

Wetlands Bureau Decision Report

CDR ✓
7/11/16

Decisions Taken
07/04/2016 to 07/10/2016

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.

(NO CATEGORY MATCH)

2016-01779 CRANE, FREDERICK
HAMPTON FALLS Unnamed Stream

WITHDRAW APPLICATION:
Agent requests to withdraw application.

MAJOR IMPACT PROJECT

2015-03344 SEACOAST CROSSROADS REALTY COMPANY LLC
HAMPTON Unnamed Wetland

Requested Action:
Agent for applicant requests waiver to Rule Env-Wt 807.06(b) for a 90 day extension of the ARM Fund payment due to a prolonged transaction period relative to the conservation parcel.

Conservation Commission/Staff Comments:
Per DHR, no historic properties affected.
:The [Hampton] Conservation Commission does not oppose the granting of this NHDES Standard Dredge and Fill permit based on the agreed upon local-level mitigation. ... It is understood that the applicant will also pay into the ARM Fund to meet the NHDES compensatory mitigation requirements."

APPROVE WETLAND WAIVER:
Approve waiver to Rule Env-Wt 807.06(b) for a 90 day extension of the ARM Fund payment for the request to dredge and fill a total of 21,218 sq. ft. of palustrine forested/scrub-shrub wetlands, in three (3) locations on the site, for a project that involves the redevelopment of the property at 298 Exeter Road, in Hampton for the construction of an assisted living facility. This 9.9 acre site is located inside the Route 101 off-ramp to Liberty Lane and is currently occupied by a vacant tennis facility and undeveloped areas. Compensatory mitigation involves a one-time payment of \$102,426.08 into the Aquatic Resource Mitigation (ARM) Fund.

- With Conditions:
With amended conditions:
1. All work shall be in accordance with plans by MSC~A division of TF Moran, Inc. dated October 7, 2015, and revised through 12/09/2015 as received by the NH Department of Environmental Services (DES) on December 17, 2015.
 2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
 3. This permit is not valid and effective until it has been recorded with the Rockingham County Registry of Deeds by the applicant. 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.
 4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
 5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
 6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual,

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

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
9. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

Compensatory Mitigation:

10. This approval is not valid until DES receives the remaining payment of \$85,355.07 to the DES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to DES. If DES does not receive payment within 90 days or by October 13, 2016, DES will deny the application.
11. This approval is not valid until the applicant has deeded a 6-acre parcel of land, Hampton Tax Map 66/Lot No. 1, on Timberswamp Road which encompasses Car Barn Pond to the Town of Hampton.
12. The deed of the 6-acre parcel transferred to the Town of Hampton shall be recorded at the registry of deeds office and a copy of the recorded deed submitted to DES.

With Findings:

1. The agent for the applicant has proposed to submit the remaining ARM Fund payment within 90 days or by October 13, 2016, and therefore, meets the requirements for a waiver.

2016-00126 DEBORAH J KACPROWICZ LIVING TRUST
ALTON Lake Winnepesaukee

Requested Action:

Repair an existing 40 ft. breakwater and a 28 ft. breakwater, construct a 4 ft. x 32 ft. cantilevered dock adjacent to the 40 ft. breakwater, replace bumper and tie off piles, and resurface an existing 120 sq. ft. concrete deck with wood on an average of 211 ft. of shoreline frontage along Lake Winnepesaukee, on Treasure Island, in Alton.

Conservation Commission/Staff Comments:

1/11/16 Con Com requests action be suspended for 40 days until property can be investigated and/or until receiving a written letter from the Con Com.
1/25/16 Con. Com. has no objections.

APPROVE PERMIT:

Repair an existing 40 ft. breakwater and a 28 ft. breakwater, construct a 4 ft. x 32 ft. cantilevered dock adjacent to the 40 ft. breakwater, replace bumper and tie off piles, and resurface an existing 120 sq. ft. concrete deck with wood on an average of 211 ft. of shoreline frontage along Lake Winnepesaukee, on Treasure Island, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated October 20, 2015, and revised through May 24, 2016, as received by DES on June 06, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. 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).
5. No work is authorized to the existing 28 ft. x 20 ft. boathouse.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
10. Only existing rocks that have fallen from the structure(s) shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.
11. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
12. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
13. This permit does not allow dredging for any purpose.
14. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), modification of a breakwater.
2. The applicant has an average of 211 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
4. The modified docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. NH DES staff finds that a public hearing under RSA 482-A:8 is not required because the project impacts are not significant public interest and will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2016-00478 WIGGINS, STEPHEN
MOULTONBOROUGH Squam Lake

Requested Action:

Amend permit to allow installation of a "T" shaped dock instead of the previously approved single straight pier.

Conservation Commission/Staff Comments:

03/01/2016 - DHR, Area considered archaeologically sensitive, minimal impacts proposed..

03/07/2016 Con Com. has investigated and make the following comments: the agent is constructing a path from the new guest house location to the new dock and the plans should indicate what trees/vegetation will be removed and what will be retained.

APPROVE AMENDMENT:

Permanently remove an existing 3.3 ft. x 29.1 ft. seasonal dock, concrete abutment and associated walkway and install a 6 ft. x 20 ft. seasonal "T" dock at the lakeward end of a 6 ft. x 28 ft. seasonal dock anchored by a concrete pad in the bank on an average of 707 ft. of shoreline frontage along Squam Lake, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by David Dolan Associates dated February 3, 2016, and revised through May 24, 2016, as received by DES on June 06, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by

certified mail, return receipt requested.

