

JONES & BEACH ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

July 8, 2020

City of Portsmouth, NH
Conservation Commission
Attn. Izak Gilbo
1 Junkins Avenue
Portsmouth, NH 03801

**Re: Wetlands and Non-Site Specific Permit
Cross Country Sewer Rehabilitation
Portsmouth, NH
JBE Project No. 18229**

Dear Mr. Gilbo,

Jones & Beach Engineers, Inc., respectfully submits a Wetlands and Non-Site Specific Permit for the rehabilitation of several sewer manholes which includes various temporary and permanent wetland impacts in Portsmouth, NH on behalf of the City of Portsmouth Public Works Department. The project proposes about 8,470 S.F. of disturbance in various forested wetlands and/or within the 100' prime wetland buffer. 2,640 S.F. of which is permanent impact for the construction of a woods road along a cross-country easement in order to allow the mobilization of equipment and personnel to the manholes which are being rehabilitated.

The following items are provided in support of this Wetlands Application:

1. Completed Wetlands Application Form, Attachment A, Avoidance & Minimization Checklist, Stream Crossing Worksheet (2), Utility Worksheet
2. NHPGP, Appendix B
3. NHB Report (3). (See item 11)
4. USGS Map (3).
5. Tax Map (3)
6. Photo Log
7. Abutters List and Notification Letter
8. Most recent correspondence with Amy Lamb regarding NHB impacts.
9. Ten (10) complete 11x17 plans and copies of the above items.

Please feel free to contact me by email at calbert@jonesandbeach.com with any questions or comments during your review.

Very truly yours,
JONES & BEACH ENGINEERS, INC.

Christopher Albert
Senior Project Manager

JONES & BEACH ENGINEERS INC.

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July 8, 2020

N.H. Department of Environmental Services
Wetlands Bureau
Attn. Stefanie Giallongo
29 Hazen Drive, P.O. Box 95
Concord, N.H. 03302-0095

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Cross Country Sewer Rehabilitation
Portsmouth, NH
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The following items are provided in support of this Wetlands Application:

1. Completed Wetlands Application Form, Attachment A, Avoidance & Minimization Checklist, Stream Crossing Worksheet (2), Functional Assessment (3), Utility Worksheet
2. NHPGP, Appendix B
3. NHB Report (3). (See item 11)
4. DHR Report
5. USGS Map.
6. Deeds representing ownership of easements.
7. Tax Map (3)
8. Photo Log
9. Abutters List, Letter and Certified Mail Receipts.
10. Most recent correspondence with Amy Lamb regarding NHB impacts.
11. Check in the amount of \$3,388.00 for review fees.
12. Two (2) complete full-size plans.

cc: Woodard & Curran (application package sent via email)
City of Portsmouth (application and plans via certified mail)

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Very truly yours,
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**STANDARD DREDGE AND FILL
WETLANDS PERMIT APPLICATION**
Water Division/Land Resources Management
Wetlands Bureau
[Check the Status of your Application](#)



RSA/Rule: RSA 482-A/Env-Wt 100-900

APPLICANT'S NAME: Woodard & Curran

TOWN NAME: Portsmouth

Administrative Use Only	Administrative Use Only	Administrative Use Only	File No.:
			Check No.:
			Amount:
			Initials:

A person may request a waiver to the requirements in Rules Env-Wt 100-900 to accommodate situations where strict adherence to the requirements would not be in the best interest of the public or the environment. A person may also request a waiver of the standards for existing dwellings over water pursuant to RSA 482-A:26, III (b). For more information, please consult the [request form](#).

SECTION 1 - REQUIRED PLANNING FOR ALL PROJECTS (Env-Wt 306.05; RSA 482-A:3, I(d)(2))	
Please use the Wetland Permit Planning Tool (WPPT) , the Natural Heritage Bureau (NHB) DataCheck Tool , the Aquatic Restoration Mapper , or other sources to assist in identifying key features such as: priority resource areas (PRAs) , protected species or habitats , coastal areas, designated rivers, or designated prime wetlands.	
Has the required planning been completed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the property contain a PRA? If yes, provide the following information:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHF&G) and NHB agreement for a classification downgrade) or a Project-Type Exception (e.g. Maintenance or Statutory Permit-by-Notification (SPN) project)? See Env-Wt 407.02 and Env-Wt 407.04). 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> Protected species or habitat? <ul style="list-style-type: none"> If yes, species or habitat name(s): yellow birch, pepperbush, atlantic white cedar, saltmarsh agalanis NHB Project ID #: NHB20-0938, NHB20-0940, NHB20-0941 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> Bog? 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> Floodplain wetland contiguous to a tier 3 or higher watercourse? 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> Designated prime wetland or duly-established 100-foot buffer? 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone? 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the property within a Designated River corridor? If yes, provide the following information:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> Name of Local River Management Advisory Committee (LAC): 	

irm@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

<ul style="list-style-type: none"> A copy of the application was sent to the LAC on Month: <input type="text"/> Day: <input type="text"/> Year: <input type="text"/> 	
<p>For dredging projects, is the subject property contaminated?</p> <ul style="list-style-type: none"> If yes, list contaminant: <input type="text"/> 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>Is there potential to impact impaired waters, class A waters, or outstanding resource waters?</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>For stream crossing projects, provide watershed size (se Wetland Permit Planning Tool or Stream Stats): 200 AC (Stream #1), 19 AC (Stream #2)</p>	
<p>SECTION 2 - PROJECT DESCRIPTION (Env-Wt 311.04(i))</p> <p>Provide a brief description of the project and the purpose of the project, outlining the scope of work to be performed and whether impacts are temporary or permanent. DO NOT reply "See attached"; please use the space provided below.</p> <p>The project proposes the rehabilitation of several manholes. There will be no excavation. There will be temporary and permanent impacts to maintain the easement and mobilize equipment to the areas of the manholes to be rehabilitated.</p>	
<p>SECTION 3 - PROJECT LOCATION</p> <p>Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.</p>	
<p>ADDRESS: N/A, City of Portsmouth</p>	
<p>TOWN/CITY: Portsmouth</p>	
<p>TAX MAP/BLOCK/LOT/UNIT: M215-L009, M214-L003, M243-L006, M297-L004, M297-L011, M292-L221</p>	
<p>US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: <input type="text"/></p> <p><input checked="" type="checkbox"/> N/A</p>	

(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places):			° North
			° West
SECTION 4 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 311.04(a))			
If the applicant is a trust or a company, then complete with the trust or company information.			
NAME: Woodard & Curran, ATTN: Jason Jancaitis			
MAILING ADDRESS: 40 Shattuck Road, Suite 110			
TOWN/CITY: Andover		STATE: MA	ZIP CODE: 01810
EMAIL ADDRESS: jjancaitis@woodardcurran.com			
FAX:		PHONE: (978) 482-7857	
ELECTRONIC COMMUNICATION: By initialing here: , I hereby authorize NHDES to communicate all matters relative to this application electronically.			
SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c))			
<input type="checkbox"/> N/A			
LAST NAME, FIRST NAME, M.I.: Albert, Christopher, S.			
COMPANY NAME: Jones & Beach Engineers, Inc.			
MAILING ADDRESS: PO Box 219			
TOWN/CITY: Stratham		STATE: NH	ZIP CODE: 03885
EMAIL ADDRESS: calbert@jonesandbeach.com			
FAX:		PHONE: (603) 772-4746	
ELECTRONIC COMMUNICATION: By initialing here CSA, I hereby authorize NHDES to communicate all matters relative to this application electronically.			
SECTION 6 - PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT) (Env-Wt 311.04(b))			
If the owner is a trust or a company, then complete with the trust or company information.			
<input type="checkbox"/> Same as applicant			
NAME: City of Portsmouth			
MAILING ADDRESS: 1 Junkins Avenue			
TOWN/CITY: Portsmouth		STATE: NH	ZIP CODE: 03801
EMAIL ADDRESS: tldesmarais@cityofportsmouth.com			
FAX:		PHONE: (603) 431-2000	
ELECTRONIC COMMUNICATION: By initialing here , I hereby authorize NHDES to communicate all matters relative to this application electronically.			

SECTION 7 - RESOURCE-SPECIFIC CRITERIA ESTABLISHED IN Env-Wt 400, Env-Wt 500, Env-Wt 600, Env-Wt 700, OR Env-Wt 900 HAVE BEEN MET (Env-Wt 313.01(a)(3))

Describe how the resource-specific criteria have been met for each chapter listed above (please attach information about stream crossings, coastal resources, prime wetlands, or non-tidal wetlands and surface waters):
Impacts within wetland crossings and the 100-foot prime wetland buffer have been minimized to the amount feasible while still allowing the mobilization of equipment and personnel to the proposed work areas. Temporary stream crossings are detailed on sheet D1 and locations are marked on the plans. Two stream crossing worksheets are submitted as part of this application, one for each stream. Functional assessments have been included in this application for each separate wetland system involved in the project.

SECTION 8 - AVOIDANCE AND MINIMIZATION

Impacts within wetland jurisdiction must be avoided to the maximum extent practicable (Env-Wt 313.03(a))* . Any project with unavoidable jurisdictional impacts must then be minimized as described in the [Wetlands Best Management Practice Techniques For Avoidance and Minimization](#) and the [Wetlands Permitting: Avoidance, Minimization and Mitigation Fact Sheet](#). For minor or major projects, a functional assessment of all wetlands on the project site is required (Env-Wt 311.03(b)(10))* .

Please refer to the application checklist to ensure that you have attached all documents related to avoidance and minimization, as well as functional assessment (where applicable). You can use the [Avoidance and Minimization Checklist](#), the [Avoidance and Minimization Narrative](#), or your own avoidance and minimization narrative.

**See Env-Wt 311.03(b)(6) and Env-Wt 311.03(b)(10) for shoreline structure exemptions.*

SECTION 9 - MITIGATION REQUIREMENT (Env-Wt 311.02)

If unavoidable jurisdictional impacts require mitigation, a mitigation pre-application meeting must occur at least 30 days but not more than 90 days prior to submitting this Standard Dredge and Fill Permit Application.

Mitigation Pre-Application Meeting Date: Month: Day: Year:

N/A - Mitigation is not required

SECTION 10 - THE PROJECT MEETS COMPENSATORY MITIGATION REQUIREMENTS (Env-Wt 313.01(a)(1)c)

Confirm that you have submitted a compensatory mitigation proposal that meets the requirements of Env-Wt 800 for all permanent unavoidable impacts that will remain after avoidance and minimization techniques have been exercised to the maximum extent practicable: I confirm submittal.

N/A – Compensatory mitigation is not required

SECTION 11 - IMPACT AREA (Env-Wt 311.04(g))

For each jurisdictional area that will be/has been impacted, provide square feet (SF) and, if applicable, linear feet (LF) of impact, and note whether the impact is after-the-fact (ATF; i.e., work was started or completed without a permit).

For intermittent and ephemeral streams, the linear footage of impact is measured along the thread of the channel. *Please note, installation of a stream crossing in an ephemeral stream may be undertaken without a permit per Rule Env-Wt 309.02(d), however other dredge or fill impacts should be included below.*

For perennial streams/ivers, the linear footage of impact is calculated by summing the lengths of disturbances to the channel and banks.

Permanent impacts are impacts that will remain after the project is complete (e.g., changes in grade or surface materials).

Temporary impacts are impacts not intended to remain (and will be restored to pre-construction conditions) after the project is completed.

JURISDICTIONAL AREA		PERMANENT			TEMPORARY		
		SF	LF	ATF	SF	LF	ATF
Wetlands	Forested Wetland	2,640		<input type="checkbox"/>	4,960		<input type="checkbox"/>
	Scrub-shrub Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Emergent Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Wet Meadow			<input type="checkbox"/>			<input type="checkbox"/>
	Vernal Pool			<input type="checkbox"/>			<input type="checkbox"/>
	Designated Prime Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Duly-established 100-foot Prime Wetland Buffer	280		<input type="checkbox"/>	870		<input type="checkbox"/>
Surface Water	Intermittent / Ephemeral Stream			<input type="checkbox"/>			<input type="checkbox"/>
	Perennial Stream or River			<input type="checkbox"/>			<input type="checkbox"/>
	Lake / Pond			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - Lake / Pond			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - River			<input type="checkbox"/>			<input type="checkbox"/>
Banks	Bank - Intermittent Stream			<input type="checkbox"/>			<input type="checkbox"/>
	Bank - Perennial Stream / River			<input type="checkbox"/>			<input type="checkbox"/>
	Bank / Shoreline - Lake / Pond			<input type="checkbox"/>			<input type="checkbox"/>
Tidal	Tidal Waters			<input type="checkbox"/>			<input type="checkbox"/>
	Tidal Marsh			<input type="checkbox"/>			<input type="checkbox"/>
	Sand Dune			<input type="checkbox"/>			<input type="checkbox"/>
	Undeveloped Tidal Buffer Zone (TBZ)			<input type="checkbox"/>			<input type="checkbox"/>
	Previously-developed TBZ			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - Tidal Water			<input type="checkbox"/>			<input type="checkbox"/>
TOTAL		2,640			5,830		

SECTION 12 - APPLICATION FEE (RSA 482-A:3, I)

MINIMUM IMPACT FEE: Flat fee of \$400.

NON-ENFORCEMENT RELATED, PUBLICLY-FUNDED AND SUPERVISED RESTORATION PROJECTS, REGARDLESS OF IMPACT CLASSIFICATION: Flat fee of \$400 (refer to RSA 482-A:3, 1(c) for restrictions).

MINOR OR MAJOR IMPACT FEE: Calculate using the table below:

Permanent and temporary (non-docking): 8,470 SF × \$0.40 = \$ 3,388

Seasonal docking structure: SF × \$2.00 = \$

Permanent docking structure: SF × \$4.00 = \$

Projects proposing shoreline structures (including docks) add \$400 = \$

Total = \$ 3,388

The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$ 3,388

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SECTION 13 - PROJECT CLASSIFICATION (Env-Wt 306.05)

Indicate the project classification.

Minimum Impact Project

Minor Project

Major Project

SECTION 14 - REQUIRED CERTIFICATIONS (Env-Wt 311.11)

Initial each box below to certify:

Initials: [] [] []	To the best of the signer's knowledge and belief, all required notifications have been provided.
--------------------------------	--

Initials: [] [] []	The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.
--------------------------------	--

Initials: [] [] []	<p>The signer understands that:</p> <ul style="list-style-type: none"> The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: <ol style="list-style-type: none"> Deny the application. Revoke any approval that is granted based on the information. If the signer is a certified wetland scientist, licensed surveyor, or professional engineer licensed to practice in New Hampshire, refer the matter to the joint board of licensure and certification established by RSA 310-A:1. The signer is subject to the penalties specified in New Hampshire law for falsification in official matters, currently RSA 641. The signature shall constitute authorization for the municipal conservation commission and the Department to inspect the site of the proposed project, except for minimum impact forestry SPN projects and minimum impact trail projects, where the signature shall authorize only the Department to inspect the site pursuant to RSA 482-A:6, II.
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Initials: [] [] []	If the applicant is not the owner of the property, each property owner signature shall constitute certification by the signer that he or she is aware of the application being filed and does not object to the filing.
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SECTION 15 - REQUIRED SIGNATURES (Env-Wt 311.04(d); Env-Wt 311.11)

SIGNATURE (OWNER): []	PRINT NAME LEGIBLY: []	DATE: []
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): []	PRINT NAME LEGIBLY: []	DATE: []
SIGNATURE (AGENT, IF APPLICABLE): []	PRINT NAME LEGIBLY: []	DATE: []

SECTION 16 - TOWN / CITY CLERK SIGNATURE (Env-Wt 311.04(f))

As required by RSA 482-A:3, I(a),(1), I hereby certify that the applicant has filed four application forms, four detailed plans, and four USGS location maps with the town/city indicated below.

