CDR 2/26/20 ✓

Wetlands Applications Decision Report

Decisions Taken
02/17/2020 to 02/23/2020

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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2019-03287 **LINDT & SPRUNGLI INC**

STRATHAM Unnamed Wetland

Requested Action:

Dredge and fill a total of 91,994 square feet of the wetlands to include 80,120 square feet of forested wetland and 8,367 square feet of emergent wetland (2,913 square feet of temporary impact) for the expansion of vehicle parking, upgrading the drainage structures of the entrance, and widening of the entrance. Compensatory mitigation includes a one-time payment of $372,563.680 to the Aquatic Resource Mitigation Fund.

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APPROVE PERMIT
Dredge and fill a total of 91,994 square feet of the wetlands to include 80,120 square feet of forested wetland and 8,367 square feet of emergent wetland (2,913 square feet of temporary impact) for the expansion of vehicle parking, upgrading the drainage structures of the entrance, and widening of the entrance. Compensatory mitigation includes a one-time payment of $372,563.68 to the Aquatic Resource Mitigation Fund.

With Conditions:
1. All work shall be in accordance with plans by AECOM dated 10/09/19 and revised through 1/17/20 as received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on January 23, 2020.
2. This approval is not valid until NHDES receives a one-time payment of $372,563.68 to the NHDES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to NHDES. If NHDES does not receive payment within 120 days of the date of this approval letter, NHDES will deny the application.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. 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).
6. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A .
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Snow shall be stored/stockpiled out of DES jurisdiction.
9. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
10. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
12. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:
1. On January 24, 2017, NHDES approved Wetlands Permit 2016-01701 to: Dredge and fill a total of 20,327 square feet of the wetlands to include 16,440 square feet of forested wetland and 3,887 square feet of emergent wetland for the expansion of the existing parking lot, upgrading the drainage structures of the entrance, and widening of the entrance. Compensatory mitigation includes a one-time payment of $102,828.70 to the Aquatic Resource Mitigation ("ARM") Fund.
2. The previously-approved project had not been completed although NHDES received the NHDES received the ARM Fund payment of $102,828.70 on April 17, 2017.
3. This is a major impact project per Administrative Rule 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
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact

to areas and environments under the department's jurisdiction per Env-Wt 302.03. Impacts have been reduced by 11,047 square feet by utilizing a retaining wall around the south parking lot.
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 application included NH Natural Heritage Bureau (NHB) Letter NHB19-2391 stating, "We currently have no recorded occurrences for sensitive species near this project area."
7. The NH Division of Historical Resources has reviewed the project and found "No Historic Properties Affected."
8. In correspondence dated November 13, 2019, the US Environmental Protection Agency found that the project is eligible, as proposed, for the NH Programmatic General Permit.
9. NHDES received comments from the Stratham Conservation Commission (SCC) on November 1, 2019.
10. On December 31, 2019, NHDES sent a Request for More Information (RFMI) to the applicant requesting, in summary: responding to the comments raised by the SCC and provide evidence the impacts have been avoided and minimized pursuant to Env-Wt 302.03(a).
11. The applicant's agent provided a response to the RFMI on January 23, 2020. NHDES finds the applicant has addressed concerns raised by SCC.
12. 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.
13. The payment calculated for the proposed wetland loss equals $372,563.68 minus the $102,828.70 previously paid under Wetlands Permit 2016-01701.
14. 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).
15. The payment into the ARM fund shall be deposited in the DES fund for the Salmon Falls - Piscataqua Rivers watershed per RSA 482-A:29.
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 resource, as identified under RSA 482-A:1.

2019-03594 BAYROOT LTD C/O WAGNER FOREST MGT LTD

SUCCESS NORTH BRANCH STEARNS BROOK/SHELTER BROOK

Requested Action:

Dredge and fill 2,225 square feet (SF) within the bed and bank of the North Branch of Stearns Brook (Tier 3, impacting 362 linear feet (LF)) and 391 SF of forested wetlands to replace the existing 20 foot long, 6 foot diameter culvert with a 18 foot long, 24-foot span bridge span. In addition, dredge and fill 2,566 SF within the bed and bank of Shelter Brook ((Tier 3, impacting 258 LF) to replace the existing 32 foot long, 17 foot span bridge downstream of the first culvert with a 16 foot long, 44.5 foot span bridge. In addition, temporarily impact 419 SF within forested wetlands, for construction access and sediment control.

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APPROVE PERMIT
Dredge and fill 2,225 square feet (SF) within the bed and bank of the North Branch of Stearns Brook (Tier 3, impacting 362 linear feet (LF)) and 391 SF of forested wetlands to replace the existing 20 foot long, 6 foot diameter culvert with a 18 foot long, 24-foot span bridge span. In addition, dredge and fill 2,566 SF within the bed and bank of Shelter Brook ((Tier 3, impacting 258 LF) to replace the existing 32 foot long, 17 foot span bridge downstream of the first culvert with a 16 foot long, 44.5 foot span bridge. In addition, temporarily impact 419 SF within forested wetlands, for construction access and sediment control.

With Conditions:
1. All work shall be in accordance with plans by Horizons Engineering, Inc. dated November 6, 2019 and revised on January 17, 2020, received by NHDES on January 21, 2020.
2. This permit is contingent on review and approval, by the NHDES Wetlands Bureau, of final erosion control plans. Those plans shall detail temporary siltation/erosion/turbidity control measures to be implemented.
3. This permit is contingent on review and approval, by the NHDES Wetlands Bureau, of the final construction sequence. Those plans shall detail the timing and method of construction, including the placement and removal of temporary

siltation/erosion/turbidity control measures.
4. Not less than five (5) state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
5. Work within the river, inclusive of work associated with installation of a cofferdam or turbidity curtain, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events. All in-stream work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
6. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons, which occur between September 15th to October 15th. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
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. 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. Erosion control products shall be installed per manufacturers recommended specifications.
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 water at the work site has returned to normal clarity.
10. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
11. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation should be replanted with seedlings of like native species and seeded with a conservation mix and mulched within three (3) days of the completion of the disturbance.
12. No machinery shall enter the water.
13. 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.
14. 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.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
16. 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.
17. The turbidity controls shall be entirely removed within 2 days after work within the controls is completed and water has returned to normal clarity.
18. 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 Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for Roadside Invasive Plants (2008).
19. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site. Restoration shall not be considered successful if sites are invaded by nuisance species during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to eradicate nuisance species.
20. Only native plant species shall be used to revegetate the riverbank.
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 NHDES Wetlands Bureau within 60 days of final site stabilization.