3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. 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).
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. All construction-related debris shall be placed outside of the areas subject to RSA 482-A. 10. Any subdivision of the property that results in the docking structures being located on a lot having less than 225 ft. of frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
11. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
12. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 562.5).
13. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.03(d), installation of a docking system providing 5 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 707 feet of shoreline frontage along Squam Lake.
6. A maximum of 10 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed new dock in combination with the existing docking facilities will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The New Hampshire Division of Historical Resources submitted comments indicating no historical properties affected, however the area is considered archaeologically sensitive.
9. The Moultonborough Conservation Commission submitted comments with regards to the vegetation within the waterfront buffer. Concerns pertaining to the maintenance of the waterfront buffer shall be addressed during the review of any Shoreland Water Quality Protection Act application that is submitted for development within the protected shorelands.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2016-00268 KNIGHT, CATHERINE
MEREDITH Lake Winnepesaukee

Requested Action:

Relocate an existing "U" shaped docking facility consisting of two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. seasonal walkway, repair 47 linear ft. of retaining wall "in kind", and retain repairs to an existing deck between two boulders at the shoreline

on an average of 185 ft. of shoreline frontage along Lake Winnepesaukee, in Meredith.

Conservation Commission/Staff Comments:

2-09-16 - No historic properties affected per DHR.

APPROVE PERMIT:

Relocate an existing "U" shaped docking facility consisting of two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. seasonal walkway, repair 47 linear ft. of retaining wall "in kind", and retain repairs to an existing deck between two boulders at the shoreline on an average of 185 ft. of shoreline frontage along Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated June 06, 2016, as received by DES on June 8, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. 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).
5. The perched beach shall be constructed in accordance with previous Permit# 2011-01467.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
9. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
10. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
11. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 504.32).
12. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), modification of a docking system that provides 3 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 185 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.

2016-01279 UNITY, TOWN OF
UNITY Little Sugar River

Requested Action:

Replacement of a failed northeasterly wingwall of the Stage Road bridge abutment over the Little Sugar River. There will be a

temporary impact of 120 s.f./37 l.f. in the Little Sugar River for water diversion during construction. The permanent impact will be 620 s.f./30 l.f. along the bank of the Little Sugar River, with the placement of a concrete wingwall and stone fill for bank stabilization.

APPROVE PERMIT:

Replacement of a failed northeasterly wingwall of the Stage Road bridge abutment over the Little Sugar River. There will be a temporary impact of 120 s.f./37 l.f. in the Little Sugar River for water diversion during construction. The permanent impact will be 620 s.f./30 l.f. along the bank of the Little Sugar River, with the placement of a concrete wingwall and stone fill for bank stabilization.

With Conditions:

1. All work shall be in accordance with plans dated May 5, 2016 with final revisions dated June 1, 2016 and narratives by Holden Engineering & Surveying, Inc. as received by the NH Department of Environmental Services (DES) on July 5, 2016.
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. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
4. 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.
5. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
6. 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.
7. 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.
8. 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.
9. 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).
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. The temporary wetland impact areas shall be restored to the natural streambed condition existing prior to failure of gabion wall.
12. 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.
13. 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 wingwall.
14. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
15. 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.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
18. Faulty equipment shall be repaired prior to construction.
19. 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.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. 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.
22. 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.

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

24. 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.

25. 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. Minor impact per 303.03(1) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total distance shall be measured along the thread of the channel. For perennial streams or rivers, the total distance shall be measured along the thread of the channel and the banks.
2. A request for Expedited Review per the DES Standard Operating Procedure (SOP) #113-1 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 gabion wing wall along the Stage Road Bridge embankment has failed and slid into the Little Sugar River leaving the road embankment and bridge abutment exposed causing portions of the road shoulder to erode and is threatening to undermine the bed of the roadway.
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 stated the proposed concrete wingwall and slope stabilization will provide the least impact to the Little Sugar River in the short term and long term due to the underlying soils and steepness of the embankment.
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 includes temporary impacts to the bed of the Little Sugar River (Tier 3) for installation of a temporary cofferdam, removal of the failed gabion wall, and stream bed restoration. The project also includes permanent impacts to the banks of the river for construction of a concrete wingwall and placement of riprap slop stabilization.
7. The project plans are stamped by a New Hampshire Licensed Professional Engineer ("PE").
8. The project plans are stamped by a New Hampshire Certified Wetland Scientist ("CWS").
9. The New Hampshire Natural Heritage Bureau (NHB) review indicated there are no recorded occurrences for sensitive species near the project area per letter dated April 13, 2016.
10. The Town of Unity Conservation Commission has signed the application on April 18, 2016.
11. A Temporary Construction Easement was granted to the Town of unity for accessing and constructing the wing wall and performing slope grading or roadway construction on Map 10 Lot 357.
12. Compensatory mitigation was not required for the project as the project impacts less than 10,000 sq. ft. of wetlands but otherwise qualifies as minor impact in accordance with Env-Wt 303.03, and the project involves construction of a wingwall and riprap to protect an existing bridge infrastructure.
13. DES has not received any abutter or public comments in objection to the proposed project.

MINIMUM IMPACT PROJECT

2016-00304 INTERVALE LAND CO
MANCHESTER Merrimack River

Requested Action:

Fill 662 sq. ft. of wetland and install 90' lin. ft. of 15" culvert to replace deteriorated timber retaining wall and facilitate moving a golf cart path.

Conservation Commission/Staff Comments:

2/23/16 Con. Com. intends to investigate the site and the proposed impacts. The Commission request that DES withhold making a decision until the Commission can issue a written report or until 40 days from the filing with the Manchester City Clerk (Sunday 3/21 but presumably Monday 3/22). Letter to file.

3/1/2016 - No historic properties affected per DHR.

DENY PERMIT:

Fill 662 sq. ft. of wetland and install 90' lin. ft. of 15" culvert to replace deteriorated timber retaining wall and facilitate moving a golf cart path.

