

Wetlands Bureau Decision Report

Decisions Taken
07/16/2007 to 07/22/2007

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

2005-00155 NASHUA, CITY OF
NASHUA Nashua River

Requested Action:

Request to amend approved plantings on the southwest corner of the Cotton Transfer Bridge project.

Conservation Commission/Staff Comments:

Conservation Commission does not object to the project.

Inspection Date: 03/17/2005 by Dori A Wiggin

APPROVE AMENDMENT:

Request to restore the historic Cotton Transfer Bridge for use as a pedestrian bridge including repair of the concrete piers with 70 square feet of temporary impacts in the Nashua River prime wetland to secure work platforms: and construction of an ADA compliant ramp and stairs along the top of the bank adjacent to prime wetlands with approximately 3,000 square feet of permanent structure construction impact to access the bridge.

With Conditions:

1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc., designed and drawn on December 2004 and plot date January 5, 2005, as received by the Department on March 18, 2005 and revised "Shoreland Planting Plan", plot date June 15, 2007, as received by DES on June 20, 2007.
2. Installation of the pilings for the work on the platforms or barges shall be restricted to 1-2 days duration during their migrations either up or downstream from May through September.
3. No construction work on the river shall be allowed from sunset to sunrise (night-time).
4. Appropriate turbidity controls shall be installed prior to construction if necessary to prevent water quality degradation, these controls shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. The permit holder or their agent shall submit a planting plan (indicating the diameter, location and species name) to replant the trees and shrubs which were slated for removal in the staging area adjacent to the southern retaining wall ramp and stairway within 30 days from issuance of the permit.
6. The proposed plantings and shoreline disturbance areas shall be stabilized and planted by November 1, 2007, unless authorized by DES.
7. Prior to start of the work in the Nashua River, the permit holder and their environmental consultant shall meet with the contractor to review the permit and its conditions, the permitted plans to ensure that all work is being carried out in accordance with the permit. The environmental consultant shall submit a report to DES documenting the results of this meeting.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
9. Appropriate siltation/erosion/turbidity controls shall be in place on shoreline impact areas and shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of removal of staging area that is in or adjacent to the Nashua River, all exposed soil areas shall be stabilized by seeding and mulching as appropriate to ensure proper vegetative growth of any disturbed areas.
11. Prior to the mobilization of the equipment from the site, the environmental consultant shall review the site to ensure proper shoreline stabilization. A report documenting this inspection shall be submitted to DES.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The 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 his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) has been considered in the

design of the project.

5. The approved plans and conditions of the permit will provide for a planting plan around the Prime Wetland area.
6. The project as approved and monitored should prevent any water quality degradation.
7. Based on findings 1-6 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.
8. The permit provides for a limited construction period to prevent unnecessary impact to fisheries using the Nashua River

Any party may apply for reconsideration with respect to any matter determined in this action within 20 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

2005-02286 UHLAR, MARKE
DOVER Cocheco River

Requested Action:

Request to add a 4' x 15' float to existing dock to reach deeper water and change ramp/float orientation to better match the path of the river.

Inspection Date: 12/06/2005 by Dori A Wiggin

Inspection Date: 05/15/2007 by Dori A Wiggin

APPROVE AMENDMENT:

Construct a 20 ft. x 6 ft. permanent pier pier connecting to a 40 ft. x 3 ft. ramp, connecting to a 4' x 15' float connecting to a 20' x 10' float, overall structure length is 82 ft., providing one undersized slip on 200 ft. of frontage on the Cocheco River.

With Conditions:

1. All work shall be in accordance with amended plans by Marke Uhlar dated 2/21/2007, as received by the Department on 3/1/2007.
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 4 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 dock including a 20 ft. x 6 ft. permanent pier pier connecting to a 40 ft. x 3 ft. ramp, connecting to a 4' x 15' float connecting to a 20' x 10' float, overall structure length 82 ft., providing one undersized slip (as defined by RSA 482-A:2, VIII (a)), on 200 feet of frontage on the Cocheco River, Dover Tax Map N, Lot 22-C7, shall be the only dock structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
11. The float shall be constructed such as to rest on float stops at low tide to prevent the float from sitting on the mud at low tide. Design of the float stops shall be coordinated among DES, National Marine Fisheries Service ("NMFS"), and the applicant, or

applicant's marine contractor.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The current proposal to modify the structure permitted and built under permit 2005-2285 will provide improved access to the water and orientation to the river, with minimal additional impact.
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 Administrative Rule Env-Wt 302.03. The permanent pier, with $\frac{3}{4}$ inch spacing between decking to prevent shading of tidal vegetation; has a seasonal ramp and float.
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. The the project area was reviewed by the Pease Development Authority Division of Ports and Harbors ("DPH").The DPH determined, per letter dated 6/13/2007, that the new proposal would have no negative effect on navigation. The proposed dock modification is located greater than 20 ft. off the abutting property lines. The species of concern reported by the NH Natural Heritage Bureau as occurring in the vicinity were reviewed during the review of the original application, and determined to be unaffected by the proposal. The modification is minimal enough to not represent a change to this determination.
5. The Dover Conservation Commission intervened on the original application but did not comment further.
6. This dock is consistent with other tidal dock approvals in the seacoast.
7. DES staff field inspection on 5/15/2007 found that the site is accurately represented in the application.

-Send to Governor and Executive Council-

**2006-00715 JENESS TRUST NO ONE, MURRAY
ROCHESTER Unnamed Wetland**

Requested Action:

Amend permit to reflect alignment design changes for proposed pipeline construction resulting in a net decrease of wetlands impact of 7,275 square feet at total of 5 locations in the towns of Durham, Dover, and Madbury.

APPROVE AMENDMENT:

Dredge and fill an amended total of 92,740 sq. ft. of wetlands as temporary impact associated with the installation of a 12.7 mile pipeline to transport methane gas from Turnkey Landfill in Rochester, through the towns of Rochester, Dover, Madbury, and Durham, to the University of NH, for the purpose of biogas power cogeneration.

With Conditions:

1. AMENDED: All work shall be in accordance with plans by Maguire Group Inc. dated 3/31/2006, entitled "University of New Hampshire Biogas Pipeline, Pipeline Route," sheets C501 through C506, as received by the Department on 4/5/2006, and per revised plans by Maguire Group Inc. dated 12/12/2006, entitled "University of New Hampshire Biogas Pipeline, Pipeline Route," sheets C108 through C121, as received by the Department on 12/14/2006, and as amended in accordance with plans by the Maguire Group Inc. dated 6/27/2007, as received on 7/2/2007, including sheets entitled "University of New Hampshire Biogas Pipeline, Pipeline Route," sheet C105, C106, C108, C110, and C111.
2. 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.
3. Construction and restoration shall be according to the recommendations made by NH Soil Consultants Inc., in conjunction with the Maguire Group and RH White Construction Co. Inc., per plans cited in condition #1 above, and report entitled "Restoration &

Monitoring Plan for Temporary Wetland Impacts: University of NH Proposed Biogas Pipeline" dated March 2006 as received by DES on 4/3/2006, and shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure 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; and in accordance with further specific conditions described herein related to protections for exemplary natural communities as requested by the NH Natural Heritage Bureau per their memo to DES dated 3/5/2007, received by DES on 3/5/2007.

4. 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.
5. Any clearing required in utility line rights-of-way 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.
6. With respect to work associated with the exemplary red maple floodplain forest community along Clark and Blackwater Brooks, few, if any, trees are to be removed from this area; all construction equipment shall be power-washed before being used in the community to minimize the likelihood of spreading invasive species seeds to the project area; and there shall be no non-native species planted in the restoration process.
7. With respect to the pale green orchid population on the east side of the Spaulding Turnpike near Interchange 9, the population shall be relocated and a protective buffer of 25 feet shall be placed around the plants.
8. With respect to the fringed gentian population near the UPS station in Dover, the population shall be relocated and a protective buffer of 25 feet shall be placed around the plants.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. 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.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
14. Excess dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Timber or natural fiber mats, corduroy, or temporary rock fill shall be used to stabilize the right-of-way in wetlands. These materials shall be entirely removed from wetlands during restoration.
16. Blast rock from trench excavation shall be disposed of in the trench or shall be removed from the wetland. Blast rock shall not otherwise be buried or distributed on the surface of wetlands.
17. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. De-watering water shall be discharged away from water bodies, on stable surfaces, in a non erosive manner. Additionally, all turbid trench de-watering discharged within one-hundred (100) feet of any waterbody shall be discharged through a filter bag.
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. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Silt fencing must be removed once the area is stabilized.
23. Area shall be regraded to original contours following completion of work.
24. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
25. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.
26. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.

27. Wetland restoration of temporary impact areas 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. The amended alignment design further minimizes impacts to wetlands on this 12.7 mile biogas pipeline project.

**2006-00716 UNH
DURHAM Unnamed Wetland**

Requested Action:

Amend permit to reflect alignment design changes, for proposed pipeline construction resulting in a net decrease of wetlands impact of 7,275 square feet at total of 5 locations in the towns of Durham, Dover, and Madbury.

APPROVE AMENDMENT:

Dredge and fill an amended total of 92,740 sq. ft. of wetlands as temporary impact associated with the installation of a 12.7 mile pipeline to transport methane gas from Turnkey Landfill in Rochester, through the towns of Rochester, Dover, Madbury, and Durham, to the University of NH, for the purpose of biogas power cogeneration.

