

Wetlands Rules: Index of Project-Specific Information for Standard Applications

The below index may be used to identify the project-specific information required on a [Standard Dredge and Fill Wetlands Permit Application](#) for each project type below. Please read the applicability statements (bullet points) to determine the correct project type for the proposed work. The hyperlink in each project type cell will navigate to the NH Online Forms System, where a project-specific checklist can be downloaded for that project type. The project-specific checklist will outline the information required on a permit application, as well as the design and construction requirements for each project type. Definitions for terms defined in rule and/or statute are provided at the end of this document.

Rule Part	Project Type
Env-Wt 510	<p><u>Aquatic Vegetation Control</u></p> <ul style="list-style-type: none"> • Projects to remove native aquatic vegetation (NAV) and exotic aquatic weeds (EAW) that are required for continued access to a navigable frontage associated with an inland waterbody. <ul style="list-style-type: none"> ○ See also the conditionally authorized project description at Env-Wt 309.02(c) for applicability. • If the project would require removal or disturbance of the underlying substrate, see Env-Wt 523.
Env-Wt 511	<p><u>Construction of Water Access Structures and Beach Replenishment</u></p> <ul style="list-style-type: none"> • Projects to: <ul style="list-style-type: none"> ○ Construct or expand any combination of water access structures; ○ Replenish a beach; or ○ Repair, replace, or maintain an existing legal water access structure.
Env-Wt 512	<p><u>Breakwaters</u></p> <ul style="list-style-type: none"> • Projects to construct or maintain a breakwater.
Env-Wt 513	<p><u>Docking Structures and Accessory Docking Structures</u></p> <ul style="list-style-type: none"> • Projects to construct, modify, repair, or replace a docking structure or accessory docking structure.
Env-Wt 514	<p><u>Bank/Shoreline Stabilization</u></p> <ul style="list-style-type: none"> • Applicable to all types of bank stabilization projects to maintain or restore healthy and vegetated bank and shoreline system functions.
Env-Wt 515	<p><u>Dug-In Basins and Boathouses</u></p> <ul style="list-style-type: none"> • Projects to construct, modify, repair, or replace a dug-in basin or boathouse in, over, or in the bank of non-tidal waters. • If the project is for the repair or maintenance of a dug-in basin or boathouse, see the statutory exemption at Env-Wt 308.01(a) and Env-Wt 308.02(a) for applicability.
Env-Wt 516	<p><u>Intake and Outflow Structures</u></p> <ul style="list-style-type: none"> • Projects to construct intake and outflow structures.

Env-Wt 517	<p><u>Trails, Pathways, and Boardwalks</u></p> <ul style="list-style-type: none"> Projects to construct and maintain trails, boardwalks, and/or paths used to provide access for outdoor recreational pursuits.
Env-Wt 518	<p><u>Other Water-Related Non-Docking Structures</u></p> <ul style="list-style-type: none"> Projects to construct water-related non-docking structures including dikes, dry hydrants, and boat launches.
Env-Wt 519	<p><u>Ponds</u></p> <ul style="list-style-type: none"> Projects to construct ponds partially in wetlands that do not directly discharge into wetlands, watercourses, or surface waters.
Env-Wt 520	<p><u>Forestry</u></p> <ul style="list-style-type: none"> Projects to conduct forestry activities in jurisdictional areas, including those that qualify for the Statutory Permit-by-Notification (SPN) established in RSA 482-A:3, V.
Env-Wt 521	<p><u>Utility Projects; Projects in Public Right-of-Way</u></p> <ul style="list-style-type: none"> Applicable to the following utility projects in jurisdictional areas: <ul style="list-style-type: none"> Minimum impact utility maintenance projects that qualify for a Statutory Permit-by-Notification (SPN), Residential utility projects, and Any other utility projects within a public right-of-way. If the project involves the construction of a substation, parking lot, or storage facility on utility property, see Env-Wt 524.
Env-Wt 522	<p><u>Agricultural Activities</u></p> <ul style="list-style-type: none"> Applicable to agricultural activities in jurisdictional areas that are associated with maintenance or improvement of existing crop and pasture land for continued agricultural use that is incidental to a preexisting and ongoing agricultural operation (as defined by RSA 21:34-a).
Env-Wt 523	<p><u>Non-Tidal Dredging</u></p> <ul style="list-style-type: none"> Projects to perform dredging in non-tidal jurisdictional areas.
Env-Wt 524	<p><u>Residential, Commercial, and Industrial Development</u></p> <ul style="list-style-type: none"> Applicable to residential, commercial, and industrial development projects, including associated roadways, in non-tidal wetlands.
Env-Wt 525	<p><u>Restoration/Enhancement Activities</u></p> <ul style="list-style-type: none"> Applicable to projects solely to restore and/or enhance altered or degraded jurisdictional areas.
Env-Wt 526	<p><u>Dams</u></p> <ul style="list-style-type: none"> Projects to construct, reconstruct, modify, repair, or replace a dam. Activities that are part of the normal operations of a dam, such as opening and closing low level outlets, do not require a permit.
Env-Wt 527	<p><u>Public Highways</u></p> <ul style="list-style-type: none"> Projects to construct or maintain public highways in jurisdictional areas.