With Findings:
1. This is a Major Project per NH Administrative Rule Env-Wt 903.01(g)(1), as the project is a replacement of two Tier 3 stream crossings.
2. The project comprises two components located within ½ mile of each other:
a. Replacement of the existing 20 foot long, 6 foot diameter culvert on the North Branch of Stearns Brook with a 18 foot long, 24-foot span bridge span; and
b. Replacement of the existing 32 foot long, 17 foot span bridge downstream of the first culvert on Shelter Brook with a 16 foot long, 44.5 foot span bridge.
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 as they will only impact the river channel and bank to the degree necessary.

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. The both stream crossings that comprise the project will meet the hydraulic and geomorphic compatibility and aquatic organism passage criteria for Tier 3 stream crossings in accordance with Env-Wt 904.04 and 904.05, and are considered self-mitigating designs.
5. The Town of Success Conservation Commission, the abutters, and the public provided no comments regarding the project.
6. In a review letter dated October 14, 2019, the NH Division of Cultural Resources program stated that "no historic properties will be affected.".
7. In a review letter dated October 11, 2019, the NH Natural Heritage Bureau stated that although there are recorded occurrences of sensitive species in the vicinity of the proposed project, it is not expected that the species will be impacted by the proposed project.
8. According to NH Fish and Game Department, the North Branch of Stearns Brook and Shelter Brook are predictive coldwater fisheries.

2019-03876 **LITTLETON INDUSTRIAL DEVELOPMENT CORP**

LITTLETON

Requested Action:

Dredge and fill 310 square feet within an intermittent stream (impacting 50 linear feet) to construct an upgraded access road into lot 17, which is part of the Littleton Industrial Park. Temporarily impact 1,195 square feet of intermittent stream (impacting 300 linear feet) to re-route the stream back to its original bed and to re-establish an existing roadside ditch with a grass swale.

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APPROVE PERMIT
Dredge and fill 310 square feet within an intermittent stream (impacting 50 linear feet) to construct an upgraded access road into lot 17, which is part of the Littleton Industrial Park. Temporarily impact 1,195 square feet of intermittent stream (impacting 300 linear feet) to re-route the stream back to its original bed and to re-establish an existing roadside ditch with a grass swale.

With Conditions:
1. All work shall be in accordance with revised plans by Horizons Engineering dated December 09, 2019, as received by the NH Department of Environmental Services (NHDES) on December 13, 2019.
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. 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.
4. Stream work shall be done during low flow or dry conditions.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
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. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
10. 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. No construction equipment shall be operated in flowing water.
12. 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.
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 refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
15. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(i), as stream impacts are greater than 200 linear feet.
2. The project is to construct an upgraded and wider access road into lot 17, which is part of the Littleton Industrial Park.
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. The applicant has reduced the amount of wet meadow impacts from 2,475 square feet to 0 square feet by avoiding the area. In addition, the applicant is proposing to re-route the intermittent stream back to its original bed, which is away from the roadside ditch.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. On September 12, 2019, a pre-application meeting was held with NHDES and the Army Corps of Engineers in which the applicant presented a preliminary road alignment to improve access into the lot. It was agreed that if the applicant could re-route the intermittent stream back to its original bed and away from the upgraded roadside ditch, that the project would qualify as self-mitigating.
6. In accordance with Rule Env-Wt 302.03(d), the project does not require compensatory mitigation as the impacts to re-route the intermittent stream back to its original bed are temporary in nature, and will help to restore the stream and keep it out of the roadside ditches.
7. In a letter dated August 26, 2019, the NH Natural Heritage Bureau (NHB) reviewed the proposal and determined that there are no recorded occurrences for sensitive species near the project area.
8. NHDES has not received any abutter or public comments in objection to the proposed project.
9. 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.

MINOR IMPACT PROJECT
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2019-03497 **NH DEPT OF TRANSPORTATION**

GILMANTON ROLLINS POND & UNNAMED STREAM

Requested Action:

Dredge and fill 52 square feet (SF) within the bed and banks of Kelley Meadow Brook (tier 2, impacting 18 linear feet [LF]) in order to extend an existing 3.5-foot-wide by 2.5-foot-high stone box culvert by 4 feet in order to widen the road shoulder to match the existing road shoulder and improve public safety along NH Route 129. In addition, temporarily impact 40 SF of the bed and banks of Kelley Meadow Brook (tier 2, impacting 11 linear feet) for temporary erosion and sedimentation controls and construction access. In addition, temporarily impact 160 square feet (SF) within the bed and banks of Rollins Pond (impacting 21 LF) and palustrine emergent marsh in order to replace an existing 24-inch diameter by 44-foot-long culvert in kind, and for temporary erosion and sedimentation controls and construction access.

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APPROVE PERMIT
Dredge and fill 52 square feet (SF) within the bed and banks of Kelley Meadow Brook (tier 2, impacting 18 linear feet [LF]) in order to extend an existing 3.5-foot-wide by 2.5-foot-high stone box culvert by 4 feet in order to widen the road shoulder to match the existing road shoulder and improve public safety along NH Route 129. In addition, temporarily impact 40 SF of the

bed and banks of Kelley Meadow Brook (tier 2, impacting 11 linear feet) for temporary erosion and sedimentation controls and construction access. In addition, temporarily impact 160 square feet (SF) within the bed and banks of Rollins Pond (impacting 21 LF) and palustrine emergent marsh in order to replace an existing 24-inch diameter by 44-foot-long culvert in kind, and for temporary erosion and sedimentation controls and construction access.