TOWN/CITY CLERK SIGNATURE: []	PRINT NAME LEGIBLY: []
TOWN/CITY: []	DATE: []

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3, I(a)(1)

1. IMMEDIATELY sign the original application form and four copies in the signature space provided above.
2. Return the signed original application form and attachments to the applicant so that the applicant may submit the application form and attachments to NHDES by mail or hand delivery.
3. IMMEDIATELY distribute a copy of the application with one complete set of attachments to each of the following bodies: the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board.
4. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

DIRECTIONS FOR APPLICANT:

Submit the original permit application form bearing the signature of the Town/City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery at the address at the bottom of this page. Make check or money order payable to "Treasurer – State of NH".

Keep this checklist for your reference; do not submit with your application.

APPLICATION CHECKLIST

Unless specified, all items below are required. Failure to provide the required items will delay a decision on your project and may result in denial of your application. Please reference statute RSA 482-A, Fill and Dredge in Wetlands, and the Wetland Rules Env-Wt 100-900, available [online](#).

- The completed, dated, signed, and certified application (Env-Wt 311.03(b)(1)).
- Correct fee as determined in RSA 482-A:3, I(b) or (c), subject to any cap established by RSA 482-A:3, X (Env-Wt 311.03(b)(2)). Make check or money order payable to "Treasurer – State of NH".
- The Required Planning actions required by Env-Wt 311.01(a)-(c) and Env-Wt 311.03(b)(3).
- [US Army Corps of Engineers \(ACE\) "Appendix B, New Hampshire General Permits \(GPs\), Required Information and Corps Secondary Impacts Checklist"](#) and its required attachments (Env-Wt 307.02). This includes the [US Fish and Wildlife Service IPAC review](#) and [Section 106 Historic/Archaeological Resource review](#).
- Project plans described in Env-Wt 311.05 (Env-Wt 311.03(b)(4)).
- Maps, or electronic shape files and meta data, and other attachments specified in Env-Wt 311.06 (Env-Wt 311.03(b)(5)).
- Explanation of the methods, timing, and manner as to how the project will meet standard permit conditions required in [Env-Wt 307](#) (Env-Wt 311.03(b)(7)).
- If applicable, the information regarding proposed compensatory mitigation specified in Env-Wt 311.08 and Chapter Env-Wt 800 - [Permittee Responsible Mitigation Project Worksheet](#), unless not required under Env-Wt 313.04 (Env-Wt 311.03(b)(8); Env-Wt 311.08; Env-Wt 313.04).
- Any additional information specific to the **type of resource** as specified in Env-Wt 311.09 (Env-Wt 311.03(b)(9); Env-Wt 311.04(j)).
- Project specific information required by Env-Wt 500, Env-Wt 600, and Env-Wt 900 (Env-Wt 311.03(b)(11)).
- A list containing the name, mailing address and tax map/lot number of each abutter to the subject property (Env-Wt 311.03(b)(12)).
- Copies of certified postal receipts or other proof of receipt of the notices that are required by RSA 482-A:3, I(d) (Env-Wt 311.03(b)(13)).
- Project design considerations required by Env-Wt 313 (Env-Wt 311.04(j)).
- Town tax map showing the subject property, the location of the project on the property, and the location of properties of abutters with each lot labeled with the name and mailing address of the abutter (Env-Wt 311.06(a)).
- Dated and labeled color photographs that:
 - (1) Clearly depict:
 - a. All jurisdictional areas, including but not limited to portions of wetland, shoreline, or surface water where impacts have or are proposed to occur.
 - b. All existing shoreline structures.
 - (2) Are mounted or printed no more than 2 per sheet on 8.5 x 11 inch sheets (Env-Wt 311.06(b)).
- A copy of the appropriate US Geological Survey map or updated data based on LiDAR at a scale of one inch equals 24,000 feet showing the location of the subject property and proposed project (Env-Wt 311.06(c)).
- A narrative that describes the work sequence, including pre-construction through post-construction, and the relative timing and progression of all work (Env-Wt 311.06(d)).

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- For all projects in the protected tidal zone, a copy of the recorded deed with book and page numbers for the property (Env-Wt 311.06(e)).
 - If the applicant is not the owner in fee of the subject property, documentation of the applicant's legal interest in the subject property, provided that for utility projects in a utility corridor, such documentation may comprise a list that:
 - (1) Identifies the county registry of deeds and book and page numbers of all of the easements or other recorded instruments that provide the necessary legal interest; and
 - (2) Has been certified as complete and accurate by a knowledgeable representative of the applicant (Env-Wt 311.06(f)).
 - The NHB memo containing the NHB identification number and results as well as any written follow-up communications such as additional memos or email communications with either NHB or NHF&G (Env-Wt 311.06(g)). See [Wetlands Permitting: Protected Species and Habitat Fact Sheet](#).
 - A statement of whether the applicant has received comments from the local conservation commission and, if so, how the applicant has addressed the comments (Env-Wt 311.06(h)).
 - For projects in LAC jurisdiction, a statement of whether the applicant has received comments from the LAC and, if so, how the applicant has addressed the comments (Env-Wt 311.06(i)).
 - If the applicant is also seeking to be covered by the state general permits, a statement of whether comments have been received from any federal agency and, if so, how the applicant has addressed the comments (Env-Wt 311.06(j)).
 - [Avoidance and Minimization Written Narrative](#) or the [Avoidance and Minimization Checklist](#), or your own avoidance and minimization narrative (Env-Wt 311.07).
 - For after-the-fact applications: information required by Env-Wt 311.12.
 - [Coastal Resource Worksheet](#) for coastal projects as required under Env-Wt 600.
 - Prime Wetlands information required under Env-Wt 700. See [WPPT](#) for prime wetland mapping.
- Required Attachments for Minor and Major Projects**
- [Attachment A: Minor and Major Projects](#) (Env-Wt 313.03).
 - [Functional Assessment Worksheet](#) or others means of documenting the results of actions required by Env-Wt 311.10 as part of an application preparation for a standard permit (Env-Wt 311.03(b)(3); Env-Wt 311.03(b)(10)). See [Functional Assessments for Wetlands and Other Aquatic Resources Fact Sheet](#). For shoreline structures, see shoreline structures exemption in Env-Wt 311.03(b)(10)).
- Optional Materials**
- [Stream Crossing Worksheet](#) which summarizes the requirements for stream crossings under Env-Wt 900.
 - Request for [concurrent processing of related shoreland / wetlands permit applications](#) (Env-Wt 313.05).



STANDARD DREDGE AND FILL
WETLANDS PERMIT APPLICATION
ATTACHMENT A: MINOR AND MAJOR PROJECTS



Water Division/Land Resources Management
Wetlands Bureau

[Check the Status of your Application](#)

RSA/ Rule: RSA 482-A/ Env-Wt 311.10; Env-Wt 313.01(a)(1); Env-Wt 313.03

APPLICANT'S NAME: Woodard & Curran

TOWN NAME: Portsmouth

Attachment A is required for *all minor and major projects*, and must be completed *in addition* to the [Avoidance and Minimization Narrative](#) or [Checklist](#) that is required by Env-Wt 307.11.

For projects involving construction or modification of non-tidal shoreline structures over areas of surface waters having an absence of wetland vegetation, only Sections I.X through I.XV are required to be completed.

PART I: AVOIDANCE AND MINIMIZATION

In accordance with Env-Wt 313.03(a), the Department shall not approve any alteration of any jurisdictional area unless the applicant demonstrates that the potential impacts to jurisdictional areas have been avoided to the maximum extent practicable and that any unavoidable impacts have been minimized, as described in the [Wetlands Best Management Practice Techniques For Avoidance and Minimization](#).

SECTION I.I - ALTERNATIVES (Env-Wt 313.03(b)(1))

Describe how there is no practicable alternative that would have a less adverse impact on the area and environments under the Department's jurisdiction.

PER ENV-WT 521.03, THE PROJECT IS ENTIRELY WITHIN EXISTING RIGHTS-OF-WAY AND DEVELOPED AREAS. THE CROSSINGS ARE USING SWAMP MATS WHERE NECESSARY FOR TEMPORARY WETLAND IMPACTS AND STREAM CROSSINGS WHERE APPLICABLE. THE SHORTEST ROUTE FROM A DEVELOPED WAY TO A MANHOLE THAT IS IN NEED OF REHABILITATION IS TAKEN WHEREVER POSSIBLE SO THAT PERSONEL AND MACHINERY IMPACT AS LITTLE OF THE ENVIRONMENT AS POSSIBLE.

SECTION I.II - MARSHES (Env-Wt 313.03(b)(2))

Describe how the project avoids and minimizes impacts to tidal marshes and non-tidal marshes where documented to provide sources of nutrients for finfish, crustacean, shellfish, and wildlife of significant value.

there is no proposed direct impact to a tidal marsh. There is proposed temporary and permanent impact within the 100' duly-established prime wetland buffer. Those areas are delineated on the plan and are minimized to the extent feasible while still allowing machinery to reach the areas of interest.

SECTION I.III - HYDROLOGIC CONNECTION (Env-Wt 313.03(b)(3))

Describe how the project maintains hydrologic connections between adjacent wetland or stream systems.

stream crossings and wetland crossings cannot be entirely avoided, but are only temporary. No permanent changes to any hydrologic connections between wetland and stream systems are proposed. Swamp mats are to be used where applicable to avoid any environmental damages.

SECTION I.IV - JURISDICTIONAL IMPACTS (Env-Wt 313.03(b)(4))

Describe how the project avoids and minimizes impacts to wetlands and other areas of jurisdiction under RSA 482-A, especially those in which there are exemplary natural communities, vernal pools, protected species and habitat, documented fisheries, and habitat and reproduction areas for species of concern, or any combination thereof.

the project proposes access roads of the minimal width required to get equipment and personnel to the areas of manholes to be rehabilitated. Permanent impacts are limited to access roads in areas where it would otherwise be impossible to reach the manholes. Silt Soxx are to be used to avoid any impacts to wetlands and swamp mats are to be used where applicable along with BMP to avoid damaging habitats and ecosystems.

SECTION I.V - PUBLIC COMMERCE, NAVIGATION, OR RECREATION (Env-Wt 313.03(b)(5))

Describe how the project avoids and minimizes impacts that eliminate, depreciate or obstruct public commerce, navigation, or recreation.

N/A

SECTION I.VI - FLOODPLAIN WETLANDS (Env-Wt 313.03(b)(6))

Describe how the project avoids and minimizes impacts to floodplain wetlands that provide flood storage.

N/A

SECTION I.VII - RIVERINE FORESTED WETLAND SYSTEMS AND SCRUB-SHRUB – MARSH COMPLEXES (Env-Wt 313.03(b)(7))

Describe how the project avoids and minimizes impacts to natural riverine forested wetland systems and scrub-shrub – marsh complexes of high ecological integrity.

the project proposes access roads of the minimal width required to get equipment and personnel to the areas of manholes to be rehabilitated. Permanent impacts are limited to access roads in areas where it would otherwise be impossible to reach the maholes. Silt Soxx are to be used to avoid any impacts to wetlands and swamp mats are to be used where applicable along with BMP to avoid damaginghabitats and ecosystems.

SECTION I.VIII - DRINKING WATER SUPPLY AND GROUNDWATER AQUIFER LEVELS (Env-Wt 313.03(b)(8))

Describe how the project avoids and minimizes impacts to wetlands that would be detrimental to adjacent drinking water supply and groundwater aquifer levels.

Silt Soxx are to be used to prevent silt and contaminants from leaving the work area.

SECTION I.IX - STREAM CHANNELS (Env-Wt 313.03(b)(9))

Describe how the project avoids and minimizes adverse impacts to stream channels and the ability of such channels to handle runoff of waters.

Swamp Matts and Silt Soxx are to be used where applicable to handle stream crossings and prevent runoff.

SECTION I.X - SHORELINE STRUCTURES - CONSTRUCTION SURFACE AREA (Env-Wt 313.03(c)(1))

Describe how the project has been designed to use the minimum construction surface area over surface waters necessary to meet the stated purpose of the structures.

N/A

SECTION I.XI - SHORELINE STRUCTURES - LEAST INTRUSIVE UPON PUBLIC TRUST (Env-Wt 313.03(c)(2))

Describe how the type of construction proposed is the least intrusive upon the public trust that will ensure safe docking on the frontage.

N/A

SECTION I.XII - SHORELINE STRUCTURES – ABUTTING PROPERTIES (Env-Wt 313.03(c)(3))

Describe how the structures have been designed to avoid and minimize impacts on ability of abutting owners to use and enjoy their properties.

N/A

SECTION I.XIII - SHORELINE STRUCTURES – COMMERCE AND RECREATION (Env-Wt 313.03(c)(4))

Describe how the structures have been designed to avoid and minimize impacts to the public's right to navigation, passage, and use of the resource for commerce and recreation.

N/A

SECTION I.XIV - SHORELINE STRUCTURES – WATER QUALITY, AQUATIC VEGETATION, WILDLIFE AND FINFISH HABITAT (Env-Wt 313.03(c)(5))

Describe how the structures have been designed, located, and configured to avoid impacts to water quality, aquatic vegetation, and wildlife and finfish habitat.

N/A

SECTION I.XV - SHORELINE STRUCTURES – VEGETATION REMOVAL, ACCESS POINTS, AND SHORELINE STABILITY (Env-Wt 313.03(c)(6))

Describe how the structures have been designed to avoid and minimize the removal of vegetation, the number of access points through wetlands or over the bank, and activities that may have an adverse effect on shoreline stability.

N/A

PART II: FUNCTIONAL ASSESSMENT
REQUIREMENTS
Ensure that project meets the requirements of Env-Wt 311.10 regarding functional assessment (Env-Wt 311.04(j); Env-Wt 311.10).
FUNCTIONAL ASSESSMENT METHOD USED: <div style="background-color: #cccccc; width: 50px; height: 15px; margin-top: 5px;"></div>
NAME OF CERTIFIED WETLAND SCIENTIST (FOR NON-TIDAL PROJECTS) OR QUALIFIED COASTAL PROFESSIONAL (FOR TIDAL PROJECTS) WHO COMPLETED THE ASSESSMENT: <div style="background-color: #cccccc; width: 50px; height: 15px; display: inline-block;"></div>
DATE OF ASSESSMENT: <div style="background-color: #cccccc; width: 50px; height: 15px; display: inline-block;"></div>
Check this box to confirm that the application includes a NARRATIVE ON FUNCTIONAL ASSESSMENT: <input type="checkbox"/>
For minor or major projects requiring a standard permit without mitigation, the applicant shall submit a wetland evaluation report that includes completed checklists and information demonstrating the RELATIVE FUNCTIONS AND VALUES OF EACH WETLAND EVALUATED. Check this box to confirm that the application includes this information, if applicable: <input type="checkbox"/>
Note: The Wetlands Functional Assessment worksheet can be used to compile the information needed to meet functional assessment requirements.