With Findings:

Standards for Approval:

1. This project is classified as a Minimum Impact per 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 303.03 (k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. Pursuant to Rule Env-Wt 302.04, Requirements for Application Evaluation, (b), (5), applicants for Minimum projects shall demonstrate by plan and example that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
3. Pursuant to Rule Env-Wt 302.04, Requirements for Application Evaluation, (d), (1), the department shall not grant a permit if there is a practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction.
4. In accordance with Rule Env-Wt 302.01 Statement of Purpose, (b), For nontidal wetlands, need shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands. The department shall place emphasis on preserving bogs and marshes. This priority shall be based on the rarity of those environments and the difficulty in restoration of value and function for those environments.
5. In accordance with Rule Env-Wt 302.03, Avoidance Minimization, and Mitigation, (a), The applicant shall submit a statement describing the impact of the proposed project design and provide evidence which demonstrates that, subject to 302.03(b): (1) Potential impacts have been avoided to the maximum extent practicable; and (2) Any unavoidable impacts have been minimized.
6. In accordance with Rule Env-Wt 302.04 (d)(2) the department shall not grant a permit if the project would cause or contribute to significant degradation of waters of the state.

Findings of Fact:

1. On February 9, 2016, the Wetlands Bureau received a Wetland permit Application for permanent wetland impacts on the lot identified as Manchester Tax Map 769, Lot 8 to fill 662 sq. ft. of poorly drained wetland to facilitate moving the cart path along the 8th hole, install 90' x 15" culvert to replace the deteriorating existing timber retaining wall.
2. A Request for More Information was issued on April 11, 2016 requesting consideration of alternatives with lesser impacts to wetlands and surface waters, consideration of water quality benefits provided by the existing wetland, and requesting coordination with NH Fish & Game relative to a State Threatened species (Bald Eagle-Haliaeetus leucocephalus) which was identified in the project vicinity.
3. On May 9, 2016 the Department received a response to the Request for More Information Letter from Jeffrey Green, LLS which stated the retaining wall cannot be repaired without more than doubling the impacts to jurisdictional wetlands and the removal of several mature trees. The response proposed maintaining the wetland fill area, extending the culvert pipe, addition of a 3' sump and catch basin, and installation of a grass swale. The response included a letter from NH Fish & Game indicating impacts are not expected to an identified bald eagle roost.
4. A site observations visit was performed on June 7, 2016 to determine whether wetland impacts associated with the proposed permanent fill of 662 sq. ft., extension of 90' x 15" culvert, catch basin installation, and grass drainage swale are avoidable or have been minimized. Site Observations concluded the retaining wall is located in upland area adjacent to wetland with significant upland area to perform reconstruction or replacement of the existing retaining wall in-place. There is a 5-6' existing buffer to the wetland. Existing mature trees along the embankment retaining wall had been previously cut. The Merrimack River is located approximately

260' feet to the south. Discussion indicated the existing wetland swale provides some water quality benefits including attenuation, treatment, and infiltration of golf course stormwater runoff prior to culvert outlet to the Merrimack River. Temporary wetland impacts could be permitted, with impacts conditioned to be regraded and wetland areas replanted with native wetland species. Site meeting concluded that proposed permanent impact areas should be reduced to temporary impacts (regraded and replanted with native wetland species) necessary for reconstruction of the existing retaining wall.

5. A Time Extension Agreement dated June 8, 2016 was issued through Jeffrey Green acting as the authorized agent in place of Peter Schauer, to provide time for the applicant time to revise the requested impact area from permanent impacts to temporary impacts for work associated with replacement of an existing retaining wall.

6. A response was received from Bruce J. Marshall, P.E., Esquire on June 16, 2016. The response included a revised plan which included eliminating the proposed culvert, installing a catch-basin at the inlet of the pre-existing culvert with elevated invert, and install infiltration chambers below a proposed sand trap fill area.

7. The proposed wetland fill does not meet Env-Wt 302.03 as impacts have not been minimized or avoided to the maximum extent practicable. The existing timber retaining wall or similar replacement can be constructed without direct impacts to the wetland or with temporary impacts restored following wall construction.

8. The wall is located in upland area adjacent to wetland bank with significant upland area to perform reconstruction or replacement of the existing retaining wall in-place. There is 5' to 6' of existing upland buffer to wetland. On-Site discussion indicated concerns with wetland fill and culvert pipe installation including water quality treatment from golf course surface runoff prior to outlet to Merrimack River. The existing wetland provides treatment through infiltration, retention, and biological functions.

Rulings in Support of Denial:

1. The applicant failed to provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
2. Pursuant to Rule Env-Wt 302.04, Requirements for Application Evaluation, (b), (5), applicants for Minimum projects shall demonstrate by plan and example that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
3. Pursuant to Rule Env-Wt 302.04, Requirements for Application Evaluation, (d), (1), the department shall not grant a permit if there is a practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction.

**2016-00629 LIGOLS, BRAD
NEW DURHAM Merrymeeting Lake**

Requested Action:

Impact 454 sq. ft. of bank in order to convert an existing sloped beach to a 300 sq. ft. perched beach on an average of 113 ft. of frontage along Merrymeeting Lake, in New Durham.

APPROVE PERMIT:

Impact 454 sq. ft. of bank in order to convert an existing sloped beach to a 300 sq. ft. perched beach on an average of 113 ft. of frontage along Merrymeeting Lake, in New Durham.

With Conditions:

1. All work shall be in accordance with plans by Jones and Beach Engineers Inc. dated September 25, 2015, and revised through June 3, 2016, as received by DES on June 7, 2016.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. 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).
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

6. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 648.50). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 10 cu. yd. of sand shall be used and all sand shall be located above the normal high water line.
11. This permit authorizes a single beach replenishment only. Any future beach replenishment shall require a new permit.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
14. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach for a single family residence.
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 proposed perched beach will stabilize an existing erodible sloped beach on a steep slope.
6. The criteria for a waiver of Rule Env-Wq 1405.05 for impacts in steep slopes has been met.

