. The proposed culvert replacement is within the same footprint and will have larger diameter culverts reducing impacts associated with the existing structure.
3. the existing structure is failing due to past flooding events.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 5. 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.
6. DES did not receive any comments regarding the proposed project.

2006-03226 RENNER, BARBARA
PORTSMOUTH Atlantic Ocean

Requested Action:

Impact approximately 30 linear ft. along the shore of South Mill Pond within the previously developed upland tidal buffer zone to remove an existing deteriorated wooden retaining wall and construct a granite retaining wall landward approximately 1 ft. of the existing deteriorated wooden retaining wall. Temporarily impact 2,400 sq. ft. of previously developed upland tidal buffer zone for access to the property from Wentworth Street along the City of Portsmouth sewer easement.

Conservation Commission/Staff Comments:

Con. Com. recommends denial of application.

APPROVE PERMIT:

Impact approximately 30 linear ft. along the shore of South Mill Pond within the previously developed upland tidal buffer zone to remove an existing deteriorated wooden retaining wall and construct a granite retaining wall landward approximately 1 ft. of the existing deteriorated wooden retaining wall. Temporarily impact 2,400 sq. ft. of previously developed upland tidal buffer zone for access to the property from Wentworth Street along the City of Portsmouth sewer easement.

With Conditions:

1. All work shall be in accordance with plans by Holt Landscape Construction, LLC, as received by the Department on May 24, 2007.
2. Equipment utilizing the City of Portsmouth sewer easement for access shall only be used twice; once to move equipment to the property and once to remove equipment from the property. Any additional use of the City of Portsmouth sewer easement shall require written permission from the City of Portsmouth and DES.
3. The temporary impact access area shall be returned to original condition immediately after each use.
4. No equipment shall be located within surface waters or within the City of Portsmouth sewer easement area during construction of the retaining wall. All equipment shall be located landward of the existing and proposed retaining wall during construction.
5. Fill material between existing wooden retaining wall and new granite retaining wall shall be placed outside of DES jurisdiction.
6. Any further alteration of areas within DES jurisdiction on this property will require a new application and further permitting by Department of Environmental Services ("DES") Wetlands Bureau.
7. 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.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, 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(b), projects in previously developed upland areas

within 100 ft. of highest observable tide line.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing wooden retaining wall is deteriorated and needs to be removed.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposal will construct a new granite retaining wall approximately 1 ft. landward of existing wooden retaining wall. Fill material between existing wooden retaining wall and new granite retaining wall will be removed outside of DES jurisdiction and area between existing wall and new wall will match the elevation of existing sewer line easement.
4. In accordance with Env-Wt 304.04(a), DES has received written agreement from the abutter concurring with work within 20 ft. to the abutting property line.
5. Portsmouth Conservation Commission recommends denial of the project based on need for the impact, project causing water quality impacts to the South Mill Pond, and plans submitted with the application do not adequately show details of construction, staging areas and erosion control measures. DES finds that the applicant has demonstrated that the existing wooden retaining wall is deteriorated and needs to be removed, has submitted revised scaled plans showing details of construction and erosion controls, and has outlined that staging areas will occur landward of the retaining walls. In addition, DES has conditioned the permit to address the concerns of the Portsmouth Conservation Commission.
6. The applicant has received written permission from the City of Portsmouth to access the property through the sewer line easement. DES has conditioned the permit to only allow access to be used twice; once to move equipment to the property and once to remove equipment from the property.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-00492 ROCHESTER DPW, CITY OF
ROCHESTER Axe Handle Brook**

Requested Action:

Impact a total of 3,800 sq. ft. to replace a failed 20' wide x 10' high x 45' long culvert from the May 2006 floods including 3,000 sq. ft. (270 linear ft. of stream channel and bank impact) for installation of a 24' wide x 9' high x 90 ft. long arched box culvert; and 800 sq. ft. (70 linear ft.) of rip rap installation to stabilize damaged bank and protect headwalls.