AVOIDANCE AND MINIMIZATION CHECKLIST

Water Division/Land Resources Management Wetlands Bureau



[Check the Status of your Application](#)

RSA/Rule: RSA 482-A/ Env-Wt 311.07(c)

This checklist can be used in lieu of the written narrative required by Env-Wt 311.07(a) to demonstrate compliance with requirements for Avoidance and Minimization (A/M), pursuant to RSA 482-A:1 and Env-Wt 311.07(c).

For construction or modification of non-tidal shoreline structures over areas of surface waters having an absence of wetland vegetation, complete only Sections 1, 2, and 4 only (or the applicable sections in [Attachment A: Minor and Major Projects \(NHDES-W-06-013\)](#)).

“A/M BMPs” stands for [Wetlands Best Management Practice Techniques for Avoidance and Minimization](#) dated 2019, published by the New England Interstate Water Pollution Control Commission (Env-Wt 102.18).

“Practicable” means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes (Env-Wt 103.62).

SECTION 1 - CONTACT/LOCATION INFORMATION		
APPLICANT LAST NAME, FIRST NAME, M.I.: Woodard & Curran		
PROJECT STREET ADDRESS: N/A	PROJECT TOWN: Portsmouth, NH	
TAX MAP/LOT NUMBER: M215-L009, M214-L003, M243-L006, M297-L004, M297-L011, M292-L221		
SECTION 2 - PRIMARY PURPOSE OF THE PROJECT		
Env-Wt 311.07(b)(1)	Indicate whether the primary purpose of the project is to construct a water-access structure or requires access through wetlands to reach a buildable lot or the buildable portion thereof.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If you answered “no” to this question, describe the purpose of the “non-access” project type you have proposed. Access through a wetland is required to maintain and rehabilitated several sewer manhole structures located in cross-country easements throughout the city.		

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SECTION 3 - AVOIDANCE & MINIMIZATION PROJECT DESIGN TECHNIQUES		
Check the appropriate boxes below in order to demonstrate that these items have been considered in the planning of the project. Use N/A (not applicable) for each technique that is not applicable to your project.		
Env-Wt 311.07(b)(2)	For any project that proposes permanent impacts of more than one acre or that proposes permanent impacts to a Priority Resource Area (PRA), or both, whether any other properties reasonably available to the applicant, whether already owned or controlled by the applicant or not, could be used to achieve the project's purpose without altering the functions and values of any jurisdictional area, in particular wetlands, streams, and PRAs.	<input checked="" type="checkbox"/> Check <input type="checkbox"/> N/A
Env-Wt 311.07(b)(3)	Whether alternative designs or techniques, such as different layouts, construction sequencing, or alternative technologies could be used to avoid impacts to jurisdictional areas or their functions and values.	<input checked="" type="checkbox"/> Check <input type="checkbox"/> N/A
Env-Wt 311.07(b)(4) Env-Wt 311.10(c)(1) Env-Wt 311.10(c)(2)	The results of the functional assessment required by Env-Wt 311.03(b)(10) were used to select a location, and design for the proposed project that has the least impact to wetland functions.	<input checked="" type="checkbox"/> Check <input type="checkbox"/> N/A
Env-Wt 311.07(b)(4) Env-Wt 311.10(c)(3)	Where impact to wetland functions is unavoidable, the proposed impacts are limited to the wetlands with the least valuable functions on the site while avoiding and minimizing impacts to the wetlands with the highest and most valuable functions.	<input checked="" type="checkbox"/> Check <input type="checkbox"/> N/A
Env-Wt 313.01(c)(1) Env-Wt 313.01(c)(2) Env-Wt 313.03(b)(1)	No practicable alternative would reduce adverse impact on the area and environments under the department's jurisdiction and the project will not cause random or unnecessary destruction of wetlands.	<input checked="" type="checkbox"/> Check <input type="checkbox"/> N/A
Env-Wt 313.01(c)(3)	The project would not cause or contribute to the significant degradation of waters of the state or the loss of any PRAs.	<input checked="" type="checkbox"/> Check <input type="checkbox"/> N/A
Env-Wt 313.03(b)(3) Env-Wt 904.07(c)(8)	The project maintains hydrologic connectivity between adjacent wetlands or stream systems.	<input checked="" type="checkbox"/> Check <input type="checkbox"/> N/A
Env-Wt 311.10 A/M BMPs	Buildings and/or access are positioned away from high function wetlands or surface waters to avoid impact.	<input checked="" type="checkbox"/> Check <input type="checkbox"/> N/A
Env-Wt 311.10 A/M BMPs	The project clusters structures to avoid wetland impacts.	<input type="checkbox"/> Check <input checked="" type="checkbox"/> N/A
Env-Wt 311.10 A/M BMPs	The placement of roads and utility corridors avoids wetlands and their associated streams.	<input type="checkbox"/> Check <input checked="" type="checkbox"/> N/A
A/M BMPs	The width of access roads or driveways is reduced to avoid and minimize impacts. Pullouts are incorporated in the design as needed.	<input checked="" type="checkbox"/> Check <input type="checkbox"/> N/A
A/M BMPs	The project proposes bridges or spans instead of roads/driveways/trails with culverts.	<input type="checkbox"/> Check <input checked="" type="checkbox"/> N/A

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A/M BMPs	The project is designed to minimize the number and size of crossings, and crossings cross wetlands and/or streams at the narrowest point.	<input checked="" type="checkbox"/> Check <input type="checkbox"/> N/A
Env-Wt 500 Env-Wt 600 Env-Wt 900	Wetland and stream crossings include features that accommodate aquatic organism passage and wildlife passage.	<input type="checkbox"/> Check <input checked="" type="checkbox"/> N/A
Env-Wt 900	Stream crossings are sized to address hydraulic capacity and geomorphic compatibility.	<input type="checkbox"/> Check <input checked="" type="checkbox"/> N/A
A/M BMPs	Disturbed areas are used for crossings wherever practicable, including existing roadways, paths, or trails upgraded with new culverts or bridges.	<input checked="" type="checkbox"/> Check <input type="checkbox"/> N/A
SECTION 4 - NON-TIDAL SHORELINE STRUCTURES		
Env-Wt 313.03(c)(1)	The non-tidal shoreline structure has been designed to use the minimum construction surface area over surfaces waters necessary to meet the stated purpose of the structure.	<input type="checkbox"/> Check <input checked="" type="checkbox"/> N/A
Env-Wt 313.03(c)(2)	The type of construction proposed for the non-tidal shoreline structure is the least intrusive upon the public trust that will ensure safe docking on the frontage.	<input type="checkbox"/> Check <input checked="" type="checkbox"/> N/A
Env-Wt 313.03(c)(3)	The non-tidal shoreline structure has been designed to avoid and minimize impacts on the ability of abutting owners to use and enjoy their properties.	<input type="checkbox"/> Check <input checked="" type="checkbox"/> N/A
Env-Wt 313.03(c)(4)	The non-tidal shoreline structure has been designed to avoid and minimize impacts to the public's right to navigation, passage, and use of the resource for commerce and recreation.	<input type="checkbox"/> Check <input checked="" type="checkbox"/> N/A
Env-Wt 313.03(c)(5)	The non-tidal shoreline structure has been designed, located, and configured to avoid impacts to water quality, aquatic vegetation, and wildlife and finfish habitat.	<input type="checkbox"/> Check <input checked="" type="checkbox"/> N/A
Env-Wt 313.03(c)(6)	The non-tidal shoreline structure has been designed to avoid and minimize the removal of vegetation, the number of access points through wetlands or over the bank, and activities that may have an adverse effect on shoreline stability.	<input type="checkbox"/> Check <input checked="" type="checkbox"/> N/A



**UTILITY PROJECTS;
PROJECTS IN PUBLIC RIGHT-OF-WAY
PROJECT-SPECIFIC WORKSHEET
FOR STANDARD APPLICATION**
Water Division/Land Resources Management
Wetlands Bureau
[Check the Status of your Application](#)

RSA/Rule: RSA 482-A/ Env-Wt 521

APPLICANT LAST NAME, FIRST NAME, M.I.: Woodard & Curran

This worksheet summarizes the criteria and requirements for a Standard Permit for “Utility Projects; Projects in the Public Right-of-Way”, one of the 18 specific project types in Chapter Env-Wt 500. In addition to the project-specific criteria and requirements on this worksheet, all Standard Applications must meet the criteria and requirements listed in the Standard Application form (NHDES-W-06-012).

SECTION 1 - APPLICABILITY (Env-Wt 509.02(b); Env-Wt 521.01)

This worksheet is for residential utility projects and other utility projects within a public right-of-way.

Do **not** use this worksheet for utility projects that involve the construction of a substation, parking lot, or storage facility on utility property, which must be reviewed under the standards for commercial projects specified in Env-Wt 524.

Do **not** use this worksheet if the project is located in a coastal (tidal) area.

SECTION 2 - APPROVAL CRITERIA FOR UTILITY PROJECTS (Env-Wt 521.02)

Work may be done under Utility Statutory Permit-by-Notification (SPN) only if:

- The project meets the minimum impact criteria in Env-Wt 521.06(a);
- The project has only:
 - Temporary impacts associated with inspections, maintenance, and repair of existing utility assets and rights of way; and
 - Less than 3,000 square feet (SF) of permanent impacts for replacement of utility assets; and
- The project proponent agrees to follow the *Best Management Practices Manual, Utility Maintenance in and Adjacent to Wetlands and Waterbodies in New Hampshire* (Utility BMPs).

Work cannot be done under a Utility SPN if the project:

- Establishes one or more new permanent access roads in jurisdictional areas;
- Installs one or more permanent crossings of streams or wetlands, or both;
- Constructs one or more new utility corridors or rights-of-way;
- Installs new utility assets within existing utility corridors or rights-of-way;
- Does not meet the standard conditions in Env-Wt 307; or
- Otherwise exceeds the minimum impact criteria.

SECTION 3 - APPROVAL CRITERIA FOR STANDARD UTILITY PERMITS (Env-Wt 521.03)

In addition to meeting the criteria established in Env-Wt 300, an application for a utility project must meet the following approval criteria:

- If the project as a whole crosses multiple properties, it is submitted as a single project and is not segmented into multiple proposed projects for the purpose of avoiding eligibility or classification requirements;
- The project is, to the greatest extent practicable, within existing rights-of-way and developed areas;
- Construction will be undertaken in the least environmentally-impactful manner; and
- If the project involves greater than one acre of contiguous permanent wetland or watercourse impact, an off-site alternatives analysis is done.

SECTION 4 - APPLICATION REQUIREMENTS FOR UTILITY PROJECTS (Env-Wt 521.04)

An application for a utility project must include the following project-specific information:

- A plan showing:
 - The extent and location of all wetlands and watercourses within the project area;
 - A wetland delineation, functional assessment, and impact analysis in accordance with Env-Wt 300;
 - The location of any existing utility corridors and facilities;
 - The location of the proposed utility corridors and facilities; and
 - The location of any proposed impacts, crossings, construction areas, and clearings;
- A recent aerial photograph of the project area overlain by the items specified above;
- An invasive species control plan;
- A construction sequence plan describing measures proposed to minimize impacts to water quality, impacts to nesting and breeding species, and to prevent compaction of wetlands soils;
- The locations of staging areas, off right-of-way access roads, temporary access roads, and new station locations;
- A description of the methods, techniques, vehicles, and equipment proposed to access and conduct the project; and

- A description of measures proposed to minimize and avoid impacts to wetlands and surface waters.

Temporary swamp mats are proposed as shown on the detail sheet of the plan set. Silt Soxx are to be used around the manholes to prevent any sediment escaping the work area. Refernce the plans and the avoidance and minimization checklist for more information.

SECTION 5 - DESIGN & CONSTRUCTION REQUIREMENTS FOR UTILITY PROJECTS (Env-Wt 521.05)

In addition to the design and construction requirements in Env-Wt 300, the following requirements apply to utility projects:

- The project must be designed to avoid and minimize construction access over, or work in or upon, organic soils;
- The project must be designed in accordance with Env-Wt 313.03;
- Construction access or work shall be prohibited in priority resource areas unless the work:
 - Is authorized as an SPN or a project type exception under Env-Wt 407; or
 - Causes only temporary impacts;
- All project activities must be performed, located, constructed, and maintained in accordance with the Utility BMPs;
- No project shall cause permanent filling of wetlands in excess of 10,000 SF unless mitigation is provided in accordance with Env-Wt 800; and
- Swamp mats shall be:
 - Used in any area necessary to provide access;
 - Removed as soon as the work is completed; and
 - In no case left in place longer than one growing season.

SECTION 6 - MAINTENANCE & REPAIR (Env-Wt 521.07)

- Maintenance and repair must be carried out in accordance with the Utility BMPs.

SECTION 7 - UTILITY PROJECT CLASSIFICATION (Env-Wt 521.06)

A utility project shall be a minimum impact project if the project meets all the following criteria:

- The project meets all applicable Utility BMPs and will have temporary impacts associated with inspection, maintenance, repair, replacement, or removal of existing utility facilities within existing rights-of-way;
- The project does not include establishing new access roads, installing permanent stream or wetland crossings, constructing new utility corridors or rights-of-way, or establishing new utility assets within existing corridors or rights-of-way;
- The project does not include any permanent fill in navigable waters;
- Impacts to any priority resource areas other than prime wetlands and duly-established 100-foot buffers are authorized by following the recommendations provided by the New Hampshire Natural Heritage Bureau (NHNHB), NH Department of Fish and Game (NHDFG), and the department in a pre-notification review meeting;
- Timber mats are:
 - Not used in a tidal marsh; and
 - Used in an area other than a tidal marsh only if they are:
 - Necessary to conduct activities;
 - Removed as soon as work is completed; and
 - In place no longer than one growing season;
- The project does not cause a permanent conversion of more than 3,000 SF in total of forested wetlands to emergent or scrub-shrub wetlands with or without temporary fill; and
- For private residential utility projects involving the installation of residential utility lines and associated temporary impacts to bring services to a single building lot:
 - The total jurisdictional impact will not exceed 3,000 SF;
 - Impact width at any wetland crossing will not exceed 20 feet;
 - Stream crossing channels will not exceed 8 feet wide measured bank to bank; and
 - Only swamps or wet meadows that have no standing water for 10 months of the year will be crossed.

A utility project shall be a minor impact project if the project:

- Includes the installation of one or more new permanent crossing(s) of a perennial stream;
- Establishes a new access road, new utility corridor or right-of-way, or new utility assets;
- Exceeds the Utility BMPs or any of the minimum impact criteria;
- Includes permanent conversion of forested wetlands to emergent or scrub-shrub wetlands with or without temporary fill; or
- For private residential utility projects, exceeds minimum impact criteria but does not exceed Env-Wt 400 project classification criteria.