With Conditions:
1. All work shall be in accordance with plans by D. Silvia of the New Hampshire Department of Transportation (NHDOT), dated August 13, 2019, and revised through January 22, 2020, as received by the NH Department of Environmental Services (NHDES) on January 28, 2020.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. 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.
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. Work shall be done during low flow and in dry conditions.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. 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. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
11. 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.
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 on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
14. 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.
15. Work within the stream, 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 or following precipitation events.
16. 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.
17. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
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. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
22. 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).
23. Any fill used shall be clean sand, gravel, rock, or other suitable material.
24. Proper headwalls shall be constructed within seven days of culvert installation.
25. 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.
26. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This project is classified as a Minor Project per NH Administrative Rule Env-Wt 303.03(h) and Env-Wt 303.03(l), as the project less involves than 20,000 square feet of alteration in the aggregate to nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters and disturbs less than 200 linear feet of a perennial stream and its banks.
2. This project involves the in-kind replacement of an existing 24-inch diameter by 44-foot-long culvert and the installation of a 4-foot long culvert extension on an existing 3.5-foot-wide by 2.5-foot-high stone box culvert along NH Route 129.
3. Email correspondence from NHDOT dated October 17, 2019, indicates that both crossings are undersized but neither culvert has a history of flooding.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03 as this project is to repair and maintain existing infrastructure.
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. A certified wetland scientist stamp, as required per Env-Wt 303.01(g), was not necessary for this application pursuant to RSA 310-A:79, III.
7. In a review letter dated March 12, 2019, and received by NHDES on October 31, 2019, the NH Natural Heritage Bureau (NHB) stated that although there was a record in the vicinity of the project, they do not expect that it will be impacted by the portion of the proposed project related to the in-kind replacement of Culvert #1.
8. In a review letter dated April 17, 2019, and received by NHDES on October 31, 2019, the NH Natural Heritage Bureau (NHB) stated that although there was a record in the vicinity of the project, they do not expect that it will be impacted by the portion of the proposed project related to the extension of Culvert #2.
9. In regulatory review letters dated May 31, 2019, and received by NHDES on October 31, 2019, the US Fish and Wildlife Service found that while Northern Long-eared Bats (Myotis septentrionalis) were present in the vicinity of the project sites, there were no critical habitats for this species at these locations and that the activities proposed in this application are not prohibited under the ESA Section 4(d) Rule adopted for this species at 50 CFR §17.40(o).
10. In an internal NHDOT Cultural Resources Review dated June 26, 2019, and received by NHDES on October 31, 2019, NHDOT Cultural Resources Staff stated that the proposed work had no potential to cause effect to historical resources/had no concerns at either location.
11. As of February 21, 2020, no comments of concern have been received by been received by NHDES from abutters or local governing organizations.

MINIMUM IMPACT PROJECT
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2018-03135 **NH DEPT OF TRANSPORTATION**

MANCHESTER MERRIMACK RIVER

Requested Action:

Temporarily impact 1,500 square feet of bank to repair an eroded bank with rip rap.

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CONFIRM EMERGENCY AUTHORIZATION
Temporarily impact 1,500 square feet of bank to repair an eroded bank with rip rap.

2019-01233 **NH DEPT OF TRANSPORTATION**

CAMPTON DITCH & BANK OF PEMIGEWASSET RIVER

Requested Action:

Temporarily impact 37 linear feet of surface water and bank to remove an existing failed 18 inch corrugated metal pipe (CMP) and replace in-kind with a new 18 inch CMP. In addition, replace 26 linear feet of rip-rap on the bank above ordinary high water.

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CONFIRM EMERGENCY AUTHORIZATION
Temporarily impact 37 linear feet of surface water and bank to remove an existing failed 18 inch corrugated metal pipe (CMP) and replace in-kind with a new 18 inch CMP. In addition, replace 26 linear feet of rip-rap on the bank above ordinary high water.

2019-01669 **WASHINGTON, TOWN OF**

WASHINGTON MILLEN LAKE

Requested Action:

Fill 838 square feet of palustrine wet meadow previously impacted by recreational activities to install a 12 inch diameter HDPE culvert under an existing crossing on property having 5,556 linear feet of shoreline frontage along Millen Lake in Washington.

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APPROVE PERMIT
Fill 838 square feet of palustrine wet meadow previously impacted by recreational activities to install a 12 inch diameter HDPE culvert under an existing crossing on property having 5,556 linear feet of shoreline frontage along Millen Lake in Washington.

With Conditions:
1. All work shall be in accordance with revised plans by Aspen Environmental Consultants, LLC., revision dated January 28, 2020 and as received by the NH Department of Environmental Services (the department) on January 30, 2020.
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. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
4. 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 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.
8. 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).
9. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation should be replanted with seedlings of like native species and seeded with a conservation mix and mulched within three (3) days of the completion of the disturbance.
10. No machinery shall enter the water.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering 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. This permit shall not preclude the department from initiating appropriate action if the department later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:
1. This is a minimum impact project per NH Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The applicant 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.

2019-02240 **SUN DEVELOPMENT GROUP LLC/GENERAL PROPERTIES LLC**

FRANKLIN Unnamed Wetland

Requested Action:

Dredge and fill 2,110 square feet (SF) of palustrine forested wetland in order to install a 24-inch diameter by 40-foot-long culvert to construct a 15-foot wide road for access to a proposed solar farm.

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APPROVE PERMIT
Dredge and fill 2,110 square feet (SF) of palustrine forested wetland in order to install a 24-inch diameter by 40-foot-long culvert to construct a 15-foot wide road for access to a proposed solar farm.

With Conditions:
1. All work shall be in accordance with plans by Nobis Engineering, Inc. dated April 03, 2019, and revised through January 17, 2020, as received by the NH Department of Environmental Services (NHDES) on January 28, 2020.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. 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. 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.
5. Work shall be done during low flow and in dry conditions.
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. Erosion control products shall be installed per manufacturers recommended specifications.
8. 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).
9. 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.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. 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.
14. 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.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the

growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
17. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(f) as this project involves less than 3,000 square feet of impact to a palustrine forested wetland.
2. This project involves the installation of a new 24-inch diameter by 40-foot-long culvert to construct a 15-foot wide access road to a proposed 2.8-megawatt solar farm.
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 as the project utilizes the narrowest band of wetlands available to access the buildable portion of the site and will use culverts to maintain hydraulic connectivity within the wetland.
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. In a review letter dated June 14, 2019, and received by NHDES on July 22, 2019, the NH Natural Heritage Bureau (NHB) stated that there was no record of a sensitive species located in the vicinity of the project.
6. In a review letter dated January 22, 2019, and received by NHDES on July 22, 2019, the NH Division of Historical Resources (DHR) stated that no historic properties are expected to be affected by the proposed project for the purposes of EPA General Construction permitting only.
7. In a regulatory review dated June 13, 2019, and received by NHDES on July 22, 2019, the US Fish and Wildlife Service found that while Northern Long-eared Bats (Myotis septentrionalis), and Small Whorled Pogonia (Isotria medeoloides) were present in the vicinity of the site, there were no critical habitats for these species at this location.
8. On October 30, 2019, an extension agreement until December 03, 2019, was requested by the project agent to allow for additional time for the applicant to respond to the request for more information letter issued on September 04, 2019. The agreement was signed by the authorized agent and returned to NHDES on November 01, 2019.
9. On December 23, 2019, an extension agreement until February 08, 2019, was requested by the project agent to allow for additional time for the applicant to provide a revised set of plans that removed the proposed plunge pool within the wetlands at the culvert outlet. The agreement was signed by the authorized agent and returned to NHDES on December 23, 2019.
10. As of February 21, 2020, no comments of concern have been received by NHDES from abutters or local governing organizations.

