Wetlands Applications Decision Report

Decisions Taken
08/28/2017 to 09/03/2017

Received
9/18/17
MAT

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 atappeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

MAJOR IMPACT PROJECT
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2016-02514 **WEBSTER, TOWN OF**

WEBSTER SCHOODAC BROOK

Requested Action:

Dredge and fill 680 square feet within the bed and banks of Schoodac Brook (Tier 3) impacting 88 linear feet (which includes 260 square feet and 20 linear feet of temporary impacts) to replace the existing failing 5 foot diameter culvert with a new 103 inch span by 67 inch height embedded elliptical corrugated culvert and associated headwalls, and stabilize the adjacent bank.

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APPROVE PERMIT
Dredge and fill 680 square feet within the bed and banks of Schoodac Brook (Tier 3) impacting 88 linear feet (which includes 260 square feet and 20 linear feet of temporary impacts) to replace the existing failing 5 foot diameter culvert with a new 103 inch span by 67 inch height embedded elliptical corrugated culvert and associated headwalls, and stabilize the adjacent bank.

With Conditions:
1. All work shall be in accordance with revised plans by Right Angle Engineering, LLC titled Proposed Conditions Site Plan for Pond Hill Road Over Schoodac Brook Culvert Replacement dated August 29, 2016 as received by the Department on August 31, 2017.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permitee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the DES Wetlands Program.
3. This permit is contingent on review and approval, by the DES Wetlands bureau, of a final erosion control and stream diversion plan prepared by a New Hampshire Licensed Professional Engineer ("PE"). Those plans shall depict all siltation/erosion/turbidity control measures implemented and dewatering locations.
4. 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.
5. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NH Fish & Game, Nongame and Endangered Species Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
6. The permittee shall coordinate with NH Fish & Game, Nongame and Endangered Species Program, regarding the need for any additional monitoring required before and during construction.
7. Personnel on the job site shall be made aware of the potential to encounter Northern Black Racers in the work area and their protected status, and fish and game flyer must be distributed to personnel. If Northern Black Racer is identified in a work or staging area, please contact Kim Tuttle 603-271-6544 or Mike Marchand, Wetlands Systems Biologist at 603-271-3016 for instructions.
8. 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.
9. 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.
10. 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 constructed project and plantings and schedule remedial actions if necessary.
11. Work within the river, 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.
12. 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.
13. 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.
14. 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).
15. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Any slope stabilizing materials must be free from plastic or other non-biodegradable materials that create a mesh that can impact wildlife. Coco matting and other natural fibers are acceptable. 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.
16. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
17. Temporary cofferdams shall be entirely removed immediately following construction.
18. 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.
19. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
20. The temporary wetland impact areas shall be restored to pre-construction condition following completion of substructure construction.
21. 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.
22. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
23. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
24. Faulty equipment shall be repaired prior to construction.
25. 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.
26. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
27. 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.
28. 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.
29. Where construction activities have been temporarily suspended within the growing season, all exposed areas shall be stabilized within 14 days by mulching and seeding.
30. 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.

With Findings:
1. This is a Major impact project per Administrative Rule Env-Wt 303.02(p), Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a). The stream has a watershed size of 1,760 acres which meets Tier 3 stream crossing criteria per Env-Wt 904.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The structural stability of the crossing is significantly compromised. Failure of the crossing is reportedly imminent.
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 proposed structure will result in an appropriately sized and structurally sound culvert. Coordination for wildlife passage was performed by the applicant with NH Fish & Game.
4. The existing crossing consists of a severely deteriorated and structurally unsound corrugated metal pipe culverts which is approximately 5 feet in diameter. The existing culvert provides the only vehicular access to eleven single family homes. If the culvert fails there is a danger of isolating the homes and occupants from emergency services.
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 engineer has reviewed the existing and proposed structures. Schoodac Brook at the site location is classified as a Tier 3 crossing. The total watershed area at the crossing is 2.75 square miles (1,760 acres). The existing culvert was calculated to have a hydraulic capacity of 75 cubic feet per second (cfs). The calculated peak flow rate for the 100-year storm event is 265 cfs. The proposed culvert structure has a calculated capacity of more than 280 cfs.
7. The project engineer has submitted a technical report and request for alternative design pursuant to Env-Wt 904.09(b) and addressed the criteria listed in Env-Wq 904.01 and Tier 3 design criteria (Env-Wt 904.04) to the maximum extent practicable. The NH Fish & Game has reviewed the proposed structure and approved the plans with proposed conditions to avoid adverse impacts to the common loon and black racer populations in the area. The conditions have been included in the permit. The proposed structure is an elliptical culvert and not a span or open-bottom culvert. The proposed structure will be

embedded to provide stream simulation. The selected structure is optimized for the existing topography of the road and surrounding area and determined to meet the economic funding for the project.
8. Compensatory mitigation was not required for the project as it was determined to be self-mitigating. The proposed design will improve hydraulic capacity and maintains aquatic organism passage. Vegetative stabilization has been included as part of the proposed slope stabilization. The proposed structure type was reviewed with NH Fish & Game to avoid adverse impacts to rare animal populations in the area.
9. The Natural Heritage Bureau (NHB) datacheck dated August 19, 2016 indicates the presence of Common Loon and Northern Black Racer. The NH Fish & Game has reviewed the proposed structure and approved the plans with proposed conditions to avoid adverse impacts to the common loon and black racer populations in the area. The conditions have been included in the permit.
10. The application has been expedited and includes multiple mutual time extension agreements to provide additional time for the applicant to respond to the Request for More Information dated November 9, 2016. The more information request included review of the proposed structure type in accordance with Administrative Rule Env-Wt 904.04, and to provide coordination with NH Fish & Game regarding identified threatened species in the project vicinity.

2016-03374 **OMJ REALTY LLC**

SALEM POLICY BROOK

Requested Action:

Impact a total of 62,773 square feet (SF) palustrine wetlands to include 62,273 SF of permanent impact and 500 SF of temporary impact along 228 liner feet (LF) of Policy Brook, a Tier 3 stream, for the mixed-use redevelopment of the Rockingham Park Racetrack. Work includes the day-lighting of 15,153 LF of Policy Brook as habitat improvement including the construction of 134,912 SF of palustrine emergent and scrub-shrub wetlands adjacent to the Brook.

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Conservation Commission/Staff Comments:
12/01/16 Con. Com. wishes to investigate the proposal and issue its findings/recommendations regarding this application.
7/26/16 Per DHR, additional information is needed in order to complete review.
12/01/16 Per DHR, no historic properties affected. 2/6/17 CON COM VOTED TO RECOMMEND APPROVAL BUT THERE ARE A LIST OF CONDITIONS. LETTER SENT TO PEASE OFFICE..

APPROVE PERMIT
Impact a total of 62,773 square feet (SF) palustrine wetlands to include 62,273 SF of permanent impact and 500 SF of temporary impact along 228 liner feet (LF) of Policy Brook, a Tier 3 stream, for the mixed-use redevelopment of the Rockingham Park Racetrack. Work includes the day-lighting of 15,153 LF of Policy Brook as habitat improvement including the construction of 134,912 SF of palustrine emergent and scrub-shrub wetlands adjacent to the Brook.