With Conditions:

1. AMENDED: All work shall be in accordance with plans by Maguire Group Inc. dated 3/31/2006, entitled "University of New Hampshire Biogas Pipeline, Pipeline Route," sheets C501 through C506, as received by the Department on 4/5/2006, and per revised plans by Maguire Group Inc. dated 12/12/2006, entitled "University of New Hampshire Biogas Pipeline, Pipeline Route," sheets C108 through C121, as received by the Department on 12/14/2006, and as amended in accordance with plans by the Maguire Group Inc. dated 6/27/2007, as received on 7/2/2007, including sheets entitled "University of New Hampshire Biogas Pipeline, Pipeline Route," sheet C105, C106, C108, C110, and C111.
2. 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.
3. Construction and restoration shall be according to the recommendations made by NH Soil Consultants Inc., in conjunction with the Maguire Group and RH White Construction Co. Inc., per plans cited in condition #1 above, and report entitled "Restoration & Monitoring Plan for Temporary Wetland Impacts: University of NH Proposed Biogas Pipeline" dated March 2006 as received by DES on 4/3/2006, and shall inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure 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; and in accordance with further specific conditions described herein related to protections for exemplary natural communities as requested by the NH Natural Heritage Bureau per their memo to DES dated 3/5/2007, received by DES on 3/5/2007.
4. 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.
5. Any clearing required in utility line rights-of-way 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.
6. With respect to work associated with the exemplary red maple floodplain forest community along Clark and Blackwater Brooks, few, if any, trees are to be removed from this area; all construction equipment shall be power-washed before being used in the community to minimize the likelihood of spreading invasive species seeds to the project area; and there shall be no non-native species planted in the restoration process.
7. With respect to the pale green orchid population on the east side of the Spaulding Turnpike near Interchange 9, the population shall be relocated and a protective buffer of 25 feet shall be placed around the plants.
8. With respect to the fringed gentian population near the UPS station in Dover, the population shall be relocated and a protective

buffer of 25 feet shall be placed around the plants.

9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. 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.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
14. Excess dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Timber or natural fiber mats, corduroy, or temporary rock fill shall be used to stabilize the right-of-way in wetlands. These materials shall be entirely removed from wetlands during restoration.
16. Blast rock from trench excavation shall be disposed of in the trench or shall be removed from the wetland. Blast rock shall not otherwise be buried or distributed on the surface of wetlands.
17. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. De-watering water shall be discharged away from water bodies, on stable surfaces, in a non erosive manner. Additionally, all turbid trench de-watering discharged within one-hundred (100) feet of any waterbody shall be discharged through a filter bag.
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. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Silt fencing must be removed once the area is stabilized.
23. Area shall be regraded to original contours following completion of work.
24. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
25. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.
26. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosetrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.
27. Wetland restoration of temporary impact areas 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. The amended alignment design further minimizes impacts to wetlands on this 12.7 mile biogas pipeline project.

2006-00717 NH DEPARTMENT OF TRANSPORTATION
DOVER Unnamed Wetland

Requested Action:

Amend permit to reflect alignment design changes for proposed pipeline construction resulting in a net decrease of wetlands impact of 7,275 square feet at total of 5 locations in the towns of Durham, Dover, and Madbury.

APPROVE AMENDMENT:

Dredge and fill an amended total of 92,740 sq. ft. of wetlands as temporary impact associated with the installation of a 12.7 mile pipeline to transport methane gas from Turnkey Landfill in Rochester, through the towns of Rochester, Dover, Madbury, and Durham, to the University of NH, for the purpose of biogas power cogeneration.

With Conditions:

1. AMENDED: All work shall be in accordance with plans by Maguire Group Inc. dated 3/31/2006, entitled "University of New Hampshire Biogas Pipeline, Pipeline Route," sheets C501 through C506, as received by the Department on 4/5/2006, and per revised plans by Maguire Group Inc. dated 12/12/2006, entitled "University of New Hampshire Biogas Pipeline, Pipeline Route," sheets C108 through C121, as received by the Department on 12/14/2006, and as amended in accordance with plans by the Maguire Group Inc. dated 6/27/2007, as received on 7/2/2007, including sheets entitled "University of New Hampshire Biogas Pipeline, Pipeline Route," sheet C105, C106, C108, C110, and C111.
2. 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.
3. Construction and restoration shall be according to the recommendations made by NH Soil Consultants Inc., in conjunction with the Maguire Group and RH White Construction Co. Inc., per plans cited in condition #1 above, and report entitled "Restoration & Monitoring Plan for Temporary Wetland Impacts: University of NH Proposed Biogas Pipeline" dated March 2006 as received by DES on 4/3/2006, and shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure 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; and in accordance with further specific conditions described herein related to protections for exemplary natural communities as requested by the NH Natural Heritage Bureau per their memo to DES dated 3/5/2007, received by DES on 3/5/2007.
4. 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.
5. Any clearing required in utility line rights-of-way 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.
6. With respect to work associated with the exemplary red maple floodplain forest community along Clark and Blackwater Brooks, few, if any, trees are to be removed from this area; all construction equipment shall be power-washed before being used in the community to minimize the likelihood of spreading invasive species seeds to the project area; and there shall be no non-native species planted in the restoration process.
7. With respect to the pale green orchid population on the east side of the Spaulding Turnpike near Interchange 9, the population shall be relocated and a protective buffer of 25 feet shall be placed around the plants.
8. With respect to the fringed gentian population near the UPS station in Dover, the population shall be relocated and a protective buffer of 25 feet shall be placed around the plants.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. 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.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
14. Excess dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Timber or natural fiber mats, corduroy, or temporary rock fill shall be used to stabilize the right-of-way in wetlands. These materials shall be entirely removed from wetlands during restoration.
16. Blast rock from trench excavation shall be disposed of in the trench or shall be removed from the wetland. Blast rock shall not otherwise be buried or distributed on the surface of wetlands.
17. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. De-watering water shall be discharged away from water bodies, on stable surfaces, in a non erosive manner. Additionally, all turbid trench de-watering discharged within one-hundred (100) feet of any waterbody shall be discharged through a filter bag.

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. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Silt fencing must be removed once the area is stabilized.
23. Area shall be regraded to original contours following completion of work.
24. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
25. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.
26. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosetrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.
27. Wetland restoration of temporary impact areas 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. The amended alignment design further minimizes impacts to wetlands on this 12.7 mile biogas pipeline project.

**2006-00724 UNH
MADBURY Unnamed Wetland**

Requested Action:

Amend permit to reflect alignment design changes for proposed pipeline construction resulting in a net decrease of wetlands impact of 7,275 square feet at total of 5 locations in the towns of Durham, Dover, and Madbury.

APPROVE AMENDMENT:

Dredge and fill an amended total of 92,740 sq. ft. of wetlands as temporary impact associated with the installation of a 12.7 mile pipeline to transport methane gas from Turnkey Landfill in Rochester, through the towns of Rochester, Dover, Madbury, and Durham, to the University of NH, for the purpose of biogas power cogeneration.

With Conditions:

1. AMENDED: All work shall be in accordance with plans by Maguire Group Inc. dated 3/31/2006, entitled "University of New Hampshire Biogas Pipeline, Pipeline Route," sheets C501 through C506, as received by the Department on 4/5/2006, and per revised plans by Maguire Group Inc. dated 12/12/2006, entitled "University of New Hampshire Biogas Pipeline, Pipeline Route," sheets C108 through C121, as received by the Department on 12/14/2006, and as amended in accordance with plans by the Maguire Group Inc. dated 6/27/2007, as received on 7/2/2007, including sheets entitled "University of New Hampshire Biogas Pipeline, Pipeline Route," sheet C105, C106, C108, C110, and C111.
2. 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.
3. Construction and restoration shall be according to the recommendations made by NH Soil Consultants Inc., in conjunction with the Maguire Group and RH White Construction Co. Inc., per plans cited in condition #1 above, and report entitled "Restoration &

Monitoring Plan for Temporary Wetland Impacts: University of NH Proposed Biogas Pipeline" dated March 2006 as received by DES on 4/3/2006, and shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure 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; and in accordance with further specific conditions described herein related to protections for exemplary natural communities as requested by the NH Natural Heritage Bureau per their memo to DES dated 3/5/2007, received by DES on 3/5/2007.

4. 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.
5. Any clearing required in utility line rights-of-way 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.
6. With respect to work associated with the exemplary red maple floodplain forest community along Clark and Blackwater Brooks, few, if any, trees are to be removed from this area; all construction equipment shall be power-washed before being used in the community to minimize the likelihood of spreading invasive species seeds to the project area; and there shall be no non-native species planted in the restoration process.
7. With respect to the pale green orchid population on the east side of the Spaulding Turnpike near Interchange 9, the population shall be relocated and a protective buffer of 25 feet shall be placed around the plants.
8. With respect to the fringed gentian population near the UPS station in Dover, the population shall be relocated and a protective buffer of 25 feet shall be placed around the plants.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. 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.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
14. Excess dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Timber or natural fiber mats, corduroy, or temporary rock fill shall be used to stabilize the right-of-way in wetlands. These materials shall be entirely removed from wetlands during restoration.
16. Blast rock from trench excavation shall be disposed of in the trench or shall be removed from the wetland. Blast rock shall not otherwise be buried or distributed on the surface of wetlands.
17. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. De-watering water shall be discharged away from water bodies, on stable surfaces, in a non erosive manner. Additionally, all turbid trench de-watering discharged within one-hundred (100) feet of any waterbody shall be discharged through a filter bag.
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. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Silt fencing must be removed once the area is stabilized.
23. Area shall be regraded to original contours following completion of work.
24. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
25. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.
26. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.

27. Wetland restoration of temporary impact areas 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. The amended alignment design further minimizes impacts to wetlands on this 12.7 mile biogas pipeline project.

MINOR IMPACT PROJECT

2005-01792 FISKE HYDRO INC, CHRISTOPHER KRUGER
HINSDALE Ashuelot River

Requested Action:

Approve permit amendment to revise the proposed Denil-type fish passage to a fish lift with 12-inch I beams; tailrace fish exclusion, and temporary eel passage. Permanent impacts are reduced to 234 square feet and temporary impacts associated with the work areas have been eliminated.

APPROVE AMENDMENT:

Dredge and fill 234 square feet in the bed of the Ashuelot River to install a fish lift with 12-inch I beams, tailrace fish exclusion, and temporary eel passageway for upstream fish passage.

With Conditions:

1. All work shall be in accordance with plans by Fiske Hydro Inc. as received by the DES Wetlands Bureau on May 09, 2007.
2. The applicant shall coordinate with the Federal Energy Regulatory Commission (FERC), the United States Fish and Wildlife Service (USFWS), and the New Hampshire Fish and Game Department for all necessary approvals of the fish passage way and, effectiveness studies of the fish passage way.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Work shall be done during annual low flow conditions and during the months of June through September.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Dredged material shall be dewatered in settling basins that are located outside of the jurisdiction of the DES Wetlands Bureau and lined with acceptable sediment trapping liners.
9. Discharge from dewatering of work areas shall be to settling basins that are located outside of the jurisdiction of the DES Wetlands Bureau and lined with acceptable sediment trapping liners.
10. Work within the river, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. 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 outside of surface waters or wetlands during construction.