A utility project shall be a major impact project if:

- It does not meet the criteria for a minimum or minor impact project; or
- It meets the criteria for a minimum impact project, but:
 - Is located in a priority resource area and has impacts that cannot be addressed through recommendations by the NHNHB, NHDFG, or the department, as applicable; or
 - Requires mitigation under state or federal law.

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**WETLANDS PERMIT APPLICATION
STREAM CROSSING WORKSHEET**
Land Resources Management
Wetlands Bureau



NOTE: This worksheet can be used to accompany Wetlands Permit Applications when proposing stream crossings.

RSA 482-A/ Env-Wt-900

1. Tier Classifications

Determine the contributing watershed size at [USGS StreamStats](#)
Note: Plans for Tier 2 and 3 crossings shall be designed and stamped by a professional engineer who is licensed under RSA 310-A to practice in New Hampshire.

Size of contributing watershed at the crossing location:	200 acres
<input checked="" type="checkbox"/> Tier 1: A tier 1 stream crossing is a crossing located on a watercourse where the contributing watershed size is less than or equal to 200 acres	
<input type="checkbox"/> Tier 2: A tier 2 stream crossing is a crossing located on a watercourse where the contributing watershed size is greater than 200 acres and less than 640 acres	
<input type="checkbox"/> Tier 3: A tier 3 stream crossing is a crossing that meets <u>any</u> of the following criteria:	
<input type="checkbox"/> On a watercourse where the contributing watershed is more than 640 acres	
<input type="checkbox"/> Within a Designated River Corridor	
<input type="checkbox"/> On a watercourse that is listed on the surface water assessment 305(b) report	
<input type="checkbox"/> Within a 100-year floodplain (see section 2 below)	
<input type="checkbox"/> In a jurisdictional area having any protected species or habitat (NHB DataCheck)	
<input type="checkbox"/> In or within 100 feet of a Prime Wetland	

2. 100-year Floodplain

Use the [FEMA Map Service Center](#) to determine if the crossing is located within a 100-year floodplain. Please answer the questions below:

<input checked="" type="checkbox"/> No: The proposed stream crossing <i>is not</i> within the FEMA 100-year floodplain.
<input type="checkbox"/> Yes: The proposed project <i>is</i> within the FEMA 100-year floodplain. Zone = _____
<input type="checkbox"/> Elevation of the 100-year floodplain at the inlet: _____ feet (FEMA El. or Modeled El.)

3. Calculating Peak Discharge

Existing 100-year peak discharge (Q) calculated in cubic feet per second (CFS): 62.4 CFS	Calculation method: USGS 2008-5206
Estimated Bankfull discharge at the crossing location: 62.4 CFS	Calculation method: USGS 2008-5206

➡ **Note: If Tier 1 then skip to Section 10** ⬅

4. Predicted Channel Geometry based on [Regional Hydraulic Curves](#)
For Tier 2 and Tier 3 Crossings Only

Bankfull Width: _____ feet	Mean Bankfull Depth: _____ feet
Bankfull Cross Sectional Area: _____ square feet	

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5. Cross Sectional Channel Geometry: Measurements of the Existing Stream within a Reference Reach

For Tier 2 and Tier 3 Crossings Only

Describe the reference reach location: _____

Reference reach watershed size: _____ acres

<u>Parameter</u>	<u>Cross Section 1</u> Describe bed form <i>(e.g. pool, riffle, glide)</i>	<u>Cross Section 2</u> Describe bed form <i>(e.g. pool, riffle, glide)</i>	<u>Cross Section 3</u> Describe bed form <i>(e.g. pool, riffle, glide)</i>	<u>Range</u>
Bankfull Width	_____ feet	_____ feet	_____ feet	_____ feet
Bankfull Cross Sectional Area	_____ SF	_____ SF	_____ SF	_____ SF
Mean Bankfull Depth	_____ feet	_____ feet	_____ feet	_____ feet
Width to Depth Ratio	_____	_____	_____	_____
Max Bankfull Depth	_____ feet	_____ feet	_____ feet	_____ feet
Flood Prone Width	_____ feet	_____ feet	_____ feet	_____ feet
Entrenchment Ratio	_____	_____	_____	_____

Use **Figure 1** below to determine the measurements of the Reference Reach Attributes

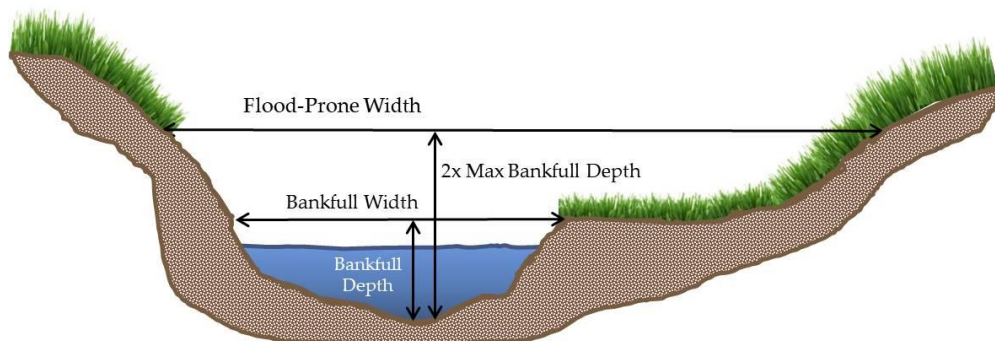


Figure 1: Determining the Reference Reach Attributes

6. Longitudinal Parameters of the Reference Reach and Crossing Location

For Tier 2 and Tier 3 Crossings Only

Average Channel Slope of the Reference Reach: _____

Average Channel Slope at the Crossing Location: _____

7. Plan View Geometry

For Tier 2 and Tier 3 Crossings Only

Sinuosity of the Reference Reach: _____

Sinuosity of the Crossing Location: _____

Note: Sinuosity is measured a distance of at least 20 times bankfull width, or 2 meander belt widths

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8. Substrate Classification based on Field Observations

For Tier 2 and Tier 3 Crossings Only

% of reach that is <i>bedrock</i>	_____ %
% of reach that is <i>boulder</i>	_____ %
% of reach that is <i>cobble</i>	_____ %
% of reach that is <i>gravel</i>	_____ %
% of reach that is <i>sand</i>	_____ %
% of reach that is <i>silt</i>	_____ %

9. Stream Type of Reference Reach

For Tier 2 and Tier 3 Crossings Only

Stream Type of Reference Reach:	_____
---------------------------------	-------

Refer to Rosgen Classification Chart (Figure 2) below

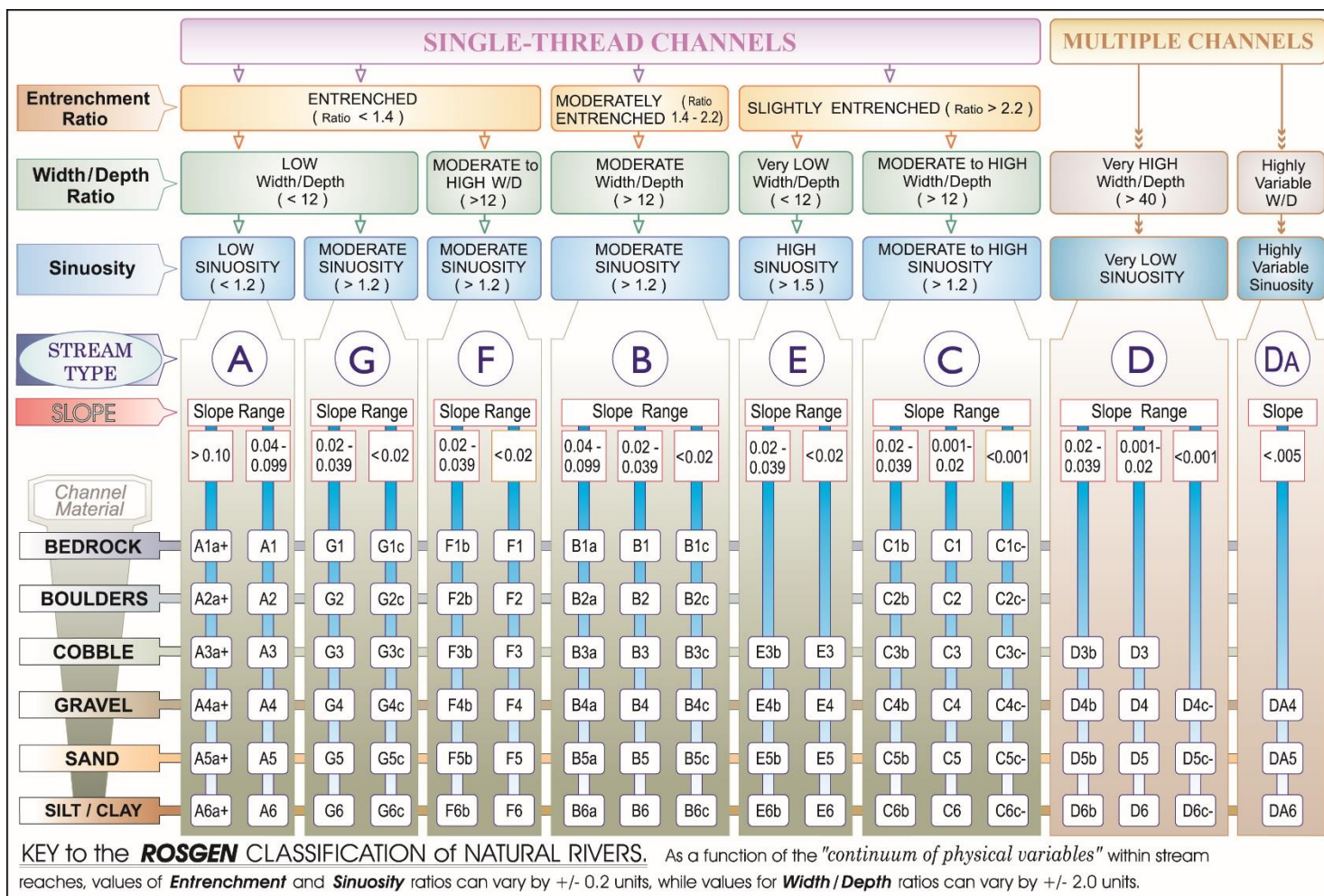


Figure 2. Reference from Applied River Morphology, Rosgen, 1996

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10. Crossing Structure Metrics

Existing Conditions

Existing Structure Type:	<input type="checkbox"/> Bridge Span <input type="checkbox"/> Pipe Arch <input type="checkbox"/> Open-bottom Culvert <input type="checkbox"/> Closed-bottom Culvert <input type="checkbox"/> Closed-bottom Culvert with stream simulation <input checked="" type="checkbox"/> Other: none	
Existing Crossing Span <i>(perpendicular to flow)</i>	6 feet	Culvert Diameter _____ feet Inlet Elevation _____
Existing Crossing Length <i>(parallel to flow)</i>	6 feet	Outlet Elevation _____ Culvert Slope _____

Proposed Conditions

Proposed Structure Type:	Tier 1	Tier 2	Tier 3	Alternative Design
Bridge Span	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pipe Arch	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Closed-bottom Culvert	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Open-bottom Culvert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Closed-bottom Culvert with stream simulation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Proposed structure Span <i>(perpendicular to flow)</i>	N/A feet		Culvert Diameter _____ feet Inlet Elevation _____	
Proposed Structure Length <i>(parallel to flow)</i>	N/A feet		Outlet Elevation _____ Culvert Slope _____	
Proposed Entrenchment Ratio* <i>For Tier 2 and Tier 3 Crossings Only</i>	_____		<i>Note: To accommodate the entrenchment ratio, floodplain drainage structures may be utilized</i>	

* Note: Proposed Entrenchment Ratio must meet the minimum ratio for each stream type listed in **Figure 3**, otherwise the applicant must address the Alternative Design criteria listed in Env-Wt 904.09

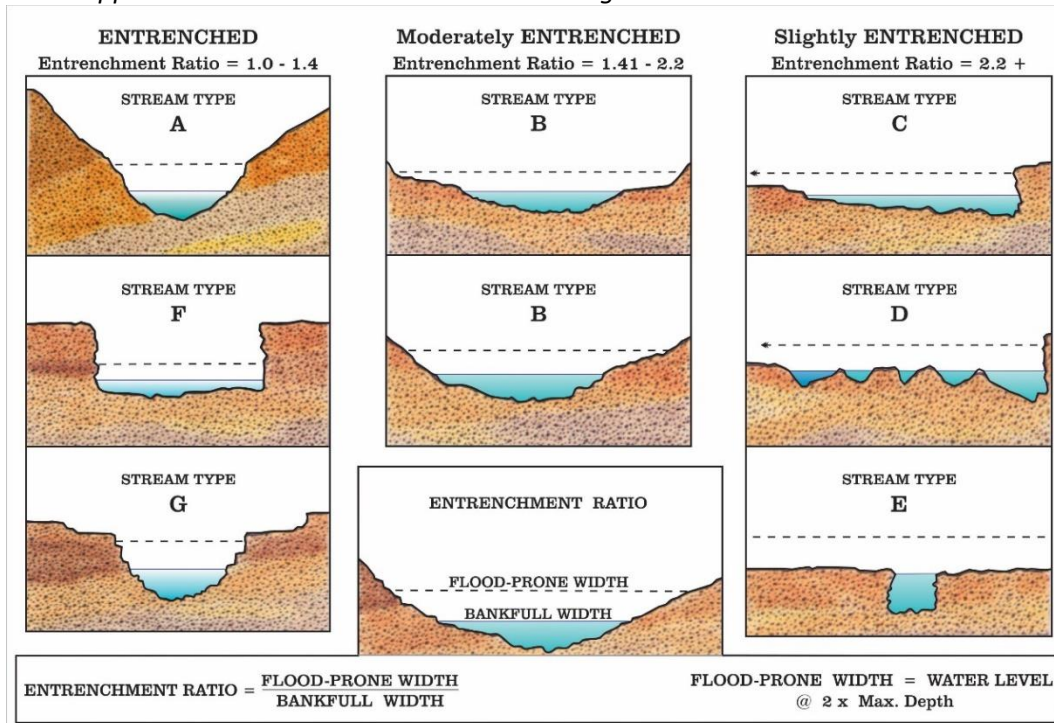


Figure 3. Reference from Applied River Morphology, Rosgen, 1996

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11. Crossing Structure Hydraulics		
	Existing	Proposed
100 year flood stage elevation at inlet	N/A	_____
Flow velocity at outlet in feet per second (FPS)	N/A	_____
Calculated 100 year peak discharge (Q) for the <u>proposed</u> structure in CFS		_____
Calculated 50 year peak discharge (Q) for the <u>proposed</u> structure in CFS		_____

12. Crossing Structure Openness Ratio <i>For Tier 2 and Tier 3 Crossings Only</i>
<p>Crossing Structure Openness Ratio = _____</p> <p><i>Openness box culvert = (height x width)/length</i></p> <p><i>Openness round culvert = (3.14 x radius²)/length</i></p>

13. General Design Considerations
Env-Wt 904.01 requires all stream crossings to be designed and constructed according to the following requirements. Check each box if the project meets these general design considerations.
<i>All stream crossings shall be designed and constructed so as to:</i>
<input checked="" type="checkbox"/> Not be a barrier to sediment transport.
<input checked="" type="checkbox"/> Prevent the restriction of high flows and maintain existing low flows.
<input checked="" type="checkbox"/> Not obstruct or otherwise substantially disrupt the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction.
<input checked="" type="checkbox"/> Not cause an increase in the frequency of flooding or overtopping of banks.
<input checked="" type="checkbox"/> Preserve watercourse connectivity where it currently exists.
<input checked="" type="checkbox"/> Restore watercourse connectivity where:
(1) Connectivity previously was disrupted as a result of human activity(ies); and
(2) Restoration of connectivity will benefit aquatic life upstream or downstream of the crossing, or both.
<input checked="" type="checkbox"/> Not cause erosion, aggradation, or scouring upstream or downstream of the crossing.
<input checked="" type="checkbox"/> Not cause water quality degradation.

