



Wetlands Pre-Application Guidance

Water Division / Land Resources Management

Wetlands Bureau



Do I need a wetland pre-application meeting?

- Pre-application meetings are required for all projects that require state-level mitigation for impacts to wetlands, streams and other jurisdictional areas.
- Pre-application meetings are also recommended for larger-scale proposals, such as those for which an Alteration of Terrain permit may also be needed.
- New Hampshire Fish and Game (NHFG) consultations are also required for Expedited (EXP) Minimum Impact wetlands permit applications and Standard Dredge and Fill wetlands permit applications. All other projects require a Natural Heritage Bureau (NHB) Data Check Identification number.
- If you are unsure if you need a pre-application meeting, please contact the [regional wetlands permit reviewer](#).

What are the benefits of a pre-application meeting?

- An opportunity to obtain feedback on the permit application and mitigation proposal.
- Efficient communication between state and federal agencies and the project-specific entities.
- Consult with a [regional wetlands permit reviewer](#) who is knowledgeable about the process.

When and where are mitigation pre-application meetings held?

- Currently, one-hour meetings are held on the first and third Tuesdays of the month at 9:00 a.m., 10:30 a.m. and 1:00 p.m.
- NHDES hosts almost all pre-application meetings virtually, but in-person meetings at NHDES headquarters in Concord or in Portsmouth can be requested at the time of scheduling.

How do I request a mitigation pre-application meeting?

- Please email the meeting coordinator, R. Jessie Webb at Rebekah.J.Webb@des.nh.gov. Please include a description of the pertinent information related to the proposed project, a tax map showing the map and lot numbers, the town(s), the project name, the Natural Heritage Bureau file number and email addresses of attendees.
- You may also request pre-application meetings by searching “pre-application” in the “form finder” area of onlineforms.nh.gov.
- The response from NHDES will provide a direct link to a poll which is the preferred means of coordinating the meeting. The meeting coordinator will coordinate staff availability with NHDES and other state and federal agency representatives as well.
- Once a date is selected, the meeting coordinator will send the meeting time, location and related documents to all parties.
- The meeting coordinator will request the pre-application materials / package to be received at least one week in advance of the scheduled meeting, so that all participants have time to ensure they are prepared. If materials are not received, the meeting may be at risk of cancellation.

What state thresholds trigger mitigation requirements?

NHDES wetlands mitigation thresholds are:

- 10,000 square feet (SF) or greater proposed permanent impacts to freshwater wetlands.
- Any proposed permanent impact to tidal surface waters, tidal wetlands, the tidal buffer zone, or sand dunes, excluding several project-specific exemptions.
- Projects classified as “major” impact to intermittent and perennial streams, including new channel and bank impacts over 200 linear feet (LF).

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- Stream crossings that are not otherwise “self-mitigating” per state administrative rules Env-Wt 900.
- Pond construction with more than 20,000 SF of impact in a wetland or surface water.
- Docks and new shoreline structures that have 2,000 SF or more total frontage on the waterbody.
- Any permanent impact to a [Priority Resource Area \(PRA\)](#), regardless of size, that remains after additional avoidance and minimization measures have been taken.

How do I prepare for a mitigation pre-application meeting?

The following information is already required in project design processes or as part of Standard Dredge and Fill wetlands permit applications and will ensure an effective meeting. The [NHDES Wetlands Bureau Technical Assistance](#) page and [NHDES Mapping and Tools](#) page provide free, public resources for screening proposed project sites.

Wetland Pre-Application Meeting Checklist

As described in state administrative rules Env-Wt 300, please prepare and provide the items below. Please consider doing so at least one week before your scheduled pre-application meeting, by email for distribution to all parties, to ensure you receive the most valuable feedback.

General

- Description of the proposed project including pertinent information to be considered. Please include map, block and lot numbers.
- Conceptual plan for the proposed development.

Project Site

- Aerial image of proposed project site. Please consider using the “Basemaps” and “Aerial Imagery” and “Resource Planning” layers of the [Wetlands Permit Planning Tool \(WPPT\)](#).
- Property map with site inventory identifying key resources and existing conditions on-or near the property (including but not limited to impervious surfaces and off-site wetlands. USGS maps and others are available using the WPPT.

Resources

- Ground photos of resources proposed to be impacted: wetlands, surface waters, other jurisdictional areas.
- Any sensitive, rare or special resources of note: [Priority Resource Areas](#).
- Delineation, classifications, and preliminary functional assessment, referencing [technical assistance](#) resources and/or [Wetlands Functional Assessment Worksheet](#).
- New Hampshire Fish and Game (NHFG) [environmental review](#) consultation status, including site location and information map identifying site on a broad scale and indicating other sites considered. Please consult state [Wildlife Action Plan](#) for habitat information, as well as [information on adjacent parcels](#).
- [Natural Heritage Bureau](#) (NHB) DataCheck report: identification number, status and any recommendations.

Permitting Standards

- Feedback from [Local River Management Advisory Committee](#) (LAC) or local conservation commission.
- [Avoidance and minimization written narrative](#) of how the project **avoids and minimizes** loss of aquatic resource functions or values (Env-Wt 313.03, on-site/off-site alternatives explored, referencing [Avoidance and Minimization Best Management Practices](#)). For any project design, demonstration of avoidance and minimization is required before consideration of mitigation. Mitigation is not a substitute for the requirement to select the location, design and

techniques that will result in the least impact to wetlands and other related resources protected under state statute RSA 482-A because of the functions and values they provide to wildlife, people and the overall environment.

Compensatory Mitigation

When applicable, and after avoidance and minimization have been exhausted, propose compensatory mitigation to offset losses to function and values, referencing [wetlands mitigation](#) resources, state administrative rules env-wt 800 and the [aquatic resource mitigation calculator](#).

If mitigation is needed to offset unavoidable impacts, permit applicants have the following options available:

- 1) In-lieu fee payment to Aquatic Resource Mitigation (ARM) Fund.
- 2) Permittee-responsible mitigation project.
- 3) Combination of both.

Check one or both of the following if applicable:

Estimated in-lieu fee payment calculation to the ARM Fund.

Permittee Responsible Mitigation (PRM) that proposes restoration, enhancement, creation, and preservation of aquatic resources and meets criteria of Env-Wt 803. If PRM is proposed, provide the following:

- Location of proposed mitigation site and overlapping resource areas, referencing [Wetlands Permit Planning Tool](#).
- Goals and objectives of the proposed mitigation plan.
- How the proposed mitigation will offset the loss of functions and values of the aquatic resources impacted.
- Estimated schedule for proposed mitigation completion.
- Proposed easement holder.
- Restoration monitoring and contingency measures (adaptive management).
- (Optional) shape files of proposed easement area and aquatic resources – to help estimate credits.

What can I expect after a pre-application meeting?

NHDES requests that the applicant's project team circulate draft meeting minutes to attendees after the meeting. Once finalized, NHDES will save these to a pre-application record on file.

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