With Findings:

The DES Wetlands Bureau reaffirms original findings #1 - #8:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The Fiske Mill Hydroelectric Project is the first obstruction on the Ashuelot River to upstream migrating anadromous fish. The Fiske Mill Hydroelectric Project is required by the Federal Energy Regulatory Commission (FERC) to install an upstream fish passage way to comply with FERC's May 21, 2003 "Order Modifying and Approving Upstream Fish Passage Plans and Design Drawings."
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. Installation of the fish passage way will allow migration of Atlantic salmon, American shad, river herring, and American eel as well as other river species over the dam.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has stated that materials and equipment will be delivered to the work space using a crane and that no equipment will be driving through the river banks or bed.
6. The river will be diverted away from the work area by raising the dam's flashboards on the north side to divert flow to the south side and/or through the powerhouse by opening the head gates.
7. Clean water that infiltrates into the work area will be pumped back to the river. Turbid water will be pumped through a filter bag or collected in a settling tank. After settling, the clean water will be pumped back to the river and silt will be removed off site for disposal.
8. The Ashuelot River Local Advisory Committee reviewed the proposed project with the applicant and has no comments regarding the project as presented.

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

9. Construction of concrete footings began July 2006, but has been halted several times due to a significant amount of water at the site. The inability to locate ledge at expected depths has prevented placement of the needed anchor pins for footings. The previously approved concrete footing will be replaced with 12-inch steel I beam driven pilings. This revision eliminates the sack walls cofferdam, temporary impacts, and pin drilling.
10. The NH Fish and Game Department confirmed the schedule for proposed work is appropriate; June - September.
11. The National Marine Fisheries Service indicated the proposed project is eligible as proposed.
12. In a letter dated June 20, 200, the Ashuelot River local Advisory Committee confirmed approval the proposed project modifications

2006-00325 SABA, GLEN
LACONIA Lake Winnepesaukee

Requested Action:

Install a 6 ft x 125 ft common seasonal pier and two boatlifts on a shared property line by properties identified as 165 and 151 Pendleton Road, Laconia, NH on frontage totalling 206 ft. on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

7-11-07 Conditional Notice of Withdrawal with Conditional Settlement Agreement received from Atty Regina Nadeau.

4-11-07 Wetlands Council granted Applicant's Motion for Reconsideration - Hearing to be held July 10, 2007, 11 a.m., Rooms 112-114 at DES to consider issues raised by DES in their 12-28-06 Motion for Reconsideration - np

Objection to Appellee's Motion for Reconsideration on behalf of Ralph and Virginia Sanborn filed by Atty. Regina Nadeau on

4/9/07 - np

APPROVE AMENDMENT:

Install a 6 ft x 125 ft common seasonal pier and two boatlifts on a shared property line by properties identified as 165 and 151 Pendleton Road, Laconia, NH on frontage totalling 206 ft. on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans, as received by the Department on May 9, 2006.
2. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by both Permittees for both properties. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. These shall be the only docking structures on the two parcel continuous water frontage and all portions of the pier shall be at least 20 ft from abutting property lines and their extensions over the water.
4. The seasonal pier shall be removed from the lake for five months during the non-boating season.
5. No portion of the pier shall extend more than 125 feet from the shoreline at full lake elevation.
6. No canopies shall be erected over the docking structure.
7. Seasonal boat lifts shall be removed from the lake for five months during the non-boating season.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
9. 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 Wt 303.03(d), construction of a seasonal pier.
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(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with Administrative Rule Wt 402.02(b)(2)&(4), dated water depths as received by the Department on May 23, 2006 justify the 125 ft dock length for adequate boatslip depths on the combined frontage.
6. NHDES determined that a common dock on a shared property line concentrates considerable potential surface area constructed over water, and has deemed that the proposal provides the least impacting alternative under Wetlands Bureau jurisdiction as per Administrative Rule Wt 302.03.

**2006-00879 MOSEDALE, IRENE
CARROLL Unnamed Wetland**

Requested Action:

Approve second permit amendment to update Tax Map and Lot Numbers, clarify Registry of Deed record information, re-number conditions and correct/add missing lot number (6) in previous approval.

APPROVE AMENDMENT:

Dredge and fill 900 square feet of wetlands along 30 linear feet of intermittent stream to install a 36-inch x 30-foot embedded corrugated culvert for driveway access to one (1) lot of a 7-lot subdivision on 86.26 acres; and restore 14,250 square feet of forested wetlands and 100 linear feet of intermittent stream.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering PLLC. dated October 2005, and revised through July 13, 2006, as received by the Department on August 21, 2006, and Subdivision Plans by Kellogg Surveying and Mapping, Inc. dated August 2005, as received by the Department on August 21, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on the receipt of evidence of the transfer of ownership of the remaining 47.86 acres from the applicant to the White Mountain National Forest.

4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for lots 1, 2, 3, 4, 5, 6, & 7 shall contain condition #4 of this approval.
6. This permit replaces in its entirety the Wetlands and Non-Site Specific Permit 2006-879 with an approval date of September 21, 2006, recorded in Coos County Registry of Deeds in Book 1189, Page 764.
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. No work within jurisdiction shall occur within 20-feet of abutting property lines.
9. Work shall be done during dry conditions.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
16. 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).
17. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

RESTORATION:

19. This permit is contingent upon the restoration of 14,250 square feet of wetlands and 100 linear feet of intermittent stream channel in accordance with plans by Lobdell Associates, Inc. as received by the Department on April 18, 2006, and August 21, 2006, and plans by Kellogg Surveying and Mapping, Inc. dated August 2005, as received by the Department on August 21, 2006.
20. The schedule for construction of the restoration area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
21. Wetland and stream restoration areas shall be properly constructed, landscaped, monitored, and remedial actions taken that may be necessary to create a functioning wetland area and a healthy riverine system similar to those of the wetlands and surface waters destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, changing the hydrologic regime, and changing stream sinuosity.
22. Materials used to emulate a natural channel bottom must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
23. Wetland soils from areas vegetated with purple loosestrife (*Lythrum salicaria*) shall not be used in the wetland restoration site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
24. Only native wetland species appropriate to the area shall be planted and utilized to renegotiate the stream bank.
25. There shall be no substitutions made for the plant species specified on the approved plan for replanting purposes without prior written approval from DES.
26. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications and shall contain no reed canary grass (*Phalaris arundinacea*). The receipt and contents of the wetland mix shall be supplied to DES within 10 days of application.
27. Mulch used within the wetland restoration areas shall be natural straw or equivalent.
28. The permittee shall monitor the initial construction of the restoration area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water, and vegetation is present upon completion of work. Site monitoring shall include a plan for removing invasive species and shall be reviewed by the Wetlands Bureau prior to implementation.
29. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing

seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

30. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) 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.

31. The permittee shall designate a New Hampshire Certified Wetland Scientist ("CWS") who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration 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 designated professional prior to the start of work and if there is a change of status during the project.

32. A post-construction report documenting the status of the completed project with photographs shall be submitted by the CWS to the Wetlands Bureau within 60 days of the completion of construction.

33. The designated CWS shall conduct a follow-up inspection after the first growing season, to review the success of the restoration areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of restoration site.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 square feet of wetlands and Env-Wt 303.03(k), alteration or disturbance of less than 200 linear feet of an intermittent stream channel or its banks.
2. This permit is contingent on the receipt of evidence of the transfer of ownership of the remaining 47.86 acres from the applicant to the White Mountain National Forest.
3. The permit amendment removed the condition that any development of the remaining 47.86 acres will require full wetland delineation by a Certified Wetland Scientist and survey by a Licensed Land Surveyor, because this requirement was preventing the closing of the transaction of the 47.86 acre parcel from the applicant to the White Mountain National Forest.
4. Development of the 47.86 acre parcel is limited due steep topography.
5. This permit is contingent upon the restoration of 14,250 square feet of wetlands and 100 linear feet of intermittent stream.
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(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-03241 PKG REAL ESTATE LTD, GERRISH HONDA
LEBANON Unnamed Wetland**

Requested Action:

Dredge and fill 5,772 square feet of palustrine emergent wetlands to construct additional parking. A vortech device is proposed for stormwater treatment.

APPROVE PERMIT:

Dredge and fill 5,772 square feet of palustrine emergent wetlands to construct additional parking. A vortech device is proposed for stormwater treatment.

With Conditions:

1. All work shall be in accordance with plans by Advanced Geomatics & Design dated October 03, 2006, as received by the Department on January 12, 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 properly rip rapped
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 square feet of wetlands.
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
3. In a letter dated February 26, 2007, the Lebanon Conservation Commission confirmed recommendation of approval for the proposed project.
4. The proposed vortech device claims to remove 80% of TSS (total suspended solids) on an average basis for the 50 micron particle size.
5. The applicant has received written consent from the owners of lots 12 and 13 (Tax Map 103), 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).
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(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00138 LEE, HENRY
DUBLIN Dublin Pond

Requested Action:

Repair 45 linear ft of retaining wall on property having 45 ft of frontage on Dublin Pond, Dublin.

Conservation Commission/Staff Comments:

No comments from Con Com by 03/22/07

APPROVE PERMIT:

Repair 45 linear ft of retaining wall on property having 45 ft of frontage on Dublin Pond, Dublin.

With Conditions:

1. All work shall be in accordance with plans as received by DES on June 13, 2007.
2. 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.
3. Repair shall maintain existing size, location and configuration.
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 drawdown.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair or replacement of existing retaining walls that require work in the water, but that result in no change in height, length, location, or configuration.

**2007-00321 HI-SPOT CONDOMINIUMS, TOM MCKAY
LACONIA Lake Winnepesaukee**

Requested Action:

The Applicant requests reconsideration of the Department's June 18, 2007 decision to retain an existing "U" shaped docking facility, repair an existing retaining wall and install two personal watercraft ("PWC") lifts on 181 ft of frontage on Lake Winnepesaukee.