14. Tier Specific Design Criteria
Stream crossings must be designed in accordance with the Tier specific design criteria listed in Part Env-Wt 904.
<input type="checkbox"/> The proposed project meets the Tier specific design criteria listed in Part Env-Wt 904 and each requirement has been addressed in the plans and as part of the wetland application.

15. Alternative Design
<p>NOTE: If the proposed crossing does not meet all of the general design considerations, the Tier specific design criteria, or the minimum entrenchment ratio for each given stream type listed in Figure 3, then an alternative design plan and associated requirements must be addressed pursuant to Env-Wt 904.09.</p> <p><input type="checkbox"/> I have submitted an alternative design and addressed each requirement listed in Env-Wt 904.09</p>

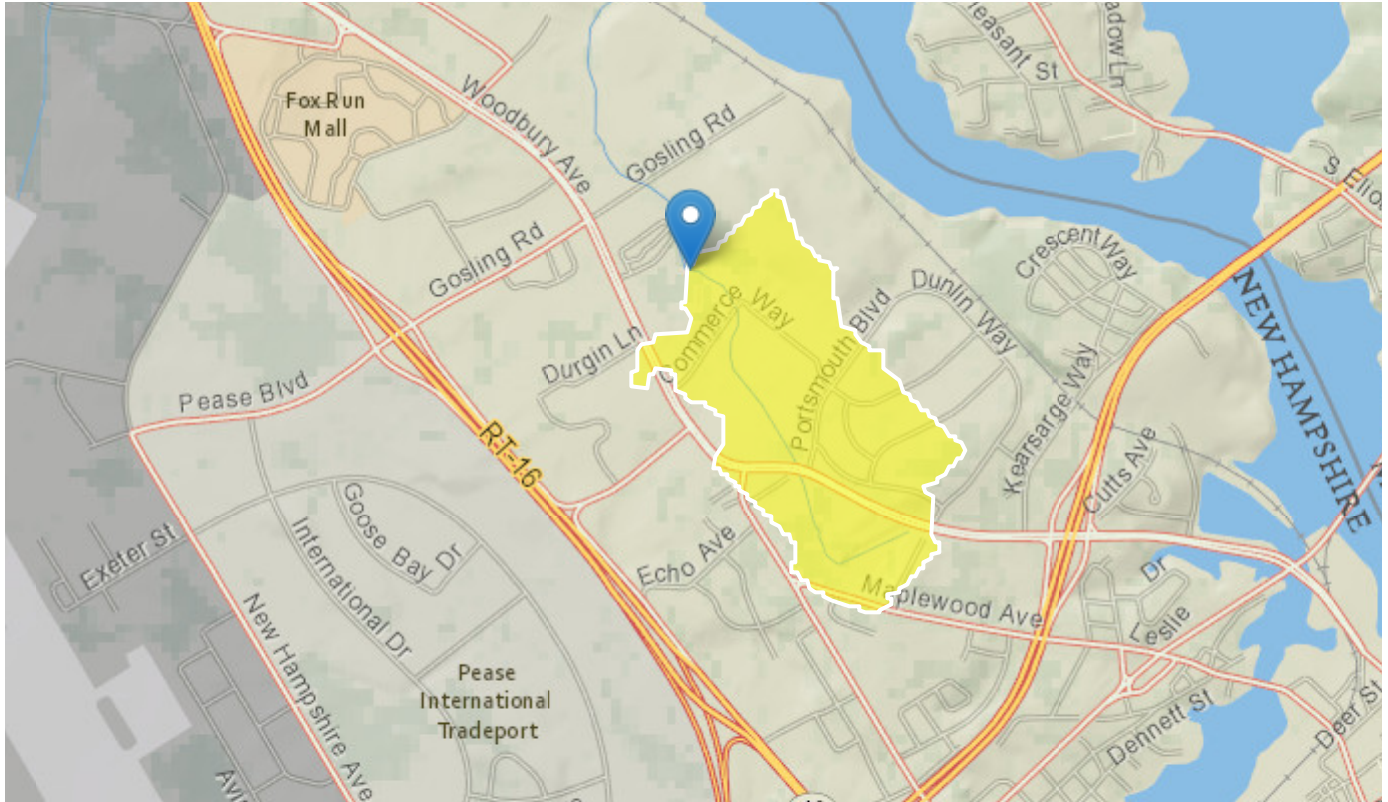
Oriental Gardens

Region ID: NH

Workspace ID: NH20200630205514580000

Clicked Point (Latitude, Longitude): 43.09269, -70.78985

Time: 2020-06-30 16:55:50 -0400



Area 1

Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
DRNAREA	Area that drains to a point on a stream	0.31	square miles
APRAVPRE	Mean April Precipitation	4.452	inches
WETLAND	Percentage of Wetlands	3.9322	percent
CSL10_85	Change in elevation divided by length between points 10 and 85 percent of distance along main channel to basin divide - main channel method not known	10.1	feet per mi

Peak-Flow Statistics Parameters^[Peak Flow Statewide SIR2008 5206]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	0.31	square miles	0.7	1290
APRAVPRE	Mean April Precipitation	4.452	inches	2.79	6.23
WETLAND	Percent Wetlands	3.9322	percent	0	21.8
CSL10_85	Stream Slope 10 and 85 Method	10.1	feet per mi	5.43	543

Peak-Flow Statistics Disclaimers^[Peak Flow Statewide SIR2008 5206]

One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors
 One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors

Peak-Flow Statistics Flow Report^[Peak Flow Statewide SIR2008 5206]

Statistic	Value	Unit
2 Year Peak Flood	10.2	ft ³ /s
5 Year Peak Flood	18.8	ft ³ /s
10 Year Peak Flood	26.7	ft ³ /s
25 Year Peak Flood	38.6	ft ³ /s
50 Year Peak Flood	49.1	ft ³ /s
100 Year Peak Flood	62.4	ft ³ /s
500 Year Peak Flood	99.1	ft ³ /s

Peak-Flow Statistics Citations

Olson, S.A.,2009, Estimation of flood discharges at selected recurrence intervals for streams in New Hampshire: U.S.Geological Survey Scientific Investigations Report 2008-5206, 57 p. (<http://pubs.usgs.gov/sir/2008/5206/>)

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Application Version: 4.3.11



**WETLANDS PERMIT APPLICATION
STREAM CROSSING WORKSHEET**
Land Resources Management
Wetlands Bureau



NOTE: This worksheet can be used to accompany Wetlands Permit Applications when proposing stream crossings.

RSA 482-A/ Env-Wt-900

1. Tier Classifications

Determine the contributing watershed size at [USGS StreamStats](#)
Note: Plans for Tier 2 and 3 crossings shall be designed and stamped by a professional engineer who is licensed under RSA 310-A to practice in New Hampshire.

Size of contributing watershed at the crossing location:	19 acres
<input type="checkbox"/> Tier 1: A tier 1 stream crossing is a crossing located on a watercourse where the contributing watershed size is less than or equal to 200 acres	
<input type="checkbox"/> Tier 2: A tier 2 stream crossing is a crossing located on a watercourse where the contributing watershed size is greater than 200 acres and less than 640 acres	
<input checked="" type="checkbox"/> Tier 3: A tier 3 stream crossing is a crossing that meets <u>any</u> of the following criteria: <ul style="list-style-type: none"> <input type="checkbox"/> On a watercourse where the contributing watershed is more than 640 acres <input type="checkbox"/> Within a Designated River Corridor <input type="checkbox"/> On a watercourse that is listed on the surface water assessment 305(b) report <input type="checkbox"/> Within a 100-year floodplain (see section 2 below) <input checked="" type="checkbox"/> In a jurisdictional area having any protected species or habitat (NHB DataCheck) <input checked="" type="checkbox"/> In or within 100 feet of a Prime Wetland 	

2. 100-year Floodplain

Use the [FEMA Map Service Center](#) to determine if the crossing is located within a 100-year floodplain. Please answer the questions below:

<input checked="" type="checkbox"/> No: The proposed stream crossing <i>is not</i> within the FEMA 100-year floodplain.
<input type="checkbox"/> Yes: The proposed project <i>is</i> within the FEMA 100-year floodplain. Zone = _____ <input type="checkbox"/> Elevation of the 100-year floodplain at the inlet: _____ feet (FEMA El. or Modeled El.)

3. Calculating Peak Discharge

Existing 100-year peak discharge (Q) calculated in cubic feet per second (CFS): 0.243 CFS	Calculation method: USGS 2008-5206
Estimated Bankfull discharge at the crossing location: 0.243 CFS	Calculation method: USGS 2008-5206

➡ **Note: If Tier 1 then skip to Section 10** ⬅

4. Predicted Channel Geometry based on [Regional Hydraulic Curves](#)
For Tier 2 and Tier 3 Crossings Only

Bankfull Width: 2 feet	Mean Bankfull Depth: 0.5 feet
Bankfull Cross Sectional Area: 1 square feet	

lrn@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

5. Cross Sectional Channel Geometry: Measurements of the Existing Stream within a Reference Reach

For Tier 2 and Tier 3 Crossings Only

Describe the reference reach location: _____

Reference reach watershed size: 19 acres

<u>Parameter</u>	<u>Cross Section 1</u> Describe bed form Riffle <i>(e.g. pool, riffle, glide)</i>	<u>Cross Section 2</u> Describe bed form _____ <i>(e.g. pool, riffle, glide)</i>	<u>Cross Section 3</u> Describe bed form _____ <i>(e.g. pool, riffle, glide)</i>	<u>Range</u>
Bankfull Width	2 feet	_____ feet	_____ feet	_____ feet
Bankfull Cross Sectional Area	1 SF	_____ SF	_____ SF	_____ SF
Mean Bankfull Depth	0.5 feet	_____ feet	_____ feet	_____ feet
Width to Depth Ratio	4:1	_____	_____	_____
Max Bankfull Depth	0.5 feet	_____ feet	_____ feet	_____ feet
Flood Prone Width	4 feet	_____ feet	_____ feet	_____ feet
Entrenchment Ratio	3.0	_____	_____	_____

Use **Figure 1** below to determine the measurements of the Reference Reach Attributes

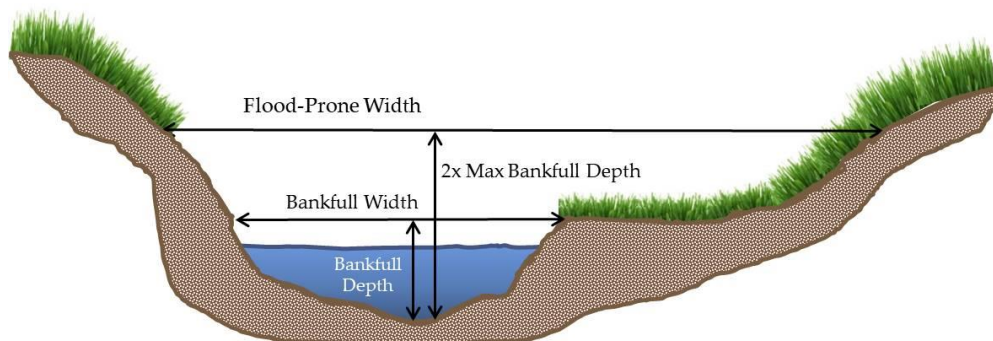


Figure 1: Determining the Reference Reach Attributes

6. Longitudinal Parameters of the Reference Reach and Crossing Location

For Tier 2 and Tier 3 Crossings Only

Average Channel Slope of the Reference Reach: 45 ft./mi.

Average Channel Slope at the Crossing Location: 45ft./mi.

7. Plan View Geometry

For Tier 2 and Tier 3 Crossings Only

Sinuosity of the Reference Reach: 1

Sinuosity of the Crossing Location: 1_

Note: Sinuosity is measured a distance of at least 20 times bankfull width, or 2 meander belt widths

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8. Substrate Classification based on Field Observations

For Tier 2 and Tier 3 Crossings Only

% of reach that is <i>bedrock</i>	_____ %
% of reach that is <i>boulder</i>	_____ %
% of reach that is <i>cobble</i>	50 %
% of reach that is <i>gravel</i>	_____ %
% of reach that is <i>sand</i>	50 %
% of reach that is <i>silt</i>	_____ %

9. Stream Type of Reference Reach

For Tier 2 and Tier 3 Crossings Only

Stream Type of Reference Reach:	D
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Refer to Rosgen Classification Chart (Figure 2) below

