

Revised
7/13/15

Wetlands Bureau Decision Report

Decisions Taken
07/06/2015 to 07/12/2015

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:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or at appeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

MAJOR IMPACT PROJECT

2014-03446 NH DEPT OF TRANSPORTATION
LONDONDERRY Golden, Beaver, Little Cohas, And Cohas Brooks

Requested Action:

Improve approximately 13 miles of I-93 from north of Exit 3 in Windham and extending northerly through the Towns of Derry and Londonderry and ending at the I-93/I-293 interchange in the City of Manchester. The improvements involve a combination of transportation infrastructure improvements and measures to increase roadway capacity and safety. The project involves widening of I-93 from the existing limited access two-lane highway in each direction to a limited access four-lane highway in each direction. The impacts are to approximately 24.35 acres of palustrine and riverine wetlands which include 4,039 linear feet of perennial streams, 4,135 linear feet of intermittent streams and two vernal pools.

Compensatory mitigation includes a payment of \$1,823,238.90 into the DES Aquatic Resource Mitigation ("ARM") fund for disbursal in the 26 corridor communities and to initiate a Stream Passage Improvement Program with the purpose of improving conditions for aquatic organism passage along stream corridors at state and municipal road crossings. The ARM Fund Payment is for an additional 9.58 acres of impact from what was originally permitted in file #2002-02033. NHDOT project #10418C.

Approve the rule waiver for Env-Wt 806.05(b) requiring payment to the ARM Fund be submitted within 120 days and allow extension to 240 days as requested.

Conservation Commission/Staff Comments:

Londonderry Cons. Comm. intervened and their report suggests a parcels for mitigation.

APPROVE PERMIT:

Improve approximately 13 miles of I-93 from north of Exit 3 in Windham and extending northerly through the Towns of Derry and Londonderry and ending at the I-93/I-293 interchange in the City of Manchester. The improvements involve a combination of transportation infrastructure improvements and measures to increase roadway capacity and safety. The project involves widening of I-93 from the existing limited access two-lane highway in each direction to a limited access four-lane highway in each direction. The impacts are to approximately 24.35 acres of palustrine and riverine wetlands which include 4,039 linear feet of perennial streams, 4,135 linear feet of intermittent streams and two vernal pools.

Compensatory mitigation includes a payment of \$1,823,238.90 into the DES Aquatic Resource Mitigation ("ARM") fund for disbursal in the 26 corridor communities and to initiate a Stream Passage Improvement Program with the purpose of improving conditions for aquatic organism passage along stream corridors at state and municipal road crossings. The ARM Fund Payment is for an additional 9.58 acres of impact from what was originally permitted in file #2002-02033. NHDOT project #10418C.

Approve the rule waiver for Env-Wt 806.05(b) requiring payment to the ARM Fund be submitted within 120 days and allow extension to 240 days as requested.

With Conditions:

1. The wetland impacts associated with this approval (Approved Plans) are based on the application package received on December 5, 2014 and the following:
 - a. Amended New Hampshire Department of Environmental Services Wetlands Bureau (hereinafter "NHDES")/Army Corps of Engineers permit application received on August 12, 2004.
 - b. Interstate 93 Improvements Salem to Manchester IM-IR-93-1(174)0 14633B plans dated August 6, 2014 and received December 5, 2014.
 - c. Interstate 93 Improvements Salem to Manchester A000(501) 14633C & 14633D plans dated August 15, 2014 and received December 5, 2014.
 - d. Interstate 93 Improvements Salem to Manchester X-A000(865) 14633I plans dated August 15, 2014 and received December 5,

2014.

- e. Interstate 93 Improvements Salem to Manchester A000(501) 14633H plans dated August 29, 2014 and received December 5, 2014.
 - f. The memo and attachments from NH Department of Transportation (hereinafter "NHDOT") to NH DES titled "Response to RFMI" dated May 15, 2015 as received May 19, 2015.
 - g. The memo and attachments from NH DOT to NH DES titled "Further Clarification to RFMI Responses" dated June 25, 2015 as received on June 26, 2015.
2. At the conclusion of construction work, impacts associated with the northern contracts (14633B, 14633C, 14633D, 14633D, 14633H and 14633I) that exceed 24.5 acres of wetland impact, 4,201 linear feet of perennial stream impact or 4,135 linear feet of intermittent stream impact as represented in the Approved Plans and materials contained in NHDES files (2002-02033 and 2014-03446), shall require submittal of a summary of any changes including resource types and new impact amounts. This information will be reviewed for additional mitigation by NHDES after coordination with the appropriate local Conservation Commission(s), State and Federal Agencies.
 3. This permit is contingent on the execution of the mitigation components specified in the Wetland Mitigation Report dated July 2004 and received by NHDES on August 12, 2004.
 4. This approval is contingent on receipt by NHDES of a one-time payment of \$ 911,619.46 to the NHDES Aquatic Resource Mitigation (hereinafter "ARM") Fund. The payment shall be received by NHDES within 240 days of the date of the approval letter or the application will be denied.
 5. This approval is contingent on receipt by NHDES of a second, one-time payment of \$ 911,619.45 to the NHDES ARM Fund for the purpose of initiating the Stream Passage Improvement Program. The payment shall be received by NHDES within 240 days of the date of the approval letter or the application will be denied.
 6. This permit is contingent on NHDOT continuing funding for an Environmentalist IV position within NHDES. The responsibilities and funding for this position are to be fully detailed in a memorandum of agreement to be negotiated and executed between NHDOT and NHDES by June 30, 2016.
 7. This permit is contingent upon the submission of contract specific stream diversion and erosion control plans to the NHDES for review and approval. Those plans shall detail the timing and method of stream flow diversion during construction, and the temporary siltation, erosion and turbidity control measures to be implemented.
 8. All activity shall be in accordance with the Surface Water Quality Protection Act, RSA 483-B.
 9. This permit is contingent on the applicant's coordination and compliance with all of NHDES Dam Safety Program, rules and regulations.
 10. NHDOT will comply with the provisions of the Section 401 Water Quality Certification Number 2002-007, issued May 2, 2006, and noncompliance shall be considered a violation of the conditions of this permit.
 11. NHDOT shall comply with the water quality monitoring program developed in accordance with requirements established by NHDES, Watershed Management Bureau and the "Guidance for SWPPPs, BMP Inspection and Maintenance, Turbidity and Sediment Monitoring for NHDOT Projects with 401 Water Quality Certifications" dated August 14, 2013, or any successor documents.
 12. Design plans shall be submitted to NHDES in accordance with the Salem-Manchester (I-93) Bureau of Environment Communication Plan dated March 6, 2014, or any NH DES/NH DOT agreed upon successor documents.
 13. During final design, efforts to avoid or minimize wetland and surface water impacts shall be maximized by constructing steepened side slopes, retaining walls, and accommodations for wildlife passage.
 14. NHDOT shall make every effort to improve upon the existing stream crossings for tier 1 and tier 2 stream crossings, in accordance with the "Salem-Manchester 10418C I-93 Improvements Northern Segment Culvert Design/Stream Crossing Summary" dated May 7, 2015 as received by the department May 19, 2015.
 15. NHDOT will reconstruct existing crossings on Cohas Brook in Manchester, at northbound stations 1965+50, 1989+50, and southbound station 3993+00 by repairing or extending the existing headwalls or abutments without further permanent impacts to the stream bed or banks at these crossings.
 16. The Beaver Brook Bridge crossings shall be designed to meet all of the requirements in Env-Wt 900 and include 4 foot-wide wildlife shelves to promote passage of wildlife. Detailed plans and data meeting all the documentation requirements of Env-Wt 900 depicting these crossings shall be submitted to NHDES for review and written approval.
 17. The downstream channel construction of the Long Pond Brook Crossing, at station 1940+00, and the Stonehenge Road culvert extension, at station 3751+00, shall be natural stream channel design comparable to the existing reference reaches, including the width, slope and substrate. Angular rip rap or stone shall not be used for final grade material.
 18. All stream crossings shall be compatible with the "Guidelines for Naturalized River Channel Design and Bank Stabilization",

NH DOT (February 2007), the "White Paper on River Restoration and Fluvial Geomorphology", NH DOT (May 2006) and "New Hampshire Stream Crossing Guidelines", University of New Hampshire (May 2009).