2019-03549 **ELFLINE, AMY**
URSILLO, PAUL

MEREDITH WAUKEWAN LAKE

Requested Action:

Remove a 20 foot x 3 foot wharf and install an 11 foot x 3 foot wharf, repair / replace 27 linear feet of stone retaining wall with granite block retaining wall, install 6 foot wide steps to the water and perch an existing 8 foot x 7 foot beach on 90 feet of frontage along lake Waukewan in Meredith.

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APPROVE PERMIT
Remove a 20 foot x 3 foot wharf and install an 11 foot x 3 foot wharf, repair / replace 27 linear feet of stone retaining wall with granite block retaining wall, install 6 foot wide steps to the water and perch an existing 8 foot x 7 foot beach on 90 feet of frontage along lake Waukewan in Meredith.

With Conditions:
1. All work shall be in accordance with plans by Bryan L. Bailey, Inc. dated October 16, 2019 as received by NHDES on November 5, 2019 and cross sections dated December 30, 2019, as received by NHDES on January 22, 2020.
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 construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. 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).
9. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
10. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the docking structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
11. No portion of the 11 foot x 3 foot wharf and the 4 foot x 16 foot wharf shall extend more than 4 feet from the shoreline at full lake elevation.
12. All seasonal structures shall be removed for the non-boating season.
13. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of the normal high water line
14. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
15. Any future beach replenishment shall require a new permit.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
17. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.
18. 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.
19. 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(m) projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The 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.

2019-03650 **NEESON, TRACY**

FRANCONIA

Requested Action:

Dredge and fill 6,100 square feet (SF) of wet meadow to construct a new wildlife pond. In addition, retain 1,500 SF of previous, unpermitted dredge and fill of wet meadow used to construct a wetland crossing downstream and adjacent to the proposed pond.

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APPROVE PERMIT
Dredge and fill 6,100 square feet (SF) of wet meadow to construct a new wildlife pond. In addition, retain 1,500 SF of previous, unpermitted dredge and fill of wet meadow used to construct a wetland crossing downstream and adjacent to the proposed pond.

With Conditions:
1. All work shall be in accordance with plans by John Seeley dated November 21, 2019 and revised on January 22, 2020, received by the NHDES on January 29, 2020.
2. Not less than five (5) state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. Work within the wetland, inclusive of work associated with installation of a temporary siltation controls, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events. All work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
4. 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).
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. Erosion control products shall be installed per manufacturers recommended specifications.
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 dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. Extreme precautions shall be taken within wetland areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation should be replanted with seedlings of like native species and seeded with a conservation mix and mulched within three (3) days of the completion of the disturbance.
9. No machinery shall enter the water.
10. 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.
11. 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.
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. 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.
14. The turbidity controls shall be entirely removed within 2 days after work within the controls is completed and water has returned to normal clarity.
15. 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 Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for the Control of Invasive and Noxious Plant Species (2018).
16. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site. Restoration shall not be considered successful if sites are invaded by nuisance species during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to eradicate nuisance species.
17. Only native plant species shall be used to revegetate the disturbed areas.
18. 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 NHDES 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(p), as the project involves construction of a pond with less than 20,000 SF of wetlands impact, as well as under Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 SF in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The project will create a wildlife pond and retain a wetland skidder bridge left in place following a previous logging operation.
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. The project was substantially redesign based on NHDES comments, reducing the proposed pond construction impact from 18,500 SF to 6,100 SF.

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. There were no comments regarding the project received from the Town of Franconia Conservation Commission, abutters, or the public.
6. In a review letter dated October 29, 2019, the NH Natural Heritage Bureau stated that there are no records of sensitive species in the vicinity of the proposed project.

2019-03680 **MCSTAY, JAMES**

SEABROOK

Requested Action:

Impact a total of 1,786 square feet within the previous-developed 100-foot tidal buffer zone to include 246 square feet of permanent impact and 1,540 square feet of temporary impact for the construction of a second story deck on the existing residential dwelling.

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APPROVE PERMIT
Impact a total of 1,786 square feet within the previous-developed 100-foot tidal buffer zone to include 246 square feet of permanent impact and 1,540 square feet of temporary impact for the construction of a second story deck on the existing residential dwelling.

With Conditions:
1. All work shall be in accordance with plans by Millennium Engineering, Inc. dated October 2, 2018 and revised through 1-23-20 as received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on January 24, 2020.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES and the Seabrook 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. 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. 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.
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. No more than 26.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. Erosion control products shall be installed per manufacturers recommended specifications.
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. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB19-3526 stating, "It was determined that, although there was a NHB record [...] present in the vicinity, we do not expect that it will be impacted by the proposed project.
5. No comments were received from the Seabrook Conservation Commission on the application.

2019-03771 **INDUSTRIAL WAY ASSOCIATES LLC**

SALEM Unnamed Wetland

Requested Action:

Impact 498 square feet of forested wetland to develop the property by constructing indoor sports field with associated parking, stormwater management, and emergency vehicle access.

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APPROVE PERMIT
Impact 498 square feet of forested wetland to develop the property by constructing indoor sports field with associated parking, stormwater management, and emergency vehicle access.

With Conditions:
1. All work shall be in accordance with plans by TFMoran Inc. dated November 19, 2019 as received by the NH Department of Environmental Services (NHDES) on December 9, 2019.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. 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. 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.
5. Work shall be done during low flow and in the dry only.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. 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).
9. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
10. 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.
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. 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 applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB19-2496 stating, "We currently have no recorded occurrences for sensitive species near this project area."

5. The NH Division of Historical Resources has reviewed the project site and found "No Historic Properties Affected."
6. In a letter dated January 9, 2020 from the Salem Conservation Commission states, "voted to recommend approval of the application and plans."

X-EXPEDITED MINIMUM
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2015-00597 **REARDON, IAN/KATHERINE**

JACKSON

Requested Action:

Request permit time extension to dredge and fill 783 square feet forested wetland for the construction of a driveway to a proposed residence. Work in jurisdiction includes the installation of a two 18" culverts.

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APPROVE TIME EXTENSION
Dredge and fill 783 square feet forested wetland for the construction of a driveway to a proposed residence. Work in jurisdiction includes the installation of a two 18" culverts.

With Conditions:
1. All work shall be done in accordance with plans by Beaver Tracks entitled Expedited Wetland Application for Ian & Katherine Reardon as received by DES on March 16, 2015.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during periods of non-flow.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. The culvert shall be laid at original grade.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. 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.
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. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:
1.The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2.This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2019-02791 **TOWN OF EFFINGHAM**

EFFINGHAM RED BROOK

Requested Action:

Dredge and fill 256 square feet (SF) within the bed and bank of Red Brook (Tier 2, impacting 65 linear feet (LF)), 28 SF of forested wetlands, and 20 SF of scrub-shrub wetlands to replace in-kind the existing 36 foot long, 4.5 foot diameter partially-embedded culvert with a 35 foot long, 5-foot diameter partially-embedded culvert. In addition, temporarily impact 144 SF within the bed and bank of Red Brook (Tier 2, impacting 35 LF), 10 SF of forested wetlands, and 25 SF of scrub-shrub wetlands, for construction access and sediment control.