APPROVE PERMIT:

Impact a total of 3,800 sq. ft. to replace a failed 20' wide x 10' high x 45' long culvert from the May 2006 floods including 3,000 sq. ft. (270 linear ft. of stream channel and bank impact) for installation of a 24' wide x 9' high x 90 ft. long arched box culvert; and 800 sq. ft. (70 linear ft.) of rip rap installation to stabilize damaged bank and protect headwalls.

With Conditions:

1. All work shall be in accordance with plans by Wright Pierce dated 4/12/2007, as received by DES on 4/12/2007.
2. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
6. 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.
7. 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.
8. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
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. Temporary cofferdams shall be entirely removed immediately following construction.
- 11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 12. Proper headwalls shall be constructed within seven days of culvert installation.
- 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(o), deemed minimum based on the degree of environmental impact associated with the project. The culvert replacement is going in the same general footprint as the existing smaller culvert, with realignment to better match the natural path of the stream. The increase in culvert dimensions and realignment will result in less environmental impact than the previous under-sized and mis-aligned culvert; the associated rip rap will augment that already in place, will repair bank damage and protect the new culvert headwalls from future flood flow damage.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culvert failed during the May 2006 flood events and Chesley Hill Road has been closed ever since.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The previous 20' wide x 10' high x 45' long culvert will be replaced with a 24' wide x 9' high x 90 ft. long arched box culvert which will improve stream flow, reduce flood risk, and provide a naturalized stream bottom.
- 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. No species of concern were reported for this project by the NH Heritage Bureau.
- 5. The Rochester Conservation Commission did not report.

FORESTRY NOTIFICATION

2007-01037 SIMMONS, POA, DAVID & ELIZABETH EDGELL
MANCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Manchester Tax Map/Lot#: 798/4, 799/1 & 2 & 801/ 4A

2007-01076 MAGNON, ALINE
GOFFSTOWN Unnamed Stream Prime Wetland

COMPLETE NOTIFICATION:
Goffstown Tax Map 8, Lot# 13A

2007-01079 FITZPATRICK, PAULA
HINSDALE Unnamed Stream

COMPLETE NOTIFICATION:
Hinsdale Tax Map 29 Lot# 75,75-3 & 76

2007-01095 BOKERMANN, WILLIAM & ANN
LYME Unnamed Stream

Conservation Commission/Staff Comments:

This landowner sustained damage from strong winds during a March storm event

COMPLETE NOTIFICATION:

Lyme Tax Map 410, Lot# 9.1

2007-01096 OWLS ROOST REALTY TRUST
LYME Unnamed Stream

Conservation Commission/Staff Comments:

This landowner sustain damage from strong winds during a March storm event

COMPLETE NOTIFICATION:

Lyme Tax Map 410, Lot# 9.2

2007-01097 BLISS LANE REALTY TRUST
LYME Unnamed Stream

COMPLETE NOTIFICATION:

Lyme Tax Map 410, Lot# 14 & 33.2

2007-01098 ROBY, DAVID
LYME Unnamed Stream

COMPLETE NOTIFICATION:

Lyme Tax Map 410, Lot# 10.2

2007-01099 REMICK FOUNDATION, EDWIN
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:

Tamworth Tax Map 202, Lot# 31

2007-01127 ROYSTAN, ROBIN
BATH Unnamed Stream

COMPLETE NOTIFICATION:

Bath Tax Map 18, Lot# 21

2007-01128 BLACK KNOB FARM LAND TWO LLC, JIM DANNIS
DALTON Unnamed Stream

2007-01129 CERSOSIMO INDUSTRIES INC
HINSDALE Unnamed Stream

COMPLETE NOTIFICATION:
Hinsdale Tax Map 31, Lot# 17 & 18

2007-01130 TURCOTTE, RICHARD
STARK Unnamed Stream

COMPLETE NOTIFICATION:
Stark Tax Map 412, Lot# 17

2007-01197 TROY, GERALD & KATHERINE
BATH Unnamed Stream

COMPLETE NOTIFICATION:
Bath Tax Map 12, Lot# 19

2007-01198 WEBSTER LAND CORPORATION
CAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
Campton Tax Map 17, Lot# 14