19. Plans shall be submitted to NHDES and appropriate local Conservation Commission(s) at least 30 days prior to construction for each construction contract with a summary of wetland impacts for the associated contract work. Review and comments from NHDES and Conservation Commissions shall be considered by the NH DOT and incorporated into the design where practicable.
20. The NHDOT shall provide the stream order, stream type, geography, bed material, fluvial geomorphology including degradation, and position within the surrounding landscape, floodplains and the characterization of adjacent vegetation to DES, for comparison in the Stream Passage Improvement Program on the seven Tier 3 stream crossings and the two Tier 2 stream crossings by September 1, 2015.
21. The NHDOT shall submit to NH DES, for written approval, each stream specific river stone specification for the seven Tier 3 stream crossings and the two Tier 2 stream crossings.
22. This permit shall not be effective until it has been recorded with the appropriate county Registry of Deeds by the permittee. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
23. Potential habitat areas for the eastern hognose snake shall be determined using GIS-level analysis prior to construction to determine if the species will be impacted by the project in coordination with the NH Fish and Game Department (hereinafter "NHF&G").
24. The NHDOT shall notify, in writing, NHDES and the local conservation commission(s) in the municipality(ies) where the construction is to take place of their intention to commence construction no less than 5 business days prior to construction.
25. The permittee shall schedule a pre-construction meeting prior to the start of each construction contract with NH DES Land Resources Management Program staff to occur at least 48 hours prior to the start of any work authorized by this permit to review the conditions of this wetlands permit and the NHDES Water Quality Certificate, and any other environmental commitments. It shall be the responsibility of NHDOT to schedule the pre-construction meeting and it may be held on-site or at the NHDES offices in Concord. The meeting shall be attended by the NH DOT Bureau of Environment Staff, contract administrator and project engineers, environmental monitor, and the contractor(s) responsible for performing the work.
26. There shall be no alteration of wetlands or surface waters, not shown on the Approved Plans without appropriately updated contract plans copied to the local conservation commission and written agreement from NHDES Wetlands staff.
27. Clean water bypasses or water diversions affecting jurisdictional areas under 482-A which meet any of the following conditions shall require a review and written approval by NHDES prior to working in the resource areas:
 - a. Replacements or extensions of culverts which have a hydrologic opening greater than 12.5 square feet.
 - b. Work, including installation of diversion structures, which is not done during low flow (no flow for intermittent streams) conditions.
 - c. Work areas which cannot be completely isolated from the resource area with appropriate Best Management Practices.
 - d. Construction methods where natural flows are detained in the upstream resource for more than 4 days in total.
 - e. Situations where the total length of the stream impact or grading associated with the culvert construction or stream work extend more than 50 linear feet beyond the original culvert inlet or outlet. (This 50 foot work zone shall include scouring aprons and all water shall be withdrawn and/or discharged within this zone.)
28. NHDOT shall limit unnecessary removal of vegetation within riparian areas during road construction and areas cleared of vegetation shall be re-vegetated as soon after construction as possible so as to minimize erosion and restore wildlife habitat. Temporary impact areas shall be revegetated with like riparian species.
29. Land clearing in wetland areas during highway construction is to be kept to a minimum to reduce impacts on wildlife habitat.
30. 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. Temporary controls shall be removed once the area is permanently stabilized.
31. The project engineer (Contract Administrator) shall oversee installation of erosion controls and periodically verify that the controls are properly maintained during construction and until all areas are fully stabilized.
32. Appropriate storm water management and erosion control Best Management Practices (BMPs) shall be implemented to ensure turbidity is minimized and water quality standards are not violated. If the BMPs conflict with the terms or conditions of this permit, the terms and conditions of this permit shall control.
33. Dredged material shall be placed out of NHDES jurisdiction unless otherwise specified.
34. Construction equipment shall not be located within surface waters.
35. 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, wherever possible with a undisturbed vegetated buffer of 50 feet, and a minimum undisturbed vegetative buffer of 20 feet.

36. Within three days of reaching subgrade in the area adjacent to a wetland resource, all exposed soil areas shall be stabilized by placing selects or loaming, 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.
37. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 7 days by seeding and mulching.
38. Between November 30 and May 1 all exposed soil areas shall be stabilized by placing selects, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1 within a day of establishing the grade that is final or that otherwise will exist for more than 5 days.
39. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
40. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance, invasive species such as Purple Loosestrife, Knotweed or Phragmites. The contractor responsible for work shall appropriately deal with invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
41. Any temporary wetland impact areas shall be properly restored, monitored, and managed in consultation and as approved by NHDES.
42. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland temporary impact areas or restoration sites. 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.

Mitigation Conditions:

43. The mitigation component relative to \$3.5 million dollars of funds committed to the Community Technical Assistance Program (hereinafter "CTAP") resulted in approximately \$2.1 million dollars of funds spent on planning in the following 26 communities: Concord, Bow, Pembroke, Dunbarton, Allenstown, Deerfield, Goffstown, Hooksett, Candia, Raymond, Bedford, Manchester, Auburn, Chester, Fremont, Litchfield, Londonderry, Derry, Hampstead, Sandown, Danville, Hudson, Windham, Salem, Atkinson, and Pelham. The remainder of the funds, \$1.4 million dollars shall continue to be used for the implementation of the earlier phases with the funds to be used for leveraging projects through expertise of state agencies and non-governmental organizations.
44. NHDOT or their designee shall provide an annual report relative to the status and disbursement of the CTAP funds. The report information shall note a description of the project(s), funds to be provided and recipient of the funds. CTAP funds not expended as planned will be directed towards other mitigation for the project as determined jointly by NHDOT, NHDES, US Army Corps of Engineers (ACOE), US Environmental Protection Agency (EPA) and US Federal Highway Administration (FHWA).
45. In accordance with approved plans, wetland creation and flood storage replacement areas shall be properly constructed, landscaped, and monitored. Remedial actions may be necessary to create functioning wetland and floodplain areas similar to those 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, and changing the hydrologic regime.
46. Remedial measures necessary for the Haigh Ave and Londonderry South Road mitigation sites shall be coordinated with the NHDES Wetlands Bureau specifying remedial measures, and the mechanism for accomplishing those measures in a timely manner.
47. NHDOT shall designate a qualified professional who will be responsible for the mitigation monitoring of constructed wetlands. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. NHDES 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.
48. Post-construction reports, including a narrative and photographs, documenting the status of the completed mitigation projects (Salem, Haigh Ave herein after "Haigh Ave" and Londonderry South Road, North Site herein after "South Rd") shall be submitted to NHDES.
49. NHDOT, or the designated qualified professional, shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation areas (Haigh Ave and South Rd) 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, third and fifth years following the completion of each mitigation site.
50. Wetland creation 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 NHDES.
51. NHDOT shall delineate the wetlands and flood storage volume within the Haigh Ave and South Road mitigation sites, document the delineation with US Army Corps of Engineers' data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
52. NHDOT shall provide information for review and approval by NHDES relative to the mechanisms to be used for preservation of

the Cluff Crossing, South Road, and Haigh Ave parcels in perpetuity. The use of a conservation easement for long-term protection of the properties is preferred and should be pursued where possible.

53. NHDOT shall provide NHDES a status report on the remaining properties to be protected as part of the preservation requirements. If the preservation of the properties have not been completed after two years, yearly reports shall be submitted until protection is complete to NHDES' satisfaction.

54. Conservation easements that are placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement. The conservation easements shall be executed and recorded within two years of the permit issuance.

55. The preservation area plans depicting the conservation easement along with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each property. A copy of the recording from the County Registry of Deeds Office shall be submitted to NHDES.

56. The boundaries of the protected properties shall be surveyed by a licensed surveyor, and marked by permanent markers/signs for purposes of identification and monitoring.

57. NHDES shall be notified of the placement of the permanent markers/signs to coordinate on-site review of their location.

58. Apart from invasive plant control there shall be no removal of the existing vegetative undergrowth within the preservation areas and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

59. NHDES shall be notified in writing of the transfer of any preservation lands and mitigation sites to another organization that has been retained for management purposes and the notification shall state the name of the entity responsible for continuing long-term management and/or stewardship of the lands.

60. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of NHDES, including remediation and fines.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects in nontidal wetlands, nontidal surface waters and banks in excess of 20,000 sq. ft.
2. This approval is to complete the remaining activities necessary for the northern portion of the I-93 upgrade previously allowed under permit #2002-02033 (expiring May 2, 2016) and includes the work stated and as conditioned in the permit.
3. The application refers to documents submitted in the original application file #2002-02033 which supported the issuance of that permit. The current application #2014-03446 is a continuation of essentially the same project and this approval decision by the Department of Environmental Services Wetlands Bureau (NHDES) includes those documents by reference such as and not limited to the Final Environmental Impact Statement (FEIS), the Federal Highway Administration Record of Decision (ROD) and the findings for approval as stated in permit #2002-0233.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
7. The NH Dept. of Transportation (NHDOT) is responsible for developing transportation systems in a manner that assures a consistent transportation network and meets the safety needs of the general public.
8. Alternatives to the proposed reconstruction and widening of the highway, including transportation system management, transportation demand management, and other options were analyzed in the FEIS. The FEIS concluded that implementation of those alternatives would not address the safety and capacity needs in the project area.
9. NHDOT's Selected Alternative meets the project purpose and represents a balance between impacts to environmental resources, social, cultural, and economic effects with transportation needs.
10. The proposed roadway alignment generally parallels the existing right of way, which reduces the potential for impacts to new wetland systems and streams.
11. The proposed northern expansion includes thirty four Tier 1 stream crossings, two Tier 2 stream crossings and seven Tier 3 Stream Crossings.
12. The NHDOT has demonstrated that the proposed 1,000 foot 60-inch culvert at station 3656+50 is the least impacting alternative due to insufficient area within the median and adjacent developed land.
13. The NHDOT has reduced the amount of stone fill within delineated wetlands and minimized the use of drainage manholes within

pipes.

14. The NHDOT has agreed to the use of environmentally friendly matting on the project areas and slopes where matting is necessary.

15. The flagging and survey of wetland boundaries during final design phase will be shown in detail on the contract plans.

16. As a result of all the proposed water quality basins the NHDOT estimates that the overall nutrient loading for the surface water resources will be reduced as part of this proposed highway expansion project.

17. Best Management Practices (BMP's) for treating storm water runoff and erosion and sediment control will be followed during construction thus limiting impacts to aquatic resources in the project area. If the BMP's conflicts with terms and conditions of this permit, the permit terms and conditions will control.

18. Compliance with permit #2002-02033 condition #30 was completed in the I-93 Corridor Multi-Modal Transit Investment Study which can be found on the Rebuilding I-93 Website at <http://www.rebuildingi93.com/content/taskForce/> along with the NHDOT May 25, 2015 submittal of additional information.

19. The NHDOT and NHDES have met monthly to facilitate coordination, implement project goals and achieve overall compliance for this expansion project.

20. The NHDES meets weekly with NHDOT Construction staff and contractors for ongoing contracts to address public concerns and achieve compliance with the permit and conditions.

21. The NHDOT and NHDES have cooperatively developed a communication plan and coordination protocol to streamline and identify critical review periods and information for contract review and approval, on a contract by contract basis.

22. Natural Resource Agency meetings were held at the NH Dept. of Transportation (NHDOT) on numerous occasions including the most recent dates of August 20, 2014, November 19, 2014 and April 15, 2015 to coordinate the review and permitting of the project.

23. On January 12, 2015 the NHDES received a letter dated January 9, 2015 from the Londonderry Conservation Commission noting concerns that the percentage of the total mitigation acres proposed within that town is not commensurate with the total percentage of impacts within that town. The Commission also noted concerns the mitigation funds might not be spent in Londonderry or might not improve stream passage in Londonderry and suggests the use of the town's Open Space Plan to identify parcels for mitigation.

24. On March 20, 2015, the NHDES sent a Request for More Information to the applicant regarding an update relative to overall water quality, more details on stream crossings, an update on the previous Transit Investment Study, a response to the concerns noted by the Londonderry Conservation Commission and a summary of the Community Technical Assistance Program.

25. On March 26, 2015 the NHDES held a public hearing in accordance with RSA 482-A:8.

26. At the public hearing, the NHDOT modified a rule waiver request to make the ARM Fund payment within 240 days instead of 365 days as requested in the application noting the rule, Env-Wt 806.05(b), normally requires payment within 120 days.

27. The NHDOT provided an explanation of the current project status, updates on design modifications anticipated to impact natural resources and the proposed mitigation to compensate for the impacts. The NHDOT provided an overview of the proposed Stream Passage Improvement Program (SPIP) with NHDES.

28. At the public hearing the Londonderry Conservation Commission reiterated their concerns stated in their letter of January 9, 2015.

29. On April 15, 2015, the project was on the agenda of the monthly Natural Resource Meeting held at the NHDOT when mitigation funding and availability of disbursement was discussed. The suggestion of further mitigation by acquisition, recommended by the Londonderry Conservation Commission, was discussed and since the NHDOT does not have condemnation rights it was noted that purchasing property would be difficult.

30. On May 18, 2015, the NHDES received a letter from the applicant in response to the Londonderry Conservation Commission letter noting the effective mitigation provided in the town meets the compensation ratios in the NHDES rules Env-Wt 803.05 while the in-lieu fee compensation will be available to the I-93 Corridor Communities for use beyond the required mitigation ratios while the purchase of additional lands or easements is not practicable within the time frame needed to dedicate the funds.

31. On May 19, 2015, the NHDES received a letter from the applicant in response to the Request for More Information sent on March 20, 2015.

32. On May 22, 2015, the NHDES received an e-mail clarifying the permit applied for includes 24.35 acres and the mitigation is \$911,619.46 into the ARM Fund, \$911,619.45 to initiate the SPIP and if upon finalization of the contract plans it is determined there are further impacts then an appropriate payment would also be made to the ARM Fund.

33. On June 17, 2015 the NHDOT and the NHDES signed an Application Review Extension Agreement Form, in accordance with RSA 482-A:3,XIV(a)(3), to allow the requested information be submitted by June 26, 2015 and the time for review of that information until July 10, 2015.

34. On June 25, 2015, the NHDES received Further Clarification to Request for More Information Responses to complete the

information requested on March 20, 2015.

35. The NHDES has determined that the activities in the protected shoreland shall not require a permit under RSA 483-B:5-b as the property owner has demonstrated to the department's satisfaction that the property owner has incurred substantial liabilities in a reasonable, good faith reliance on the absence of a controlling law or regulation (at the start of the original project), per rule Env-Wq 1406.03 Exemption for Vested Rights.

Mitigation Findings:

36. The department grants a waiver in accordance with Env-Wt 204.05 to waive rule Env-Wt 806.05(b), the requirement of the ARM Fund payment to be submitted within 120 days is extended to 240 days due to the process of awarding a construction contract and the waiver will not result in an adverse impact on the environment.

37. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

38. NHDES finds that the proposed impacts to wetlands and surface waters will be offset by the execution of the proposed mitigation strategy.

39. The overall project mitigation proposal meets NHDES regulatory mitigation ratios per rule Env-Wt 803.05 and the impacts identified in the current application, which are in excess of the original permit 2002-02033, meet rule Env-Wt 803.04, Compensation Amount.

40. The department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund to satisfy the mitigation.

41. The Department decision is issued in letter form and upon receipt of the ARM Fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

42. The payment into the ARM fund shall be deposited in the NHDES fund for the Merrimack River watershed per RSA 482-A:29.

**2015-00577 NH DEPT OF TRANSPORTATION
CONCORD Turee Brook**

Requested Action:

Install concrete toe walls and place riprap for protection of the 15 ft. span, 36 ft. wide bridge impacting 2,976 sq. ft. (2,208 sq. ft. temporary).

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Install concrete toe walls and place riprap for protection of the 15 ft. span, 36 ft. wide bridge impacting 2,976 sq. ft. (2,208 sq. ft. temporary). NHDOT project #29760

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 11/18/14, as received by the Department on Mar. 13, 2015.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Construction equipment shall not be located within surface waters.
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; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
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. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes

steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.

7. 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 or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.