<p>Env-Wt 606</p>	<p><u>Overwater Structures in Coastal Areas</u></p> <ul style="list-style-type: none"> • Applicable to all overwater structures in coastal areas (e.g., residential, commercial, or industrial tidal docks) and associated infrastructure.
<p>Env-Wt 607</p>	<p><u>Tidal Dredging Activities</u></p> <ul style="list-style-type: none"> • Applicable to the following dredging activities in tidal areas: <ul style="list-style-type: none"> ○ Maintenance and improvement dredging of Federal Navigation Projects (FNPs). ○ New, improvement, and maintenance dredging not associated with a FNP that is in the direct interest of maintaining commerce for the well-being of the general public. ○ Dredging necessary to: <ul style="list-style-type: none"> ▪ remediate contaminated sites, ▪ restore storm-driven sediment depositions that threaten public safety or hinder navigation, and/or ▪ maintain intake or outflow structures.
<p>Env-Wt 608</p>	<p><u>Tidal Beach Maintenance and Stabilization</u></p> <ul style="list-style-type: none"> • Projects to maintain and stabilize tidal beaches.
<p>Env-Wt 609</p>	<p><u>Tidal Shoreline Stabilization</u></p> <ul style="list-style-type: none"> • Projects to stabilize shorelines in tidal areas.
<p>Env-Wt 610</p>	<p><u>Protected Tidal Zone</u></p> <ul style="list-style-type: none"> • Applicable to projects in the protected tidal zone, to include: <ul style="list-style-type: none"> ○ The tidal buffer zone established in RSA 482-A, and ○ All protected shoreland in coastal areas established by RSA 483-B.
<p>Env-Wt 611</p>	<p><u>Sand Dunes</u></p> <ul style="list-style-type: none"> • Applicable to projects involving sand dunes in tidal areas.
<p>Env-Wt 612</p>	<p><u>Aquaculture</u></p> <ul style="list-style-type: none"> • Applicable to aquaculture operations in tidal waters/wetlands.
<p>Env-Wt 900</p>	<p><u>Stream Crossings</u></p> <ul style="list-style-type: none"> • Applicable to all crossings of perennial streams and intermittent streams. <ul style="list-style-type: none"> ○ NOT applicable to crossings of drainage swales or ephemeral streams. ○ See Rule Env-Wt 903.01 for additional exemptions.

For more information, please visit www.des.nh.gov or call the Wetlands Bureau at (603) 271-2147.

DEFINITION OF TERMS

Accessory Docking Structure means a structure that is supplemental to a docking structure that assists in securing watercraft or protecting the docking structure or watercraft, such as, for example, a canopy, dolphin, ice cluster, personal watercraft lift, or watercraft lift (Env-Wt 102.05).