2007-01213 SUMNER, LAURA
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:
Canaan Tax Map 4, Lot# 7

2007-01214 SUMNER, LAURA
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:
Canaan Tax Map 4, Lot# 29

2007-01215 SANDOWN CONSERVATION COMMISSION, TOWN OF
SANDOWN Unnamed Stream

COMPLETE NOTIFICATION:
Sandown Tax Map 15, Lot# 9 Sandown Town Forest

2007-01216 GILMAN HATEM, PAULA
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:
Gilmanton Tax Map 60, Lot# 64-23

**2007-01218 HEAD, BEATRICE
CHATHAM Unnamed Stream**

COMPLETE NOTIFICATION:
South Chatham Tx Map 1, Lot# 17

**2007-01219 VIGNEAULT, ALFRED
MILFORD Unnamed Stream**

COMPLETE NOTIFICATION:
Milford Tax Map 47, Lot# 5

**2007-01222 NEW ENGLAND FORESTRY FOUNDATION
SHARON Unnamed Stream**

COMPLETE NOTIFICATION:
Sharon Tax Map 2, Lot# 1

**2007-01223 SPNHF
LYME Unnamed Stream**

COMPLETE NOTIFICATION:
Lyme Tax Map 401, Lot# 1, 5, 6, 8 & 12

**2007-01224 KING, KATHLEEN
BROOKFIELD Unnamed Stream**

COMPLETE NOTIFICATION:
Brookfield Tax Map 15, Lot# 13

**2007-01225 KAPREILIAN, SAMMUEL
BROOKFIELD Unnamed Stream**

COMPLETE NOTIFICATION:
Brookfield Tax MAP 15, Lot# 13A

**2007-01226 RICE MILLON, JUDITH
PETERBOROUGH Unnamed Stream**

COMPLETE NOTIFICATION:
Peterboro Tax Map R10, Lot# 14 & 103

2007-01229 AYER, CHRISTOPHER
DOVER Unnamed Stream

COMPLETE NOTIFICATION:
Dover Tax Map C, Lot# 3 & 3E

2007-01230 KELLEY, BARRY
MILAN Unnamed Stream

COMPLETE NOTIFICATION:
Milan Tax Map 16, Lot# 104

2007-01231 KENNETT COMPANY
CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
Conway Tax Mao 262, Lot# 71

EXPEDITED MINIMUM

2006-02791 PSNH
HUDSON Unnamed Wetland

Requested Action:

Amendment request to remove 16 transmission line structures within wetlands and 30 structures adjacent to wetlands during non-frozen ground conditions. The structures will be cut by hand at ground level and winched out of the wetlands from an upland staging area. All temporary impacts will be restored in-kind.

APPROVE AMENDMENT:

Dredge and fill approximately 602 sq. ft. of scrub-shrub and emergent wetlands to install 9 new transmission line poles and associated anchors and remove existing poles within the transmission line right of way as part of a transmission line upgrade through Londonderry and Hudson. In addition, remove 16 transmission line structures within wetlands and 30 structures adjacent to wetlands during non-frozen ground conditions. These structures will be cut by hand at ground level and winched out of the wetlands from an upland staging areas. All temporary impacts will be restored in-kind.

With Conditions:

1. All work shall be in accordance with plans and narratives by Public Service of New Hampshire (PSNH), narratives dated September 4, and 25, 2006 and plans dated June 7, 2005, as received by the Department on November 1, and 14, 2006. The requested structures removal shall be conducted in accordance with narratives by PSNH, as received by DES on May 18, 2007 and "Pole Removals" plan dated May 15, 2007, as received by DES on May 21, 2007.
2. The work shall be conducted under low flow and frozen ground conditions with the exception of the removal of 16 structures within wetlands and 30 structures adjacent to wetlands as requested by the applicant on May 18, 2007.
3. The structure removal shall be completed by August 6, 2007.
4. Temporary wetlands and upland disturbances shall be restored/stabilized immediately. If mulching is required, straw that is free