8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

9. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

10. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

11. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

12. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project does not require mitigation as this meets rule Env-Wt 302.03(c)(2)(c), protection of existing infrastructure.
6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
7. The project was coordinated with state and federal agencies through the monthly Natural Resource Agency meeting held at the NH Dept. of Transportation on Nov. 19, 2014.
8. The project will include a shelf on either side of the crossing to accommodate wildlife as requested at the Nov. 19 meeting.
9. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream and not impeding aquatic organisms.

**2015-01596 WESTMORELAND, TOWN OF
WESTMORELAND Mill Brook**

Requested Action:

Dredge and fill 810 sq. ft. (including 54.5 lin. ft.) temporary impact of perennial stream/bed and banks, Tier 3 crossing "Mill Brook" to replace the South Village Road Bridge consisting of double 64 ft. x 85ft. corrugated metal pipes with a 23 ft. span x 6 ft. rise 38 ft. run clear span structure.

APPROVE PERMIT:

Dredge and fill 810 sq. ft. (including 54.5 lin. ft.) temporary impact of perennial stream/bed and banks, Tier 3 crossing "Mill Brook" to replace the South Village Road Bridge consisting of double 64 ft. x 85ft. corrugated metal pipes with a 23 ft. span x 6 ft. rise 38 ft. run clear span structure.

With Conditions:

1. All work shall be in accordance with plans and narratives by Eckman Engineering, LLC, plans dated June 2015, as received by the NH Department of Environmental Services (DES) on June 25, 2015.
2. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for

obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

3. Work within the stream, inclusive of work associated with installation of a cofferdam and temporary access, shall be limited to periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. The applicant stated that a turbidity curtain will be installed along the stream side of sheet piles to contain turbidity.
8. The temporary wetland impact areas shall be restored to pre-construction condition following completion of substructure construction. All areas of temporary disturbance will be revegetated. The final surface of the stream channel bed shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap.
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 waters.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A monitoring report shall be submitted to DES within 30 days of completion of the crossing.
13. 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.
14. 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.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
17. Faulty equipment shall be repaired prior to construction.
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.
20. 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.
21. 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.
22. Where construction activities have been temporarily suspended within the growing season, all exposed areas shall be stabilized within 14 days by mulching and seeding.
23. Where construction activities have been suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
24. 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 Major impact project per Administrative Rule Env-Wt 303.02(p), Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. A request for Expedited Review per SOP 201 was approved by the DES Commissioner's office.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing South Village Road

Bridge over Mill Brook has been identified on the NHDOT Municipal Red List due to structural deficiency and is currently closed to traffic.

4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The agent has considered alternatives including replacement of the existing culverts in-kind. The alternative was not chosen as the hydraulic capacity was calculated to be below the 100-year storm flow threshold.
5. 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. The average bankfull width at the crossing was determined by the applicant to be 16 feet per the revised calculations dated July 2, 2015.
7. The stream was classified by the agent as a Rosgen A3.
8. The existing structure consists of two 64 ft. x 85 ft. CMP with an existing hydraulic opening of 59.6 sq. ft.
9. The proposed structure consists of a 23 ft. clear span with a proposed hydraulic opening of 125.7 sq. ft.
10. A Hydrologic and Hydraulic analysis, dated June 23, 2015 was prepared by Eckman Engineering, LLC which indicated the proposed 23 ft. span structure would result in 1.4 foot of freeboard for the 100-year design storm event and maintains approximately 2.1 ft. of free board from the top of the road overtopping at the low-point, along the shoulder.
11. The replacement structure was designed in accordance with Administrative Rule Env-Wt 904.05 to the maximum extent practicable.
12. The applicant has addressed the General Administrative Design Consideration for stream crossing in accordance with Administrative Rule Env-Wt 904.01.
13. The project plans are stamped by a New Hampshire Licensed Professional Engineer ("PE").
14. The applicant engineer stated that the proposed structure "was designed to maintain the natural sediment transport of the crossing, not constrict high flows, and to maintain low flows. The installation of this structure will increase the capacity of the crossing to accommodate aquatic life passage beyond the actual construction. The hydraulic capacity of the proposed structure was verified to ensure that the stream will not experience an increase in flooding or overtopping of their banks."
15. The applicant indicated the crossing is not located within the 100-year flood plan per FIRM 50007C0225D.
16. The New Hampshire Natural Heritage Bureau (NHB) review indicated there are no recorded occurrences for sensitive species near the project area.
17. The proposed South Village Road bridge construction impact area been limited to within the Town of Westmoreland Right of Way (ROW).
18. DES has not received any abutter or public comments in objection to the proposed project.
19. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2015-00413 NELSON, ALLEN/SUSAN
ALTON Lake Winnepesaukee

Requested Action:

Install a 6 ft. x 40 ft. seasonal dock with a 4 ft. x 12 ft. walkway connected to an existing breakwater on the property line on an average of 146 feet of shoreline frontage along Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Install a 6 ft. x 40 ft. seasonal dock with a 4 ft. x 12 ft. walkway connected to an existing breakwater on the property line on an average of 146 feet of shoreline frontage along Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated November 18, 2014, as received by the NH Department of Environmental Services (DES) on June 08, 2015.
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 installation.
3. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 ft. from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), installation of a docking system that exceeds the criteria for minimum impact docking structures.
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 a total of 146 feet of shoreline frontage along Lake Winnepesaukee when the two frontages are considered in combination.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The applicant submitted a waiver request of Rule Env-Wt 402.21 to install the dock access connected to the existing non-conforming docking structure. The Department approves the waiver request of Rule Env-Wt 402.21.

2015-00633

DORN, CHRISTOPHER

TUFTONBORO Lake Winnepesaukee

Requested Action:

Dredge no more than 17 cubic yards from 470 sq. ft. of lakebed within an existing boat slip and repair a breakwater "in kind" on an average of 190 feet of shoreline frontage along Lake Winnepesaukee, in Tuftonboro.

Conservation Commission/Staff Comments:

3/27/15 Site visit made and Con. Com. has no objections to issuance of the permit.

APPROVE PERMIT:

Dredge no more than 17 cubic yards from 470 sq. ft. of lakebed within an existing boat slip and repair a breakwater "in kind" on an average of 190 feet of shoreline frontage along Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated February 09, 2015, as received by the NH Department of Environmental Services (DES) on June 12, 2015.
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 repairs shall maintain the size, location and configuration of the pre-existing structures.
 4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
 5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
 6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain in place until the area is stabilized.
 7. 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.
 8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
 9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
 10. Dredge shall not exceed 3 feet in depth (elevation 501.32) from full lake elevation of 504.32.
 11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g) removal of no more than 20 cubic yards of rock, gravel, sand, mud, or other materials from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. 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 proposed dredge is located within the footprint of a previously dredged area.

2015-00898 CARRIER FUNERAL HOME
WINDHAM Unnamed Wetland

Requested Action:

Dredge and fill a total of 9,851 sq. ft. of palustrine forested/scrub shrub wetlands and extend an existing 24 in. culvert 76 linear feet for commercial lot development to site a funeral home with appurtenant parking and landscaping.

Conservation Commission/Staff Comments:

- 3/6/15 Per NH DHR, no historic properties affected.
2/5/15 Per NH NHB, no recorded occurrences for sensitive species near this project area.
6/18/15 Per EPA NH PGP Project Review "Eligible as proposed"

APPROVE PERMIT:

Dredge and fill a total of 9,851 sq. ft. of palustrine forested/scrub shrub wetlands and extend an existing 24 in. culvert 76 linear feet for commercial lot development to site a funeral home with appurtenant parking and landscaping.

With Conditions:

1. All work shall be in accordance with plans by The Dubay Group, Inc. dated 4-6-15, as received by the NH Department of Environmental Services (DES) on April 22,2015.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. Appropriate siltation, erosion, and 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. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Work shall be done during low flow.

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.
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.

2015-01037 WOODBURY TTEE, MICHAEL
WOLFEBORO Lake Winnepesaukee

Requested Action:

Permanently remove existing docking structure and stairs, install two 6 ft. x 40 ft. seasonal piers, reconstruct 56 linear ft. of existing retaining wall "in kind", construct a 300 sq. ft. perched beach, and add additional plantings around the beach on an average of 153 feet of shoreline frontage along Lake Winnepesaukee, in Wolfeboro.