Aquaculture means the propagation and rearing of aquatic species and marine species and includes the planting, promoting of growth, harvesting and transporting of these species in, on, or from the waters of this state, or the *operation* of a fishing preserve (RSA 211:62-e, II(b))

Boardwalk means an elevated walkway designed for use by pedestrians or non-motorized vehicles, or both, to allow access over wetlands or surface waters, or both, from upland to upland or from upland to navigable frontage (Env-Wt 102.27).

Boathouse means a docking structure having a permanent roof covering one or more boat slips, that may have permanent or removable sidewalls (Env-Wt 102.29).

Breakwater means a structure extending from near the shore into a surface water that is designed as a solid structure resting on the bed of the surface water to protect sections of shoreline, docking structures, anchorage areas, or navigational channels from deposition of sediment, erosion, or other damage from waves or currents. The term includes "jetty" (Env-Wt 102.31).

Docking Structure means any structure or combination of structures that can be used to secure watercraft or to load and unload passengers, freight, or other items, or any combination thereof, whether or not any part of the structure is in or over the water. The term includes "dock" when used as a noun, "pier", "wharf", and "finger" (Env-Wt 102.57).

Dug-in Basin means an area of privately-owned land excavated to allow inundation by adjacent public waters to access a single public water at a single location along that water's shoreline (Env-Wt 515.02(a)).

Ephemeral Stream means a watercourse that is located above the water table year round and is not fed by groundwater, such that runoff from rainfall and snowmelt is the primary source of stream flow and so the stream has flowing water only during, and for a short duration after, precipitation or spring thaw events, but which has less flow than an intermittent stream and no evidence of riffles, meander bends, point bars, or braiding (Env-Wt 102.65).

Exotic Aquatic Weeds (EAW) includes only those species of vascular aquatic plants which were not part of New Hampshire's native aquatic flora before 1950. *Cabomba caroliniana* and *Myriophyllum heterophyllum* are examples of exotic aquatic weeds (RSA 487:16, II).

Federal Navigation Project (FNP) means a project, including any resulting structure or feature, that has been specifically authorized by the U.S. Congress in federal enactment, such as the River and Harbor Appropriation Act of 1899. The term includes project undertaken by the USACE and projects undertaken by others but adopted as an FNP (Env-Wt 602.16).

Intermittent Stream means a watercourse that is fed by groundwater but is not in the groundwater table throughout the year, where runoff from rainfall and snowmelt is a supplemental source of water for flow, such that the stream typically does not have flowing water during dry portions of the year (Env-Wt 103.21).

Jurisdictional Area means an area that is subject to regulation under RSA 482-A, including but not limited to surface waters, streams, lakes, rivers, ponds, wetlands, banks, flats, shores, sand dunes, upland tidal buffer zones, and duly-established 100-foot buffers (Env-Wt 103.25).

Perennial Stream means a watercourse that is in the groundwater table for most of the year and so has groundwater as its primary source of water for stream flow, with runoff from rainfall and snowmelt as a

supplemental source of water, so that it contains flowing water year-round during a typical year (Env-Wt 103.53).

Protected Tidal Zone means the tidal buffer zone established under RSA 482-A and the protected shoreland established under RSA 483-B (Env-Wt 602.41).

Tidal Beach means an established recreational beach area located between mean lower low water and the tidal shoreline break, typically consisting of expanses of unconsolidated, usually unvegetated, sediments that are subject to wave action (Env-Wt 602.51).

Tidal Buffer Zone means the area identified in RSA 482-A:4, I as bordering on tidal waters within 100 feet of the highest observable tide line, which can contain banks, upland areas, bogs, salt marsh, swamps, meadows, flats, or other lowlands subject to tidal action (Env-Wt 602.52).

Water Access Structure means a structure without a roof or cover that typically would be an accessory structure under RSA 483-B and that, as a matter of operational necessity, is located adjacent to the shoreline because its purpose is to provide a means of entry to a surface water for swimming and similar water-related recreational activities other than boating or a location for the direct observation of swimmers or other individuals engaged in water-related recreational activities. The term includes beaches, decks, and patios, but does not include stairs, steps, or docking structures (Env-Wt 104.47).