- of exotic and invasive plant species shall be used. 5. The applicant shall contact the local/applicable Conservation Commission prior to the start of the structure removal.
6. The amended structure removal work shall be conducted by hand and equipment staged in adjacent upland areas.
7. The equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to prevent rutting of soils (applicable to original structure installation and removal work, currently no equipment is allowed in wetland or surface water areas, under non-frozen ground conditions).
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Wetland boundaries shall be clearly marked adjacent to construction areas to prevent accidental encroachment on adjacent wetlands.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Pole removal shall consist of cutting the poles off at ground level and shall not involve any excavation.
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application or further permitting by the Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur a minimum of 100 away from surface waters and wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project will be conducted within a maintained transmission line right of way and under frozen ground conditions, with the exception of the removal of 16 structures within wetlands and 30 structures adjacent to wetlands. 6. The New Hampshire Fish & Game Department approved of the proposed amendment work as long as care was taken not to introduce invasive plant species.
7. The amended approval is conditioned on the use of mulch that does not contain exotic and invasive plant species.
8. The Hudson and Londonderry Conservation Commissions signed the original Minimum Impact Expedited Applications for the their corresponding towns, waiving their right to intervene on the project.
9. The amended approval is conditioned on contact of the Town(s) Conservation Commission prior to the start of work.

2006-02883 UNH ORGANIC FARM, C/O TIMOTHY PULS
DURHAM Unnamed Wetland

Requested Action:

Dredge 1,500 sq. ft. of wet meadow wetlands to construct an irrigation pond in a drainage channel.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Dredge 1,500 sq. ft. of wet meadow wetlands to construct an irrigation pond in a drainage channel.

With Findings:

1. Requests for additional information dated 12/14/2006 and 1/26/2007, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the second request, no later than 5/26/2007.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request,

DES shall deny the application.

3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2007-00262 FLINT HILL REAL ESTATE TRUST, ELIZABETH WOODS TTEE
HOLLIS Unnamed Wetland

Requested Action:

Dredge and fill 240 square feet of forested wetland to replace a stone culvert beneath a woods road for the installation of a 24-inch RCP culvert to access a single family residential lot 2.08 acres.

Conservation Commission/Staff Comments:

The Hollis Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 240 square feet of forested wetland to replace a stone culvert beneath a woods road for the installation of a 24-inch RCP culvert to access a single family residential lot 2.08 acres.

With Conditions:

1. All work shall be in accordance with plans by Cuoco & Cormier Engineering Associates, Inc. dated January 22, 2007 and revised April 13, 2007, as received by DES on April 26, 2007.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. 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.
4. Work shall be done during seasonal low flow conditions.
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. Siltation/erosion/turbidity control measures must be removed once the area is stabilized.
6. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

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 forested wetland.
2. The impacts are necessary to access buildable uplands, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. An existing woods road will be utilized, therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Fish & Game Dept. (NHFG) identified two vertebrate species of special concern: Banded Sunfish (*Enneacanthus obesus*) and Blanding's Turtle (*Emydoidea blandingii*).
6. Due to the high quality forested wetland juxtaposed to the impacts, NHFG recommended upgrading the proposed culvert to a 24-inch RCP to accommodate amphibian and macroinvertebrate passage.
7. In response to findings 5 & 6, the agent revised to plan to reflect a 24-inch RCP.
8. DES finds that this revision will not adversely affect the aforementioned NHFG species of special concern.

**2007-00523 LAPHAM CONSTRUCTION INC, RUSSELL LAPHAM
NEWPORT Unnamed Stream**

Requested Action:

Dredge and fill 20 linear feet of intermittent stream (346 square feet) to install a 2-foot x 20-foot PEP culvert for driveway access to a single family building lot.