2016-01192 BLACKWOOD, PAUL
ALTON Merrymeeting River

Requested Action:

Repair 58 linear feet of retaining wall with no change in height, length, location or configuration, on the Merrymeeting River, Alton.

Conservation Commission/Staff Comments:

05/02/2016 Con. Com. approved the application.

APPROVE PERMIT:

Repair 58 linear feet of retaining wall with no change in height, length, location or configuration, on the Merrymeeting River, Alton.

With Conditions:

1. All work shall be in accordance with plans as received by DES on July 06, 2016.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. 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).
4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and

- shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
 8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A . Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
 9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
 10. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
 11. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
 12. Work shall be done during low flow.
 13. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
 14. The retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
 15. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
 16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 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(c), repair of existing retaining wall in kind.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

2016-01236 WINNISQUAM BEACH CAMPGROUND UNIT OWNERS ASSOC
BELMONT Winnisquam Lake

Requested Action:

Retain (After the Fact) 67 sq. ft. of dredge and fill within forested/scrub-shrub wetland to construct concrete pad to house fuel tank and placement of a concrete pad which supports the living structure.

APPROVE AFTER THE FACT:

Retain (After the Fact) 67 sq. ft. of dredge and fill within forested/scrub-shrub wetland to construct concrete pad to house fuel tank and placement of a concrete pad which supports the living structure.

With Conditions:

1. All work shall be in accordance with plans by Turning Point Land Surveyors & Land Planners for Land of John Klement Located at 16 Park Place Winnesquam Beach Resort
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.
4. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A . Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
5. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
6. Prior to the removal of any trees on the Lot the applicant shall obtain written permission from the affected landowner, and the

applicant shall coordinate with NH Fish & Game to ensure that there are no impacts to species of concern or habitat identified in the project vicinity.

7. Area of temporary impact shall be regraded to original contours following completion of work.

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

With Findings:

1. This projects meets 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 applicant's agent has provided an Appointment of Authorized Agent signed by the applicant and the Land Owner acknowledging submittal of the wetland application to NHDES dated April 26, 2016.

3. Prior to the removal of any trees on the Lot the applicant shall obtain written permission from the affected landowner, and the applicant shall coordinate with NH Fish & Game to ensure that there are no impacts to species of concern or habitat identified in the project vicinity.

2016-01239 NH DEPARTMENT OF FISH & GAME
NEWINGTON Atlantic Ocean

Requested Action:

Cover approximately 522,720 sq. ft. (12 acres) of estuarine bottom with seasoned oyster shell to increase invertebrate diversity and abundance across mudflat areas.

APPROVE PERMIT:

Cover approximately 522,720 sq. ft. (12 acres) of estuarine bottom with seasoned oyster shell to increase invertebrate diversity and abundance across mudflat areas.

With Conditions:

1. All work shall be in accordance with plans and narrative by Granite State Shellfish dated June 7, 2016, as received by DES on June 14, 2016.
2. The permittee shall conduct annual monitoring in accordance with the NH Oyster Reef Restoration Monitoring Protocol (Revised April 22, 2016) for five consecutive years post reef construction.
3. Monitoring reports shall be submitted to the DES Wetlands Bureau, the Army Corps of Engineers, and the National Marine Fisheries Service by January 1 for five consecutive years post reef construction.
4. 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.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of degraded wetlands, and meets the criteria specified Env-Wt 303.04(t)(1)-(4).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. This project proposes to provide base material for restoration of a historic oyster reef area, as many historic reef areas have been declining due to disease and sedimentation.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302.03. The proposal was developed in coordination with The Nature Conservancy, the University of New Hampshire, and USDA Natural Resource Conservation Service ("NRCS"). The project is being funded by the DES Aquatic Resource Mitigation Fund ("ARM Fund") and NRCS.

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 NH Natural Heritage Bureau ("NHB") has record of sensitive species present within the vicinity of the project area, but NHB does not expect impacts to the sensitive species by the project.
6. The Newtonton Conservation Commission signed the expedited application.

**2016-01243 COATS, ERIK J/MARTHA M
WEBSTER Walker Pond**

Requested Action:

Install a 6 ft. x 30 ft. seasonal dock accessed by 6 ft. wide stairs in the bank, replace 45 linear feet of wood retaining wall with a rock wall of same elevation, on an average of 221 feet of shoreline frontage, Walker Pond, Webster.

Conservation Commission/Staff Comments:

5/13/16 - No historic properties affected per DHR.

APPROVE PERMIT:

Install a 6 ft. x 30 ft. seasonal dock accessed by 6 ft. wide stairs in the bank, replace 45 linear feet of wood retaining wall with a rock wall of same elevation, on an average of 221 feet of shoreline frontage, Walker Pond, Webster.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscape Company dated May 04, 2016, as received by DES on May 05, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. 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).
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Any subdivision of the property that results in the structure being located on a lot having less than 75 ft. of frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
12. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
13. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation (Elev. 500).

- 14. All seasonal structures shall be removed for the non-boating season.1. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
- 15. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
- 16. Work shall be done during low flow and in the dry only.
- 17. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
- 18. The retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
- 19. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
- 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 tackifiers on slopes less than 3:1 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(a), installation of a seasonal docking structure providing no more than 2 slips.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The applicant has an average of 221 feet of shoreline frontage along Walker Pond.
- 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.