DENY RECONSIDERATION:

Reconsideration and reaffirm the decision to deny the request to repair 111 linear ft of retaining wall, a 6 ft x 42 ft piling pier attached to a 6 ft x 30 ft 5 in piling pier by a 4 ft x 11 ft 11 in walkway in an "h" configuration, and install two seasonal PWC lifts on 181 ft of frontage in Laconia on Lake Winnepesaukee.

With Findings:

Grounds for Reconsideration

1. The Agent for the Applicant (the "Agent") maintains that the Department's determination that the existing docking facility is not in compliance with the permits previously issued for the facility is incorrect.
2. The Agent has submitted revised plans indicating that a portion of the docking structure will be removed in order "to make the current 'H' into the previously approved 'h'."
3. The Agent questions the relevance of the 20 ft setback requirement for docking structures from property lines and notes that the setback has been addressed with a signed notarized letter from the affected abutter which was submitted to the file.
4. The Agent cites permit L-884 as approved on June 2, 1987 and plans submitted to the Department of Safety, Marine Patrol ("MP") with mooring applications filed in 1988 and 1993 as evidence that the docking facility meets the permitted size, location and configuration.
5. The Agent maintains that the Department's statement that "The Agent for the Applicant maintains that the dock should be considered pre-existing as it has existed in its current configuration since approximately 1993." is incorrect and that the Agent maintains the docking facility exists as permitted has since 1988. The Agent states that the "reference to the 1993 mooring permit is simply to show the dockage today is very similar to that sketched on the mooring permit application in 1993."
6. The Agent questions the relevance of RSA 482-A:3, XIII(b) since the original permit to construct docking facilities on the frontage was issued prior to the addition of the requirement to RSA 482-A.
7. The Agent claims that the Department never requested any additional fees for the docking facility and, therefore, the Applicant should not have been expected to submit any fees for the docking facility.
8. The Agent maintains that the Department failed to take email communications between the Wetlands Bureau Administrator and the Agent into consideration during its review of the project.

Standards for Approval

9. Pursuant to Rule Env-Wt 302.05, After-the-Fact Application, applications received after work is completed shall be subjected to the same review as any other application. Consideration of an after-the-fact application shall not preclude or limit the department's exercise of any enforcement powers it possesses.
10. In accordance with RSA 482-A:3, I, the permit application fee for standard applications shall be \$100, plus \$1.00 per square foot for permanent dock surface area, \$.50 per square foot of seasonal docking structures, and \$.10 per square foot of dredge or fill within wetlands jurisdiction.
11. Pursuant to RSA 482-A:3(I) "No person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent to any waters of the state without a permit from the department...."
12. Pursuant to Rule Env-Wt 501.02(a)(2) a drawing or drawings must show all existing and proposed structures and all other relevant features necessary to clearly define the project.

Findings of Fact

13. The Agent correctly notes that the original decision improperly locates the subject property in the town of Gilford.

14. On February 26, 2007, the Department received an application to repair an existing "H-shaped" docking facility repair a retaining wall, replenish a beach, and install two seasonal PWC lifts property identified as Laconia Tax Map 254, Lot 6 (the "Property").
15. On October 15, 1985, the Wetlands Board issued Permit # L-00884 to "Repair 165' of retaining wall 6' x 30' ft dock". The Application submitted stated "Permanent dock replaces seasonal dock".
16. On June 2, 1987 the Wetlands Board amended and re-issued Permit L-00884 to "Remove a seasonal dock. Replace it with a 6' x 40' with an "L" for walkway". This project was to be completed "In accordance with plans on file with the Wetlands Board." The plans submitted to the Wetlands Board on March 9, 1987 show that the proposed docking facility consisted of a 4 ft x 20 ft pier extending from a 6 ft x 30 ft wharf accessed by a 4 ft x 10 ft walkway.
17. On April 14, 1988 the Wetlands Board issued a corrected permitted authorizing "Removal of a seasonal dock. Replace it with a complex 6 ft. x 40 ft. structure as per plan received March 9, 1987."
18. At no time were any plans showing either an "h" or "H" shaped docking facility submitted to application file L-00884.
19. On March 8, 2007, the department issued a Request for More Information in which it informed the Agent and the applicant, under separate copy, that the limits of the perched beach needed to be shown on the plans, that the docking facility must be brought into compliance with the previous permits issued for the property, and that evidence must be submitted to the file indicating that the retaining wall is in the originally permitted location and configuration. This letter further informed the Agent and Applicant of the need to "submit the appropriate impact fee for all after the fact impacts and proposed impacts."
20. On May 11, 2007 the Department received a response to the March 8, 2007 Request for More Information Letter. The response includes copies of 2 mooring applications which the Agent claimed were submitted to the MP in 1975 and 1988. The Agent claimed in the response that the 1975 mooring application was proof that the docking facility existed in an "h" configuration prior to the issuance of Permit L-00884 and that the Applicant's had simply chosen not to replace the structure with that authorized by Permit L-00884. The Agent states "If the dock depicted on the [plan] dated March 9th 1987 was supposed to be built, it clearly was not. In fact more than 5 years have passed, the structure depicted would be considered abandon (sic) and its lack of existence, would have no bearing on this property or the project. The Grandfathered configuration would fall back to the older configuration depicted on the mooring permit which has been in continuous use since that time."
21. During the review of the "1975 Mooring Application" DES staff noted that handwritten dates on the first page and accompanying the signature appeared to be partially obscured. It was also noted that the revision date of the application form was "09/92". DES obtained a copy of the original application from MP. The document was clearly dated "3-11-93". The document does not provide any evidence that the existing structure is "grandfathered", nor does it provide any evidence that it was even in existence prior to the application submitted in 1985.
22. The application materials submitted for a permit to modify the docking facility in 1985 indicated that the previously existing docking facility was a 6 ft x 30 ft seasonal pier, not an "h" or "H" shaped docking facility.
23. The Department agrees with the Agent's assertion that the docking facility has existed in approximately the same configuration since 1988.
24. The waiver of the 20 ft setback signed and notarized by the affected abutter specifically states that the abutter understands that he is authorizing "the proposed repair 'in-kind'" of structures.

Rulings in Support of the Decision

25. The Wetlands Bureau Administrator reviewed and approved the Department's decision to deny the proposed project prior to the issuance of the official decision on June 19, 2007. Email communications between the Agent and the Bureau Administrator were considered during this review.
26. The existing docking is not constructed as shown on the plans submitted on March 9, 1987 and approved on June 2, 1987, and more specifically noted in the "Corrected Permit" mailed on April 14, 1988, nor could it be considered grandfathered as the application submitted in 1985 indicates that the pre-existing structure was a single 6 ft x 30 ft seasonal pier.
27. The existence of docking facility in approximately the same configuration since 1988 is not relevant as the configuration is not compliant with that authorized by Permit L-00884, nor is it that which was grandfathered.
28. The current docking facility is not legally-existing. Rule Env-Wt 302.05 requires that any request to retain this unauthorized structure shall be reviewed in accordance with all current standards and requirements including RSA 482-A:3, XIII(b).
29. On March 8, 2007 that Agent was informed that the docking structure was not legally existing and that filing fees for after the fact impacts were required. The Agent chose to dispute the legal status of the dock rather than acknowledge it as an after the fact impact and did not submit fees for the associated impacts. The Department has yet to receive \$655.88 necessary to cover the after the fact dock impacts as originally request on March 8, 2007.
30. RSA 482-A:3, XIII(b)requires that the docking facility be located 20 ft from the extension of the property line over the water

unless a signed notarized waiver of the setback is obtained from the affected abutter. Based on the language of the waiver submitted it is unclear that the abutter fully understood the rights he would be waiving. The specific language signed by the abutter authorizes "repair in-kind" and does not accurately reflect the authorization which is necessary; that being permission to retain a non-compliant dock within the setback rather than relocate it to meet current setback requirements.

31. The Department reaffirms its June 18, 2007 decision to deny the project on the grounds that the current docking facility is not a legally existing structure, it fails to meet all current requirements for approval, and the Applicant has failed to submit the required filing fees.

**2007-00399 LANCASTER, TOWN OF
LANCASTER Unnamed Wetland**

Requested Action:

Dredge and fill approximately 4,286 sq. ft. of wetlands (temporary impacts) for installation and replacement of a water main system. The work is being conducted as part of the Town of Lancaster's Water System Improvement project.

APPROVE PERMIT:

Dredge and fill approximately 4,286 sq. ft. of wetlands (temporary impacts) for installation and replacement of a water main system. The work is being conducted as part of the Town of Lancaster's Water System Improvement project.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering PLLC, plan sheet 2, 3 and 8, dated February 2007, plan sheet 4, revision dated April 27, 2007, plan sheet 5 and 6, revision dated June 2007, plan sheet 7, revision dated June 13, 2007 and narratives dated June 18, 2007, as received by DES on June 20, 2007.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Area shall be regraded to original contours following completion of work.
4. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one growing season, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands 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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f);
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 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.

2007-00454 GUILBEAULT, NORMAN
MEREDITH Unnamed Wetland

Requested Action:

Retain 3390 square feet of impact for a driveway for access to a proposed single family residence and approve 1905 square feet of temporary impact for the installation of underground utilities.

APPROVE AFTER THE FACT:

Retain 3390 square feet of impact for a driveway for access to a proposed single family residence and approve 1905 square feet of temporary impact for the installation of underground utilities.

With Conditions:

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

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
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.
6. Applications received after the work is completed shall be subject to the same review as given any other application, per Rule Env-Wt 302.05.
7. The Conservation Commission provided comments stating their desire to relocate the existing underground utilities to within the existing driveway. The photographs provided by the applicant's agent indicate that the wetlands disturbed for the installation have stabilized and begun to reestablish. Relocation of the utilities would only destabilize them further.