APPROVE PERMIT:

Dredge and fill 20 linear feet of intermittent stream (346 square feet) to install a 2-foot x 20-foot PEP culvert for driveway access to a single family building lot.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs dated March 14, 2007, as received by the Department on March 26, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
10. 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).
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 minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to a piece of property for a single family building lot.
2. This lot is a result of subdivision of tax map/lot 69/652, which was approved approximately three (3) years ago and was not completed by the applicant.
3. The intermittent stream bisects the property.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
5. The DES Wetlands Bureau received a copy of the application with the Newport Conservation Commission signature on May 10, 2007.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-00681 CRONAN, LISA/TODD
SOUTH TAMWORTH Unnamed Stream Wetlands**

Requested Action:

Retain approximately 875 sq. ft. of wetlands and associated intermittent stream impacts and a 12 in. x 20 ft. corrugated metal culvert. The retained impacts will be used for an access/driveway to a single family building lot. The previous culvert installation

and impacts were installed for forestry activities. In addition to the retained impacts the adjacent roadway side slopes and drainage swales will be stabilized with appropriate materials.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application waiving their right to intervene on the project.

APPROVE PERMIT:

Retain approximately 875 sq. ft. of wetlands and associated intermittent stream impacts and a 12 in. x 20 ft. corrugated metal culvert. The retained impacts will be used for an access/driveway to a single family building lot. The previous culvert installation and impacts were installed for forestry activities. In addition to the retained impacts the adjacent roadway side slopes and drainage swales will be stabilized with appropriate materials.

With Conditions:

1. All work shall be in accordance with plans and narratives by Steve Danielovich, as received by DES on April 11, 2007 and May 14, 2007.
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. Work shall be done during low flow.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. 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.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. 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.
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), alteration of less than 50 linear ft. of intermittent nontidal stream.
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 provided abutter agreements in accordance with Administrative Rule Env-Wt 304.04(a).

2007-00702 HOWARD, ERIC
CHESTER Unnamed Wetland

Requested Action:

Dredge and fill 400 square feet of forested wetland for the construction of a driveway and installation of a 18-inch culvert to provide access to a single family residential lot of 4.05 acres as part of a 3-lot subdivision of 8.60 acres.

Conservation Commission/Staff Comments:

The Chester Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 400 square feet of forested wetland for the construction of a driveway and installation of a 18-inch culvert to provide access to a single family residential lot of 4.05 acres as part of a 3-lot subdivision of 8.60 acres.

With Conditions:

1. All work shall be in accordance with plans by Lavelle Associates dated October 26, 2006, as received by DES on May 23, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. Work shall be done during seasonal low flow conditions.
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. Proper headwalls shall be constructed within seven days of culvert installation.
7. 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.
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

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 forested wetland.
2. The impacts are necessary for access to buildable uplands, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts occur over the narrowest portion of wetland, thereby the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00954 DOWD III, LEO
ENFIELD Tributary To Mascoma River

Requested Action:

Stabilize approximately 100 sq. ft. (20 linear ft.) of perennial stream bank that has eroded from recent flood events. Work will include installation of rip-rap underlain by appropriate erosion control fabric.

Conservation Commission/Staff Comments:

The Conservation Commission signed the submitted application.

APPROVE PERMIT:

Stabilize approximately 100 sq. ft. (20 linear ft.) of perennial stream bank that has eroded from recent flood events. Work will include installation of rip-rap underlain by appropriate erosion control fabric.

With Conditions:

1. All work shall be in accordance with plans by Leo Dowd, as received by DES on May 9, 2007.
2. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
3. Work shall be done during low flow.
4. This approval is contingent on the applicant receiving written permission for the work from the Town of Enfield prior to the commencement of work.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. There shall be no dredging or filling of the natural streambed or its banks.

7. The proposed rip-rap area shall be underlain with appropriate erosion control fabric.
8. Any exposed soil adjacent to the repair area shall be loamed, seeded and mulched with straw. Any seeding or plantings shall be native species and not include invasive plant species.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the Department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The impact is a result of flooding events.
4. The eroded bank poses a threat to safety and has resulted in ongoing erosion.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00986 PICKARD, JOHN
BROOKLINE Unnamed Wetland

Requested Action:

Dredge and fill 1,892 square feet of forested wetland for the construction of a driveway and installation of a 18-inch HDPE culvert for access to a single family residential lot on 10.0 acres.