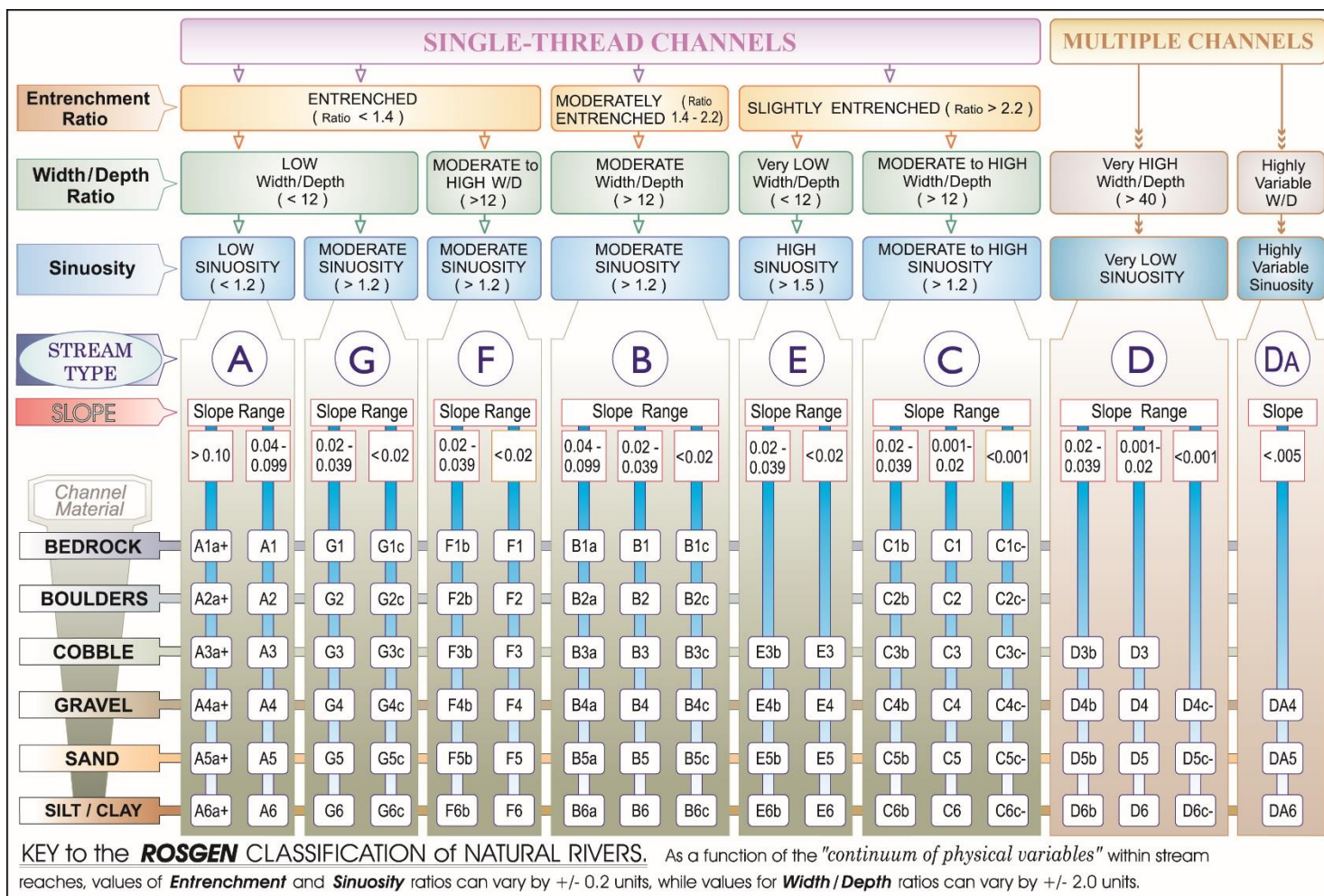


Figure 2. Reference from Applied River Morphology, Rosgen, 1996

lrn@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

10. Crossing Structure Metrics

Existing Conditions

Existing Structure Type:	<input type="checkbox"/> Bridge Span <input type="checkbox"/> Pipe Arch <input type="checkbox"/> Open-bottom Culvert <input type="checkbox"/> Closed-bottom Culvert <input type="checkbox"/> Closed-bottom Culvert with stream simulation <input checked="" type="checkbox"/> Other: none	
Existing Crossing Span <i>(perpendicular to flow)</i>	2 feet	Culvert Diameter _____ feet Inlet Elevation _____
Existing Crossing Length <i>(parallel to flow)</i>	2 feet	Outlet Elevation _____ Culvert Slope _____

Proposed Conditions

Proposed Structure Type:	Tier 1	Tier 2	Tier 3	Alternative Design
Bridge Span	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pipe Arch	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Closed-bottom Culvert	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Open-bottom Culvert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Closed-bottom Culvert with stream simulation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Proposed structure Span <i>(perpendicular to flow)</i>	N/A feet		Culvert Diameter _____ feet Inlet Elevation _____	
Proposed Structure Length <i>(parallel to flow)</i>	N/A feet		Outlet Elevation _____ Culvert Slope _____	
Proposed Entrenchment Ratio* <i>For Tier 2 and Tier 3 Crossings Only</i>	3		<i>Note: To accommodate the entrenchment ratio, floodplain drainage structures may be utilized</i>	

* Note: Proposed Entrenchment Ratio must meet the minimum ratio for each stream type listed in **Figure 3**, otherwise the applicant must address the Alternative Design criteria listed in Env-Wt 904.09

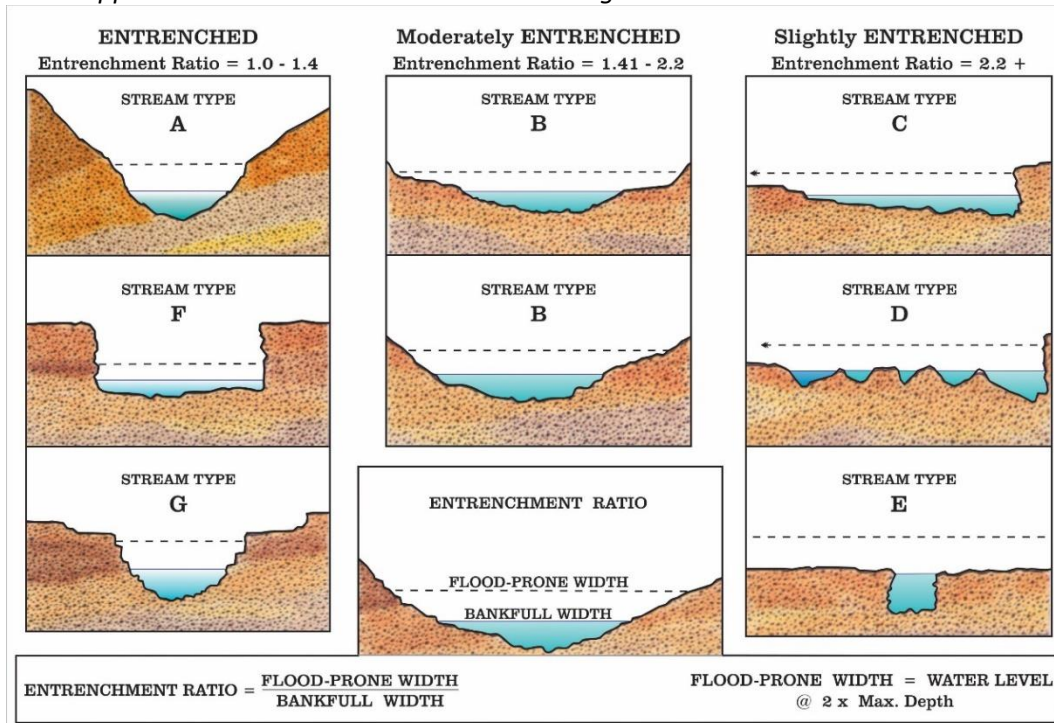


Figure 3. Reference from Applied River Morphology, Rosgen, 1996

lrm@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

11. Crossing Structure Hydraulics		
	Existing	Proposed
100 year flood stage elevation at inlet	N/A	_____
Flow velocity at outlet in feet per second (FPS)	N/A	_____
Calculated 100 year peak discharge (Q) for the <u>proposed</u> structure in CFS		_____
Calculated 50 year peak discharge (Q) for the <u>proposed</u> structure in CFS		_____

12. Crossing Structure Openness Ratio <i>For Tier 2 and Tier 3 Crossings Only</i>
<p>Crossing Structure Openness Ratio = N/A</p> <p><i>Openness box culvert = (height x width)/length</i></p> <p><i>Openness round culvert = (3.14 x radius²)/length</i></p>

13. General Design Considerations
Env-Wt 904.01 requires all stream crossings to be designed and constructed according to the following requirements. Check each box if the project meets these general design considerations.
<i>All stream crossings shall be designed and constructed so as to:</i>
<input checked="" type="checkbox"/> Not be a barrier to sediment transport.
<input checked="" type="checkbox"/> Prevent the restriction of high flows and maintain existing low flows.
<input checked="" type="checkbox"/> Not obstruct or otherwise substantially disrupt the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction.
<input checked="" type="checkbox"/> Not cause an increase in the frequency of flooding or overtopping of banks.
<input checked="" type="checkbox"/> Preserve watercourse connectivity where it currently exists.
<input checked="" type="checkbox"/> Restore watercourse connectivity where:
(1) Connectivity previously was disrupted as a result of human activity(ies); and
(2) Restoration of connectivity will benefit aquatic life upstream or downstream of the crossing, or both.
<input checked="" type="checkbox"/> Not cause erosion, aggradation, or scouring upstream or downstream of the crossing.
<input checked="" type="checkbox"/> Not cause water quality degradation.

14. Tier Specific Design Criteria
Stream crossings must be designed in accordance with the Tier specific design criteria listed in Part Env-Wt 904.
<input checked="" type="checkbox"/> The proposed project meets the Tier specific design criteria listed in Part Env-Wt 904 and each requirement has been addressed in the plans and as part of the wetland application.

15. Alternative Design
<p>NOTE: If the proposed crossing does not meet all of the general design considerations, the Tier specific design criteria, or the minimum entrenchment ratio for each given stream type listed in Figure 3, then an alternative design plan and associated requirements must be addressed pursuant to Env-Wt 904.09.</p> <p><input type="checkbox"/> I have submitted an alternative design and addressed each requirement listed in Env-Wt 904.09</p>

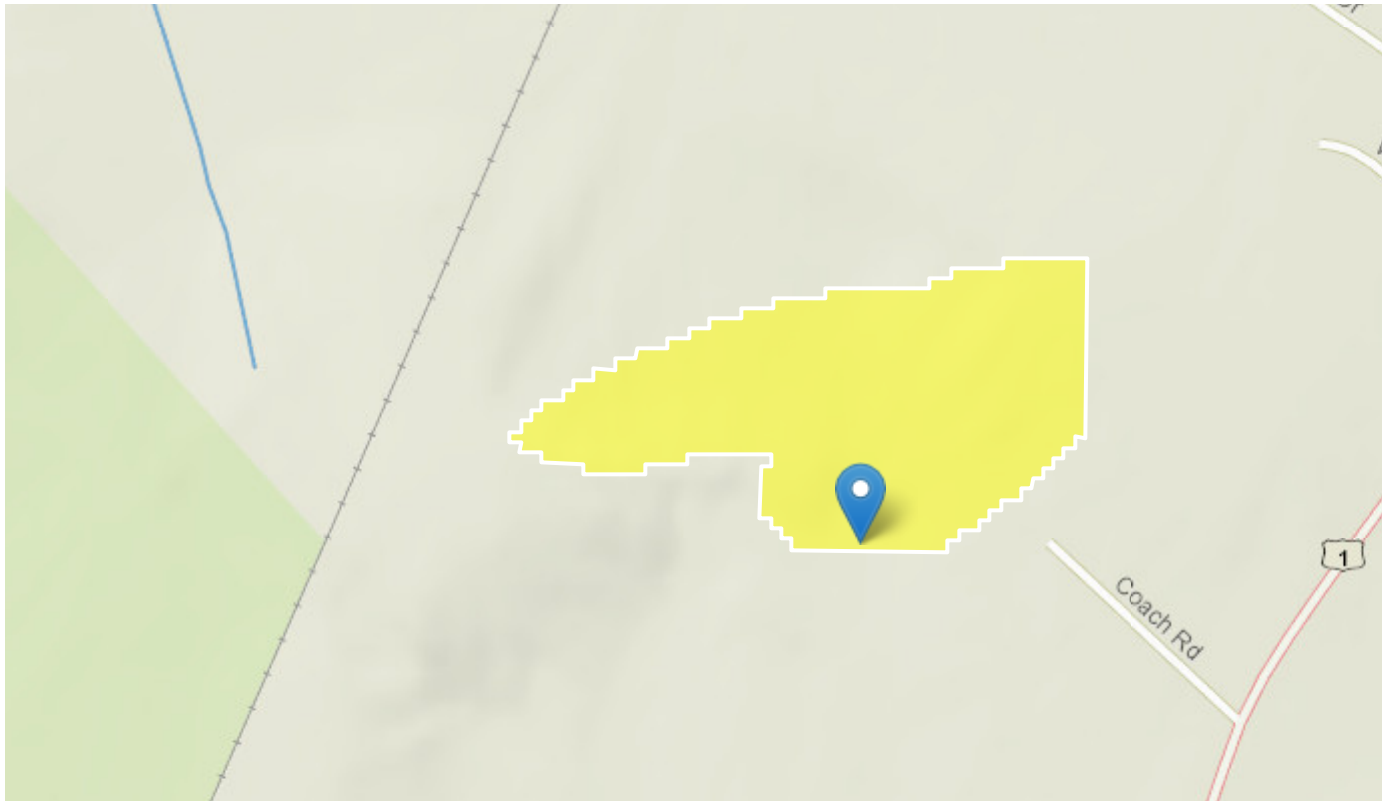
Rye Pump Station

Region ID: NH

Workspace ID: NH20200630205041814000

Clicked Point (Latitude, Longitude): 43.02071, -70.80422

Time: 2020-06-30 16:51:18 -0400



Area 3

Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
DRNAREA	Area that drains to a point on a stream	0.03	square miles
APRAVPRE	Mean April Precipitation	4.374	inches
WETLAND	Percentage of Wetlands	68.6131	percent
CSL10_85	Change in elevation divided by length between points 10 and 85 percent of distance along main channel to basin divide - main channel method not known	45	feet per mi

Peak-Flow Statistics Parameters^[Peak Flow Statewide SIR2008 5206]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	0.03	square miles	0.7	1290
APRAVPRE	Mean April Precipitation	4.374	inches	2.79	6.23
WETLAND	Percent Wetlands	68.6131	percent	0	21.8
CSL10_85	Stream Slope 10 and 85 Method	45	feet per mi	5.43	543

Peak-Flow Statistics Disclaimers^[Peak Flow Statewide SIR2008 5206]

One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors
 One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors
 One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors
 Estimates were extrapolated with unknown errors

Peak-Flow Statistics Flow Report^[Peak Flow Statewide SIR2008 5206]

Statistic	Value	Unit
2 Year Peak Flood	0.0376	ft ³ /s
5 Year Peak Flood	0.0743	ft ³ /s
10 Year Peak Flood	0.106	ft ³ /s
25 Year Peak Flood	0.153	ft ³ /s
50 Year Peak Flood	0.193	ft ³ /s
100 Year Peak Flood	0.243	ft ³ /s
500 Year Peak Flood	0.372	ft ³ /s

Peak-Flow Statistics Citations

Olson, S.A.,2009, Estimation of flood discharges at selected recurrence intervals for streams in New Hampshire: U.S.Geological Survey Scientific Investigations Report 2008-5206, 57 p. (<http://pubs.usgs.gov/sir/2008/5206/>)

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Application Version: 4.3.11

General Permit No: NAE-2016-02415

Final Effective Date: August 18, 2017

Applicant: General Public in NH

Expiration Date: August 18, 2022

**Department of the Army General Permits
for the State of New Hampshire**

The New England District of the U.S. Army Corps of Engineers (Corps) hereby issues these General Permits (GPs) that expedite the review of Minimal impact work in coastal and inland waters and wetlands within the State of New Hampshire. For activities regulated by the DES and within Corps jurisdiction, the Corps will regulate those activities according to the terms and conditions of these GPs to minimize duplication between New Hampshire's Regulatory Programs and the Corps Regulatory program. However, for activities not regulated by the state within Corps jurisdiction, the Corps may use these GPs to regulate the activities provided they meet the terms and conditions of these GPs.