With Conditions:
1. All work shall be in accordance with plans by Tighe & Bond dated November 28, 2016 and revised through 7/26/2017 as received by the NH Department of Environmental Services Land Resources Management Program (NHDES) on August 7, 2017. Any changes shall be submitted to NHDES in writing and approved by NHDES prior to implementation.
2. This permit is not valid 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 NHDES by certified mail, return receipt requested.
3. The permittee shall schedule a pre-construction meeting with NHDES staff to occur at least 48 hours prior to the start of any work authorized by this permit to review the conditions of this wetlands permit and the Alteration of Terrain permit. The meeting will be held at the NHDES offices in Concord and shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. This permit is contingent on receiving written authorization from the NH Department of Transportation for the impacts on Salem Tax Map 151 Lot 12213 and Salem Tax Map 117 Lot 7885.
5. This approval for in-stream work is not valid unless the US Department of Homeland Security's Federal Emergency Management Agency (FEMA) issues a conditional revision to the Flood Insurance Rate Map (FIRM) for Rockingham County, New Hampshire, All Jurisdictions.
6. This permit is not valid unless an Alteration of Terrain permit is issued in accordance with RSA 485-A:17 and Env-Wq 1500 .

7. This permit is contingent on review and approval, by the NHDES, of final stream and pond diversion/erosion control plans. Those plans shall detail the timing and method of stream flow and pond diversion during construction, and show temporary siltation/erosion/turbidity control and other stabilization measures and water quality controls to be implemented.
8. The permittee shall submit an existing conditions report and monitoring reports for the Rockingham Boulevard culvert for signs of erosion of the embankments adjacent to the culvert. These reports shall be included in the post construction monitoring report of the stream system for each year the post-construction monitoring reports are submitted.
9. 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.
10. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
11. 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.
12. 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.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
15. 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).
16. The project engineer shall oversee installation of erosion controls and periodically verify that the controls are properly maintained during construction.
17. 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.
18. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work site and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
19. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
20. No work shall occur adjacent to the Osprey nest until after the Osprey have migrated south for the winter. The Osprey nest relocation shall be supervised by a certified wildlife biologist (CWB) and the permittee shall provide the name and contact information for the CWB to NHDES prior to nest relocation.
21. Written confirmation and photographs of the nest relocation shall be submitted to NHDES and the US Army Corps of Engineers (ACOE) within 30 days of completion of the relocation work.
22. All dredged and excavated material and construction-related debris shall be placed outside of areas subject to RSA 482-A.
23. No excavation shall be done in flowing water and no construction equipment shall be operated in flowing water.
24. Prior to commencing work located within Policy Brook the permittee or permittee's contractors shall construct a cofferdam to isolate the work area from Policy Brook.
25. 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.
26. Work within Policy Brook, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during events until low flow conditions have returned.
27. 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.
28. Any work performed to 'Tuscan Pond' shall be done only under drawn down conditions. Any fish and/or amphibian species relocated from the pond shall by documented, including but not limited to, species and size. NHDES shall be provided the list of relocated species within 7-days following the completion of draw down. The relocation shall be supervised by a CWB.
29. 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.
30. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
31. Proper headwalls shall be constructed over the ends of the upgraded culverts within seven days of culvert installation.
32. Any fill used shall be clean sand, gravel, rock, or other suitable material.
33. Precautions shall be taken to prevent the import or transport of soil or seed stock containing nuisance, invasive plant species such as Purple Loosestrife (Lythrum salicaria), Knotweed (Fallopia japonica), or common reed (Phragmites australis). The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).

34. At least 133,993 square feet of palustrine emergent and scrub shrub wetlands along 15,153 linear feet of Policy Brook shall be constructed, monitored and managed in accordance with the plans and details as approved by NHDES in accordance with condition 1 above.
35. The permit is contingent on permittee providing start dates for NHDES to review and approve for the stream and wetland construction project to commence, dates for completion of plantings and dates for the site to be finalized.
36. The permit is contingent on the permittee providing dates for NHDES to review and approve for submittal of post construction monitoring report.
37. The permit is contingent on NHDES and ACOE approval of a permittee developed monitoring plan that establishes performance standards for the stream and wetland construction project.
38. All construction activities, including the stream construction, shall be carried out and supervised by qualified professionals. More specifically, the stream construction activities shall be performed by an individual(s) with a combination of education and experience, such as a fluvial geomorphologist or hydrologist, who has knowledge sufficient to enable the individual to evaluate stream systems. The permittee shall notify NHDES of the name and contact information of the qualified professional(s) and shall re-notify NHDES of any changes of qualified professional(s).
39. A qualified professional(s) shall supervise the construction activities to ensure that the work is accomplished pursuant to this approval.
40. Siltation, erosion, and turbidity control management measures, practices and devices shall be in place prior to construction, shall be maintained during construction so as to reduce erosion and retain sediment on-site during and after construction and ensure continued effectiveness and remain in place until all disturbed surfaces are stabilized
41. All steps shall be taken during the stream and wetland habitat improvement work that are necessary to ensure that no water quality violations occur.
42. Within three days following the last activity in the stream and wetland area or where activities are suspended for more than three days, all soils exposed by construction activities shall be stabilized by seeding and mulching, or through erosion control blankets as necessary, with review and approval by NHDES.
43. Wetland soils from areas vegetated with the invasive plant species identified in Condition 34 shall not be used in the wetland construction site.
44. The invasive plant species shall be controlled by measures approved by NHDES if the species is found in the construction areas during construction and during the early stages of vegetative establishment.
45. The habitat improvement shall not be considered successful if sites are newly invaded by invasive plant species during the first full growing season following the completion of construction. The applicant shall work with NHDES to attempt to eradicate nuisance species found in the restoration area during this same period.
46. Materials used to emulate a natural channel bottom must be consistent with the streambed materials identified in the reference reach, and shall not include angular riprap or gravel unless specifically identified on the approved plans.
47. There shall be no substitutions made for the plant species specified on the approved plan for replanting purposes without prior written approval from NHDES. Woody material may be incorporated into the stream system as recommended by the qualified professional to improve habitat conditions of the stream.
48. The qualified professional(s) shall inspect the construction areas and submit a monitoring report to NHDES after a rain event of 1/2 inch or greater within a 24 hour period during restoration activities. The monitoring reports shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, construction activities and status of construction at time of initial monitoring report. Photographs should depict all stages of construction sequencing.
49. Stream banks and wetland areas shall have at least 75% successful establishment of hydrophytic vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is established to the satisfaction of NHDES and ACOE.
50. For construction and monitoring purposes of the stream and wetland construction areas, a minimum of ten cross section station locations shall be identified on the plans for review and approval by NHDES and the ACOE.
51. A post-construction report, prepared by a Certified Wetland Scientist and the Qualified stream Professional, as applicable, documenting status of the stream and wetland construction areas, including photographs of all stages of construction from designated photo stations and an as-built plan, a longitudinal profile with water depth within the creation areas, shall be submitted to the NHDES within 60 days of the completion of construction. The post construction report shall note the area of the wetland construction areas.
52. Subsequent monitoring reports, prepared by a qualified professional, shall be submitted to NHDES by June 1, 2018, June 1, 2019, June 1, 2020, June 1, 2021, and June 1, 2022 to document the success of the construction and outline a schedule for remedial actions if necessary. Such reports shall be submitted to NHDES, the ACOE, and Salem Conservation Commission with narrative description, photographs, from predetermined photo stations and the cross-sections, demonstrating the conditions on the site, a summary on vegetative success, any necessary remedial actions to improve plant establishment, flood storage capacity, and a schedule for completing the remedial actions and conducting follow up inspections.
53. Remedial actions may include, but are not limited to replanting, relocation of plantings, removal of invasive species,

altering the soil composition or depths, deconsolidation of soils due to compaction, altering the elevation of the wetland surface, changing the stream geometric contours, or hydraulic regime.
54. Upon being notified by the qualified professional who is monitoring the project that the stream or wetland area have not met the performance standards after the second growing season, the permittee shall submit to NHDES an in lieu mitigation payment to compensate for the portions of the project that failed to meet the performance standards. The payment shall be determined by NHDES, ACOE and the US Environmental Protection Agency.