FORESTRY NOTIFICATION

2016-01909 FLEMMING, JOSEPH
THORNTON Unnamed Stream

COMPLETE NOTIFICATION:
Thornton, Tax Map #6, Lot #19, Block #09

2016-01912 BAYROOT LLC
SHELBURNE Unnamed Stream

Requested Action:
Shelburne, Map #7, Lot #59E

**2016-01925 NEW ENGLAND FORESTRY FOUNDATION
SANBORNTON Unnamed Stream**

Requested Action:
Sanbornton, Tax Map 1, Lot 11, Unit 2

**2016-01928 GRUVER, DAVID & KATHY
WARNER Unnamed Stream**

COMPLETE NOTIFICATION:
Warner, Lot #11, Lot #6 & 6-1

**2016-01955 ARTHUR STONE DEWING TRUST
ALSTEAD Unnamed Stream**

Requested Action:
Alstead, Map #9, Lot #7

EXPEDITED MINIMUM

**2016-00119 BURKE, SEAN
SALEM Arlington Mill Reservoir**

Requested Action:
Replace approximately 75 linear feet of retaining wall with no change in length, height or location on Arlington Pond, Salem.

APPROVE PERMIT:
Replace approximately 75 linear feet of retaining wall with no change in length, height or location on Arlington Pond, Salem.

With Conditions:

1. All work shall be in accordance with plans dated April 30, 2016, and revised through May 16, 2016, as received by DES on June 13, 2016.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. 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).
4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

- turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A . Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
 9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
 10. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
 11. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
 12. Work shall be done during low flow and in the dry only.
 13. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
 14. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
 15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 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(c) 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.
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.

2016-01466 ABENAQUI COUNTRY CLUB
RYE BEACH Intermittent Stream

Requested Action:

Restore 300 square feet (3'x100') of intermittent stream/drainage swale across the fairway of hole number 2 by daily-lighting an existing clay pipe and connect to existing swales.

APPROVE PERMIT:

Restore 300 square feet (3'x100') of intermittent stream/drainage swale across the fairway of hole number 2 by daily-lighting an existing clay pipe and connect to existing swales.

With Conditions:

1. All work shall be in accordance with plans by received by the NH Department of Environmental Services (DES) on June 8, 2016 and July 1, 2016.
2. DES Southeast Region shall be notified in writing of the commencement of work and upon completion.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A .
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

7. No machinery shall enter the water.
8. No excavation shall be done in flowing water.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material. . Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
10. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
12. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways, provided that.
2. The impacts are necessary to restore a deteriorated clay pipe; therefore, 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. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Rye Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

2016-01506 **FRIZZELL, EVERETT**
STARK Upper Ammonoosuc River

Requested Action:

Construct log jams along 1,500 linear feet of eroding bank on the Upper Ammonoosuc River to provide stabilization and riparian habitat restoration. Thirty (30) log jam structures will be installed at three (3) sites, with dimensions of 15 feet into the river by 20 feet along the riverbank with toe logs placed at the base of the bank between the log jams.

Conservation Commission/Staff Comments:

USDA NRCS will provide financial support and supervision of the project.

Inspection Date: 04/29/2016 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Construct log jams along 1,500 linear feet of eroding bank on the Upper Ammonoosuc River to provide stabilization and riparian habitat restoration. Thirty (30) log jam structures will be installed at three (3) sites, with dimensions of 15 feet into the river by 20 feet along the riverbank with toe logs placed at the base of the bank between the log jams.

With Conditions:

1. All work shall be in accordance with plans by Field Geology Services / John Field, Ph.D. dated, as received by the NH Department of Environmental Services (DES) on May 27, 2016 and riparian buffer plan by NRCS as received by the NH Department of Environmental Services (DES) on June 13, 2016.
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 a waiver of this condition is issued in writing by DES in consultation with NH Fish & Game.
3. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning

- seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
4. The permittee or permittee's project manager shall consult with NH Fish & Game, Fisheries Biologist, to obtain approval on the timing of construction.
 5. All in-stream work shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
 6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
 7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
 8. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
 9. The permittee shall notify the DES Wetlands Program in writing of the certified wetlands scientist or qualified professional, as applicable, who will be responsible for monitoring and ensuring that the restoration/enhancement/construction areas are constructed in accordance with the approved plans. The permittee shall re-notify the DES Wetlands Program if the identity of the individual changes during the project.
 10. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the DES Wetlands Program within 60 days of the completion of construction. DES Wetlands Program may require subsequent monitoring and corrective measures if DES deemed the area inadequately stabilized or restored.
 11. The permittee or permittee's contractor shall conduct a follow-up inspection in October or November following the first growing season to review the success of the restoration/enhancement/construction area and schedule remedial actions if necessary.
 12. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
 13. All work shall be done from the top of the bank only.
 14. No construction equipment shall be operated in flowing water.
 15. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.
 16. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
 17. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and plant native species similar to those within the wetland prior to impact. The permittee shall implement corrective measures promptly if needed to ensure the plantings survive.
 18. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
 19. Only native plant species shall be used to revegetate the riverbank.
 20. The river banks and buffer plantings shall have at least 75% successful establishment after two (2) growing seasons. If it does not, it shall be replanted and re-established in a manner satisfactory to DES.
 21. Additional requests to construct log jams in this area of the Upper Ammonoosuc River bed or bank shall not be considered or approved until a complete analysis and assessment has been conducted by the applicant/agent to determine a more effective, long-term solution that alleviates the erosion problem.

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 receives financial support and direct supervision from the US Natural Resources Conservation Service.
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. Natural Heritage Bureau determined the proposed project as designed will not have a negative impact on any threatened or

endangered species.

6. A riparian buffer 35 ft wide by 1,650 ft long will be constructed along the top of bank.

**2016-01663 STAVE, RICHARD/SHIRLEY
MILTON MILLS Unnamed Tributaries To Miller Brook**

Requested Action:

Proposal to restore habitat for aquatic bio-density along a total of 1,200 linear feet of two unnamed tributaries of Miller Brook by cutting trees/wood into the tributaries.