The Corps will review activities according to the State of New Hampshire classification of SV (Minimum), PCN (Minor/Major) per the State of New Hampshire Wetland Rules Env-Wt 100 – 900. The Corps review thresholds are typically the same as the State's thresholds, but may differ. For example, the non-tidal wetland fill thresholds for a SV (Minimum) are <3,000 square feet (SF) (State and Corps), PCN (Minor) [$\geq 3,000$ to <20,000 SF (State and Corps)] and PCN (Major) [$\geq 20,000$ SF (State); $\geq 20,000$ SF to ≤ 3 acres (Corps)]. Minimal impact work which meets the exclusions and conditions found within these GPs eliminates the need to apply separately to the Corps for most minor, non-controversial work in New Hampshire when that work is authorized by the New Hampshire Department of Environmental Services (NHDES). Tidal fill thresholds for a SV (Minimum), [no new fill (State) < 100 SF (Corps)]; PCN (Minor/Major) [no new fill, per Env-WT 302.01(a) (State); fill area <1 acre (Corps)]. All applications utilizing more than 1 GP, please refer to General Condition 6.

I. GENERAL CRITERIA:

In order for activities to qualify for these GPs, they must meet the terms and eligibility criteria, General Conditions for all GPs, and one or more of the New Hampshire General Permits. Proponents should first review the New Hampshire General Permits to see if a project is eligible under one or more of the New Hampshire General permits within this document.

Discretionary Authority. Notwithstanding compliance with the terms and conditions of these permits, the Corps retains discretionary authority to require a PCN (Minor/Major) or Individual Permit review based on concerns for the aquatic environment or for any other factor of the public interest [33 CFR 320.4(a)].

Self-Verification (SV) (Minimum):

SV (Minimum) may proceed after receiving NHDES Wetlands Bureau authorization unless the applicant receives written notification from the Corps. An application to the State and the secondary impact information required in Appendix B (this is also attached to the State's application) is required for all projects, unless exempt from State regulation.

If you determine that your project is eligible as a SV (Minimum), you must then ensure your project is in full compliance with the terms and general conditions of the applicable GP's. If any of the terms or general conditions are not met, your project must be reviewed under the PCN (Minor/Major) procedures or Individual Permit procedures described within this document. These GPs do not replace or change

the activities exempt from Corps regulation or Corps Individual Permit review process.

Pre-Construction Notification (PCN) Required (Minor or Major):

PCN (Minor/Major) require written approval from the Corps. An application to and written authorization from the State is also required.

New Hampshire General Permits

1. Aids to navigation and temporary recreational structures
2. Repair or maintenance of existing currently serviceable, authorized or grandfathered structures/fills, removal of structures
3. Moorings
4. Pile-supported structures and floats, including boat lifts/hoists and other miscellaneous structures/work
5. Boat ramps/marine railways
6. Utility line activities
7. Dredging, transport & disposal of dredged material, beach nourishment, rock removal, and rock relocation
8. Discharges of dredged or fill material incidental to the construction of bridges
9. Shoreline and bank stabilization projects
10. Aquatic habitat restoration, establishment and enhancement activities
11. Fish and wildlife harvesting, enhancement and attraction devices and activities
12. Oil spill and hazardous material cleanup
13. Cleanup of hazardous and toxic waste
14. Scientific measurements devices
15. Survey activities
16. Aquaculture projects and fisheries
17. New/expanded residential, and commercial developments & recreational facilities
18. Energy generation, renewable energy and hydropower facilities
19. Mining activities
20. Temporary fill not associated with a project within Corps jurisdiction
21. Agricultural Activities
22. Repair or maintenance of existing currently serviceable, authorized or grandfathered dams
23. Wetland, Stream, River and Brook crossings

II. CORPS JURISDICTION/AUTHORITIES TO ISSUE PERMITS:

1. The following regulated activities require authorization under the Corps Regulatory Program:

(a) Work and structures that are located in, or that affect, navigable waters of the United States (U.S.) See[33 CFR 328] The Corps regulates these activities under section 10 of the Rivers and Harbors Act of 1899. See 33 CFR 322.

(b) The discharge of dredged or fill material into waters of the U.S. The Corps regulates these activities under Section 404 of the Clean Water Act). Discharges not requiring permits, states any discharge of dredged or fill material that may result from normal farming, silviculture and ranching activities is not prohibited by or otherwise subject to regulation under Section 404 (except as specified in paragraphs (b) and (c) of that section); [See 33 CFR 323.4].

(c) The transportation of dredged material for the purpose of disposal in the ocean. The Corps regulates these activities under Section 103 of the Marine Protection, Research and Sanctuaries Act. The term

“discharge of dredged or fill material” also includes certain discharges resulting from excavation.

For additional information on the limits of Corps jurisdiction please refer to this web address http://www.nae.usace.army.mil/Portals/74/docs/regulatory/JurisdictionalLimits/Jurisdictional_Limits_Brochure.pdf. Applicants should contact the Corps to determine if a particular excavation discharge occurring within waters or wetlands is a regulated activity.

2. Related Laws:

33CFR 320.3 includes a list of related laws including Section 401 of the CWA, Section 307C of the Coastal Zone Management Act of 1972, The National Historic Preservation Act of 1966, the Endangered Species Act, Section 7 (a) and the Wild and Scenic Rivers Act.

III. PROCEDURES:

1. State Approvals

a. In order for Corps GP authorizations to be valid, the following state Water Quality Certification (WQC) and the Coastal Zone Management Act (CZMA) Federal Consistency Concurrence approvals must be obtained prior to the commencement of work in Corps jurisdiction (see General Condition 1). Applicants are responsible for applying for and obtaining any of the other required State and or local approvals such as the NH Shoreland Water Quality Protection Act (SWOPA).

(i) Water Quality Certification (WQC) under Section 401 of the Federal Clean Water Act (CWA) (33 USC 1341). The CWA requires applicants to obtain a WQC or waiver from the state water pollution control agency (NHDES, Watershed Management Bureau) for any GP that may result in a discharge during construction or operation of the activity. State jurisdiction for impacts to wetlands extends back to 1967 for tidal waters and 1969 for non-tidal waters. An applicant proposing to impact historic fill areas should meet with NHDES prior to plan development to ensure that the wetland plan captures state regulated resources. The NHDES has granted WQC #2017-404P-001 for the activities in these GPs, provided that the permittee obtains all other applicable permits and approvals including the required state wetlands and Alteration of Terrain approvals and complies with the conditions in this document. Under condition E-3 of the WQC, GP activities shall be subject to NHDES review to determine if additional conditions are needed and if an individual 401 Certification application is necessary to ensure compliance with surface water quality standards.

(ii) Coastal Zone Management Act (CZMA) Federal Consistency Concurrence pursuant to Section 307 of the CZMA of 1972, as amended. The NHDES administers the NH Coastal Program (NHCP). The NHCP has determined that any project in the NH Coastal Zone that is authorized under the SV (Minimum), PCN (Minor/Major) categories of these GPs is consistent with the NHCP and does not require additional CZMA Federal consistency review. The landward boundary of the state’s coastal zone encompasses the jurisdictional borders of the 17 coastal municipalities subject to tidal influence. The seaward boundary of the state’s coastal zone extends three nautical miles offshore.

2. Corps Authorizations

The three GP review categories SV (Minimum), PCN (Minor/Major) are listed below. If the Corps determines a project will have more than minimal environmental impacts, or based on a concern for any other factor of the public interest [33 CFR 320.4(a)], the Corps retains discretionary authority on a case-by-case basis to elevate any SV (Minimum), PCN (Minor/Major) Impact eligible project as

an Individual Permit. In certain instances the Corps may use terms and conditions of this document to authorize those federally regulated activities which may not be regulated by the state of New Hampshire.

SELF-VERIFICATION (SV) (MINIMUM)

Eligibility

Activities in NH that:

1. Are subject to Corps jurisdiction [see General Condition (GC) 2];
2. Meet the general conditions of this document and any applicable GP;
3. Are listed under the heading SV (Minimum);
4. Meet the definitions of a State of New Hampshire SV (Minimum);
5. Qualifies for one or more of the New Hampshire General Permits within this document; and
6. Receive approval from the NHDES Wetlands Bureau and all other applicable Federal and State agencies, may proceed upon authorization from the NHDES Wetlands Bureau if they meet SV (Minimum) conditions unless notification is received from the Corps requiring further review or additional information.

Abbreviated Application Procedures for Self-Verification (SV) (Minimum)

Applicants must submit the information in Appendix B, which includes the Corps Secondary Impacts Checklist. For convenience, Appendix B is also attached to the NHDES Wetlands Bureau applications and Permit by Notification forms. The Corps will review this information for all projects to assess direct, indirect, secondary and cumulative impacts. The Corps will decide that the project:

- as proposed will have no more than minimal environmental impacts, which means the project may then proceed upon authorization from the NHDES Wetlands Bureau without waiting for Corps confirmation, or
- will receive a higher review level if there are concerns for the aquatic environment, any other factor of the public interest. If a higher level review is required, the Corps will notify the NHDES Wetlands Bureau. The Corps will later contact the applicant to notify them of their project status and request any additional information that may be required.

Work is eligible for a SV (Minimum) impact permit if a No Effect or No Adverse Effect determination has been made for that work by the Corps or another Federal action agency in its consultation with the New Hampshire Historic State Preservation Office (SHPO). Information on the location and existence of known historic resources can be obtained from the SHPO and the National Register of Historic Places. If the permittee, either prior to construction or during construction of the work authorized herein, encounters a previously unidentified archaeological or other cultural resource within the area subject to Corps jurisdiction which may be eligible for listing in the National Register of Historic Places, he/she shall stop work and immediately notify the Corps and the SHPO.

Project proponents seeking SV (Minimum) authorizations are not relieved of their obligation to comply with the General Conditions and other Federal laws such as the National Historic Preservation Act, the Endangered Species Act and the Wild and Scenic Rivers Act.

PRE-CONSTRUCTION NOTIFICATION (PCN) Required (MINOR AND MAJOR)

Eligibility

Activities in NH that:

1. Are subject to Corps jurisdiction,
2. Meet the general conditions of one or more of the GPs in this document;
3. Meet the definitions of a State of NH PCN (Minor/Major);
4. Meet the definition of SV (Minimum) but have been determined by the Corps to have concerns for the aquatic environment, any other factor of the public interest, or for any potential secondary impacts;
5. Receive approval from the NHDES Wetlands Bureau and all other applicable State agencies;
6. Receive all other required Federal and State approvals; and
7. Have been through the Corps review process;

PCN (Minor/Major). The applicant may proceed upon receipt of written authorization from the Corps. The Corps will notify the applicant within thirty (30) days from the NHDES Wetlands Bureau decision if:

- (a) their project is authorized under one or more of the GPs,
- (b) additional information is needed; or
- (c) an Individual Permit review is required.

Env-Wt 303 Classification of Projects specifies the classifications for SV (Minimum) and PCN (Minor/Major), which may be further modified by Env-Wt 903 Stream Crossings: Classifications and Applications. The NHDES Wetlands Bureau will classify a project once it has been found to be technically complete and will provide that classification to the proponent along with their NHDES Wetlands Bureau decision. For inland wetland fill projects, the NHDES Wetlands Bureau thresholds are $\geq 3,000$ to $< 20,000$ SF PCN (Minor) and $\geq 20,000$ SF PCN (Major). Additional criteria for stream crossings are found in Env-Wt 900. For certain NHDES thresholds projects are elevated to PCN (Major) which impact sensitive or special wetlands. For example, any impact to a bog or tidal wetland is classified as PCN (Major). Additionally, there are project exceptions for certain types of projects. For example, existing agriculture operations (up to 3 acres) may operate as a SV (Minimum) if certain conditions and BMPs are met.

IV. Application Procedures Pre-Construction Notification (PCN) (Minor and Major)

For projects qualifying as PCN (Minor/Major), the applicant will send the original State application package to the NHDES Wetlands Bureau. After the NHDES Wetlands Bureau assigns a State file number, the State will make the NHDES file available to the Corps. All applicants requiring a Corps authorization shall submit a Request for Project Review (RPR) Form to the NH SHPO at the NH Division of Historical Resources (DHR) to be reviewed for the presence of historic/archaeological resources within the proposed project area. When the Corps is the lead federal agency for Section 106 of the National Historic Preservation Act, 33CFR 325, Appendix C will be followed. As advisor to the federal agency in the historical review, the DHR will notify and consult with the Corps if there are historical resources which the project will affect within Corps permit areas.

The applicant must submit with their application to the NHDES Wetlands Bureau, a copy of their cover letter to and/or comments received from the SHPO concerning their project. Applicants must also provide the NHDES file number to the DHR for addition to the project information previously sent or which will be sent by the applicant to the DHR for their review. Any correspondence from the DHR to the applicant or their consultant shall be forwarded to the Corps with their state NHDES file number. The SHPO will notify the Corps if there are State concerns that the proposed work will have an effect on historic resources. The RPR submission to the DHR is not required by the Corps if the project is not within Corps jurisdiction or another Federal action agency has previously satisfied the consultation requirements of Section 106 of the National Historic Preservation Act.

Information Required:

See Appendix B (required information), which is also an addendum to the New Hampshire DES Wetland Bureau application. If a project is exempt from the State process then an application for work within Corps jurisdiction is to be sent directly to the Corps of Engineers for review and authorization.

V. Federal/State Review Procedures Pre-Construction Notification (PCN) (Minor and Major)

The Corps, Federal resource agencies [U.S. Fish and Wildlife Service (US FWS), U.S. Environmental Protection Agency (EPA), National Marine Fisheries Service (NMFS)] and the NHDES Wetlands Bureau will comprise the interagency review team. The Corps will review all applications for PCN (Minor/Major) with the review team at monthly interagency review meetings (“Joint Processing Meetings”) at the NHDES Wetlands Bureau. The Corps and the Federal resource agencies at the branch chief or equivalent level may agree on certain activities that do not require coordination at these meetings or may substitute a different review process. The Corps may determine on its own, or in consultation with the interagency review team, if applications for PCN (Minor/Major) work:

1. Are eligible under these GPs as proposed;
2. Require additional information;
3. Will require avoidance, minimization, construction sequencing, project modification, mitigation or other special conditions to avoid or minimize adverse environmental impacts and protect the aquatic environment to be eligible for authorization under these GPs;
4. Are ineligible under the terms and/or conditions of these GPs; or
5. Require Individual Permit review irrespective of whether the terms and general conditions of these GPs are met, based on concerns for the aquatic environment or any other factor of the public interest (see General Condition 4 (Discretionary Authority)).

PCN (Minor and Major). The applicant must wait for written authorization from the Corps. If an applicant for a PCN (Minor/Major) does not hear from the Corps within the thirty (30) day waiting period, the applicant should call the Corps (800) 343 4789 and inquire as to the status of their application. To proceed with a PCN (Minor/Major) without a Corps written authorization is a violation of these GPs, and the terms and conditions of this document. The applicant may be subjected to an enforcement action by the EPA and/or the Corps.