2007-00502 SELLERS, DONALD & JOLICE
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Remove a 6 ft 7 in x 19 ft 4 in deck area and construct a 6 ft x 8 ft walkway to access an existing 6 ft x 26 ft 6 in piling dock connected to a 6 ft x 31 ft piling dock by a 4 ft x 12 ft walkway and excavate 270 sq ft of shoreline and dredge 1 cu yd from 18 sq ft of lakebed to construct an 18 ft x 15 ft perched beach on an average of 542 ft of frontage on Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

Con Com has not submitted comments by 06/01/07

APPROVE PERMIT:

Remove a 6 ft 7 in x 19 ft 4 in deck area and construct a 6 ft x 8 ft walkway to access an existing 6 ft x 26 ft 6 in piling dock connected to a 6 ft x 31 ft piling dock by a 4 ft x 12 ft walkway and excavate 270 sq ft of shoreline and dredge 1 cu yd from 18 sq ft of lakebed to construct an 18 ft x 15 ft perched beach on an average of 542 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans as received by DES on June 20, 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. The 6 ft 7 in x 19 ft 4 in deck area shall be completely removed from the frontage prior the construction of the proposed beach.
4. 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.
5. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
6. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
7. The steps installed for access to the water shall be located completely landward of the normal high water line.
8. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
12. 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.
13. 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 material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 541 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 8 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The existing docking facilities provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2007-00662 CHRISTIAN CAMPS & CONFERENCE, ROBERT STRODEL
ALTON Unnamed Stream

Requested Action:

Dredge and fill a total of 715 square feet to replace an existing box culvert with a bridge over Hurd Brook further described as follows: Temporarily impact 650 square feet within the bed and banks of Hurd Brook for installation of a 6-foot high x 14-foot wide open bottom structure and fill 65 square feet of man made ditch for road grading.

APPROVE PERMIT:

Dredge and fill a total of 715 square feet to replace an existing box culvert with a bridge over Hurd Brook further described as follows: Temporarily impact 650 square feet within the bed and banks of Hurd Brook for installation of a 6-foot high x 14-foot wide open bottom structure and fill 65 square feet of man made ditch for road grading.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering Inc dated February 17, 2007, as received by the Department on July 3, 2007 and the construction narrative by Blue Moon Environmental in the letter dated June 28, 2007 as received by the Department on July 3, 2007.
2. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.

3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during low flow.
5. Work authorized shall not occur in fish spawning or nursery areas during the reproductive season, or within waterfowl nursery areas during the critical nesting period.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. No equipment shall enter the water.
9. All work shall be done from the top of the bank.
10. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation and areas cleared of vegetation to be revegetated within three days of the completion of this project.
11. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
12. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
13. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
14. The stream bed within the bridge structure shall replicate the natural materials found within the up and downstream reaches of the stream. New materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. 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.
17. A post-construction report documenting the status of the restored streambed shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposal will have an overall long term benefit to the water quality and fisheries habitat.
6. The project increases the hydrologic opening over that of the existing structure.
7. The conservation commission did not sign the application and wished the application to be reviewed as a minor impact project.

2007-00798 RUSSETT REALTY TRUST
GILFORD Lake Winnepesaukee

Requested Action:

Repair/replace one tie off pile and add a second tie off pile adjacent to an existing wharf on an average of 57 ft of frontage in Gilford on Lake Winnepesaukee.

DENY PERMIT:

Repair/replace one tie off pile and add a second tie off pile adjacent to an existing wharf on an average of 57 ft of frontage in Gilford on Lake Winnepesaukee.

With Findings:

Standards for Approval:

1. In accordance with RSA 482-A:3, "No person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent to any waters of the state without a permit from the department."
2. In accordance Rule Env-Wt 303.03(m) projects proposing to install new tie-off piles shall be deemed minor and do not qualify for Minimum Expedited Review.
3. Pursuant to rule Env-Wt 302.04(a)(2) The alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
4. Pursuant to Rule Env-Wt 402.20 the Department shall not approve any change in size, location, or configuration unless it results in a reduction in the construction surface area, number of slips, or environmental impacts.
5. In accordance with RSA 482-A:11, II, no permit to dredge or fill shall be granted if it shall infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners.

Findings of Fact:

6. On April 23, 2007 the Department received a Minimum Impact Expedited application to modify an existing nonconforming docking system by installing a permanent tie-off pile to be located across the imaginary extension of the property line on frontage in Gilford on Lake Winnepesaukee.
7. The existing docking facility fails to conform to the 20 setback to property lines. One existing piling is located beyond the extension of the property line over the water.
8. Gilford tax records do not accurately indicate the boundaries and frontage of the subject property.

Ruling in support of the Decision:

9. Addition of a tie off pile to the existing nonconforming docking system does not meet Rule Env-Wt 402.20, therefore, this application is denied.
10. The Depart shall not permit the construction or installation of new docking structures that encroach upon the frontage of abutters.
11. The piling would obstruct access to a portion of the abutting frontage and may adversely impact the rights of the abutting property ownersand, therefore, no permit shall be granted per RSA 482-A:11,II.

**2007-00871 UNITY, TOWN OF
UNITY Little Sugar River**

Requested Action:

Dredge and fill 4,582 square feet and temporarily impact 3,212 square feet of Little Sugar River bed and bank to replace the failed Stage Road approximate 29.4-foot x 60-foot corrugated steel plate arch structure (Twin Bridges) with an approximate 90-foot x 35-foot bridge and associated riprap.

APPROVE PERMIT:

Dredge and fill 4,582 square feet and temporarily impact 3,212 square feet of Little Sugar River bed and bank to replace the failed Stage Road approximate 29.4-foot x 60-foot corrugated steel plate arch structure (Twin Bridges) with an approximate 90-foot x 35-foot bridge and associated riprap.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc. dated May, 2007, as received by the Department on April 26, 2007.
2. The Town shall obtain construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2007-00871 prior to construction.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final cofferdam/erosion control plans. Those plans shall detail the timing and method of cofferdam installation during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.

4. Work shall be done during annual low flow conditions.
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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. 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.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed.
14. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with like native species within three days of the completion of this project.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
18. 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.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of a perennial stream or river channel and its banks.
2. The existing bridge failed during the 2005 floods.
3. The failed corrugated steel arch structure's dimensions were estimated from the existing abutment locations.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Unity Conservation Commission.
5. National Marine Fisheries Services (NMFS) indicated the project location in not essential fish habitat (EFH) for Atlantic salmon and that the proposed project should not adversely affect EFH in the Sugar River, which is designated.
6. The proposed bridge alternative is the only option that provides sufficient freeboard in a 100-year flood.
7. The proposed bridge replacement is result of cooperation between the Town of Unity, NH Department of Transportation (NHDOT) and the Federal Emergency management Agency (FEMA).
8. Per Env-Wt 404.04, vegetative stabilization is not practical due to streams flows and high erosion potential.
9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. 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.
11. 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.

2007-00922 **KRUMMEL, JWILLIAM,CAROLINE, CARDIN**
NEWBURY Lake Todd

Requested Action:

Repair 3 existing retaining walls consisting of a 42 ft section, a 86 ft section and a 135 ft section on two adjacent lots having approximately 525 contiguous ft of frontage on Lake Todd, in Newbury.

Conservation Commission/Staff Comments:

No Con Com comments by 07/17/07

APPROVE PERMIT:

Repair 3 existing retaining walls consisting of a 42 ft section, a 86 ft section and a 135 ft section on two adjacent lots having approximately 525 contiguous ft of frontage on Lake Todd, in Newbury.

With Conditions:

1. All work shall be in accordance with plans by Riverside Ecological Designs dated February 26, 2007, as received by DES on May 02, 2007.
2. 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.
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. Repair shall maintain existing size, location and configuration.
5. Work shall be done during drawdown.
6. This permit does not allow for any equipment to operate on the lakebed.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair of existing retaining walls that results in no change in height, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The proposed project is the repair of an existing retaining wall and is not a new impact to the waterbody or existing Loon habitat.

2007-00956 HUGGINS HOSPITAL
WOLFEBORO Unnamed Wetland

Requested Action:

Dredge and fill 7957 square feet of isolated palustrine forested wetland for expansion of existing hospital facility.

APPROVE PERMIT:

Dredge and fill 7957 square feet of isolated palustrine forested wetland for expansion of existing hospital facility.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Inc plan sheet W1 dated May 3, 2007, and plan sheets C1-C5 inclusive, as received by the Department on May 7, 2007 .
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
6. Work shall be conducted during low water conditions.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
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. Silt fencing must be removed once the area is stabilized.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
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 applicant has provided a function and value assessment of these isolated wetlands, indicating low functions and values.
6. There is net public gain to the proposed expansion of the hospital facility.
7. The applicant has applied for a Alteration of Terrain permit under RSA 485-A:17. Stormwater treatment and detention will be reviewed under the requirements of this law and rules.
8. The Wolfeboro Conservation Commission provided comments in their letter dated May 16, 2007, the stormwater comments will be addressed under the Alteration of Terrain permit.
9. The proposed project does not require compensatory mitigation per the requirements of Env-Wt 302.03(b).

2007-00993 PAROMA CONDOMINIUM ASSOCIATION
BELMONT Lake Winnisquam

Requested Action:

Construct 100 ft linear timber retaining wall landward of an existing beach area on property having an average of 452 ft of frontage on Lake Winnisquam.

Conservation Commission/Staff Comments:

No Con Com comments by 07/18/07

APPROVE PERMIT:

Construct 100 ft linear timber retaining wall landward of an existing beach area on property having an average of 452 ft of frontage on Lake Winnisquam.

With Conditions:

1. All work shall be in accordance with plans by Harold E Johnson Inc. dated February 21, 2007, as received by DES on May 10, 2007.
2. 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.

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. Area shall be regraded to original contours following completion of work.
5. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
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. This permit does not allow for the placement of fill behind the constructed wall to change the existing topography.
8. 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(a), projects adjacent to any waters of the state that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05.

MINIMUM IMPACT PROJECT

2006-00990 HOPESTILL FAMILY TRUST, JULIANNE FARRELL TTEE
DURHAM Unnamed Wetland

Requested Action:

Dredge and fill 2,701 sq. ft. of wetlands for construction of a driveway crossing to a single family house lot on 30.44 acres, including 2,672 sq. ft. and installation of a 24" x 25' culvert and a 36" x 25' culvert, and 29 sq. ft. of impact for driveway edge fill.

APPROVE PERMIT:

Dredge and fill 2,701 sq. ft. of wetlands for construction of a driveway crossing to a single family house lot on 30.44 acres, including 2,672 sq. ft. and installation of a 24" x 25' culvert and a 36" x 25' culvert, and 29 sq. ft. of impact for driveway edge fill.