APPROVE PERMIT:

Restore habitat for aquatic bio-density along a total of 1,200 linear feet of two unnamed tributaries of Miller Brook by cutting trees/wood into the tributaries.

With Conditions:

1. All work shall be in accordance with plans by Dubois & King dated August 19, 2011 and narrative by Trout Unlimited dated May 5, 2016, as received by the NH Department of Environmental Services (DES) on June 10, 2016.
2. Work shall be done during low flow conditions.
3. Construction shall be inspected daily by a qualified biologist, erosion control specialist, or professional engineer 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. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted so as to minimize the duration of construction in the watercourse.
5. Trees that are stabilizing slopes and banks shall be left intact and not cut.
6. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of completion of construction.
7. 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.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate siltation and erosion 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.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
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 NH Administrative Rule Env-Wt 303.04(t), as the project proposes to restore degraded aquatic resources that benefit native brook trout.
2. The USDA Natural Resources Conservation Service is providing financial support and NH Fish and Game Department is providing technical assistance, field work, and continued monitoring of the restoration site for this aquatic bio-density improvement project.

- 3. The need for the proposed impacts has been demonstrated by the applicant per Rule 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 Rule Env-Wt 302.03.
- 5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 6. The NH Natural Heritage Bureau (NHB) has no record of rare wildlife, plant, and/or natural communities present within the vicinity of the project area.
- 7. The Milton Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

AGRICULTURE MINIMUM

2016-01102 SQUAMSCOTT FIELDS LLC
STRATHAM Tidal Wetlands

Requested Action:

Impact a total of 1,050 square feet of jurisdictional area to include temporarily impacting 480 square feet of estuarine tidal flat, temporarily impacting 540 square feet of palustrine emergent wetland, and permanently impacting 30 square feet of palustrine emergent wetland for the replacement of an existing, failed tide gate and pipe to allow continued usefulness of the existing agricultural fields.

Inspection Date: 06/16/2016 by Eben M Lewis

APPROVE PERMIT:

Impact a total of 1,050 square feet of jurisdictional area to include temporarily impacting 480 square feet of estuarine tidal flat, temporarily impacting 540 square feet of palustrine emergent wetland, and permanently impacting 30 square feet of palustrine emergent wetland for the replacement of an existing, failed tide gate and pipe to allow continued usefulness of the existing agricultural fields.

With Conditions:

- 1. All work shall be in accordance with plans by USDA NRCS dated 4/13/16 as received by the NH Department of Environmental Services (DES) on April 28, 2016.
- 2. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
- 3. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
- 4. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
- 5. The Rockingham County Conservation District shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including, but not limited to, photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
- 6. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
- 7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
- 8. Construction equipment shall have specialized low-ground-pressure tracks that impact less than four (4) pounds per square inch when loaded, or the permittee shall use timber or plywood mats beneath machines when driving over wetland areas.

9. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
10. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
11. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
12. 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, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
13. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
14. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoil shall be stockpiled separately from subsoil and shall be restored following backfill.
15. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
16. Any fill used shall be clean sand, gravel, rock, or other suitable material.
17. Area of temporary impact shall be regraded to original contours following completion of work.
18. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
19. 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 tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
20. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
21. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
22. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u) Maintenance or improvement of existing crop or pasture land for continued agricultural use, provided.
2. The impacts are necessary as the existing tide gate has failed, allowing salt water intrusion onto the fields, and does not allow stormwater to drain exacerbating invasive plant species growth; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will be temporary, therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Stratham Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
6. The Rockingham County Conservation District signed the application.
7. The application included a memo from NH Natural Heritage Bureau (NHB) NHB 16-0859 identifying several natural communities and two (2) plant species in the vicinity of the proposed impact.
8. In response to the aforementioned NHB memo, NHB finds, "the project should cause minimal impacts to the exemplary natural communities downstream."
9. The Exeter-Squamscott River Local Advisory Committee (ESRLAC) stated, in summary, "ESRLAC has reviewed the wetlands submitted by Stuart Farm and supports the work as proposed."
10. DES personnel inspected the property on June 16, 2016. Inspection found that the project as described in the application and depicted on the plans is accurate with on-site conditions.

11. The applicant requested a waiver of Env-Wt 303.04(u)(5) as the impacts occur within a tidal area where the structures were install pre-jurisdictional in 1962.

12. DES hereby grants the waiver of Env-Wt 303.04(u)(5) in accordance with Env-Wt 204.04(a) as granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety; or an impact on abutting properties that is more significant than that which would result from complying with the rule. Furthermore, granting the request is consistent with the intent and purpose of the rule being waived. Strict compliance with the rule will provide no benefit to the public.

GOLD DREDGE

2016-01943 TESSIER, GORDON
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con. Com.

LAKES-SEASONAL DOCK NOTIF

2016-01463 MARTINI, ANTHONY & MARISA
SPOFFORD Spofford Lake

2016-01881 ANDREWS, LAURA
MEREDITH Waukegan Lake

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

2016-01910 BRENKER, DIANE/KEVIN
UNITY Crescent Lake

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

2016-01922 WILLIAMS, PENNY
NEW DURHAM Marsh Pond

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

ROADWAY MAINTENANCE NOTIF

2016-01952 SURRY, TOWN OF
SURRY Unnamed Stream

COMPLETE NOTIFICATION:
Replace 24" culvert with a 36" culvert.