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APPROVE PERMIT
Dredge and fill 256 square feet (SF) within the bed and bank of Red Brook (Tier 2, impacting 65 linear feet (LF)), 28 SF of forested wetlands, and 20 SF of scrub-shrub wetlands to replace in-kind the existing 36 foot long, 4.5 foot diameter partially-embedded culvert with a 35 foot long, 5-foot diameter partially-embedded culvert. In addition, temporarily impact 144 SF within the bed and bank of Red Brook (Tier 2, impacting 35 LF), 10 SF of forested wetlands, and 25 SF of scrub-shrub wetlands, for construction access and sediment control.

With Conditions:
1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc. dated August 26, 2019 and revised on January 15, 2020, received by NHDES on January 22, 2020.
2. Not less than five (5) state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons, which occur between March 15th to April 15th and September 15th to October 15th. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
4. Work within the brook, inclusive of work associated with installation of a cofferdam or turbidity curtain, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events. All in-stream work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
5. 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).
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. Erosion control products shall be installed per manufacturers recommended specifications.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
9. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation should be replanted with seedlings of like native species and seeded with a conservation mix and mulched within three (3) days of the completion of the disturbance.
10. No machinery shall enter the water.
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. 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.
15. The turbidity controls shall be entirely removed within 2 days after work within the controls is completed and water has returned to normal clarity.

16. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for Roadside Invasive Plants (2008).
17. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site. Restoration shall not be considered successful if sites are invaded by nuisance species during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to eradicate nuisance species.
18. Only native plant species shall be used to revegetate the riverbank.
19. 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 NHDES Wetlands Bureau within 60 days of final site stabilization.

With Findings:
1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 904.07(b)(1), as the project is an in-kind replacement of a Tier 2 stream crossing.
2. The project comprises in-kind replacement of an existing 36 foot long, 4.5 foot diameter partially-embedded culvert with a 35 foot long, 5-foot diameter partially-embedded culvert.
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 as they will only impact the stream channel and bank to the degree necessary.
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. The proposed in-kind replacement stream crossing will improve the hydraulic capacity of the crossing by 48%, improve the geomorphic compatibility of the crossing by approximately 6%, and will not reduce aquatic organism passage.
5. The Town of Effingham Conservation Commission, the abutters, and the public provided no comments regarding the project.
6. In a review letter dated August 21, 2019, the NH Natural Heritage Bureau reported no recorded occurrences of sensitive species in the vicinity of the proposed project.
7. According to the NH Fish and Game Department, Red Brook is a predictive cold-water fishery.

2019-03755 **TOWN OF SALEM**

SALEM CANOBIE LAKE

Requested Action:

Impact a total of 1,320 square feet of forested wetland to include 340 square feet of permanent impact and 980 square feet of temporary impact to extend town sewer lines to discontinue private septic systems, install a new water main, and install stormwater drainage improvements.

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APPROVE PERMIT
Impact a total of 1,320 square feet of forested wetland to include 340 square feet of permanent impact and 980 square feet of temporary impact to extend town sewer lines to discontinue private septic systems, install a new water main, and install stormwater drainage improvements.

With Conditions:
1. All work shall be in accordance with the plans by Underwood Engineers dated 1/9/18 as received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on April 12, 2018.
2. This approval is contingent upon the completion of a Phase 1A assessment survey and review as requested by the NH Division of Historical Resources.
3. The Town of Salem shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property. Copies shall be supplied to NHDES File No. 2019-03755 prior to construction on those

properties.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Avoid the use of welded plastic or 'biodegradable plastic' netting or thread in erosion control matting on this job. The use of erosion control berm, Filtrexx or equal filter sock, or several 'wildlife friendly' options such as woven organic material (e.g. coco or jute matting) are commercially available.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be done during low flow.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.
10. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
11. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
12. 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.
13. 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.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. Dredged material shall be placed outside of the jurisdiction of the NHDES.
17. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
19. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
20. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
21. 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 immediately.
22. 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.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
24. A post-construction report , prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project impact areas and restored jurisdictional area or buffer, including photographs, shall be submitted to the NHDES within 60 days of the completion of construction. NHDES may require subsequent monitoring and corrective measures if NHDES deemed
the area inadequately stabilized or restored.

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 applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. The Salem Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
5. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB19-3406 stating, "It was determined that, although there was a NHB record [...] present in the vicinity, we do not expect that it will be impacted by the proposed project."
6. The NH Division of Historical Resources reviewed the project and determined "Additional information is needed in order to complete review."

2019-03759 **TOWN OF SALEM**

SALEM CAPTAINS POND

Requested Action:

Impact a total of 2,739 square feet of forested and scrub-shrub wetland to include 2,739 square feet of permanent impact and 96 square feet of temporary impact for the reconstruction of Plaisted Circle with improved stormwater drainage.

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APPROVE PERMIT
Impact a total of 2,739 square feet of forested and scrub-shrub wetland to include 2,739 square feet of permanent impact and 96 square feet of temporary impact for the reconstruction of Plaisted Circle with improved stormwater drainage.

With Conditions:
1. All work shall be in accordance with the plans by The Town of Salem dated December 2019 as received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on January 24, 2020.
2. The Town of Salem shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property. Copies shall be supplied to NHDES File No. 2019-033759 prior to construction on those properties.
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. Avoid the use of welded plastic or 'biodegradable plastic' netting or thread in erosion control matting on this job. The use of erosion control berm, Filtrexx or equal filter sock, or several 'wildlife friendly' options such as woven organic material (e.g., coco or jute matting) are commercially available.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be done during low flow.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.
9. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
10. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
11. 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.
12. 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.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Dredged material shall be placed outside of the jurisdiction of the NHDES.
16. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. 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).
20. 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 immediately.
21. 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.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

23. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project impact areas and restored jurisdictional area or buffer, including photographs, shall be submitted to the NHDES within 60 days of the completion of construction. NHDES may require subsequent monitoring and corrective measures if NHDES deemed the area inadequately stabilized or restored.

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 applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. The Salem Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
5. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB19-3601 stating, "We currently have no recorded occurrences for sensitive species near this project area."
6. The NH Division of Historical Resources reviewed the project and determined "No Historic Properties Affected."