With Conditions:

1. All work shall be in accordance with plans by American Engineering Consultants Corp. dated April 2005, as received by DES on 9/20/2006, and per driveway easement agreements between the applicant and the Sandy Brook Corporation dated 3/25/2004, as received by DES on 4/28/2006, and between the applicant and the Strafford County Conservation District and Strafford Rivers Conservancy dated 5/22/2007, as received by DES on 5/31/2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. There shall be no further alteration of wetlands for lot development, driveways, or additional culverts.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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.
11. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert and associated fill for access to a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant must cross wetlands to access the buildable upland of the lot.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per 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. The applicant has increased culvert size and design for turtle passage to the satisfaction of NH Fish and Game.
5. The Durham Conservation Commission recommends approval.

2006-02105 HILLSBOROUGH, TOWN OF
HILLSBOROUGH Tributary To Beards Brook

Requested Action:

Retain 437 square feet of perennial stream impact to replace a failed 36-inch culvert with a 48-inch x 30-foot HDPE culvert and widen road approximately 6 feet.

APPROVE AFTER THE FACT:

Retain 437 square feet of perennial stream impact to replace a failed 36-inch culvert with a 48-inch x 30-foot HDPE culvert and widen road approximately 6 feet.

With Conditions:

1. This approval is contingent on compliance with the File No. 2006-02105, November 17, 2006, Restoration Plan Approval.
2. Additional requests to dredge and/or fill in this area for road upgrades or for repairs resulting from ongoing erosion or washouts shall not be considered or approved until a complete analysis and assessment has been conducted by the applicant to determine a more effective long-term solution, which alleviates the problem, such as the installation of a spanning structure, i.e. a bridge and open-bottomed culvert.
3. If impacts to jurisdictional areas occurred outside of the Bible Hill Road right-of-way; the Town shall obtain construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2006-02105.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, and replacement of an existing culvert.
2. The culvert and road failed and washed-out during the May 2006 floods.
3. The Town of Hillsborough Highway Crew replaced the failed culvert and re-established the roadway.
4. The culvert width was increased to assist in alleviating flooding and the road was widened to provide safety for vehicular traffic.
5. The road serves as a secondary connection for residence from the northern section of the community to the downtown area.
6. This approval is contingent on compliance with the File No. 2006-02105, November 17, 2006, Restoration Plan Approval.
7. This approval is conditioned that additional requests to dredge and/or fill in this area for road upgrades or for repairs resulting from ongoing erosion or washouts shall not be considered or approved until a complete analysis and assessment has been conducted by the applicant to determine a more effective long-term solution, which alleviates the problem, such as the installation of a spanning structure, i.e. a bridge and open-bottomed culvert.
8. This approval is conditioned that if impacts to jurisdictional areas occurred outside of the Bible Hill Road right-of-way; the Town shall obtain construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2006-02105.
9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. 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.

11. 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.

**2006-03057 MANGO, CECILY
HAMPSTEAD Big Island Pond**

Requested Action:

Repair 180 ft of previously permitted retaining wall and retain and repair an additional 40 ft of retaining wall for a total of 220 linear ft of retaining wall on property having 234 ft of frontage on Island Pond, in Hampstead.

Conservation Commission/Staff Comments:

No Con Com comments by 02/16/07

NH Fish and Game and NH NHI will not be submitting comments.

APPROVE PERMIT:

Repair 180 ft of previously permitted retaining wall and retain and repair an additional 40 ft of retaining wall for a total of 220 linear ft of retaining wall on property having 234 ft of frontage on Island Pond, in Hampstead.

With Conditions:

1. All work shall be in accordance with plans by Paul Nichols dated May 19, 2007, as received by DES on June 12, 2007.
2. 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.
3. Repair shall maintain existing size, location and configuration.
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 drawdown.
6. This permit does not allow for any equipment to be operated on the lakebed.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.03(c), repair or replacement of existing retaining walls that is performed "in the dry".
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.

**2007-00277 RUSSO, CHARLES
BARTLETT Unnamed Wetland**

Requested Action:

Dredge and fill approximately 1,719 sq. ft. of forested wetlands (includes 1,700 sq. ft. of restoration and 18.5 sq. ft. of permanent impact) for access to 2-lots of a 4-lot subdivision (one lot is a lot line adjustment only).

APPROVE PERMIT:

Dredge and fill approximately 1,719 sq. ft. of forested wetlands (includes 1,700 sq. ft. of restoration and 18.5 sq. ft. of permanent impact) for access to 2-lots of a 4-lot subdivision (one lot is a lot line adjustment only).

With Conditions:

1. All work shall be in accordance with plans by Ammonoosuc Survey Company, Inc., dated June 11, 2007 and narratives by North Country Soil Services, dated June 15, 2007, as received by DES on June 18, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems 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. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Carroll County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one full 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.
14. A follow-up wetlands restoration monitoring report shall be prepared by a NH Certified Wetland Scientist and submitted to DES by November 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. An abutter to the proposed subdivision submitted comments of concern regarding possible property line and subsurface disposal system issues related to the proposed project.
6. The applicant provided a complete response to these comments.
7. On February 7, 2007, DES received a plan dated January 30, 2007, depicting all proposed property lines, wetlands and topography in accordance with Administrative Rule Env-Wt 304.09(a).

2007-00873 RODD, CASEY & CINDY
DALTON Unnamed Stream Connecticut River

Requested Action:

Dredge and fill approximately 200 sq. ft. (20 linear ft.) of intermittent stream to provide access to a 6.7 acres parcel of land along the Connecticut River. Work in wetlands consist of installation of a 30 in. x 20 ft. CMP culvert and associated filling, grading and headwalls. The culvert will be installed in a recently constructed access road.

APPROVE PERMIT:

Dredge and fill approximately 200 sq. ft. (20 linear ft.) of intermittent stream to provide access to a 6.7 acres parcel of land along the Connecticut River. Work in wetlands consist of installation of a 30 in. x 20 ft. CMP culvert and associated filling, grading and headwalls. The culvert will be installed in a recently constructed access road.

With Conditions:

1. All work shall be in accordance with plans by Watershed to Wildlife Inc., as received by DES on April 26, 2007.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. 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.
6. Future development of the property shall require approval by the DES Subsurface Systems Bureau.
7. Future development and land alteration on the property shall require further compliance with the Comprehensive Shoreland Protection Act, RSA 483-B.
8. 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.
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. Proper headwalls shall be constructed within seven days of culvert installation.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. 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. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods on non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The New Hampshire Fish and Game Department (NHFG) records indicate a State and Federally endangered species, the dwarf wedge mussel (*Alasmidonta heterodon*), 1.8 miles from the site.
6. DES received copies of comments from NHFG stating that they did not expect any impacts to the species by the proposed project.
7. DES received copies of comments from the US Fish and Wildlife Service suggesting that the proposed project is not likely to have any adverse effects to dwarf wedge mussels in the Connecticut River.
8. The permit is conditioned on compliance with the Comprehensive Shoreland Protection Act for the proposed project and all future site development and land alteration activities.
9. The applicant previously submitted an incomplete Permit By Notification to DES.

**2007-01028 POLIMENO, LAWRENCE
WOLFEBORO Lake Winnepesaukee**

Requested Action:

Construct a 300 sq ft perched beach on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Construct a 300 sq ft perched beach on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated May 07, 2007, as received by DES on June 20, 2007.
2. 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.
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. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 9 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

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

**2007-01071 PITTSFIELD, TOWN OF
PITTSFIELD Kelly Brook**

Requested Action:

Confirm Emergency Authorization issued on May 22, 2007, to impact approximatley 30 linear feet of bank direct Kelly Brook back into original arch culvert and reconstruct washed out roadway.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization issued on May 22, 2007, to impact approximatley 30 linear feet of bank direct Kelly Brook back into original arch culvert and reconstruct washed out roadway.

With Conditions:

1. 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.

With Findings:

1. This project is classified as a Minimum impact project per Rule Env-Wt 303.04(x), maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The project was necessary to relocate the brook back to the original channel and reconstruct the roadway, which had washed out as a result of a large storm event.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on May 22, 2007.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

FORESTRY NOTIFICATION

2007-01510 PROSPECT FARM - LANCASTER LLC, JOHN DAVIDGE III
LANCASTER Unnamed Wetland

COMPLETE NOTIFICATION:
Lancaster Tax Map R23, Lot# 3

2007-01511 ARDEN FOREST LLC
CAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
Campton Tax Map 8, Lot# 3-16 & 4-1

2007-01512 MCMULLEN, BARBARA
DORCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Dorchester Tax Map 19, Lot# 893 & 893.1

2007-01517 JOBE, SCOTT
DEERING Unnamed Stream

COMPLETE NOTIFICATION:
deering Tax Map 246, Lot# 1

2007-01518 VANDERKRUIK, MARJORIE
RICHMOND Unnamed Stream

2007-01520 DUNN, JAMES
TUFTONBORO Unnamed Stream

COMPLETE NOTIFICATION:

Tuftonboro Tax Map 34. Lot # 5

2007-01532 STEWART, DAVID & BARBARA
EPSOM Unnamed Stream

COMPLETE NOTIFICATION:

Epsom Tax Map R9, Lot# 50

2007-01539 MARSHALL, JONATHAN
BARTLETT Unnamed Stream

COMPLETE NOTIFICATION:

Bartlett Tax Map 1EBRAN, Lot# 109-L00

2007-01540 NICOLETTI REALTY TRUST
NORTHWOOD Unnamed Stream

COMPLETE NOTIFICATION:

Northwood Tax Map 219, Lot# 39

2007-01557 BAILEY, PATRICK & KAREN
CHARLESTOWN Unnamed Stream

COMPLETE NOTIFICATION:

Charlestown Tax Map 38, Lot# 29, 30-1 & 30-2

2007-01559 MEINELT, MARLENE
NEW DURHAM Unnamed Stream

COMPLETE NOTIFICATION:

New Durham Tax Map 3, Lot# 17

2007-01566 FALKENHAM, ELWIN & GLEN
JEFFERSON Unnamed Stream

COMPLETE NOTIFICATION:

Jefferson tax Map 1, Lot# 48

2007-01568 LOCKWOOD, REBECCA
LISBON Unnamed Stream

COMPLETE NOTIFICATION:

Lisbon Tax Map R46, Lot# 1

2007-01569 **BLAISDELL, ROSCOE**
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Deerfield Tax Map 418, Lot# 4

2007-01590 **SCANLAN, DAVID**
GRAFTON Unnamed Stream

COMPLETE NOTIFICATION:
Grafton Tax Map 13, Lot# 885

2007-01599 **VALLEDAVES, MICHAEL**
CENTER CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
Center Conway Tax Map 207, Lot# 14

2007-01601 **CRARY, ALEXANDER**
LYME Unnamed Stream

COMPLETE NOTIFICATION:
Lyme Tax Map 401, Lot# 7

2007-01602 **FITZPATRICK/ KIBBEE, PAUL/CARLTON**
WESTMORELAND Unnamed Stream

COMPLETE NOTIFICATION:
Westmoreland Tax Map R8, Lot# 28 & 29

2007-01608 **MCMATTON, MARY**
WALPOLE Unnamed Stream

COMPLETE NOTIFICATION:
Wappole Tax map 3, Lot# 1

2007-01609 **HEARTWOOD FORESTLAND FUND IV LP, MATTHEW SAMPSON**
SUCCESS Unnamed Stream

COMPLETE NOTIFICATION:
Success Tax Map 1613, Lot# 10

2007-01627 **NEW HAMPSHIRE FISH AND GAME DEPT**
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map F8, Lot# 26-NC

**2007-01628 NEW HAMPSHIRE FISH AND GAME DEPT
CLARKSVILLE Unnamed Stream**

COMPLETE NOTIFICATION:
Clarksville Tax Map B6, Lot# 26-NC

EXPEDITED MINIMUM

**2007-00234 MICHIE, PAMELA
HENNIKER Unnamed Wetland**

Requested Action:

Dredge and fill 2,307 square feet of forested wetlands to install two (2) 18-inch x 20-foot culverts at two (2) separate wetland crossings for access to the back portion of a lot for agricultural use.

APPROVE PERMIT:

Dredge and fill 2,307 square feet of forested wetlands to install two (2) 18-inch x 20-foot culverts at two (2) separate wetland crossings for access to the back portion of a lot for agricultural use.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC, dated January 16, 2007, as received by the Department on February 08, 2007.
2. Any future work within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A or change of access use to non-agricultural may require a new application or approval by the DES Wetlands 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(f), alteration of less than 3,000 square feet of wetlands.
2. This permit is conditioned that any future work within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A

or change of access use to non-agricultural may require a new application or approval by the DES Wetlands Bureau.

3. The applicant has received written consent from the owner of Lot 234 (Tax Map 1), 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).
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
5. The Henniker Conservation Commission signed the application.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-00366 RIVERS EDGE OF BARRINGTON LLC, RALPH SAMTORA MGR
BARRINGTON Unnamed Wetland**

Requested Action:

Approve name change to: Rivers Edge of Barrington LLC, 7 Avry Ridge Lane, Hampton Falls Nh 03844 per request received 7/19/2007. Previous owner: Swain Barington LLC.

Conservation Commission/Staff Comments:

Con. Com. signed expedited application.

APPROVE NAME CHANGE:

Fill 1,760 sq. ft. of wetland and installation of a 56 ft. x 15 in. culvert for access to uplands for the construction of an eighteen (18) lot residential subdivision on 73.6 acres. Temporarily impact 275 sq. ft. of wetland to access uplands for the installation of private water supply wells.

With Conditions:

1. All work shall be in accordance with revised plans by American Engineering Consultants Corporation dated December 4, 2006, as received by the Department on March 2, 2007.
2. All temporary wetland impacts shall be restored in accordance with the Wetland Restoration Plan prepared by NH Soil Consultants, Inc.
3. Work within surface waters shall be done in the dry or during low flow.
4. Construction equipment shall not be located within surface waters.
5. 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.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
8. 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.
9. 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.

With Findings:

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

**2007-00375 BARRINGTON, TOWN OF
BARRINGTON Unnamed Wetland**

Requested Action:

Fill a total of 2,990 sq. ft. of wetland for the construction of a driveway to provide access to uplands for the construction of a municipal complex.

Conservation Commission/Staff Comments:

Con. Com. signed the expedited application.

APPROVE PERMIT:

Fill a total of 2,990 sq. ft. of wetland for the construction of a driveway to provide access to uplands for the construction of a municipal complex.

With Conditions:

1. All work shall be in accordance with plans by TF Moran, Inc. dated January 18, 2007, as received by the Department on March 2, 2007.
3. Work within surface waters shall be done in the dry or during low flow.
4. Construction equipment shall not be located within surface waters.
5. 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.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
8. 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.

With Findings:

1. This is a minimum project pursuant to Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft. of wetland.
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. After review by the NH Department of Transportation, the applicant has demonstrated that the location of the driveway is the least impacting alternative while maintaining public safety.

**2007-01061 QUAYSIDE YACHT CLUB, STUART GILMAN
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Repair/Replace existing major permanent docking system "in-kind" on 411 ft of frontage in Moultonborough on lake Winnepesaukee.

APPROVE PERMIT:

Repair/Replace existing major permanent docking system "in-kind" on 411 ft of frontage in Moultonborough on lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants revise July 1, 2007, as received by DES on July 6, 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 does not allow for maintenance dredging.
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. 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.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
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 minimum impact project per Administrative Rule Env-Wt 303.04(v), Maintenance, repair, and replacement in-kind of existing docking facilities.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-01063 HENNIKER, TOWN OF
HENNIKER Contoocook River

Requested Action:

Dredge and fill approximately 120 square feet of Contoocook Riverbank to construct a 4-foot x 30-foot stone pedestrian public access path.

APPROVE PERMIT:

Dredge and fill approximately 120 square feet of Contoocook Riverbank to construct a 4-foot x 30-foot stone pedestrian public access path.

With Conditions:

1. All work shall be in accordance with plans received by the DES Wetlands Bureau on May 21, 2007, and June 21, 2007.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. Work shall be done during annual low flow conditions.
4. No work shall occur below the ordinary high water mark.
5. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
6. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
7. Excavated material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
8. All temporarily stockpiled material shall be placed out any area that is within the jurisdiction of the DES Wetlands Bureau.
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. A post-construction report documenting the status of the completed construction, including photographs during and post construction shall be submitted to the Wetlands DES within sixty (60) days of the completion of construction.

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 degree of environmental impact.
2. The proposed path will consist of laid stones.
3. The existing path is steep and eroded.
4. Check dams and a fence are proposed at existing eroded path to deter pedestrian traffic.
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(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-01103 HARRIS, RICHARD
EPSOM Unnamed Wetland

Requested Action:

Dredge and fill a total of 1850 square feet for access in the subdivision of 23.2 acres into 4 single family residential lots further described as follows: Impact 1450 square feet of palustrine forested wetland including installation of a 18-inch x 20 foot culvert and temporarily impact 400 square feet for the installation of a utility pole.

Conservation Commission/Staff Comments:

The Epsom Conservation Commission signed this minimum impact application.

APPROVE PERMIT:

Dredge and fill a total of 1850 square feet for access in the subdivision of 23.2 acres into 4 single family residential lots further described as follows: Impact 1450 square feet of palustrine forested wetland including installation of a 18-inch x 20 foot culvert and temporarily impact 400 square feet for the installation of a utility pole.

With Conditions:

1. All work shall be in accordance with plans by True Engineering dated February 8, 2007, and revised through April 5, 2007, as received by the Department on May 23, 2007 and Detail Sheets by True Engineering February 13, 2007, as received by the Department on May 23, 2007.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during periods of non-flow.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Area of temporary impact shall be regraded to original contours following completion of work.
12. Mulch within the restoration area shall be straw.
13. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The proposal is for access to a buildable upland area, this upland is inaccessible without crossing the wetland.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The crossing is at the narrowest portion of the wetland system.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
7. The wetlands have been delineated by a Certified Wetland Scientist and have been verified in the field by a second Certified Wetland Scientist working as an agent of the town.

2007-01117 CLENDENEN, FAITH
ANDOVER Unnamed Stream

Requested Action:

Dredge and fill 200 square feet within jurisdiction to replace and stabilize the existing stormwater outlet.

APPROVE PERMIT:

Dredge and fill 200 square feet within jurisdiction to replace and stabilize the existing stormwater outlet.

With Conditions:

1. All work shall be in accordance with plans by LC Engineering Company LLC dated December 8, 2007, as received by the Department on May 14, 2007.
2. All catch basins installed shall be per cross sections received on June 27, 2007.
3. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during periods of non-flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. No equipment shall enter the water.
7. All work shall be done from the top of the bank.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be 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).
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(x), maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.

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

**2007-01327 HOLLAND REVOC REALTY TRUST, EDWARD
WOLFEBORO Lake Winnepesaukee**

Requested Action:

Construct an 11 ft x 19 ft 6 in perched beach using an existing lake access stairs on an average of 184 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct an 11 ft x 19 ft 6 in perched beach using an existing lake access stairs on an average of 184 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

With Conditions:

- 1. All work shall be in accordance with plans by Watermark Marine Construction dated May 10, 2007, as received by DES on June 14, 2007.
- 2. 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.
- 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. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
- 5. The existing access steps shall be used for access to the water. No work to the existing steps is allowed under this permit.
- 6. No more than 8 cu yd of sand may be used and all sand shall be located above the normal high water line.
- 7. This permit shall be used only once, and does not allow for annual beach replenishment.
- 8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
- 9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
- 10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach provided the beach shall serve a privately-owned single family residence.
- 2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

**2007-01345 COTE, PAUL & CELIA
ALTON Lake Winnepesaukee**

Requested Action:

Construct access stairs and walkways no more than 6 ft in width to access a dock and house on Rattlesnake Island on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct access stairs and walkways no more than 6 ft in width to access a dock and house on Rattlesnake Island on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans as received by DES on June 15, 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. No excavation of the shoreline for the construction of the stairs. The stairs shall be constructed completely over the bank.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum by the department.
2. The proposed impacts are allowed under RSA 482-A:2,IX.