PERMIT BY NOTIFICATION

2016-01721 KALFAS, MAUREEN
ALTON Lake Winnepesaukee

Requested Action:
Remove existing 6 ft. x 30 ft. piling dock on Lake Winnepesaukee and replace with a 6 ft. x 55 ft. seasonal lift-out dock with no more than 2 slips; construct a 3 ft. x 7 ft. anchoring pad in accordance with plans by Winnepesaukee Marine Construction dated June 10, 2016.

PBN IS COMPLETE:
Remove existing 6 ft. x 30 ft. piling dock on Lake Winnepesaukee and replace with a 6 ft. x 55 ft. seasonal lift-out dock with no more than 2 slips; construct a 3 ft. x 7 ft. anchoring pad in accordance with plans by Winnepesaukee Marine Construction dated June 10, 2016.

2016-01724 HUCKINS, CHARLES
TUFTONBORO Lake Winnepesaukee

Requested Action:
Repair 575 sq. ft. crib dock in-kind on Lake Winnepesaukee with no change in location, configuration, construction type or dimensions in accordance with plans by Ambrose Marine Construction dated May 24, 2016.

Conservation Commission/Staff Comments:
06/29/2016 Con. Com. made a site visit and has no objections.

PBN IS COMPLETE:
Repair 575 sq. ft. crib dock in-kind on Lake Winnepesaukee with no change in location, configuration, construction type or dimensions in accordance with plans by Ambrose Marine Construction dated May 24, 2016.

2016-01743 PROULX, DENNIS
LACONIA Lake Winnepesaukee

Requested Action:
Repair and replacement in-kind of existing dock, tie-off piles and ice cluster piles on Lake Winnepesaukee with no change in location, configuration, construction type or dimensions in accordance with plans by Watermark Marine Construction dated June 7, 2016.

PBN IS COMPLETE:
Repair and replacement in-kind of existing dock, tie-off piles and ice cluster piles on Lake Winnepesaukee with no change in location, configuration, construction type or dimensions in accordance with plans by Watermark Marine Construction dated June 7, 2016.

2016-01876 GILFORD, TOWN OF
GILFORD Lake Winnepesaukee

Requested Action:
Repair existing concrete boat ramp with no change in size, location, dimensions or configuration in accordance with plans dated May 31, 2016.

PBN IS COMPLETE:
Repair existing concrete boat ramp with no change in size, location, dimensions or configuration in accordance with plans dated May 31, 2016.

CSPA PERMIT

2012-00837 MORELLO, MICHAEL/BEVERLY
HOLDERNESS Little Squam Lake

Requested Action:
Amendment Description: Remove stumps from areas to be landscaped.

APPROVE AMENDMENT:
Impact 9,904 sq ft in order to replace existing house with a new larger house and driveway. Project includes the removal of stumps from landscaped areas.

With Conditions:

1. All work shall be in accordance with plans by B.A. Barnard Ent., Inc. dated January 2012 and received by the NH Department of Environmental Services (DES) on April 9, 2012.
2. No more than 14.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 4,105 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).
4. 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.
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. 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 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.

2015-01524 SEESMAN, GARY
EFFINGHAM Province Lake

Requested Action:

Amendment Description: Remove the decking from the tower, relocate steps to the tower, enlarge the garage by 400 sq. ft., and remove a portion of the deck located on the lake side of house.

Inspection Date: 10/14/2015 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Impact 11,632 sq ft in order to relocate existing nonconforming structure further from the reference line; construct a new garage and new decking, install a new system and rain garden; reduce the impervious surfaces.

AMENDMENT DESCRIPTION: Remove the decking from the tower, relocate steps to the tower, enlarge the garage by 400 sq. ft., and remove a portion of the deck located on the lake side of house.

With Conditions:

1. All work shall be in accordance with revised plans by Gary W. Seesman dated June , 2016 and received by the NH Department of Environmental Services (DES) on June 9, 2016.
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 22.5% 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 104 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.

2015-02264 GILBERT, SCOTT
SUGAR HILL Streeter Pond

Requested Action:

Amendment Description: Utilities above and below ground to be connected to the well and house; a foundation drain will be installed from the house.

APPROVE AMENDMENT:

Impact 3,920 sq. ft. in order to remove existing nonconforming structure and rebuild a new structure further from the reference line, add utilities above and below ground, install a foundation drain around the structure, and remove trees within the woodland buffer but maintaining the required 25% unaltered area.

With Conditions:

1. All work shall be in accordance with plans by Thomas S. Smith dated May 2015 and received by the NH Department of Environmental Services (DES) on August 27, 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 16.8% 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 4,125 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.

2015-02948 HAYES, JOHN
DERRY Beaver Lake

Requested Action:

Impact 264 sq. ft. of protected shoreland in order to construct a pervious deck and plant native vegetation.

APPROVE PERMIT:

Impact 264 sq. ft. of protected shoreland in order to construct a pervious deck and plant native vegetation.

With Conditions:

1. All work shall be in accordance with plans by John Hayes dated June 9, 2016 and received by the NH Department of Environmental Services (DES) on June 13, 2016.
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 73% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. 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.
5. 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.
6. 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.
7. 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.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. 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.

2015-03045 WILLIAMS, GREG
MANCHESTER Merrimack River

Requested Action:

Amendment Description: Add a 20ft. x 14ft. deck

APPROVE AMENDMENT:

Impact 1,605 sq ft in order to construct a 20 ft. x 14 ft. deck and place an addition on an existing single family home.

With Conditions:

1. All work shall be in accordance with plans by Duval Survey Inc. dated October 28, 2015 and revised plans by Greg Williams dated June 16, 2016 received by the NH Department of Environmental Services (DES) on June 16, 2016.
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% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. 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.
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 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.