SHORELAND STANDARD
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2019-00703 **HUGHES, JUDITH/ROBERT**

MEREDITH WINNISQUAM LAKE

Requested Action:

The applicant requested the permit be amended to remove a proposed patio, expand the primary structure (add a chimney), and extend a path.

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APPROVE AMENDMENT
Impact 2,138 square feet of protected shoreland in order to remove and replace the existing primary structure with an added expansion, remove patios, remove an unpermitted path, add infiltration trenches, and extend an existing path.

With Conditions:
1. All work shall be in accordance with plans by New Hampshire Environmental Consultants, LLC, dated February 4, 2019, revised through February 5, 2020, and received by the NH Department of Environmental Services (NHDES) on February 10, 2020.
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 24.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. The unpermitted path within the waterfront buffer shall be removed prior to the construction of the replacement primary structure.
5. Native vegetation within an area of at least 977 square feet within the 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 proposed infiltration trenches shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed infiltration trenches shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
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.

With Findings:
1. The existing non-conforming structure is located within the 50 ft primary building setback to Winnisquam Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Shoreland Water Quality Protected Act.
2. The project as proposed would result in the conversion of a deck to living space within the waterfront buffer.
3. The applicant has proposed to located the proposed primary structure 0.45 feet farther back from the reference line than the preexisting nonconforming structure and to provide stormwater management.
4. Based on the above findings, the property is made more nearly conforming than the existing conditions of the property, as described in RSA 483-B: 11.

2019-03924 **WARNICK, TIMOTHY**

SALEM SHADOW LAKE

Requested Action:

Impact 3,939 square feet of protected shoreland in order to remove the non-conforming primary structure, a shed, and septic system to construct a more nearly conforming primary structure with stormwater management, and relocate the driveway.

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APPROVE PERMIT
Impact 3,939 square feet of protected shoreland in order to remove the non-conforming primary structure, a shed, and septic system to construct a more nearly conforming primary structure with stormwater management, and relocate the driveway.

With Conditions:
1. All work shall be in accordance with plans by Ferwerda Mapping LLC dated December 8, 2019 as revised on January 16, 2020 and received by the NH Department of Environmental Services (NHDES) on February 10, 2020.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from 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 41.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. 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 2 proposed rain gardens shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed rain gardens shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. 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).
13. 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.
14. 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.

2020-00058 **DOWLER, BILL**

NEW DURHAM MERRYMEETING LAKE

Requested Action:

Impact 3,775 square feet of protected shoreland in order to replace gravel driveway with a paved driveway with a retaining wall, construct retaining wall, construct stormwater management, and construct a stairway.

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APPROVE PERMIT
Impact 3,775 square feet of protected shoreland in order to replace gravel driveway with a paved driveway with a retaining wall, construct retaining wall, construct stormwater management, and construct a stairway.

With Conditions:
1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated November 11, 2019 and revised on February 18, 2020 as received by the NH Department of Environmental Services (NHDES) on February 18, 2020.
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 29.3% 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 539 square feet within the 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. The proposed stormwater system with the rip-rap basin, culvert, and dry well shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed stormwater system shall be submitted to the Department within 30 days of the completion of construction.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. 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).
13. 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.
14. 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.

2020-00137 MOUNT WASHINGTON RAILWAY COMPANY

THOMP MES PURCH AMMONOOSUC RIVER

Requested Action:

Impact 22,751 square feet of protected shoreland in order to remove a building, to construct a primary structure with stormwater management, install additional driveway area, and provide modifications to additional buildings.

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APPROVE PERMIT
Impact 22,751 square feet of protected shoreland in order to remove a building, to construct a primary structure with stormwater management, install additional driveway area, and provide modifications to additional facilities.

With Conditions:
1. All work shall be in accordance with plans by Presby Construction, Inc. dated January 21, 2020 and received by the NH Department of Environmental Services (NHDES) on January 27, 2020.
2. The proposed project shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from 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 26.8% 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 48,984 square feet within the 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 proposed drip edge shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed drip edge shall be submitted to the Department within 30 days of the completion of construction.
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.

2020-00139 **BRITIN PROPERTY MANAGEMENT LLC**

ENFIELD CRYSTAL LAKE

Requested Action:

Impact 1,208 square feet of protected shoreland in order construct a 16 foot x 26 foot attached garage, a 14 foot x 28 foot attached addition, a 4 foot x 16 foot attached covered walkway and adjacent temporary impact for construction.

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APPROVE AMENDMENT
Impact 1,208 square feet of protected shoreland in order construct a 16 foot x 26 foot attached garage, a 14 foot x 28 foot attached addition, a 4 foot x 16 foot attached covered walkway and adjacent temporary impact for construction.

With Conditions:
1. All work shall be in accordance with plans by ALW Surveys dated January 2020 and received by the NH Department of Environmental Services (DES) on January 27, 2020.
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 13.5% 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 3,375 square feet 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. 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. 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.

2020-00147

SWEENEY, DANIEL R/JENNIFER E

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Impact 6,850 square feet of protected shoreland in order to remove a concrete patio, retaining walls, a walkway, 2 sets of stairs, and invasive vegetation to construct 2 decks, 3 pervious patios, retaining walls, 3 sets of stairs, and landscaping.

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APPROVE PERMIT
Impact 6,850 square feet of protected shoreland in order to remove a concrete patio, retaining walls, a walkway, 2 sets of stairs, and invasive vegetation to construct 2 decks, 3 pervious patios, retaining walls, 3 sets of stairs, and landscaping.

With Conditions:
1. All work shall be in accordance with plans by Stephens Landscaping Professionals, LLC dated January 22, 2020 and received by the NH Department of Environmental Services (NHDES) on January 28, 2020.
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 31.8% 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 2,060 square feet within the 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. 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.

2020-00149 **SHINN, CAROLYNNE**

WEARE HORACE LAKE

Requested Action:

Impact 1,714 square feet of protected shoreland in order to construct a 352 square foot addition to the primary structure and retain construction of a deck and stairs.

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APPROVE PERMIT
Impact 1,714 square feet of protected shoreland in order to construct a 352 square foot addition to the primary structure and retain construction of a deck and stairs.

With Conditions:
1. All work shall be in accordance with plans by Higginson Land Services dated January 20, 2020 and received by the NH Department of Environmental Services (DES) on January 28, 2020.

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 24.6% 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 2,423 square feet 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. 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. 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.
12. 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).
13. 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.

2020-00150 **MARTIN, JEREMY**

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Impact 13,888 square feet of protected shoreland in order to construct a primary structure with a porch, a deck, a patio, and a driveway, construct retaining walls, and install a septic system.