With Findings:
1. This is a major impact project per Administrative Rules Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate, Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15, and Env-Wt 303.02(p) Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. The impacts are necessary to develop the site and day-light Policy Brook; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The project provides an opportunity to address flooding issues associated with under-sized drainage structures; 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 stream and wetland construction area provides flood storage compensation as a part of the overall project primarily upstream of the prime wetland area.
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. Policy Brook is a Tier 3 stream pursuant to Env-Wt 904.04. The crossings have been designed in accordance with Env-Wt 904.09.
7. In accordance with Env-Wt 803.09, NHDES finds there is added value to the functions and values of surface waters on the site through reconfiguring the network of existing culverts and exposing the flow via an open channel system. The work is considered habitat improvement for Policy Brook with an associated benefit of a vegetated wetland buffer area adjacent to the brook.
8. According to the design engineer and submittal to FEMA, the 100-year flood flow is recognized to be able to flow onto a portion of Route 28 near the I-93 Exit 1 ramp junction.
9. A boundary versus critical shear stress calculation of both the bed and the constructed vane structures at a range of flows was submitted to demonstrate that the constructed stream bed and bank are stable and as such, the likelihood of failure through bed material mobilization has been addressed.
10. According to the applicant's project engineer, meander wavelength, spacing and belt width concerns are addressed as the system is low-gradient and the risks should not be a problem pursuant to the New Hampshire Hydraulic Geometry Curve equations.
11. NHDES has raised the concern relative to the elevation of the wetlands downstream of the Rockingham Boulevard culvert which are approximately 118 feet, while the thalwag elevation of the excavated, constructed channel just upstream of the culvert is 115.96 feet. The project engineer represents that the design as proposed will not cause erosion of the embankments adjacent to the culvert. NHDES has addressed this concern by requiring the applicant to monitor the culvert conditions.
12. In accordance with Env-Wt 807.03, if the stream and wetland habitat improvement project does not achieve its objectives, after review by NHDES and the ACOE on an annual basis, the permittee shall be required to submit an in lieu payment to mitigate for the portions of the project that fail to meet the performance standards. The payment amount will be determined by NHDES, ACOE and EPA.
13. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB 16-3339 identifying one (1) vertebrate species in the vicinity of the project, Spotted Turtle (Clemmys guttata).
14. In response to the NHB letter, NH Fish and Game, Nongame and Endangered Species Program (NHFG), stated via email, in summary, "we [NHFG] do not feel that the daylighting of approximately 3,000 feet of Policy Brook will provide any meaningful benefit to aquatic life including spotted turtle."
15. NH Division of Historical Resources found "No Historic Properties Affected."
16. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine and riverine resources, as identified under RSA 482-A:1.

2017-01809 **NH DEPT OF TRANSPORTATION**

BEDFORD BOWMAN BROOK

Requested Action:

Remove the mitered end sections and rehabilitate a 210 ft. long portion of the 83 in. x 87 in. arch culvert using a certrifugally cast concrete pipe liner, construct headwalls, protect the inlet and outlet and place a 12 in. layer of streambed material impacting 1,300 sq. ft. of riverine and palustrine wetlands.
Compensatory mitigation includes a one-time payment of $15,927.60 to the Aquatic Resource Mitigation Fund. NHDOT project #16156

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Conservation Commission/Staff Comments:
Cons. Comm. - no comments

APPROVE PERMIT
Remove the mitered end sections and rehabilitate a 210 ft. long portion of the 83 in. x 87 in. arch culvert using a certrifugally cast concrete pipe liner, construct headwalls, protect the inlet and outlet and place a 12 in. layer of streambed material impacting 1,300 sq. ft. of riverine and palustrine wetlands.
Compensatory mitigation includes a one-time payment of $15,927.60 to the Aquatic Resource Mitigation Fund. NHDOT project #16156

With Conditions:
1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 05/2017 as received by the Department on June 22, 2017.
2. 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.
3. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; 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.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading 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.
11. 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).
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. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
14. 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).
15. The impacts associated with the temporary work shall be restored immediately following construction.
16. No work in jurisdiction shall occur during September through October.
17. The permittee shall comply with the requirements for stream enhancement relative to Mitigation Project Monitoring in accordance with Env-Wt 803.04(a) and shall monitor for no fewer than 5 growing seasons per Env-Wt 803.04 (b).
18. This approval is not valid until DES receives a one-time payment of $15,927.60 to the DES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to DES. If DES does not receive payment within 120 days of the date of this

approval letter, DES will deny the application.

With Findings:
1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed on July 16 , 2014, Dec. 16, 2015 and April 19, 2017.
6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
7. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream and not impeding aquatic organisms.

Mitigation Findings:
8. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
9. Mitigation compensation is for 65 linear feet channel impacts as discussed on April 19, 2017 at the Natural Resource Agency coordination meeting.
10. The payment calculated for the proposed wetland loss equals $15,927.60.
11. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

MINIMUM IMPACT PROJECT
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2017-01112 **JARMOC, MARCIN**

OSSIPEE OSSIPEE LAKE

Requested Action:

Retain an existing 3 ft. x 30 ft. seasonal pier with a 5 ft. x 6 ft. "L", install a 27 ft. X 12 ft. canopy over an existing seasonal boat lift adjacent to the south side of the pier, and install two personal watercraft lifts with a 12 ft. X 7 ft. area also adjacent to the south side of the pier on 76 feet of frontage along Ossipee Lake, in Ossipee.

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APPROVE PERMIT
Retain an existing 3 ft. x 30 ft. seasonal pier with a 5 ft. x 6 ft. "L", install a 27 ft. X 12 ft. canopy over an existing seasonal boat lift adjacent to the south side of the pier, and install two personal watercraft lifts with a 12 ft. X 7 ft. area also adjacent to the south side of the pier on 76 feet of frontage along Ossipee Lake, in Ossipee.

With Conditions:
1. All work shall be in accordance with the plans submitted by the applicant on August 22, 2017, the manufacturer plans for the installation of a fabric canopy over the existing boatlift dated June 29, 2017 as received by Department of Environmental Services (DES) on June 29, 2017, and the personal watercraft boat lift installation plans dated July 17, 2017 as received by the DES on July 17, 2017.
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 permittee 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. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. 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.
6. 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.
7. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation (Elev. 407.25).
8. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
9. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a) and (ac), installation of seasonal structures providing not 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.

2017-01829 **TRUSTEES OF DARTMOUTH COLLEGE**

HANOVER

Requested Action:

Dredge and fill 1,131 square feet within a palustrine forested wetland to improve an existing access trail. Proposed work includes gravel resurfacing, narrowing the existing trail, drainage improvements, and installing a bridge that will span an existing intermittent stream without impacting the bed or banks.