2015-03279 DROUIN, DENNIS/PATRICIA
HILLSBOROUGH Gould Pond

Requested Action:

Retain 5,600 sq. ft. of impacts within the Protected Shoreland in order to construct a garage with driveway apron, install stormwater management, construct a stone wall, remove existing covered parking and storage structures, and restore all other exposed areas within the waterfront and woodland buffers with native vegetation.

APPROVE PERMIT:

Retain 5,600 sq. ft. of impacts within the Protected Shoreland in order to construct a garage with driveway apron, install stormwater management, construct a stone wall, remove existing covered parking and storage structures, and restore all other exposed areas within the waterfront and woodland buffers with native vegetation.

With Conditions:

1. All work shall be in accordance with plans drawn by the permittee, Dennis Drouin, as received by the NH Department of Environmental Services (DES) on June 22, 2016.
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 impacts to natural ground cover or native vegetation shall occur within the Waterfront Buffer.
4. Restoration of exposed soils within the Waterfront Buffer shall consist of planting native vegetation only.
5. Native vegetation within an area of at least 784 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V(b)(2).
6. No more than 20% of the area of the lot within the Protected Shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. 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. 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. Orange construction fencing shall be placed at the limits of the temporary impact areas as shown on the approved plan in order to prevent accidental encroachment into areas in which impacts have not been approved.
9. 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).
10. Any fill used shall be clean sand, gravel, rock or other suitable material.
11. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. 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.
15. 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 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.
16. 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.

2015-03286

WINNI STOCK CONDO ASSOC

GILFORD Lake Winnepesaukee

Requested Action:

Impact approximately 7,000 sq. ft. of protected shoreland in order to remove poison ivy from grid # 6,7,8,9 and replace with native

species.

APPROVE PERMIT:

Impact approximately 7,000 sq. ft. of protected shoreland in order to remove poison ivy from grid # 6,7,8,9 and replace with native species.

With Conditions:

1. All work shall be in accordance with plans by Caleb E. King dated April 20, 2016 and received by the NH Department of Environmental Services (DES) on May 12, 2016.
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 40% 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 4,056 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 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.
7. 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.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. 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.

2016-00386 HENDEN, ARNE/LINDA
CENTER HARBOR Hawkins Pond

Requested Action:

Impact 10,000 sq. ft. in order to replace and install new walkways; rebuild retaining wall; install landscape edge; remove and renaturalize sandy beach; and install plantings.

APPROVE AMENDMENT:

Impact 10,000 sq. ft. in order to replace and install new walkways; rebuild retaining wall; install landscape edge; remove and renaturalize sandy beach; and install plantings.

With Conditions:

1. All work shall be in accordance with revised plans by New Hampshire Environmental Consultants, LLC dated May 5, 2016 and received by the NH Department of Environmental Services (DES) on May 8, 2016.
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 15,033 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.

2016-01611 WORTHEN, STEVE
MERRIMACK Baboosic Lake

Requested Action:

Amendment Description: Name and project location correction.

APPROVE AMENDMENT:

Impact 2,900 sq. ft. of protected shoreland in order to raze the existing structure, rebuild structure, add a new septic system and drilled well.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated June 4, 2016 and received by the NH Department of Environmental Services (DES) on May 19, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. 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).
4. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
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.

2016-01662 AMES, GREGORY
CARROLL Ammonoosuc River

Requested Action:

Impact 4,311 sq. ft. within the Protected Shoreland to construct a new house with appurtenant structures on a vacant lot.

APPROVE PERMIT:

Impact 4,311 sq. ft. within the Protected Shoreland to construct a new house with appurtenant structures on a vacant lot.

With Conditions:

1. All work shall be in accordance with plans by Presby Construction, Inc. dated April 26, 2016 as reevised on June 3, 2016 and received by the NH Department of Environmental Services (DES) on June 10, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. 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).
4. No impacts to natural ground cover or native vegetation shall occur within the Waterfront Buffer.
5. Native vegetation within an area of at least 5,702 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V(b)(2).
6. No more than 4% of the area of the lot within the Protected Shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. 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.
8. 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.
9. Orange construction fencing shall be placed at the limits of the temporary impact areas as shown on the approved plan in order to prevent accidental encroachment into areas in which impacts have not been approved.
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. Any fill used shall be clean sand, gravel, rock or other suitable material.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. 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.
14. 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 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.
15. 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.

2016-01667

WHITE, JAMES/WANDA

GILMANTON Rocky Pond

Requested Action:

Impact 6,100 sq. ft. of protected shoreland in order to remove an existing residence and build a new residence further from the pond. Rebuild attached garage in the same location and connect it to the new residence. Convert 310 sf of driveway to permeable pavers, install stepping stone walkway, install permeable paver walkway, install permeable paver patio directly under the deck of the residence. Install dripline trenches along residence and garage.

APPROVE PERMIT:

Impact 6,100 sq. ft. of protected shoreland in order to remove an existing residence and build a new residence further from the pond. Rebuild attached garage in the same location and connect it to the new residence. Convert 310 sf of driveway to permeable pavers, install stepping stone walkway, install permeable paver walkway, install permeable paver patio directly under the deck of the

residence. Install dripline trenches along residence and garage.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated May 31, 2016 and received by the NH Department of Environmental Services (DES) on June 10, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. 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).
4. No more than 29.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
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.

2016-01674 LAUZIER, DENYSE/GASTON
COLUMBIA Fish Pond

Requested Action:

Impact 2,440 sq. ft. of protected shoreland in order to add an addition to the existing primary structure.

APPROVE PERMIT:

Impact 2,440 sq. ft. of protected shoreland in order to add an addition to the existing primary structure.

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Planning and Design, LLC dated June 1, 2016 and received by the NH Department of Environmental Services (DES) on June 10, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. 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).
4. No more than 14% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 4,558 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).
6. 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.
7. 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.
8. 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.
9. 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.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

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.