

**CORRECTIONS; COMMENTS**

Prepared 02-14-18; Last Revision 03-01/02-18\*

**Corrections/Edits****Chapter Env-Wt 100:**

Env-Wt 102.20 “Bog” means a wetland distinguished by:

- (a) Very poorly drained, acidic soil and water;
- (b) An accumulation of decaying plant material and peat; and
- (c) Characteristic vegetation such as stunted evergreen trees, shrubs, sedges, heaths, and sphagnum moss.

Env-Wt 103.10 “Need” means the need for proposed impacts to jurisdictional areas, as determined pursuant to Env-Wt 313.

Env-Wt 103.34 “Reconfiguration” means the redesign of an existing legal structure within the same overall outside dimensions and without increasing the square footage of the surface area of the structure. ~~(we permit reconfiguration of walls, culverts...~~

Env-Wt 103.82 “Wetland restoration” means the re-establishment of a filled, dredged, drained, or otherwise disturbed or disrupted wetlands to its historic condition, so as to restore lost functions to the greatest extent practicable, by removing fill, restoring hydrology, reestablishing native wetlands vegetation, or such other means as are necessary.

**Chapter Env-Wt 500:**

Env-Wt 523.04 Design Requirements. A pond construction project shall be designed to:

- (a) Meet the requirements specified in United States Department of Agriculture, Natural Resources Conservation Service Agriculture Handbook Number 590, “Ponds – Planning, Design, Construction” published ~~on \_\_\_\_\_~~ in 1997;

Env-Wt 523.06 Construction Project Classification.

- (a) Pond construction shall be considered CAT1 if the proposed project will impact less than 3,000 SF of wetlands and all of the following criteria are met:

- (1) The project area contains no very poorly drained soils;

Env-Wt 524.05 Forestry Project Classification.

- (a) The following forestry projects shall be considered CAT1:
  - (2) Installation of a culvert, pole, or rock ford, and associated fill, to permit vehicular access to a parcel for forest management, only if:
    - d. Fill for any single wetland crossing does not exceed 50 feet in length, measured along the proposed access way;
    - ...
    - h. For stream crossings, no crossing is greater than 5 8 feet in width; and

Env-Wt 525.03 Application Requirements. In addition to the application requirements in Env-Wt 311, an applicant for a utility project shall submit the following to the department:

- (a) A plan showing the following:
  - (2) The extent and location of any poorly drained soils; or very poorly drained soils within the project area;
- (b) A recent aerial photograph of the project area overlain by ~~a-~~the items specified in (a), above;

### Comments

#### **Chapter Env-Wt 300:**

- Will add one or more sections following Env-Wt 309.07 to explain how to obtain a permit by notification for low/minimum impact projects that meet all stated requirements (5 days).
- Will correct language in Env-Wt 310.02 to reflect overall time period of 30 days if have Conservation Commission approval/waiver of intervention.

#### **Chapter Env-Wt 400:**

- Env-Wt 406.02 (References for Delineation of Wetlands Boundaries) - The reference cited in paragraph (c) (version 4 of “Field Indicators...”) is available at <http://neiwpsc.org/our-programs/wetlands-aquatic-species/wetlands/>.
- Env-Wt 407.02 (Resource Disqualifications) - Will be reviewed against the definition of “special resource area” prior to finalizing the initial proposals (IPs).
- Env-Wt 407.03 (Size Thresholds *etc.*) - Will be reviewed for consistency with Env-Wt 500, Env-Wt 600, and Env-Wt 900 prior to finalizing the IPs.

#### **Chapter Env-Wt 500:**

- Env-Wt 512 (Breakwaters and Wave Attenuators) - Wave attenuators to be deleted from this part; will be incorporated into Env-Wt 515 as an accessory docking structure.