APPROVE PERMIT:

Permanently remove existing docking structure and stairs, install two 6 ft. x 40 ft. seasonal piers, reconstruct 56 linear ft. of existing retaining wall "in kind", construct a 300 sq. ft. perched beach, and add additional plantings around the beach on an average of 153 feet of shoreline frontage along Lake Winnepesaukee, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated April 24, 2015, as received by the NH Department of Environmental Services (DES) on May 06, 2015.
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 installation.
3. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 ft. from the shoreline at full lake elevation.
6. The piers shall be installed and maintained such that the distance between them shall not exceed 12 ft.
7. Appropriate siltation, erosion, and 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. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
9. 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.
10. The steps installed for access to the water shall be located completely landward of the normal high water line.
11. No more than 10 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
12. This permit shall be used only once, and does not allow for annual beach replenishment.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. Re-vegetation 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 ft. landward from the beach area.

15. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), installation of a 3 slip docking system.
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 an average of 153 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

MINIMUM IMPACT PROJECT

2015-00965 HYLEN, STACEY
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Dredge and fill 1,110 sq. ft. of forested wetlands for construction of a driveway to a proposed home site. Work in wetlands consists of installation of a 12 in. x 20 ft. HDPE culvert with associated outlet protection, road fill and grading.

APPROVE PERMIT:

Dredge and fill 1,110 sq. ft. of forested wetlands for construction of a driveway to a proposed home site. Work in wetlands consists of installation of a 12 in. x 20 ft. HDPE culvert with associated outlet protection, road fill and grading.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan Associates, P.C., revision date 4/28/15, as received by the NH Department of Environmental Services (DES) on April 30, 2015.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
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. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. 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.
9. 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.

10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11. 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.

12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

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

14. All refueling of equipment shall occur outside of surface waters or wetlands.

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 Conservation Commission submitted comments regarding adding an additional culvert and fertilizer use.

6. The applicant's agent revised the project plan to address the Conservation Commission's comments.

7. The New Hampshire Fish and Game, Nongame and Endangered Wildlife Program ("NHFGD") indicated they do not anticipate any disturbance effects from construction for that nest (common loon) and provided comments and recommendation for preserving native trees and shrubs.

8. The NHFGD also provided recommendations and comments to prevent impacts to bridle shiner.

9. The applicant has received a Shoreland Water Quality Protection Act permit (SWQPA), which requires standards for preservation of the natural woodland buffer and pervious surfaces.

10. The agent indicated the site already has a seasonal dock.

**2015-00990 TROUT UNLIMITED
PITTSBURG Indian Stream**

Requested Action:

Impact 17,829 square feet of the bed and banks of Indian Stream for instream and riparian restoration of Indian Stream. The habitat restoration methods include boulder-wood clusters, wood placement, mobile wood additions, and marginal log jams. Work in jurisdiction includes 9,408 square feet of temporary impacts.

APPROVE PERMIT:

Impact 17,829 square feet of the bed and banks of Indian Stream for instream and riparian restoration of Indian Stream. The habitat restoration methods include boulder-wood clusters, wood placement, mobile wood additions, and marginal log jams. Work in jurisdiction includes 9,408 square feet of temporary impacts.

With Conditions:

1. All work shall be in accordance with plans by Field Geology Services as received by DES on May 01, 2015 and plans by the NH Fish & Game Department, as received by DES on July 06, 2015

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

3. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
4. No equipment shall enter the water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be done during low flow.
8. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
9. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
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. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. 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.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. Areas of temporary impact shall be restored to existing conditions following completion of work.
17. 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.
18. 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.
19. 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.
20. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
21. 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 (t) Restoration of altered or degraded wetlands provided the project: (1) Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service, or the US Fish and Wildlife Service; (2) Shall not be used to perform restoration in cases where the applicant is subject to a removal or restoration order; (3) Is not located in or adjacent to prime wetlands; and (4) Does not meet the criteria of Env-Wt 303.02(k).
2. The project is receiving funds and direct supervision from New Hampshire Fish & Game.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. 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.
5. 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. The project was designed by Trout Unlimited and a fluvial geomorphologist consultant.
7. The objective of the project is to use natural channel processes to restore the geomorphic and aquatic habitat integrity of Indian

Stream. Indian Stream was straightened in the late 1800's for log drives. These reaches lack instream wood and cover and their mature forested buffers are largely absent. These reaches contain poor fish habitat and thermal problems.

8. The positive impact of the proposed project will be to restore aquatic habitat and fluvial geomorphic processes through this area of Indian Stream. Wild brook trout are considered to be a species of conservation concern by the NH Fish and Game.

9. The NH Nongame and Endangered Species Program commented that although there was a record present in the vicinity, they do not expect that it will be impacted by the proposed project.

**2015-00991 EAMES, JEFFREY/RACHEL
ALLENSTOWN Little Bear Brook**

Requested Action:

Proposal to dredge and fill 1,138 sq. ft. (including 700 lin. ft.) of perennial stream and bank "Little Bear Brook" to improve aquatic bio-density by enhancing instream habitat, refugia and structure with the addition of large instream wood.

APPROVE PERMIT:

Dredge and fill 1,138 sq. ft. (including 700 lin. ft.) of perennial stream and bank "Little Bear Brook" to improve aquatic bio-density by enhancing instream habitat, refugia and structure with the addition of large instream wood.

With Conditions:

1. All work shall be in accordance with the project description and methodology identified in the Little Bear Brook-Large In-Stream Wood Restoration Project and associated maps and narratives by Trout Unlimited, as received by the Department on May 1, 2015.
2. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
3. Construction shall be inspected daily by a qualified biologist and/or forester to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
4. Work shall be done during low flow and between the months of May through September.
5. If applicable, 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. Wood will be added to the stream by hand. Trees will be felled with chainsaws. No other motorized equipment will be used.
7. Precautions shall be taken to limit unnecessary removal of vegetation adjacent to the pond and adjacent to the stream channel. To the extent possible, trees will be felled outside of a 50 ft. riparian buffer of each stream.
8. 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.
9. If applicable, wetland areas that are temporarily disturbed shall be regraded and seeded with a wetland seed mix upon completing the stream restoration project.
10. The permittee shall conduct a follow-up inspection after the first and second growing seasons, to review the success of the restoration project and schedule remedial actions if necessary. Photo documentation and a brief report shall be submitted to the DES Wetlands Bureau by December 1st of each year.
11. All refueling of equipment (chainsaw) shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04 (t) Restoration of altered or degraded wetlands provided the project: (1) Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service, or the US Fish and Wildlife Service; (2) Shall not be used to perform restoration in cases where the applicant is subject to a removal or restoration order; (3) Is not located in or adjacent to prime wetlands; and (4) Does not meet the criteria of Env-Wt 303.02(k).
2. This restoration project has received funds from two primary sources: Natural Resource Conservation Service (NRCS) provides financial support to the landowner and Trout Unlimited ("TU"), while New Hampshire Fish and Game Department ("NHFGD")

- supplies in-kind contributions in the form of technical assistance, field work, and continued monitoring of the restoration site.
3. The project is also receiving assistance and overview from the Rockingham County Conservation District ("RCCD").
 4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
 5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
 6. The proposed project area of Little Bear Brook will consist of 700 linear feet in total stream length with an average bankfull width of eight feet. Approximately 1,138 square feet will be permanently impacted by large instream wood additions specifically at chosen installation sites approximately every 20 to 40 feet.
 7. The large instream wood is intended to help rebuild the surrounding floodplain during rain events, and encourage the growth of riparian vegetation. The applicant indicates there will be no areas of permanent or temporary impact outside the footprint of the project area.
 8. All instream work will be completed at these installation sites within the bankfull area. There are no areas of permanent or temporary impact outside the footprint of the project area.
 9. The goal of the proposed restoration project is to 1) improve aquatic bio-density by enhancing instream habitat and structure, 2) influence spawning potential by improving sediment transport, pool riffle runs, and stream cover, 3) improve mobility of brook trout within this tributary to offer thermal refugia during extreme weather, 4) encourage genetic diversity and, 5) re-engage floodplain access where appropriate to reduce instream velocities during high flow events.