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APPROVE PERMIT
Dredge and fill 1,131 square feet within a palustrine forested wetland to improve an existing access trail. Proposed work includes gravel resurfacing, narrowing the existing trail, drainage improvements, and installing a bridge that will span an existing intermittent stream without impacting the bed or banks.

With Conditions:
1. All work shall be in accordance with plans by Pathways Consulting, LLC dated June 16, 2017, as received by the NH Department of Environmental Services (DES) on June 23, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permittee 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.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. Work shall be done during low flow or dry conditions.
5. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to prevent unintentional encroachment on adjacent wetlands and surface waters.
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. 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. Erosion control products shall be installed per manufacturers recommended specifications.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. There shall be no impacts to the stream bed or banks.
11. 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.

12. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
13. 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.
14. 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.
15. Any fill used shall be clean sand, gravel, rock, or other suitable material.
16. Filter fabric shall be installed under the roadway fill areas to isolate fill from the natural hydric soils.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
18. 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.

With Findings:
1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(f), as proposed wetland impacts are less than 3,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In a review letter dated June 13, 2017, the NH Natural Heritage Bureau (NHB) stated that there was no record of a sensitive species in the vicinity of the proposed project.
6. Wetlands and wetland buffer reviews were completed through Town Zoning Board of Adjustment (ZBA) and the Hanover Conservation Commission. No comments from the Hanover Conservation Commission were provided.

2017-01851 **KRAKAUER, LAWRENCE/MARY LOUISE**

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Remove an existing 4 ft. x 50 ft. seasonal pier, replace an existing concrete pad with a 4 ft. x 7 ft. concrete pad, and install a 6 ft. x 40 ft. seasonal pier, a seasonal boatlift, and two seasonal personal watercraft lifts on an average of 514 feet of frontage along Lake Winnipesaukee in Blackey Cove, in Moultonborough.

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Conservation Commission/Staff Comments:
7/5/17 - No historic properties affected per DHR.
7/10/17 Per Con. Com., they have no objections to issuance of the permit.

APPROVE PERMIT
Remove an existing 4 ft. x 50 ft. seasonal pier, replace an existing concrete pad with a 4 ft. x 7 ft. concrete pad, and install a 6 ft. x 40 ft. seasonal pier, a seasonal boatlift, and two seasonal personal watercraft lifts on an average of 514 feet of frontage along Lake Winnipesaukee in Blackey Cove, in Moultonborough.

With Conditions:
1. All work shall be in accordance with plans by Watermark Marine Construction dated June 10, 2017, as received by DES on June 26, 2017.
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 permittee 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. 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. 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.
7. 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.
8. 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.
9. 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 feet from the abutting property lines or the imaginary extension of those lines into the water.
10. No portion of the docking structure shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 504.32).
11. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
12. This permit does not allow dredging for any purpose.
13. 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.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of seasonal docking facilities providing not 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.

EXPEDITED MINIMUM
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2017-01880 **HAZEN, CHARLES**

MERRIMACK

Requested Action:

Dredge and fill 517 square feet of palustrine wet meadow for the installation of a 15-inch by 37-foot RCP culvert to upgrade the existing gravel roadway for access to three (3) lots of a proposed four (4) lot residential subdivision of 29.8 acres.

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APPROVE PERMIT
Dredge and fill 517 square feet of palustrine wet meadow for the installation of a 15-inch by 37-foot RCP culvert to upgrade the existing gravel roadway for access to three (3) lots of a proposed four (4) lot residential subdivision of 29.8 acres.

With Conditions:
1. All work shall be in accordance with the following plans by Keach-Nordstrom Associates, Inc. dated April 3, 2017:
a.) The Lot Line Adjustment & Subdivision Plan revised 6/7/17 as received by the NH Department of Environmental Services (NHDES) on August 3, 2017; and,
b.) The Wetland Impact Plan revised 8/29/17 as received by NHDES on August 29, 2017.
2. This permit is not valid and effective until it has been recorded with the Hillsborough 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 NHDES by certified mail, return receipt requested.
3. This permit is not valid unless a subdivision and septic system construction approvals pursuant to RSA 485-A:29-44 and Env-Wq 1000 is achieved.

4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
5. Prior to the commencement of construction, there shall be a 35-foot no-cut buffer around vernal pool #1. Signs shall be installed around the vernal pool to discourage the future homeowner(s) from mowing, clearing vegetation, or otherwise altering the buffer.
6. Blanding's, spotted, and wood turtles may be encountered in uplands as well as in or near vernal pools, wetlands, and slow moving streams. Construction personnel should be made aware of the potential to encounter these turtles especially during turtle nesting season which extends from late May through the beginning of July. If Blanding's, spotted, or wood turtles are found laying eggs in a work or staging area at any time, please contact Kim Tuttle or Mike Marchand, NH Fish and Game, Nongame and Endangered Wildlife Program , at 271-3016 for instructions.
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. Work shall be done during low flow and in the dry only.
9. 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.
10. Avoid the use of welded plastic or 'biodegradable plastic' netting or thread in erosion control matting at this site if needed. There are numerous documented cases of wildlife being trapped and killed in erosion control matting with synthetic netting. Several 'wildlife friendly' options such as woven organic material (e.g., coco matting) are commercially available. Attached are examples of acceptable erosion control blankets. This is okay also: A cut sheet of a net free RECB can be seen here: http://americanexcelsior.com/wp-content/uploads/2015/02/Biodegradable-Blanket-With-Out-Netting-Material-Curlex-NetFree.pdf
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
12. 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).
13. Prior to commencing work located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
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. The channel at the culvert inlet and outlet/The recreated stream channel bed must maintain the natural and a consistent streambed elevation and not impede stream flow.
17. Proper headwalls shall be constructed within seven days of culvert installation.
18. 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.
19. 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.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
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 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(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 impact are necessary to upgrade the existing roadway for the subdivision; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will occur adjacent to an existing roadway and the existing RCP culvert will be replaced with a longer RCP to allow aquatic organism passage; 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 application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB17-0806 identifying three (3) vertebrate species in the vicinity of the proposed project.
6. In response to the NHB Letter, NH Fish and Game, Nongame and Endangered Wildlife Program (NHFG) stated via email, "We do not expect impacts to Blanding's, spotted, and wood turtle as a result of this subdivision" and recommended the

following, in summary: a 35-foot no-cut buffer be established on vernal pool #1 with signage; turtle sightings be reported to NHFG; and, avoiding the use of welded plastic or 'biodegradable plastic in erosion control matting.
7. In response to the NHFG recommendations, the applicant has voluntarily placed a 35-foot no-cut buffer around vernal pool #1 and conditions will be provided to address turtle sightings and erosion controls..
8. The Merrimack Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
9. The Souhegan River Local Advisory Committee provided comments on the project that have been address by the agent.

2017-02302 **MORSE, DOUGLAS**

LEBANON

Requested Action:

Dredge and fill 526 square feet (impacting 75 linear feet) along the bank of Great Brook for the purposes of bank stabilization and habitat restoration. Tree root wads will be installed and cabled into place within the stream with smaller wood and debris placed between the root wads and stream bank. In addition, temporarily impact 370 square feet for moving a boulder within the stream bed and turbidity controls.