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APPROVE PERMIT
Impact 13,888 square feet of protected shoreland in order to construct a primary structure with a porch, a deck, a patio, and a driveway, construct retaining walls, and install a septic system.

With Conditions:
1. All work shall be in accordance with plans by Carl Johnson, Jr. LLS dated January 4, 2020 and received by the NH Department of Environmental Services (NHDES) on January 30, 2020.
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. As directed by the January 3, 2020 email from the NH Natural Heritage Bureau, the area declared as sensitive will be demarcated with yellow caution tape and shall not be disturbed by ground disturbance or tree removal during the proposed construction process.
4. 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.
5. No more than 12.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
6. Native vegetation within an area of at least 8,635 square feet within the 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).
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-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. 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).
13. 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.
14. 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.

With Findings:
1. On January 3, 2020 the NH Natural Heritage Bureau (NHB) an email to the applicant stating there was an historic record of the presence of the state endangered ram's-head lady's-slipper (Cypripedium arietinum) on a specific site on the project property.
2. The email stated that the site's vegetative environment and habitat had changed since this report and that this species had not been seen in several years at this location.
3. The email stated the specific area should be marked on the project drawings and declared as sensitive.
4. The NHB email also direct the site should be demarcated with yellow caution tape and shall not be disturbed by ground disturbance or tree removal during the proposed construction process.
5. NHB concluded that as long as the sensitive area is demarcated and avoided for the duration of the project that NHB had no concern about the proposed work.

2020-00153 **EILEEN GAVRON REV TRUST**

ALTON LAKE WINNIPESAUKEE

Requested Action:

Impact approximately 5,532 square feet to remodel and reconfigure roof of an existing cottage and provide for a small addition to the rear (landward side) of the cottage, add a 12 foot x 20 foot shed and a 6 foot walkway from the cottage to the dock.

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APPROVE PERMIT
Impact approximately 5,532 square feet to remodel and reconfigure roof of an existing cottage and provide for a small addition to the rear (landward side) of the cottage, add a 12 foot x 20 foot shed and a 6 foot walkway from the cottage to the dock.

With Conditions:
1. All work shall be in accordance with plans by Advantage NH Lakes dated January 16, 2020 and received by the NH Department of Environmental Services (DES) on January 29, 2020.
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 9% 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 2,854 square feet 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. 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 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.

2020-00160 **FINDLEN, GREGORY/JENNIFER**

ALTON BAY SUNSET LAKE

Requested Action:

Impact 14,838 square feet of protected shoreland in order to construct a house with attached garage, patio, retaining walls, a path and install catch basins, a septic system and drip edges.

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APPROVE PERMIT
Impact 14,838 square feet of protected shoreland in order to construct a house with attached garage, patio, retaining walls, a path and install catch basins, a septic system and drip edges.

With Conditions:
1. All work shall be in accordance with plans by Varney Engineering, LLC dated January 7, 2020 and received by the NH Department of Environmental Services (DES) on January 30, 2020.
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 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 20.2% 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 2,857 square feet 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. 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 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.

2020-00167 **LEHOULLIER FAMILY IRREV TRUST**

BRADFORD TODD LAKE

Requested Action:

Impact 4,550 square feet of protected shoreland in order to raze existing structures and rebuild a new primary structure.

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APPROVE PERMIT
Impact 4,550 square feet of protected shoreland in order to raze existing structures and rebuild a new primary structure.

With Conditions:
1. All work shall be in accordance with plans by RCS Designs dated December 2019 and received by the NH Department of Environmental Services (DES) on January 31, 2020.
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 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 19.6% 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 740 square feet 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. 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 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.

FORESTRY SPN
****

2020-00204 **JONES, MARY**

ROCHESTER Unnamed Stream

****

COMPLETE NOTIFICATION
ROCHESTER; TAX MAP# 108; LOT# 33

2020-00274 **JONES, CARL**

ROCHESTER Unnamed Stream

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COMPLETE NOTIFICATION
ROCHESTER; TAX MAP# 108; LOT# 33-1

2020-00277 **CERSOSIMO LUMBER CO INC**

SWANZEY Unnamed Stream

****

COMPLETE NOTIFICATION
SWANZEY; TAX MAP# 79; LOT# 4

2020-00281 **BAYROOT LLC**

GORHAM Unnamed Stream

****

COMPLETE NOTIFICATION
GORHAM; TAX MAP# R4; LOT# 2

2020-00307 **MCMANN, DEBRA & JASON**

CONCORD Unnamed Stream

****

COMPLETE NOTIFICATION
CONCORD; TAX MAP# 11Z; LOT# 27

EXP - EXPEDITED TIMELINE
****

2020-00109 **LLOREN, CHERYL ANN G**
CUMMINGS, ERIC

RYE BERRY'S RIVER

****

2020-00175 **JOHN FLATLEY COMPANY**

NASHUA Unnamed Wetland

Requested Action:

Temporarily impact 200 square feet of palustrine forested wetlands to install underground utilities for a proposed climate-controlled self-storage facility.

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Conservation Commission/Staff Comments:
2/5/2019 - Nashua ConComm provides a favorable recommendation with the following stipulations: (1) invasive species will be removed; (2) impacted area will be revegetated.
12/26/2019 - NHB reports no recorded occurences.

APPROVE PERMIT
Temporarily impact 200 square feet of palustrine forested wetlands to install underground utilities for a proposed climate-controlled self-storage facility.

With Conditions:
1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans dated January 10, 2020 by Fieldstone Consultants, PLLC as received by the NH Department of Environmental Services (NHDES) on January 10, 2020.
2. All work shall be conducted and maintained in such a way as to protect water quality as required by Rule Env-Wt 307.03(a) through (h).
3. In accordance with Env-Wt 307.03(a), no activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality.
4. In accordance with Env-Wt 307.03(b), all work, including management of soil stockpiles, shall be conducted so as to minimize erosion, minimize sediment transfer to surface waters or wetlands, and minimize turbidity in surface waters and wetlands using the techniques described in Env-Wq 1505.02, Env-Wq 1505.04, Env-Wq 1506, and Env-Wq 1508; the applicable BMP manual; or a combination thereof, if the BMP manual provides less protection to jurisdictional areas than the provisions of Env-Wq 1500.
5. In accordance with Env-Wt 307.03(c)(1), water quality control measures shall be selected and implemented based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas.
6. In accordance with Env-Wt 307.03(c)(3), water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508.
7. In accordance with Env-Wt 307.03(c)(4), water quality control measures shall be capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment.