**2015-01204 SPRINGER, ELIZABETH
HAMPTON Atlantic Ocean**

Requested Action:

Impact a total of 330 sq. ft. in the previously developed upland tidal buffer zone to: (1) Replace existing flagstone walk from driveway out to seawall with permeable pavers. (2) Create a level sitting area at the top of the seawall with permeable pavers, 18 ft. x 10 ft. in size. (3) Bump out front porch by 6 ft. towards the ocean and add a handicap ramp 10 ft. x 3 ft. wide from the bump out, with a small area of permeable pavers at the end of the ramp, connecting into the walkway and the sitting area.

APPROVE PERMIT:

Impact a total of 330 sq. ft. in the previously developed upland tidal buffer zone to: (1) Replace existing flagstone walk from driveway out to seawall with permeable pavers. (2) Create a level sitting area at the top of the seawall with permeable pavers, 18 ft. x 10 ft. in size. (3) Bump out front porch by 6 ft. towards the ocean and add a handicap ramp 10 ft. x 3 ft. wide from the bump out, with a small area of permeable pavers at the end of the ramp, connecting into the walkway and the sitting area.

With Conditions:

1. All work shall be in accordance with plans by Applicant dated May 19, 2015, as received by the NH Department of Environmental Services (DES) on May 21, 2015.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Appropriate siltation, erosion, and 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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), Projects in previously developed upland areas within 100 feet of the highest observable tide line.
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.

FORESTRY NOTIFICATION

2015-01632 BAYROOT LLC
SUCCESS Unnamed Stream

COMPLETE NOTIFICATION:
Success, Tax Map #1612, Lot #5

2015-01633 BAYROOT LLC
DIXVILLE Unnamed Stream

COMPLETE NOTIFICATION:
Dixville, Tax Map #1626, Lot #9

2015-01657 CADY, AARON
DEERFIELD Unnamed Stream

Requested Action:
Deerfield, Tax Map 209, Lot 010

2015-01665 GARRIOT, LOU AILEEN
HILLSBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Hillsborough, Tax Map #2, Lot #16

2015-01667 SIDLES, CHRISTINE/WILLIAM
HILLSBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Hillsborough, Tax Map #6, Lot #8

2015-01693 **NH WORLD FELLOWSHIP CENTER INC**
ALBANY Unnamed Stream

Requested Action:
Albany, Tax Map 5, Lot #'s 6, 17, 18

2015-01695 **CROWELL FAMILY REAL ESTATE TRUST**
WARNER Unnamed Stream

COMPLETE NOTIFICATION:
Warner, Tax Map #09, Lot #s 29 & 30

2015-01697 **BAYROOT LLC**
DUMMER Unnamed Stream

COMPLETE NOTIFICATION:
Dummer, Tax Map #R1, Lot #2

2015-01698 **SWEET, LYNN/SCOTT**
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:
Strafford, Tax Map #1, Lot #7, Unit 1

2015-01702 **LYNDEBOROUGH, TOWN OF**
LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Lyndeborough, Tax Map #238, Lot #1

2015-01707 **SMITH, STEPHEN/THERESA**
DUNBARTON Unnamed Stream

Requested Action:
Dunbarton; Tax Map #D4-02-03

2015-01725 **THE LEWIS S LACLAIR REVOCABLE TRUST**
GILSUM Unnamed Stream

Requested Action:
Gilsum Tax map 408, Lot 10
Alstead, Tax Map 63, Lot 31

Conservation Commission/Staff Comments:
Also Alstead Tax Map 63, Lot 3

2015-01727 PATTEN, DONALD
SALISBURY Unnamed Stream

COMPLETE NOTIFICATION:
Salisbury, Tax Map #238, Lot #61

2015-01758 STAR LAKE PROPERTIES
SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Springfield; Tax Map #8; Lot #s 500-250, 482-395, 400-497

2015-01760 HILL, DON
SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Springfield, Tax Map #19, Lot #273, Unit #504

2015-01761 MERRIMACK COUNTY
BOSCAWEN Unnamed Stream

COMPLETE NOTIFICATION:
Boscawen; Tax Map #49; Lot #21

2015-01763 NAMELESS ROCK FOREST INC
CHESTERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Chesterfield, Tax Map #21, Lot # A4

EXPEDITED MINIMUM

2015-01390 GREAT LAKES HYDRO AMERICA LLC
GORHAM Androscoggin River

Requested Action:
Temporarily move 19,991 square feet of sediment from the upstream face of the spillway of the Gorham Hydro Dam on the Androscoggin River. The work is necessary to allow access for repairs.

APPROVE PERMIT:

Temporarily move 19,991 square feet of sediment from the upstream face of the spillway of the Gorham Hydro Dam on the Androscoggin River. The work is necessary to allow access for repairs.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering Inc. entitled Great Lakes Hydro America, LLC: Gorham Hydro Dam Repairs dated May 2015 as received by the Department on June 08, 2015.
2. This project is contingent upon review and approval by the DES Watershed Management Bureau, Water Quality Planning Section. Please contact Gregg Comstock at gregg.comstock@des.nh.gov or Owen David at owen.david@des.nh.gov.
3. A qualified professional shall monitor the project during to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
4. Work shall be done during low flow.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
7. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. 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.
9. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
10. This permit is contingent on approval by the DES Dam Safety Program.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The 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 dam repairs consist of replacing the wooden spillway planking and a tremie concrete sealing between the existing wooden cutoff wall and the resurfaced spillway.
6. Access to the area of repairs will require relocation of sediment that overlies the dam to an area immediately upstream of the dam. The sediment will be moved by divers using educators to vacuum and pump the sediment from the spillway. The sediment will be relocated to the river bed upstream of the dam in an area confined by either a turbidity curtain or coffer dam.
7. When the turbidity curtain/coffer dam is removed it is likely that the river flow will return the sediment to its original location on the bed of the river and spillway.
8. The applicant provided a letter from the owner of property located at Town of Gorham Tax Map U-9 Lot 12 waiving the NH Wetlands Bureau requirement of maintaining a 20 foot setback.
9. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
10. The NH Natural Heritage Bureau commented that although there was a NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.

2015-01435 RONLEY BATES IRREVOCABLE TRUST
NEW DURHAM Merrymeeting Lake

Requested Action:

Permanently remove an existing 30 ft. long seasonal dock and install a 4 ft. 6 in. x 24 ft. seasonal dock, repair "in kind" the existing 6 ft. x 20 ft. permanent walkway on the bank, on an average of 164 feet of shoreline frontage, Merrymeeting Lake, New Durham.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Permanently remove an existing 30 ft. long seasonal dock and install a 4 ft. 6 in. x 24 ft. seasonal dock, repair "in kind" the existing 6 ft. x 20 ft. permanent walkway on the bank, on an average of 164 feet of shoreline frontage, Merrymeeting Lake, New Durham.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated March 12, 2015, as received by the NH Department of Environmental Services (DES) on June 11, 2015.
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 installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 24 ft. from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock providing no more than 2 slips on the frontage.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 164 feet of shoreline frontage along Merrymeeting Lake.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2015-01445 RT 107 SEABROOK LLC
SEABROOK

Requested Action:

Dredge and fill 2,666 sq. ft. (2,221 sf permanent & 445 sf temporary construction impacts) in palustrine forested/scrub-shrub wetlands to construct a driveway with two (2) culvert crossings to access two (2) proposed single family homes on a 1.26 acre parcel of land.

Inspection Date: 10/10/2014 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill 2,666 sq. ft. (2,221 sf permanent & 445 sf temporary construction impacts) in palustrine forested/scrub-shrub wetlands to construct a driveway with two (2) culvert crossings to access two (2) proposed single family homes on a 1.26 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering Inc. dated May 08, 2015, as received by the NH Department of Environmental Services (DES) on June 11, 2015.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation, erosion, and 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. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minimum impact project per Administrative Rule 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(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2015-01448 MAKI, MICHAEL
NEW IPSWICH Intermittent Stream**

Requested Action:

Dredge and fill 680 sq. ft. of stream bed and banks, Tier 1 crossing of an unnamed tributary to Furnace Brook to install a 20-foot long x 49-inch x 33-inch galvanized metal arch type culvert for access to a residential building lot.

APPROVE PERMIT:

Dredge and fill 680 sq. ft. of stream bed and banks, Tier 1 crossing of an unnamed tributary to Furnace Brook to install a 20-foot long x 49-inch x 33-inch galvanized metal arch type culvert for access to a residential building lot.