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APPROVE PERMIT
Dredge and fill 526 square feet (impacting 75 linear feet) along the bank of Great Brook for the purposes of bank stabilization and habitat restoration. Tree root wads will be installed and cabled into place within the stream with smaller wood and debris placed between the root wads and stream bank. In addition, temporarily impact 370 square feet for moving a boulder within the stream bed and turbidity controls.

With Conditions:
1. All work shall be in accordance with plans by Trout Unlimited, LLC dated June 8, 2017, and revised through August 24, 2017, last received by the NH Department of Environmental Services (DES) on August 25, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and New Hampshire Administrative Rule Env-Wq 1400 during and after construction.
3. 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 New Hampshire Administrative Rule Env-Wq 1700.
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. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
6. Appropriate turbidity, siltation, and erosion controls shall be in place prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until the area is stabilized, suspended particles have settled, and water at the work site has returned to normal clarity. Temporary controls shall be removed once the area has been stabilized.
7. Turbidity and erosion control products shall be installed per manufacturers recommended specifications during periods of low flow. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
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. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only.
11. 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.
12. All work shall be done from the top of the bank only.
13. No machinery shall enter the water.
14. 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.

15. 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.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
17. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers exclusive of any invasive or nuisance species, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
18. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
19. Restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Program.
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.
21. 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.

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 wetland resources, specifically by stabilizing the eroded bank with bioengineering measures (e.g. anchored root wads and woody debris) that will provide habitat for fish and other aquatic species.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01 as the bank in this location was the site of a previous USDA Natural Resource Conservation Service (NRCS) funded bank stabilization project that was highly impacted after the events of tropical storm Irene in 2011. The application of the proposed bioengineering measures for habitat restoration are expected to provide an interim fix for the bank erosion that has taken place since that time.
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 through the use of bioengineering methods to improve aquatic habitat and help provide bank stabilization.
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 USDA Natural Resource Conservation Service helped to design, review and financially support this restoration project.
6. In a letter dated June 15, 2017, the NH Natural Heritage Bureau (NHB) stated that there was no record in the vicinity of the project.
7. No comments of concern have been received by NHDES from abutters or local governing agencies.

2017-02330 **KENNETH & JAMIE CODY 2008 TRUST**

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Install two 4.7 ft. x 11.5 ft. floating personal watercraft ports and a 4 ft. x 8 ft. seasonal access ramp to the north of an existing 47 ft. long pier on an average of 186 feet of frontage along Lake Winnipesaukee in Meredith.

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APPROVE PERMIT
Install two 4.7 ft. x 11.5 ft. floating personal watercraft ports and a 4 ft. x 8 ft. seasonal access ramp to the north of an existing 47 ft. long pier on an average of 186 feet of frontage along Lake Winnipesaukee in Meredith.

With Conditions:
1. All work shall be in accordance with plans by Advanced Land Surveying Consultants, PLLC dated May 4, 2017, as received by DES on August 7, 2017.
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 permittee 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 vegetation within the waterfront buffer.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. 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.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
8. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (ad) installation of a maximum of 2 seasonal personal watercraft lifts installed immediately adjacent to one another and along the owner's shoreline where there are no other personal watercraft lifts on the frontage.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2017-02365 **LACROIX, ROBERT**

ENFIELD MASCOMA RIVER

Requested Action:

Dredge and fill 175 square feet within the bank of Lovejoy Brook (impacting approximately 15 linear feet) to replace an existing 18 inch diameter by 30 foot long culvert, which handles runoff from an adjacent roadway ditch that outfalls to Lovejoy Brook, with a new 24 inch diameter by 40 foot long culvert to reduce scour at the outlet. Bank impacts include planting live stakes to reduce erosion.

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APPROVE PERMIT
Dredge and fill 175 square feet within the bank of Lovejoy Brook (impacting approximately 15 linear feet) to replace an existing 18 inch diameter by 30 foot long culvert, which handles runoff from an adjacent roadway ditch that outfalls to Lovejoy Brook, with a new 24 inch diameter by 40 foot long culvert to reduce scour at the outlet. Bank impacts include planting live stakes to reduce erosion.

With Conditions:
1. All work shall be in accordance with plans by Right Angle Engineering, PLLC dated July 14, 2017, as received by the NH Department of Environmental Services (DES) on August 8, 2017.
2. This permit is contingent upon replanting the stream bank with alders, and installing an infiltration trench within the roadside ditch as depicted on the approved plans.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee 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.
4. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20

feet of the property line, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the DES Wetlands Program.
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. 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 done during low flow or dry conditions.
8. Erosion control products shall be installed per manufacturers recommended specifications.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands, and no machinery shall enter or track into the wetland to remove the accumulated sediment.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
11. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
12. 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).
13. 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.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Only native plant species shall be used to revegetate the riverbank.
16. The river banks 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.
17. A certified wetlands scientist or qualified professional 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.

With Findings:
1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(o), as impacts are deemed to have minimal impacts for replacing an existing culvert and repairing erosion at the culvert outlet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2017-02394 **MORAN, MONTGOMERY**

WOLFEBORO WENTWORTH LAKE

Requested Action:

Temporarily impact 140 square feet of bank in order to repair 55 linear feet of dry stone retaining wall in kind on and average of 103 feet of frontage along Lake Wentworth in Wolfeboro.

****

APPROVE PERMIT
Temporarily impact 140 square feet of bank in order to repair 55 linear feet of dry stone retaining wall in kind on and average of 103 feet of frontage along Lake Wentworth in Wolfeboro.

With Conditions:
1. All work shall be in accordance with plans by Folsom Design Group dated June 29, 2017, as received by DES on August 10, 2017.

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. 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.
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. 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.
9. 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.
10. All work shall be done in the dry.
11. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
12. 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.
13. 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.
14. 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."
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.

2017-02400 **MORAN, MONTGOMERY**

WOLFEBORO WENTWORTH LAKE

Requested Action:

Temporarily impact 136 square feet of bank in order to repair 57 linear feet of dry stone retaining wall in kind on and average of 104 feet of frontage along Lake Wentworth in Wolfeboro.

****

APPROVE PERMIT
Temporarily impact 136 square feet of bank in order to repair 57 linear feet of dry stone retaining wall in kind on and average of 104 feet of frontage along Lake Wentworth in Wolfeboro.

With Conditions:
1. All work shall be in accordance with plans by Folsom Design Group dated June 29, 2017, as received by DES on August 10, 2017.
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. 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.
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. 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.
9. 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.
10. All work shall be done in the dry.
11. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
12. 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.
13. 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.
14. 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."
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.

2017-02491 **KENNEDY, DEBORAH**
KENNEDY, DEBORAH/JAMES

HANOVER

Requested Action:

Dredge and fill 575 square feet within the bank of Hewes Brook (impacting 75 linear feet) to stabilize two sections of eroding stream bank using bio-engineered stabilization methods.

****

APPROVE PERMIT
Dredge and fill 575 square feet within the bank of Hewes Brook (impacting 75 linear feet) to stabilize two sections of eroding stream bank using bio-engineered stabilization methods.

With Conditions:
1. All work shall be in accordance with revised plans by James S. Kennedy dated July 14, 2017, as received by DES on August 21, 2017.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow conditions.
5. Work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted in

a manner so as to minimize the duration of construction in the watercourse.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction.
9. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:
1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(o), as the project proposes to restore degraded wetland resources, specifically stream bank areas that have been degraded by lateral bank erosion from a recent large storm event. The restoration plan utilizes bioengineered methods with natural materials to slow the bank erosion.
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.