**2007-01352 KOSACZ, THE ESTATE OF DOROTHY
COLEBROOK Unnamed Wetland**

Requested Action:

Dredge and fill approximately 548 sq. ft. of forested wetlands for widening and existing private access road (Lynch Road) that leads to the North Country Community Recreation Center. The impacts are needed to provide safe access, sidewalk and two way traffic lanes.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the Minimum Impact Expedited Application waiving their right to intervene on the proposed project.

APPROVE PERMIT:

Dredge and fill approximately 548 sq. ft. of forested wetlands for widening and existing private access road (Lynch Road) that leads to the North Country Community Recreation Center. The impacts are needed to provide safe access, sidewalk and two way traffic lanes.

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Environmental Consultants, LLC, dated June 1, 2007, as received by DES on June 18, 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. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. 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.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The impacts are needed to provide safe access, sidewalk and two way traffic lanes to and from the community center.
6. The Town of Colebrook submitted a letter of support for the proposed project.

AGRICULTURE MINIMUM

2006-03037 WOETZER, PAUL
CONTOOCCOOK Unnamed Wetland

Requested Action:

Dredge 15,905 square feet of palustrine emergent/wet meadow for the installation of an agricultural pond.

APPROVE PERMIT:

Dredge 15,905 square feet of palustrine emergent/wet meadow for the installation of an agricultural pond.

With Conditions:

1. All work shall be in accordance with plans by Natural Resource Conservation Service, dated July 2007, as received by the Department on July 10, 2007.
2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit shall be recorded with the county Registry of Deeds office by the permittee.
4. Work shall be done during periods of non-flow.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. 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.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u), maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The project is in accordance with a plan developed to standards of the "Best Management Wetland Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993.
3. That the project is necessary for and/or incidental to a preexisting and ongoing bonafide agricultural operation as defined by RSA 21:34-a.

- 4. The applicant's county conservation district certified that the plan is limited by those items addressed by the "Best Management Wetlands Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993.
- 5. The project will cause alteration only to wet meadows except where specifically described in "Best Management Wetlands Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993.
- 6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

GOLD DREDGE

2007-01593 GRAHAM, MONTRIVILLE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

TRAILS NOTIFICATION

2007-01613 DRED
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:
Berlin Tax Map/Lot 407/9 & 410/1 Jericho Mtn State Park

2007-01615 DRED
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:
Berlin TaxMap/Lot# 410/1 & 415/1 Jericho Mtn State Park

LAKES-SEASONAL DOCK NOTIF

2007-01594 CUNNINGHAM/ LAWSON, PAULA/JOAN
GILMANTON Shellcamp Pond

COMPLETE NOTIFICATION:
Gilmanton, NH Tax map 420 Lot 67
Shellcamp Pond

2007-01625 GILSENBERG, LEN
MEREDITH Waukewan Lake

COMPLETE NOTIFICATION:
Meredith, NH Tax map S26 Lot 61
Waukewan Lake

2007-01639 MURPHY JR, DENNIS
CENTER HARBOR Hawkins Pond

COMPLETE NOTIFICATION:
Center Harbor, NH Tax map 1 Lot 60
Hawkins Pond

SHORELAND VARIANCE / WAIV

2007-01361 MAJOR, RICHARD & ARLEE
RAYMOND Governor's Lake

ROADWAY MAINTENANCE NOTIF

2007-01564 NH DEPT OF TRANSPORTATION
DERRY Unnamed Stream

COMPLETE NOTIFICATION:
Replace and clean inlet and outlet of failing 15-inch diameter corrugated metal pipe(CMP) and replace with 18-inch diameter CMP on Island Pond Road at Featherbed Lane in Derry, NH using BMP's 2 though 13 as appropriate

2007-01570 NH DEPT OF TRANSPORTATION
DUNBARTON Unnamed Stream

COMPLETE NOTIFICATION:
Replace and clean inlet and outlet of failing 12-inch diameter corrugated metal pipe(CMP)that is causing pavement voids on Manison Road at NH Route 13 in Dunbarton NH and replace with 15-inch diameter CMP using BMP's though 13 as appropriate

2007-01571 TOWN OF AUBURN
AUBURN Unnamed Stream

COMPLETE NOTIFICATION:
The work is related to the Town's reconstruction of Haven Road and Highland Road in Auburn NH. The project requires the replacement of 4 culverts Ranging from 18" to 30" diameter prior to re-paving the roads

**2007-01578 NH DEPT OF TRANSPORTATION
ROCHESTER Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 30" RCP with 30". Extend culvert 5' at inlet and 10' at outlet and stabilize embankment on both sides of road

**2007-01579 NH DEPT OF TRANSPORTATION
PITTSFIELD Unnamed Stream**

COMPLETE NOTIFICATION:

Replacing five drainage culverts with five 15 inch CMP's

**2007-01632 NH DEPT OF TRANSPORTATION
PITTSFIELD Unnamed Stream**

COMPLETE NOTIFICATION:

Replacing a 12 inch CMP with a 15 inch CMP

**2007-01634 TOWN OF WARNER
WARNER Unnamed Stream**

COMPLETE NOTIFICATION:

Rebuild about 45' of stone retaining wall and slope that the flood of 2007 unerminded

**2007-01635 NH DEPT OF TRANSPORTATION
GILFORD Unnamed Stream**

COMPLETE NOTIFICATION:

Replacing a 30" by 100' highway culvert with a 30' by 100' CMP

**2007-01636 NH DEPT OF TRANSPORTATION
HARRISVILLE Unnamed Stream**

COMPLETE NOTIFICATION:

Replace existing 30" diameter cross pipe in kind Rebuild headwalls at inlet and outlet

**2007-01637 NH DEPT OF TRANSPORTATION
DUBLIN Unnamed Stream**

COMPLETE NOTIFICATION:

Replace existing 15" diameter cross pipe with 18" diameter cross pipe same length
Repair inlet and outlet headwalls

PERMIT BY NOTIFICATION

2007-00890 STARKEY, KENNETH & CHERYL
SUNAPEE Lake Sunapee

Requested Action:

Install Personal Watercraft Lift.

PBN DISQUALIFIED:

Install Personal Watercraft Lift.

With Findings:

1. Untimely response Pursuant to Rule Env-Wt 506.02(g).

2007-01208 CARPENTER JR, ROBERT
ALTON Lake Winnepesaukee

Requested Action:

Repair/replace existing docking facility.

PBN DISQUALIFIED:

Repair/replace existing docking facility.

With Findings:

1. In accordance with Rule Env-Wt 506.02 (g) if the applicant fails to provide requested information within 20 days following issuance of incompleteness letter.

2007-01209 PATTI, ANTHONY
SANBORNVILLE Lovell Lake

Requested Action:

Remove 50 feet of a collapsed portion of an existing retaining wall

PBN IS COMPLETE:

Remove 50 feet of a collapsed portion of an existing retaining wall

With Findings:

1. Pursuant to Rule Env-Wt 506.02(g) untimely responses not received within 20 days shall be disqualified.

2007-01276 GRIFFIN BEACH ASSOCIATION, LINDA ANDERSON
SALEM Arlington Pond

Requested Action:

Approve beach replenishment.

PBN IS COMPLETE:
Approve beach replenishment.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa) replenish existing beach.

2007-01301 NANNENE, ROBERT
WAKEFIELD Pine River Pond

Requested Action:
Beach replenishment

PBN DISQUALIFIED:
Beach replenishment

With Findings:
1. Pursuant to Rule Env-Wt 506.02 (g) untimely response, not within 20 days of incompleteness letter.

2007-01323 HEBB, LAWRENCE & JANET
ALTON Lake Winnepesaukee

Requested Action:
repair existing docking and non docking structures on the frontage.

PBN DISQUALIFIED:
repair existing docking and non docking structures on the frontage.

With Findings:
1. PBN disqualified because incomplete letter was not adequately addressed.

2007-01343 DUGAN, GRANT
SANBORNTON Hermit Lake

Requested Action:
Install a 4 ft x 20 ft seasonal dock, and boatlift on 100 ft of frontage on Hermit Lake in Sanbornton.

PBN IS COMPLETE:
Install a 4 ft x 20 ft seasonal dock, and boatlift on 100 ft of frontage on Hermit Lake in Sanbornton.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-01437 MOORE, CHARLES
SPRINGFIELD Unnamed Wetland

Requested Action:

Approximately 30 sq. ft. temporary wetlands impact for installation of a sewer line under and existing wetland. All temporary wetlands impacts shall be re-stored "in-kind".

PBN IS COMPLETE:

Approximately 30 sq. ft. temporary wetlands impact for installation of a sewer line under and existing wetland. All temporary wetlands impacts shall be re-stored "in-kind".

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ae) Installation of residential utility lines and associated temporary impacts to permit utility services for a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

2007-01472 QUAGLIAROLI, DAVID
MEREDITH Lake Winnepesaukee

Requested Action:

Repair existing docking facilities.

PBN IS COMPLETE:

Repair existing docking facilities.

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.

2007-01478 COUNTY, NANCY
ALTON Lake Winnepesaukee

Requested Action:

Replace existing 10' X 33' crib for existing permanent dock.

PBN IS COMPLETE:

Replace existing 10' X 33' crib for existing permanent 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.

2007-01543 PORTER, JOHN
NEWBURY Lake Sunapee

Requested Action:

Add two seasonal boat lifts to and existing nonconforming permanent docking structure.

PBN DISQUALIFIED:

Add two seasonal boat lifts to and existing nonconforming permanent docking structure.

With Findings:

1. Pursuant to Rule Env-Wt 402.20 this project is disqualified from the PBN process because it is an addition to an existing nonconforming docking structure.

2007-01561 BEESON, CLIFFORD
ALTON Lake Winnepesaukee

Requested Action:

Repair/replace existing docking facility in-kind.

PBN IS COMPLETE:

Repair/replace existing docking facility in-kind.

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.

2007-01586 ROARK, GREGORY & ELIZABETH
WOLFEBORO Lake Winnepesaukee

Requested Action:

Replace existing crib and pile supported U-shaped docking system in-kind.

PBN IS COMPLETE:

Replace existing crib and pile supported U-shaped docking system in-kind.

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.