With Conditions:

1. All work shall be in accordance with plans by Steven B Eaton, PE, LLC dated May 29, 2015, as received by the Department on June 12, 2015.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
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 work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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. Per Env-Wt 304.07, Embankments adjacent to culverts and other stream crossings shall have appropriate slope protection, such as vegetated stabilization, rip-rap, or concrete or stone headwalls, where flowing water conditions exist.
11. Materials used to emulate a natural channel bottom must be consistent with the streambed materials identified in the reference reach and shall not include angular riprap or gravel, except where identified on approved plans.
12. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access to the crossing locations.
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.
17. 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 ft. of undisturbed vegetated buffer.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a Minimum impact project per Administrative Rule Env-Wt 303.04(z), Installation of a stream crossing and associated fill to permit vehicular access to a piece of property for a single family building lot, for noncommercial recreational uses including conservation projects, or for normal agricultural operations, provided: (1) The total jurisdictional impact shall not exceed 3,000 square feet; (2) The roadway width at the crossing shall not exceed 20 feet; (3) The fill width measured at toe of roadway side slopes, shall be minimized, for example, by making the sideslopes steeper and constructing walls and not exceed 50 feet; (4) Fill for any single wetland crossing shall not exceed 60 feet in length, measured along the centerline of the proposed access way; and (5) Such projects shall be limited to crossings that: a. Do not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, or undisturbed tidal buffer zone; b. Are not located in or within 100 feet of prime wetlands, unless a waiver has been granted pursuant to RSA 482-A:11, IV; c. Do not meet the criteria of Env-Wt 303.02(k); d. If crossing streams, qualify as minimum impact under Env-Wt 903.03(e); and e. If crossing swamps or wet meadows, cross those that have no standing water for 10 months of the year.
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.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The project is necessary for access to a buildable lot (Lot 6-21B).
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. The proposed structures consist of a 20-foot long x 49-inch x 33-inch galvanized metal arch type culvert.
7. The project meets the General Design requirements specified in 904.01 and accommodates the 50-year flood frequency.
8. The project has been designed to meet Env-Wt 904.02 design requirements for a Tier One stream crossing.
9. The plan has been stamped by a Professional Engineer (PE).

2015-01501 LAFRANCE, CHRISTOPHER
WINDHAM Golden Brook

Requested Action:

Dredge and fill a total of 2,600 sq. ft. in palustrine forested/scrub-shrub wetlands to construct a driveway with culvert crossings to access a single family residential house lot on a 3.5 acre parcel of land.

APPROVE PERMIT:

Dredge and fill a total of 2,600 sq. ft. in palustrine forested/scrub-shrub wetlands to construct a driveway with culvert crossings to access a single family residential house lot on a 3.5 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated April 25, 2015, as received by the NH Department of Environmental Services (DES) on June 17, 2015.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Appropriate siltation, erosion, and 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. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Work shall be done during low flow.

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.
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.

2015-01560 SEABROOK, TOWN OF
SEABROOK Atlantic Ocean

Requested Action:

Temporarily impact a total of 25,615 sq. ft. in coastal sand dunes for work associated with a sand dune restoration project in the towns of Hampton and Seabrook including harvesting American Beach Grass from donor sites in the Seabrook foredunes, establishing a beach grass propagation garden and transplanting the beach grass to designated areas, including revegetating unnecessary walkways, to restore the sand dunes and to increase coastal resilience.

Conservation Commission/Staff Comments:

The Seabrook Conservation Commission is an advocate for this sand dune restoration project.

APPROVE PERMIT:

Temporarily impact a total of 25,615 sq. ft. in coastal sand dunes for work associated with a sand dune restoration project in the towns of Hampton and Seabrook including harvesting American Beach Grass from donor sites in the Seabrook foredunes, establishing a beach grass propagation garden and transplanting the beach grass to designated areas, including revegetating unnecessary walkways, to restore the sand dunes and to increase coastal resilience.

With Conditions:

1. All work shall be in accordance with plans by Alyson Eberhardt, Project Manager, NH Sea Grant/UNH Cooperative Extension dated June 15, 2015, as received by the NH Department of Environmental Services (DES) on June 23, 2015.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new

application or further permitting by the Bureau.

3. NH DES Wetlands Bureau Southeast Region staff and the Hampton and Seabrook Conservation Commissions shall be notified in writing prior to commencement of work and upon its completion.

4. Throughout the project, the project team will maintain communication with the NH Natural Heritage Bureau to ensure no adverse impacts occur to rare, threatened or endangered species.

5. The project team will maintain communication with the NH Fish and Game Department and the US Fish and Wildlife Service to ensure that project activities do not disturb Piping Plover or Tern nesting activities.

6. Monitoring of the project with established photo stations, including a 'Picture Post' monitoring station, and reports summarizing the work to date will be provided to the DES Wetlands Bureau as stated in the approved plan narrative, with a final report to be submitted on June 30, 2016.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), Restoration of altered or degraded [areas in] wetlands [jurisdiction] provided the project receives financial support and direct supervision of a NH state agency, the US EPA, The US ACOE, the US NRCS, or the US F&WS.

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.

2015-01668 MILLBROOK TRUST
SHELBURNE Austin Brook

Requested Action:

Maintenance dredge 19,950 square feet of a man-made pond on Austin Brook.

APPROVE PERMIT:

Maintenance dredge 19,950 square feet of a man-made pond on Austin Brook.

With Conditions:

1. All work shall be in accordance with plans received by the Department on July 01, 2015.

2. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless approved by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.

3. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until 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. No equipment shall enter the water.

6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.

7. This permit shall be used only once and does not allow for annual maintenance dredging.

8. Dredged material shall be placed out of DES Wetlands Bureau jurisdiction.

9. Dewatering of dredge spoils shall be contained in an area that is: 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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

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. Any further alteration of wetlands on this property will require a new application and further permitting by the DES Wetlands Bureau.

With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways, provided that: (1) The work is done within the original bounds of a legally-constructed project; (2) The project is not located in or adjacent to prime wetlands; (3) The work does not exceed 20,000 square feet; and (4) For man-made ponds, the pond has not been abandoned as defined in Env-Wt 101.02.
- 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 Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
- 6. No comments were submitted by the NH Fish and Game Department or the Natural Heritage Bureau.

GOLD DREDGE

2015-01692 SMALL, RYAN
(ALL TOWNS) Unnamed Stream

TRAILS NOTIFICATION

2015-01630 TR DILLON LOGGING INC
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:

Trail Notification: Berlin/Success, Tax Map SU1612 & SU1613. Maintenance of the Success ATV Trail including 7 Boys Loop, ending at the 14 mile mark.

LAKES-SEASONAL DOCK NOTIF

2015-01682 TAYLOR, MATTHEW
WEARE Mount William Pond

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

2015-01684 SEARLES, GARY
ENFIELD Spectacle Pond

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

2015-01718 TORTORA, ROBIN
BARNSTEAD Locke Lake

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

2015-01728 KINGSBURY, TODD
WOLFEBORO Wentworth Lake

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

2015-01737 HINDS, RANDALL
FRANKLIN Webster Lake

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

With Findings:

Town of Franklin approved zoning case No. P15-012 for minimum 75 feet of frontage on 6/24/15.

PERMIT BY NOTIFICATION

2015-01483 MORAN, MARY COFFEE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Maintenance, repair, and replacement in-kind of existing docking structures provided no change in location, configuration, construction type, or dimensions.

PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing docking structures provided no change in location, configuration, construction type, or dimensions.

2015-01510 LAKE WICWAS LOT 3 REALTY TRUST
MEREDITH Lake Winnepesaukee

Requested Action:

Construction of a seasonal pier or wharf dock, with no more than 2 slips, and construction of a seasonal dock anchoring pad in non-tidal waters in accordance with plans dated June 11, 2015.

PBN IS COMPLETE:

Construction of a seasonal pier or wharf dock, with no more than 2 slips, and construction of a seasonal dock anchoring pad in non-tidal waters in accordance with plans dated June 11, 2015.

2015-01577 SCHELZI, JAMES
LACONIA Lake Winnepesaukee

Requested Action:

Maintenance and repair in-kind of existing docking structure with no change in location, configuration, construction type or dimensions, and installation of two personal watercraft lifts in non-tidal waters in accordance with plans dated May 26, 2015.