PERMIT BY NOTIFICATION
****

2017-02017 **AUDUBON SOCIETY OF NH**

HEBRON NEWFOUND LAKE

Requested Action:

Installation of a sectional seasonal pier with one wooden section not to exceed 4 ft. X 8 ft. and one aluminum section not to exceed 4 ft. X 10 ft. connected to a wooden anchor pad not to exceed 6 ft. X 6 ft. secured on the corners via bolts to 4 drilled rock attachment points according to plans and narrative received by NHDES on July 11, 2017 and detailed on August 28, 2017 on frontage along Newfound Lake in Hebron.

****

PBN IS COMPLETE
Installation of a sectional seasonal pier with one wooden section not to exceed 4 ft. X 8 ft. and one aluminum section not to exceed 4 ft. X 10 ft. connected to a wooden anchor pad not to exceed 6 ft. X 6 ft. secured on the corners via bolts to 4 drilled rock attachment points according to plans and narrative received by NHDES on July 11, 2017 and detailed on August 28, 2017 on frontage along Newfound Lake in Hebron.

2017-02381 **MACKIE, LINDA/WILLIAM**

MEREDITH WICKWAS LAKE

Requested Action:

Repair in-kind of stone retaining wall not to exceed 45 linear feet according to the plan drawing by David Dolan Associates received by NHDES on August 29, 2017 along frontage on Lake Wickwas in Meredith.

****

PBN IS COMPLETE
Repair in-kind of stone retaining wall not to exceed 45 linear feet according to the plan drawing by David Dolan Associates received by NHDES on August 29, 2017 along frontage on Lake Wickwas in Meredith.

2017-02438 **ROLLINS FAMILY REALESTATE LLC**

MELVIN VILLAGE LAKE WINNIPESAUKEE

Requested Action:

Repair and replacement in-kind of existing 6 ft. x 30 ft. piling dock according to plans by Docks Unlimited received by NHDES August 15, 2017 along frontage on Lake Winnipesauke in Tuftonboro.

****

PBN IS COMPLETE
Repair and replacement in-kind of existing 6 ft. x 30 ft. piling dock according to plans by Docks Unlimited received by NHDES August 15, 2017 along frontage on Lake Winnipesauke in Tuftonboro.

2017-02538 **GOULD, ANNE**
GOULD, ANNE/PETER

BARRINGTON Unnamed Pond

Requested Action:

Maintenance dredge 19,600 square feet of an existing man-made pond.

****

PBN IS COMPLETE
Maintenance dredge 19,600 square feet of an existing man-made pond.

With Findings:
1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(3), maintenance dredging that meets the criteria in Env-Wt 303.04(k).
2. NH Natural Heritage Bureau (NHB) has record of sensitive species within the project area, but NHB does not expect impacts to the sensitive species by the project.

2017-02573 **ROBERTS, KENNETH & MARY**

MOULTONBOROUGH KANASATKA LAKE

Requested Action:

Repair linear 25 feet of retaining wall and 4 ft. wide access stairs along frontage on Lake Kanasatka in Moultonborough in accordance with plans by Advantage NH Lakes dated August 15, 2017.

****

PBN DISQUALIFIED
Repair linear 25 feet of retaining wall and 4 ft. wide access stairs along frontage on Lake Kanasatka in Moultonborough in accordance with plans by Advantage NH Lakes dated August 15, 2017.

With Findings:
1. The project has been submitted as a Minimum Impact Project eligible for the Permit by Notification process under Rule Env-Wt 303.04(x) for the maintenance, repair or replacement in-kind of a non-docking structure, more specifically a structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. Rule Env-Wt 303.04 (x) does not specify that it should apply to include retaining walls, steps, or perched beaches.
3. The project as proposed involves the repair of a retaining wall defining the lakeward edge of a perched beach.
4. Rule Env-Wt 303.04(c) specifies that the repair or replacement of existing retaining walls must performed "in the dry" during drawdown of waters in order to be classified as a Minimum Impact Project,
5. Rule Env-Wt 303.03(j) specifies that the repair or replacement existing retaining walls that require work in the water shall be classified as a Minor Impact Project.
6. The project description narrative and the plan drawing indicate that the work will not occur in the dry during drawdown.
7. The project as proposed is classified as a Minor Impact Project per Rule Env-Wt 303.03, (j), and therefore this Permit by Notification is Disqualified.

2017-02574 **NH DES DAM BUREAU**

MOULTONBOROUGH KANASATKA LAKE

Requested Action:

Repair ruts in gravel boat ramp.

****

FORESTRY NOTIFICATION
****

2017-02578 **NORTHCOTT, CATHERINE/JOHN**

SWANZEY Unnamed Stream

****

COMPLETE NOTIFICATION
SWANZEY; TAX MAP# 2; LOT# 11

2017-02586 **NUGENT, RUSSELL**

NORTH HAMPTON Unnamed Stream

****

COMPLETE NOTIFICATION
NORTH HAMPTON; TAX MAP# 16; LOT # 09

2017-02588 **LAFLAMME, JESSE**

HANOVER Unnamed Stream

****

COMPLETE NOTIFICATION
HANOVER; TAX MAP# 10; LOT(S)# 13,14

2017-02590 **BAYROOT LLC/WAGNER FOREST MANAGEMENT**

BETHLEHEM Unnamed Stream

****

COMPLETE NOTIFICATION
BETHLEHEM; TAX MAP(S)# 418/417; LOT(S)# 010/007

2017-02591 **NORTHCOTT, CATHERINE/JOHN**

MARLBOROUGH Unnamed Stream

****

COMPLETE NOTIFICATION
MARLBOROUGH; TAX MAP# 5; LOT# 1

2017-02593 **LAKES REGIONAL LLC**

ALTON Unnamed Stream

****

COMPLETE NOTIFICATION
ALTON; TAX MAP# 7; LOT# 4

2017-02598 **MIRIZIO, JEANNETTE**

LACONIA Unnamed Stream

****

COMPLETE NOTIFICATION
LACONIA; TAX MAP# 165; BLOCK# 72; LOT# 17

2017-02640 **SOBETZER, JAY/KATHRYN**

RUMNEY Unnamed Stream

****

COMPLETE NOTIFICATION
RUMNEY; TAX MAP# 9; BLOCK# 2; LOT# 2

2017-02643 **CHASE, KENNETH**

LYNDEBOROUGH Unnamed Stream

****

COMPLETE NOTIFICATION
LYNDEBOROUGH; TAX MAP# 207; LOT# 6

2017-02646 **MARTIN, BRIAN**

BRENTWOOD Unnamed Stream

****

COMPLETE NOTIFICATION
BRENTWOOD; TAX MAP# 223; LOT# 30

GOLD DREDGE
****

2017-02605 **MARTEL, KEVIN**

(ALL TOWNS) Unnamed Stream

****

APPROVE PERMIT
Gold Dredge

LAKES-SEASONAL DOCK NOTIFICATION
****

2017-02630 **MERRILL, GREYSON**

MADISON

Requested Action:

Installation of a seasonal pier not to exceed 6 ft. X 30 ft. on frontage along Middle Pea Porridge Pond in Madison.

****

COMPLETE NOTIFICATION
Installation of a seasonal pier not to exceed 6 ft. X 30 ft. on frontage along Middle Pea Porridge Pond in Madison.