Conservation Commission/Staff Comments:

The Brookline Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 1,892 square feet of forested wetland for the construction of a driveway and installation of a 18-inch HDPE culvert for access to a single family residential lot on 10.0 acres.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated April 26, 2007, as received by DES on May 11, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. 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.
4. DES staff shall be notified in writing prior to commencement of work and upon its completion.
5. Work shall be done during seasonal low flow conditions.
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. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
8. 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 forested wetland.
2. The impacts are necessary for access to buildable uplands, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will occur at the narrowest portion of wetland and cross perpendicularly, therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00995 HALL, MICHAEL
WASHINGTON Barden Brook

Requested Action:

Temporary impacts along approximately 100 linear feet of Barden Brook for the stabilization of the shoreline. All impacts areas will be repaired, seeded, and mulched as the project is completed. The work area is approximately 100 feet in length and extends up slope approximately 3 linear feet. The site is marked by NRCS engineer at DSR #17, as identified by the Town of Washington and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

APPROVE PERMIT:

Temporary impacts along approximately 100 linear feet of Barden Brook for the stabilization of the shoreline. All impacts areas will be repaired, seeded, and mulched as the project is completed. The work area is approximately 100 feet in length and extends up slope approximately 3 linear feet. The site is marked by NRCS engineer at DSR #17, as identified by the Town of Washington and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

With Conditions:

1. All work shall be in accordance with drawings and narratives by the USDA Natural Resources Conservation Service (NRCS) entitled "Channel and Streambank Stabilization", Town of Washington, DSR Site #17, and Construction Specifications 2, 4, 5, 6, and 8 submitted in support of the permit application as received by the DES Wetlands Bureau on May 14, 2007 and narrative by NRCS titled "NRCS EWP Site DSR #17" as received by the DES Wetlands Bureau on May 16, 2007.
2. Prior to commencing work, the applicant shall submit a final "Pollution Control 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 and the Town Conservation Commission of the start work, notification shall be given at least 5 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.
- shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.

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 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.
- 4. This stabilization site was identified by the Town of Washington 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.
- 5. The shoreline stabilization site was identified by the Town because of the ongoing erosion and potential threat to adjacent and downstream infrastructure and property.
- 6. There were no Natural Heritage Bureau or New Hampshire Fish & Game threatened, endangered or species of special concern or exemplary natural communities identified through a data review of the project area.

GOLD DREDGE

2007-01190 WONDOLOWSKI, DAVID
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2007-01192 GRASSO, TRACY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

COMPLETE NOTIFICATION:

Newbury, NH Tax map 50 Lot 71 Block 183
Todd Lake

2007-01242 MARSHALL, ROBERT/MARTHA
BRISTOL Newfound Lake

COMPLETE NOTIFICATION:

Bristol, NH Tax map 102.030 Lot 39
Newfound Lake

2007-01244 SUNSET RANCH CAMP INC
ORFORD Upper Baker Pond

COMPLETE NOTIFICATION:

Orford, NH Tax map 191 Lot 45
Upper Baker Pond

PERMIT BY NOTIFICATION

2007-01154 SCRIBNER, PATRICIA
ALTON Lake Winnepesaukee

Requested Action:

dock repair

PBN IS COMPLETE:

dock repair

With Findings:

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

2007-01155 BAHRE, ROBERT
ALTON Lake Winnepesaukee

Requested Action:

repair breakwater and cantilevered dock.

PBN IS COMPLETE:

repair breakwater and cantilevered dock.

With Findings:

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

change in size, location or configuration.

2007-01167 HICKEY, MARK/TRISH
GILMANTON Unnamed Wetland

Requested Action:

Dredge and fill 1116 square feet including installation of a 15-inch x 20 foot culvert for access to a proposed single family residence.

PBN IS COMPLETE:

Dredge and fill 1116 square feet including installation of a 15-inch x 20 foot culvert for access to a proposed single family residence.