8. In accordance with Env-Wt 307.03(c)(5), water quality control measures shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction.
9. In accordance with Env-Wt 307.03(c)(7), temporary water quality control methods shall be removed upon completion of work when compliance with Env-Wt 307.03(c)(6) is achieved.
10. In accordance with Env-Wt 307.03(g)(2), the person in charge of construction equipment shall repair any leaks prior to using the equipment in an area where such fluids could reach groundwater, surface waters, or wetlands.
11. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.
12. In accordance with Env-Wt 307.03(h), equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15.
13. In accordance with Env-Wt 307.05(e), to prevent the use of soil or seed stock containing nuisance or invasive species, the contractor responsible for work shall follow Best Management Practices for the Control of Invasive and Noxious Plant Species.
14. All dredging activities shall meet all of the conditions listed in Rule Env-Wt 307.10(a) through (n).
15. In accordance with Env-Wt 307.10(d), dredged materials shall be disposed of out of jurisdictional areas, unless other disposition is specifically permitted pursuant to Env-Wt 307.10(e).
16. In accordance with Env-Wt 307.10(f), dredged materials to be stockpiled in uplands shall be dewatered in sedimentation basins that are contained within turbidity controls that prevent turbid water from leaving the basins; and located outside of any jurisdictional area.
17. All temporary and permanent filling activities shall meet all of the conditions listed in Rule Env-Wt 307.11(a) through (l).
18. In accordance with Env-Wt 307.11(a), fill shall be clean sand, gravel, rock, or other material that meets the project's specifications for its use; and does not contain any material that could contaminate surface or groundwater or otherwise adversely affect the ecosystem in which it is used.
19. In accordance with Env-Wt 307.11(b), limits of fill shall be clearly identified prior to commencement of work and controlled in accordance with Env-Wt 307.03 to ensure that fill does not spill over or erode into any area where filling is not authorized.
20. In accordance with Env-Wt 307.11(c), slopes shall be immediately stabilized by a method specified in Env-Wq 1506 or Env-Wq 1508, as applicable, to prevent erosion into adjacent wetlands or surface waters.
21. In accordance with Env-Wt 307.15(a), heavy equipment shall not be operated in any jurisdictional area unless specifically authorized by this permit.
22. In accordance with Env-Wt 307.15(b), mobile heavy equipment working in wetlands shall not be stored, maintained, or repaired in wetlands, except that repairing or refueling in a wetland is allowed if equipment cannot practicably be removed and secondary containment is provided.
23. In accordance with Env-Wt 524.05(a), residential, commerical or industrial development projects in non-tidal wetlands shall submit a construction notice with the department at least 48 hours prior to commencing work.

With Findings:
1. Per Rule Env-Wt 306.05, the applicant has addressed all of the required planning items that are used to determine the appropriate impact classification of a project and the type of approval required.
2. This is classified as a minimum impact project per the following Administrative Rules:
a. Env-Wt 407.03(a), as impacts to jurisdictional areas other than a watercourse are less than 3,000 square feet (SF), and the project is not subject to an adjustment under Env-Wt 407.02; does not qualify for a project-type exception (PTE) under Env-Wt 407.04; and does not qualify for project-specific size criteria as identified in Env-Wt 407.04, Table 407-2; and
b. Env-Wt 524.06(b), as the project meets all of the criteria to construct a new subdivision of 3 lots or less and the applicant has attended a pre-design submission meeting with the department at least 7 days prior to application submission and included department feedback in the design plan.
3. The residential development project meets the all of the approval criteria established in Env-Wt 524.02.
4. Per Rule Env-Wt 313.01(a)(4), all project-specific criteria established in Env-Wt 525 have been met.
5. Per Rule Env-Wt 313.01(a)(5), and as required by RSA 482-A:11, II, this permit for work to dredge or fill will not "infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners" based on documentation that the proposed dredge and fill activity will be located entirely within the boundary of the applicant's property interest and will not result in any observable change in off-site surface water levels or flows.
6. Per Rule Env-Wt 313.03(a), the applicant has demonstrated that potential impacts to jurisdictional areas have been avoided to the maximum extent practicable and that any unavoidable impacts have been minimized.
7. On February 5, 2019, the municipal conservation commission provided comments on the proposed project, and per Rule Env-Wt 311.06(h) the applicant has addressed the comments.
8. Per Rule Env-Wt 311.01(b), the applicant coordinated with the NH Fish and Game Department (NHF&G) and the Natural Heritage Bureau (NHB) to determine how to avoid and minimize project-related impacts on rare or protected animal species and habitat, and on protected plants or exemplary natural communities.
9. Per Rule Env-Wt 406.03(b), a delineation of wetlands, including vernal pools, was not required outside the limits of

wetland impact for this project.

SMALL MOTOR MINERAL DREDGE
****

2020-00262 COULTER, HARRY

(ALL TOWNS) Unnamed Stream

****

COMPLETE NOTIFICATION
RTE 112, BATH, WILD AMMONOOSUC

2020-00288 PAQUETTE, BRIAN

(ALL TOWNS) Unnamed Stream

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COMPLETE NOTIFICATION
Route 112, Bath, Wild Ammonoosuc; Route 112, Landaff, Wild Ammonoosuc

WETLAND PBN
****

2020-00062 DRAPER, THOMAS

HANCOCK NUBANUSIT LAKE

Requested Action:

Replenish no more than 10 cubic yards of sand on an existing 58 foot x 12 foot beach on frontage along Nubanusit Lake in Hancock.

****

PBN IS COMPLETE
Replenish no more than 10 cubic yards of sand on an existing 58 foot x 12 foot beach on frontage along Nubanusit Lake in Hancock.

With Conditions:
All work shall be in accordance with plans as received by the NH Department of Environmental Services (NHDES) on February 13, 2020.
No sand shall be placed below the normal high water line or ordinary high water mark, as applicable.
No work is done in a wetland or priority resource area (PRA).

No more than 10 cubic yards of sand shall be used.
The beach shall not be replenished more frequently than once in any 6-year period.

With Findings:
1. This project is classified as a minimum impact project per Rule Env-Wt 511.07(a), replenishment of no more than 10 cubic yards of clean sand on an existing beach.

2020-00284 **MANLEY, MARK**

HANCOCK Unnamed Wetland

Requested Action:

Temporarily impact 48 square feet (impacting 8 linear feet) of an unnamed intermittent stream for the installation of an underground residential utility line.

****

COMPLETE NOTIFICATION
Temporarily impact 48 square feet (impacting 8 linear feet) of an unnamed intermittent stream for the installation of an underground residential utility line.

With Findings:
This project meets the minimum impact provisions of Env-Wt 521.06(a)(7), installation of residential utilities to a single-family home.