ROADWAY MAINTENANCE NOTIFICATION
****

2017-02641 **URSA MAJOR LLC**

ERVINGS GRANT Unnamed Wetland

****

2017-02647 **NH DEPT OF TRANSPORTATION, DISTRICT 4**

SULLIVAN Unnamed Stream

****

2017-02649 **NH DEPT OF TRANSPORTATION, DISTRICT 4**

CHESTERFIELD Unnamed Stream

****

UTILITY NOTIFICATION
****

2017-02592 **PORTSMOUTH (DPW), CITY OF**

PORTSMOUTH Unnamed Wetland

****

SHORELAND PERMIT
****

2014-03434 **SANTER, KENNETH**

BARRINGTON AYERS LAKE

****

2015-02200 **LOBBAN, ROBERT/SUSAN**

BRIDGEWATER NEWFOUND LAKE

Requested Action:

Impact 12,744 square feet (SF) of protected shoreland in order to rebuild the nonconforming primary structure approximately within the same footprint and construct a detached garage with driveway.

****

APPROVE AMENDMENT
Impact 12,744 square feet (SF) of protected shoreland in order to rebuild the nonconforming primary structure approximately within the same footprint and construct a detached garage with driveway.

With Conditions:
1. All work shall be in accordance with revised plans by B. A. Barnard Ent., Inc. dated July 2017 and received by the NH Department of Environmental Services (DES) on August 29, 2017.
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 12.7% 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 2,956 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.

2017-01434 **RICHEY, MARK/TERESA**

MADISON SILVER LAKE

Requested Action:

Impact 22,676 square feet of protected shoreland in order to remove the existing structures and construct a new primary structure with garage, driveway, associated walkways and retaining walls, a green roof, stormwater management structures, and install restoration plantings.

****

APPROVE PERMIT
Impact 22,676 square feet of protected shoreland in order to remove the existing structures and construct a new primary structure with garage, driveway, associated walkways and retaining walls, a green roof, stormwater management structures, and install restoration plantings.

With Conditions:
1. All work shall be in accordance with plans by Thaddeus Thorne Surveys, Inc. dated as revised through August 10, 2017 and received by the NH Department of Environmental Services (NHDES) on August 18, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 30% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Within 90 days the completion of the framing of the proposed structure the Permittee shall provide documentation, including photos, showing that all restoration plantings have occurred, to the NHDES Wetlands Bureau
5. Following planting, all planting areas shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other materials.
6. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
7. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
8. Native vegetation within an area of at least 1,437 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).
9. 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.
10. 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.
11. 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-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The proposed stormwater management structures and green roof shall be installed and maintained to effectively absorb and infiltrate stormwater.
14. Photographs documenting the construction of the proposed stormwater management structures and green roof shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
15. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. 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).

18. 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.
19. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02070 **LEKKER PLEK LLC**

NEWBURY TODD LAKE

Requested Action:

Impact 24,600 square feet of protected shoreland in order to remove the existing cottage and rebuild with a larger setback including patio, deck, and porch, develop gravel access to cottage, replace the existing septic system, construct a carport, add landscaping and plantings, reduce the size of the existing beach, construct a patio, expand the existing paved drive, and install drip edge trenches.

****

APPROVE PERMIT
Impact 24,600 square feet of protected shoreland in order to remove the existing cottage and rebuild with a larger setback including patio, deck, and porch, develop gravel access to cottage, replace the existing septic system, construct a carport, add landscaping and plantings, reduce the size of the existing beach, construct a patio, expand the existing paved drive, and install drip edge trenches.

With Conditions:
1. All work shall be in accordance with plans by A.C. Engineering and Consulting dated August 23, 2017 and received by the NH Department of Environmental Services (NHDES) on August 23, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
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 NHDES.
5. Native vegetation within an area of at least 9,238 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 impacts to natural ground cover shall occur within the waterfront buffer.
7. Cleared areas within the waterfront buffer legally developed prior to July 1, 2008 may be maintained but not enlarged.
8. Within 90 days the completion of the framing of the proposed structure the Permittee shall provide documentation, including photos, showing that all restoration plantings have occurred, to the NHDES Wetlands Bureau
9. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
10. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. 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.
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-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. The 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).
17. 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.
18. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02197 **NASHUA NATIONAL FISH HATCHERY**

LITCHFIELD MERRIMACK RIVER

Requested Action:

Impact 19,893 square feet (SF) of the protected shoreland in order to install a water main across the Merrimack River. Temporary impacts will be necessary for the installation of the water main, staging area for equipment and material.

****

APPROVE PERMIT
Impact 19,893 square feet (SF) of the protected shoreland in order to install a water main across the Merrimack River. Temporary impacts will be necessary for the installation of the water main, staging area for equipment and material.

With Conditions:
1. All work shall be in accordance with plans by Tighe and Bond Consulting Engineers dated July, 13, 2017 and received by the NH Department of Environmental Services (DES) on July 25, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. Native vegetation within an area of at least 13,264 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. 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.

2017-02264 **LAKE WICWAS IRREVOCABLE REALTY TRUST, C/O LAURA FONTAINE**

MEREDITH WICKWAS LAKE

Requested Action:

Impact 6,000 square feet of protected shoreland in order to construct an addition to the primary structure, , install a new septic system, remove two existing driveways, construct a new parking area, install infiltration trenches, and restoration plantings.

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APPROVE PERMIT
Impact 6,000 square feet of protected shoreland in order to construct an addition to the primary structure, , install a new septic system, remove two existing driveways, construct a new parking area, install infiltration trenches, and restoration plantings.

With Conditions:
1. All work shall be in accordance with plans by Ames Associates dated August 30, 2017 and received by the NH Department of Environmental Services (NHDES) on August 30, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the impact area prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 16.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,100 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. Within 90 days the completion of the framing of the proposed structure the Permittee shall provide documentation, including photos, showing that all restoration plantings have occurred, to the NHDES Wetlands Bureau
7. Following planting, all plantings shall be maintained in an unaltered state.
8. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
9. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
10. 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.
11. 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.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. 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.
15. 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).
16. 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.
17. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02282 **ZOELLER PROPERTIES LLC**

MILTON MILTON POND

Requested Action:

Impact 9,900 square feet (SF) of protected shoreland in order to complete the enclosing of the screened porch over the concrete pad and complete the construction of the garage over an existing gravel driveway. Temporary impacts are associated with the installation of the septic system and the removal of dead, dying, diseased and or hazardous trees from the woods.

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APPROVE PERMIT
Impact 9,900 square feet (SF) of protected shoreland in order to complete the enclosing of the screened porch over the concrete pad and complete the construction of the garage over an existing gravel driveway. Temporary impacts are associated with the installation of the septic system and the removal of dead, dying, diseased and or hazardous trees from the woods.

With Conditions:
1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated July 2017 and received by the NH Department of Environmental Services (DES) on August 2, 2017.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 38% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 250 SF within the Natural Woodland Buffer located between 50 and 150 feet 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. 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-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02299 **DOYON LAKEHOUSE TRUST**

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Impact 2,860 square feet of protected shoreland in order to construct a 12 FT. x 24 FT. shed and a 412 SF pervious patio.

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APPROVE PERMIT
Impact 2,860 square feet of protected shoreland in order to construct a 12 FT. x 24 FT. shed and a 412 SF pervious patio.