PBN IS COMPLETE:

Maintenance and repair in-kind of existing docking structure with no change in location, configuration, construction type or dimensions, and installation of two personal watercraft lifts in non-tidal waters in accordance with plans dated May 26, 2015.

2015-01614 CLAIR, DANIEL/KARLENE
BELMONT Winnisquam Lake

Requested Action:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration in accordance with plans revision dated June 15, 2015.

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration in accordance with plans revision dated June 15, 2015.

**2015-01681 O'SULLIVAN, ROBERT
MEREDITH Lake Winnepesaukee**

Requested Action:

Repair or replacement 42 linear feet of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration in accordance with plans dated May 26, 2015.

PBN IS COMPLETE:

Repair or replacement 42 linear feet of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration in accordance with plans dated May 26, 2015.

**2015-01732 NOLAN, FREDERICK
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Maintenance, repair, and replacement in-kind of existing docking structures, or other docking facilities, provided no change in location, configuration, construction type, or dimensions is proposed.

PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing docking structures, or other docking facilities, provided no change in location, configuration, construction type, or dimensions is proposed.

CSPA PERMIT

**2015-01130 ATTAR, GEORGE/LAURIE
HAMPTON Atlantic Ocean**

Requested Action:

Impact 3,950 sq. ft. to demolish the existing house, construct a new house attached to the existing garage, replace the existing gravel driveway with permeable pavers and adding infiltration trenches around the perimeter of the new house.

APPROVE PERMIT:

Impact 3,950 sq. ft. to demolish the existing house, construct a new house attached to the existing garage, replace the existing gravel driveway with permeable pavers and adding infiltration trenches around the perimeter of the new house.

With Conditions:

1. All work shall be in accordance with plans by Millenium Engineering, Inc. revised and dated June 18, 2015 and received by the NH Department of Environmental Services (DES) on July 6, 2015.
2. No more than 47% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock or other suitable material.
8. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-01393 WUSTROW, ANNE/DAVID
NEW LONDON Messer Pond

Requested Action:

Impact 5,815 sq ft in order to demolish 3 bedroom residence and construct a new 3 bedroom residence in the same footprint with an expansion away from the water, install pervious walkway and driveway.

APPROVE PERMIT:

Impact 5,815 sq ft in order to demolish 3 bedroom residence and construct a new 3 bedroom residence in the same footprint with an expansion away from the water, install pervious walkway and driveway.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated May 21, 2015 and received by the NH Department of Environmental Services (DES) on June 11, 2015.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 14.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,390 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and

remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2015-01401 VIRGINIA LANE REALTY TRUST
WAKEFIELD Pine River Pond**

Requested Action:

Impact 4,850 sq. ft. to construct a new 12 ft. wide connector driveway between the two existing driveways, install a 1,600 sq. ft. impervious pad for play area, and construct a rain garden to manage stormwater runoff.

APPROVE PERMIT:

Impact 4,850 sq. ft. to construct a new 12 ft. wide connector driveway between the two existing driveways, install a 1,600 sq. ft. impervious pad for play area, and construct a rain garden to manage stormwater runoff.

With Conditions:

1. All work shall be in accordance with plans by Land Tech dated April 2015 and received by the NH Department of Environmental Services (DES) on June 15, 2015.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V(a)(2)(D)(iv).
3. No more than 24% of the area of the combined lots within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 4,619 sq. ft. of the Natural Woodland Buffer beyond the primary building setback on Lot #8 and at least 5,313 sq. ft. on Lot #9 must remain in an unaltered state in order to comply with RSA 483-B:9, V(b)(2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2015-01415 CHINBURG DEVELOPMENT LLC
PORTSMOUTH Sagamore Creek**

Requested Action:

Impact 19,774 sq ft in order to re-develop a site including, demolition of the existing structure, construction of 11 residential units, new private access/egress, and stormwater/drainage structures.

APPROVE PERMIT:

Impact 19,774 sq ft in order to re-develop a site including, demolition of the existing structure, construction of 11 residential units, new private access/egress, and stormwater/drainage structures.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated June 9, 2015 and received by the NH Department of Environmental Services (DES) on June 10, 2015.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 30.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 5,745 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2015-01416 VIRGINIA MOLLOY 2001 REV TRUST
SUNAPEE Sunapee Lake**

Requested Action:

Impact 2,415 sq ft in order to construct a precast retaining wall to support and stabilize existing retaining wall and house. Existing trees and vegetation sre to be removed as necessary to accommodate construction of the new wall.

APPROVE PERMIT:

Impact 2,415 sq ft in order to construct a precast retaining wall to support and stabilize existing retaining wall and house. Existing trees and vegetation sre to be removed as necessary to accommodate construction of the new wall.

With Conditions:

1. All work shall be in accordance with plans by CLD Consuting Engineers dated June 2015 and received by the NH Department of Environmental Services (DES) on June 10, 2015.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 17.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

4. At least 2,655 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. In accordance with RSA 483-B:9, The commissioner shall have the authority to grant waivers from the minimum standards of this section. Such authority shall be exercised if the commissioner deems that strict compliance with the minimum standards of this section will provide no material benefit to the public and have no material adverse effect on the environment or the natural resources of the state.
2. The existing failing retaining wall is located within 20 feet of the reference line of Lake Sunapee.
3. The existing vegetation within the waterfront buffer currently meets the requirements for RSA 483-B:9 V.(a)(2)(B),(C), and (D).
4. In order to repair the wall within the waterfront buffer the removal of groundcover, trees, stumps, and other vegetation will be required to be removed.
5. The applicant proposes to reestablish the waterfront buffer with vegetation to the extent possible due to severe slopes and space limitation.
6. The repair of the retaining wall and the establishment of new vegetation will better protect the public water and therefore, is consistent with the intents of the statute.
7. The strict compliance with the minimum standards of this section will not provide material benefit to the public and will have no material adverse effect on the environment or the natural resources of the state and therefore, the requirements for a waiver to RSA 483-B:9, V, (a) have been met.

**2015-01417 CAHILL, PAUL/SUSAN
MADISON Cooks Pond**

Requested Action:

Impact 4,144 sq ft in order to demolish the existing cottage and rebuild a new cottage within the same location.

APPROVE PERMIT:

Impact 4,144 sq ft in order to demolish the existing cottage and rebuild a new cottage within the same location.

With Conditions:

1. All work shall be in accordance with plans by Paul L King, LLS, PE dated May 2015 and received by the NH Department of Environmental Services (DES) on June 10, 2015.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling

point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).

3. No more than 8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 19,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-01425 LORAH, KANE/SHARON
BRISTOL Newfound Lake

Requested Action:

Impact 2,137 sq ft in order to demolish existing cottage and rebuild a new larger cottage.

APPROVE PERMIT:

Impact 2,137 sq ft in order to demolish existing cottage and rebuild a new larger cottage.

With Conditions:

1. All work shall be in accordance with plans by B. A. Barnard Ent., Inc. dated May 2015 and received by the NH Department of Environmental Services (DES) on June 10, 2015.
2. No more than 27.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
2. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-01452 LISBON DG LLC
LISBON Ammonoosuc River

Requested Action:

Impact 20,904 sq. ft. to demolish existing residential structures and construct a commercial structure and parking lot; work includes construction of a stormwater infiltration basin and landscaping.

APPROVE PERMIT:

Impact 20,904 sq. ft. to demolish existing residential structures and construct a commercial structure and parking lot; work includes construction of a stormwater infiltration basin and landscaping.

With Conditions:

1. All work shall be in accordance with plans by Bohler Engineering dated June 5, 2015 as received by the NH Department of Environmental Services (DES) on June 12, 2015.
2. A copy of the deed, demonstrating that Lisbon DG, LLC has taken ownership of the proposed site, shall be provided to the NHDES Wetlands Bureau prior to construction.
3. In signing this permit, the Owner and Contractor accept this permit and the conditions herein as the new permit of record, nullifying the previously issued permit (#2014-03287).
4. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
5. All impacts associated with construction shall be limited to impact areas as depicted on the approved plans.
6. 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.
7. Construction shall be inspected by a qualified 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.
8. Silt fencing must be removed once the area is stabilized.
9. No more than 73% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.