With Conditions:
1. All work shall be in accordance with plans by Stephens Landscaping Professional, LLC dated July 27, 2017 and received by the NH Department of Environmental Services (DES) on August 3, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 22.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 5,150 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
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-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02313 **TOWN OF FRANCONIA**

FRANCONIA GALE RIVER

Requested Action:

Impact 3,207 square feet of protected shoreland in order to construct a covered pavilion, grading, and trenching for utilities.

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APPROVE PERMIT
Impact 3,207 square feet of protected shoreland in order to construct a covered pavilion, grading, and trenching for utilities.

With Conditions:
1. All work shall be in accordance with plans by Presby Construction, Inc. dated July 25, 2017 and received by the NH Department of Environmental Services (NHDES) on August 4, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 2.05% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 14,134 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).
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-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. 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 NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02314 **KILLA REALTY TRUST**

BARTLETT SACO RIVER

Requested Action:

Impact 5,422 square feet of protected shoreland in order to remove a cabin and outhouse and construct a residential structure, septic system, and associated utilities.

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APPROVE PERMIT
Impact 5,422 square feet of protected shoreland in order to remove a cabin and outhouse and construct a residential structure, septic system, and associated utilities.

With Conditions:
1. All work shall be in accordance with plans by Thaddeus Thorne Surveys, Inc. dated June 6, 2017 and received by the NH Department of Environmental Services (NHDES) on August 4, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 5.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 7,369 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. 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-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. 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).
12. 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.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02333 **D'ALELIO, ROBERT & SARA**

SUNAPEE SUNAPEE LAKE

Requested Action:

Impact 10,764 square feet of protected shoreland in order to construct an addition to the existing house, reconfigure pervious driveway and landscaping, plant restoration area, install infiltration drip edges and a rain garden.

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APPROVE PERMIT
Impact 10,764 square feet of protected shoreland in order to construct an addition to the existing house, reconfigure pervious driveway and landscaping, plant restoration area, install infiltration drip edges and a rain garden.

With Conditions:
1. All work shall be in accordance with plans by Bonin Architects dated July 26, 2017 and received by the NH Department of Environmental Services (NHDES) on August 7, 2017.
2. If applicable, the new structure may not be constructed until the project is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 21% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 3,566 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. Within 90 days the completion of the framing of the proposed structure the Permittee shall provide documentation, including photos, showing that all restoration plantings have occurred, to the NHDES Wetlands Bureau
7. Following planting, all plantings shall be maintained in an unaltered state.
8. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
9. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
10. 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.
11. 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.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
15. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
16. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.

17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. 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).
19. 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.
20. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02353 **MCSHARRY, AMANDA/JAMES**

PORTSMOUTH LITTLE HARBOR

Requested Action:

Impact 2,701 square feet of protected shoreland in order to construct a second floor addition to existing roof structure and a second floor deck to replace the existing rear porch roof. Build a new 11 ft. x 13 ft. deck and step. Extend driveway, concrete apron and trench. Remove one existing tree at southwest corner of the house. Install silt fence, reducing existing grade at south side of the house and install infiltration trench 6 in. x 2 ft. x 175 ft.

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APPROVE PERMIT
Impact 2,701 square feet of protected shoreland in order to construct a second floor addition to existing roof structure and a second floor deck to replace the existing rear porch roof. Build a new 11 ft. x 13 ft. deck and step. Extend driveway, concrete apron and trench. Remove one existing tree at southwest corner of the house. Install silt fence, reducing existing grade at south side of the house and install infiltration trench 6 in. x 2 ft. x 175 ft.

With Conditions:
1. All work shall be in accordance with plans by Ross Engineering dated July 14, 2017 and received by the NH Department of Environmental Services (DES) on August 8, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 24.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
9. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
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.

2017-02355 SOPHINOS, GEORGE/KAREN

RYE ATLANTIC OCEAN

Requested Action:

Impact 3,303 square feet of protected shoreland in order to add an open porch to the existing house, replace steps and install a permeable patio.

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Conservation Commission/Staff Comments:
8-23-17 - No historic properties affected per DHR.

APPROVE PERMIT
Impact 3,303 square feet of protected shoreland in order to add an open porch to the existing house, replace steps and install a permeable patio.

With Conditions:
1. All work shall be in accordance with plans by MSC a division of TFMoran dated July 25, 2017 and received by the NH Department of Environmental Services (NHDES) on August 8, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 26.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 1,148 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).
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-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
11. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The 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).
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 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.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that

any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02388 GUDJOHNSEN ET AL, EINAR

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Impact 4,250 square feet (SF) of protected shoreland in order to construct additions to an existing dwelling, increasing the building footprint by 362 SF; remove 558 SF of existing gravel drive, 96 SF of existing walks and retaining walls, replace by p/o the proposed additions, reducing net coverage, install Septic tank/lines.

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APPROVE PERMIT
Impact 4,250 square feet (SF) of protected shoreland in order to construct additions to an existing dwelling, increasing the building footprint by 362 SF; remove 558 SF of existing gravel drive, 96 SF of existing walks and retaining walls, replace by p/o the proposed additions, reducing net coverage, install Septic tank/lines.

With Conditions:
1. All work shall be in accordance with plans by David M. Dolan Associates, PC dated August 2, 2017 and received by the NH Department of Environmental Services (DES) on August 9, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 32% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 870 SF 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).
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-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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. 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.

2017-02391 131 BURKE STREET LLC

NASHUA SALMON BROOK

Requested Action:

Impact 27,644 square feet of protected shoreland in order to construct self-storage buildings on the existing parking lot, install utility connections and stormwater management features.

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APPROVE PERMIT
Impact 27,644 square feet of protected shoreland in order to construct self-storage buildings on the existing parking lot, install utility connections and stormwater management features.

With Conditions:
1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated July 28, 2017 and received by the NH Department of Environmental Services (NHDES) on August 10, 2017.
2. Orange construction fencing shall be installed at the limits of the impact area prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 62.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 16,257 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).
5. No impacts to natural ground cover shall occur within the waterfront buffer.
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-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. 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).
12. 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.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02395 **GIROUARD, GARY/PATRICIA**

FITZWILLIAM

Requested Action:

Impact 4,200 square feet (SF) of protected shoreland in order to construct a detached garage and re-grade.

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APPROVE PERMIT
Impact 4,200 square feet (SF) of protected shoreland in order to construct a detached garage and re-grade.

With Conditions:
1. All work shall be in accordance with plans by GRAZ Engineering, LLC dated August 7, 2017 and received by the NH Department of Environmental Services (DES) on August 10, 2017.

2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 4.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 13,085 SF 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).
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-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02406 **WOLFEBORO DPW, TOWN OF**

WOLFEBORO RUST POND

Requested Action:

Impact 960 square feet (SF) of protected shoreland in order to construct a block retaining wall to make room for a gravel pull off spot and a path leading down to Rust Pond.

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APPROVE PERMIT
Impact 960 square feet (SF) of protected shoreland in order to construct a block retaining wall to make room for a gravel pull off spot and a path leading down to Rust Pond.

With Conditions:
1. All work shall be in accordance with plans by Comprehensive Environmental Incorporated dated June 2017 and received by the NH Department of Environmental Services (DES) on August 10, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 54.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
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 tack or netting and pinning on slopes steeper than 3:1.
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. 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.
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.