The Corps or the Federal resource agencies may, within ten (10) business days of the review meeting,

- 1) Request additional information;
- 2) Recommend avoidance, minimization, construction sequencing, modification, mitigation, or special conditions to avoid or minimize adverse environmental impacts associated with the aquatic environment and to ensure the terms and general conditions of one or more of these GPs are met.

The Corps will contact the applicant either by phone or in writing if there are concerns. For additional information requests, the Corps will copy the NHDES Wetlands Bureau administrator and assigned NHDES reviewer along with the Federal resource agency making the request. If the applicant is unable to resolve the concerns or modify the project, the Corps may determine that a project is ineligible under these GPs and will then take discretionary authority and require the applicant to apply for an individual permit. The Corps will do so in writing to the applicant and copy the NHDES Wetlands Bureau and the pertinent Federal resource agencies. A project may regain eligibility under one or more of these GPs if the applicant subsequently addresses all of the concerns raised to the Corps' satisfaction.

In accordance with regional environmental concerns, projects involving more than 1 acre of impacts may require an Individual Permit review. Projects with impacts >3 acres shall require an Individual Permit review. Generally, the following types of impacts are viewed as minimal and are eligible for GP authorization (subject to agency review and Corps approval) for projects impacting between 1 - 3 acres of wetlands:

1. Widening of transportation projects and expansions of existing projects.
2. Wetland edge encroachments and/or wetland crossings to access usable uplands
3. Low value or degraded wetlands, and
4. Temporary fills for construction access

VI. Emergency Procedures 33 CFR 325.2(e)(4): Pre-Construction Notification (PCN) (Minor/Major)

An "emergency" is a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures.

In accordance with Env-Wt 501, applicants may request, and NHDES may authorize, work within jurisdiction when there is a threat due to sudden, unexpected occurrences that could potentially result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process an application under standard procedures and the event causing the emergency occurred within the previous five days. Emergency work is subject to the same terms and conditions of these GPs as non-emergency work, and similarly, is subject to the terms and conditions of this document; otherwise an IP is required. Contact the state in the event of an emergency situation.

The work proponent shall submit a description of all work performed during an emergency, except for those projects classified SV (Minimum), in lieu of a permit application. Applications as required under Env-Wt 501 shall be submitted for any permanent repairs, restoration, or other activities proposed to be conducted after the emergency has ended. The Corps will review emergency work and confirm any

additional Federal authorizations or mitigation required during real-time review and/or through an after-the-fact permit process. Emergency authorizations shall be limited to stabilization of the site and/or mitigation of an immediate threat.

VII. Construction of Solid Fill Structures and Fills Along the Coastline or Baseline From Which the Territorial Sea is Measured. all are considered Pre-Construction Notification (PCN) (Major)

Projects with construction of solid fill structures or discharge of fill that may extend beyond the coastline or the baseline from which the territorial sea is measured (i.e., mean low water), must be coordinated with the Bureau of Ocean Energy Management (BOEM), Outer Continental Shelf (OCS) Survey Group, pursuant to the Submerged Lands Act (43 USC 1301-1315, 33 CFR 320.4(f)). The Corps will forward project information to BOEM for their review. The BOEM will coordinate their determination with the Department of the Interior (DOI) Solicitor's Office. The DOI will have fifteen (15) calendar days from the date BOEM received the project information to determine if the baseline will be affected. If the Corps is not notified within the fifteen (15) day period it will assume a "no effect" determination. If the solicitor's notification to the Corps is verbal, it must be followed with a written confirmation within ten (10) business days of the date of the verbal notification. This procedure will be eliminated if the State of New Hampshire provides a written waiver of interest in any increase in submerged lands caused by a change in the baseline resulting from solid fill structures or fills authorized under these GPs.

VIII. INDIVIDUAL PERMIT

Work that is in the Individual Permit category does not meet the terms and general conditions of these GPs. Proposed work in this category will require a separate Federal application for an Individual Permit from the Corps (33 CFR 325.1). Applicants are required to submit the appropriate application materials directly to the Corps as early as possible to expedite the permit review process. General information and application forms can be obtained at our web site or calling our office at (800) 343-4789. Individual 401 WQC and/or CZMA Federal consistency concurrence from the appropriate NH agencies are required before the Corps can issue an Individual Permit. Filing an Individual Permit application does not relieve the applicant from their obligation to obtain all required Federal, State and/or local approvals.

IX. GENERAL PERMIT CONDITIONS:

The following general conditions apply to all activities authorized under these GPs, including all SV (Minimum) & PCN (Minor/Major).

General Conditions

1. Other Permits.

Permittees must obtain other Federal, State, or local authorizations required by law. Applicants are responsible for applying for and obtaining all required State or local approvals. Work that is not regulated by the State, but is subject to Corps jurisdiction, may be eligible for these GPs.

2. Federal Jurisdictional Boundaries

a) Applicability of these GPs shall be evaluated with reference to Federal jurisdictional boundaries. Activities shall be evaluated with reference to “waters of the U.S.” under the Clean Water Act (33 CFR 328) and “navigable waters of the U.S.” under §10 of the Rivers and Harbors Act of 1899 (33 CFR 329). Applicants are responsible for ensuring that the boundaries used satisfy the Federal criteria defined at 33 CFR 328-329. These sections prescribe the policy, practice and procedures to be used in determining the extent of the Corps’ jurisdiction. (Note: Waters of the U.S. includes all waters pursuant to 33 CFR 328.3(a), and adjacent wetlands as that term is defined in 33 CFR 328.3(c).

b) Pre-Construction Notification (PCN) (Minor/Major) Applicants shall identify all aquatic resources on the project site. They are all presumed to be waters of the U.S. unless an approved jurisdictional determination has been obtained from the Corps that determines otherwise. Wetlands shall be delineated in accordance with the Corps of Engineers Wetlands Delineation Manual and the most recent Northcentral/Northeast Regional Supplement.

3. Mitigation (Avoidance, Minimization, and Compensatory Mitigation)

a) Activities must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States (U.S.) to the maximum extent practicable at the project site (i.e., on site). Consideration of mitigation (avoiding, minimizing, rectifying, reducing, or compensating) is required to the extent necessary to ensure that the adverse effects to the aquatic environment are no more than minimal.

b) Applicants should consider riparian/forested buffers for stormwater management and low impact development (LID) best management practices (BMPs) to reduce impervious cover and manage stormwater to minimize impacts to the maximum extent practicable.

c) Compensatory mitigation for effects to waters of the U.S., including direct, secondary and temporal, will generally be required for projects with permanent impacts that exceed the SV (Minimum) area limits, and may be required for temporary impacts that exceed the SV (Minimum) area limits, to offset unavoidable impacts which remain after all appropriate and practicable avoidance and minimization has been achieved and to ensure that the adverse effects to the aquatic environment are no more than minimal. Proactive restoration projects or temporary impact work with no secondary effects may generally be excluded from this requirement. The Corps New Hampshire In-Lieu Fee Program allows Corps permittees, as compensation for their project impacts to aquatic resources of the United States in New Hampshire pursuant to Section 404 of the Clean Water Act, to make monetary payment in-lieu of permittee-responsible mitigation. Mitigation will likely be required for fills >10,000 SF, stream work >200 linear FT, and other circumstances (see Env-Wt 302 and 800). Information is provided at <http://www.nae.usace.army.mil/Missions/Regulatory/Mitigation.aspx> >>Mitigation>>New Hampshire In-Lieu Fee Program. Please note that this only applies to Corps required mitigation.

4. Discretionary Authority

Notwithstanding compliance with the terms and general conditions in these GPs, the Corps retains discretionary authority to require either a PCN (Minor/Major) review or an Individual Permit review for any project, including a higher level review for a SV (Minimum), based on concerns for the aquatic environment or for any of the other public interest factors (33 CFR 320.4(a)). This authority is invoked on a case-by-case basis whenever the Corps determines that the potential impacts of the proposal warrant either a PCN (Minor/Major) review or an Individual Permit review based on the concerns stated above. This authority may be invoked for projects with cumulative environmental impacts that are more than minimal, or if there is a special resource or concern associated with a particular project that is not already covered by the remaining conditions of the GPs and that warrants greater review. Whenever the Corps notifies an applicant that either a PCN (Minor/Major) review or Individual Permit review is required, authorization under these GPs is void, and no work may be conducted until the Corps issues the required authorization or until the Corps notifies the applicant that further review has demonstrated that the work may proceed under these GPs.

5. Single and Complete Project.

The term “single and complete project” is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. These GPs shall not be used for piecemeal work and shall be applied to single and complete projects.

a) For non-linear projects, a single and complete project must have independent utility. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed, even if the other phases were not built, can be considered as separate single and complete projects with independent utility.

b) Unless the Corps determines the activity has independent utility, all components of a single project and/or all planned phases of a multi-phased project (e.g., subdivisions should include all work such as roads, utilities, and lot development) shall be treated together as constituting one single and complete project.

c) For linear projects such as power lines or pipelines with multiple crossings, a “single and complete project” is all crossings of a single water of the U.S. (i.e. single waterbody) at a specific location. For linear projects crossing a single waterbody several times at separate and distant locations, each crossing is considered a single and complete project. However, individual channels in a braided stream or river, or individual arms of a large, irregularly-shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately. If any crossing requires a PCN (Minor/Major) review or an individual permit review, then the entire linear project shall be reviewed as one project as a PCN (Minor/Major) or the Individual Permit procedures.

6. Projects requiring the use of multiple GPs.

When a single and complete project requires the use of multiple GPs, the project review category, SV (Minimum), PCN (Minor/Major) or Individual Permit will be determined by adding the impacts to wetland and/or Waters of the U.S. for each applicable GP together. The project review thresholds for each category SV (Minimum), PCN (Minor/Major), and Individual permit) are specified on page one in paragraph 2.

7. Permit/Authorization Letter On-Site.

For PCN (Minor/Major) projects, the permittee shall ensure that a copy of these GPs and the accompanying authorization letter are at the work site (and the project office) whenever work is being performed, and that all personnel with operational control of the site ensure that all appropriate personnel performing work are fully aware of its terms and conditions. The entire permit authorization shall be made a part of any and all contracts and sub-contracts for work that affects areas of Corps jurisdiction at the site of the work authorized by these GPs. This shall be achieved by including the entire permit authorization in the specifications for work. The term “entire permit authorization” means these GPs, including General Conditions and the authorization letter (including its drawings, plans, appendices and other attachments), and any permit modifications. If the authorization letter is issued after the construction specifications, but before receipt of bids or quotes, the entire permit authorization shall be included as an addendum to the specifications. If the authorization letter is issued after receipt of bids or quotes, the entire permit authorization shall be included in the contract or sub-contract as a change order. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions contained within the entire authorization letter, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps jurisdiction.

8. Historic Properties

a) No undertaking authorized by these GPs shall cause effects (defined at 33 CFR 325 Appendix C and 36 CFR 800) on properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unknown historic properties within the permit area, unless the Corps or another Federal action agency has satisfied the consultation requirements of Section 106 of the National Historic Preservation Act (NHPA). The State Historic Preservation Officer (SHPO), and the National Register of Historic Places can assist with locating information on:

i) previously identified historic properties; and

ii) areas with potential for the presence of historic resources, which may require identification and evaluation by qualified historic preservation and/or archaeological consultants in consultation with the Corps and the SHPO.

b) For activities eligible for SV (Minimum) inland projects, proponents must ensure and document that the activity will not cause effects as stated in 8(a).

c) Proponents must submit a PCN (Minor/Major) application to the Corps as soon as possible if the authorized activity may cause effects as stated in 8(a) to ensure that the Corps is aware of any potential effects of the permitted activity on any historic property that the consultation requirements of Section 106 of NHPA are satisfied.

d) All SV (Minimum) and PCN (Minor/Major) Impact inland projects shall:

i) show notification to the SHPO (including your NHDES file number) for their identification of historic properties,

ii) state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties, and

iii) include any available documentation from the SHPO indicating that there are or are not historic properties affected. Starting consultation early in project planning can save proponents time and money.

e) If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the District Engineer

of what you have found, and stop all construction activities that may affect the remains and artifacts until the required coordination has been completed. The District Engineer will initiate the Federal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

9. National Lands

Activities that impinge upon the value of any National Wildlife Refuge, National Forest, National Marine Sanctuary or any area administered by the National Park Service, USFWS or U.S. Forest Service are not eligible for SV (Minimum).

10. Corps Property and Federal Projects

- a) No SV (Minimum) work is allowed on Corps properties & Corps-controlled easements
- b) In addition to any authorization under one or more of these GPs, proponents must contact the Corps Real Estate Division at (978) 318-8585 for work occurring on or potentially affecting Corps properties and/or Corps-controlled easements to initiate reviews and determine what real estate instruments are necessary to perform work. Permittees may not commence work on Corps properties and/or Corps-controlled easements until they have received any required Corps real estate documents evidencing site-specific permission to work.
- c) Any proposed alteration, modification or use of a Federal project (including but not limited to a levee, dike, floodwall, channel, anchorage, breakwater, seawall, bulkhead, jetty, wharf, pier or other work built but not necessarily owned by the United States), which could impair the usefulness of the Federal project in any manner or be injurious to the public interest is not eligible for a SV (Minimum) review and requires review and approval by the Corps pursuant to 33 USC 408. Where Section 408 is applicable, a decision on a Department of the Army general permit application will not be rendered prior to the decision on a 408 request.

11. Essential Fish Habitat (EFH)

As part of the GP review process, the Corps will coordinate with the NMFS in accordance with the 1996 amendments to the Magnuson-Stevens Fishery Conservation and Management Act (MSA) to protect and conserve the habitat of marine, estuarine and anadromous finfish, mollusks, and crustaceans. This habitat is termed “Essential Fish Habitat,” (EFH) and is broadly defined to include “those waters and substrate necessary to fish for spawning, breeding, feeding and growth to maturity.” All species managed under the MSA have had EFH designations. There are 61 species with EFH in the coastal waters of southern New England. Applicants may be required to describe and identify potential impacts to EFH. Conservation recommendations regarding the protection of EFH for species managed under the MSA made by NMFS will normally be included as special conditions to any permit issued by the Corps. The NMFS has established a web site at www.greateratlantic.fisheries.noaa.gov/habitat .

12. Pile Driving and Removal (for all applicable GPs)

- a. Derelict, degraded or abandoned piles and sheet piles in navigable waters of the U.S., except for those inside existing work footprints for piers, must be completely removed, cut and/or driven to 3 feet below the substrate to prevent interference with navigation, and existing creosote piles that are affected by project activities shall be completely removed if practicable. In areas of fine-grained substrates, piles must be removed by the direct, vibratory or clamshell pull method to minimize sedimentation and turbidity impacts and prevent interference with navigation from cut piles. Removed piles shall be

disposed of in an upland location landward of MHW or OHW and not in wetlands, tidal wetlands, their substrate or mudflats.

- b.** A PCN is required for the installation of structures with jetting techniques.
- c.** A PCN is required for the installation of >12 inch-diameter piles or steel piles in tidal waters unless they are installed in the dry. If they are not installed in the dry, installation of these piles must use a soft start each day of pile driving, building up power slowly from a low energy start-up over a period of 20-40 minutes to provide adequate time for fish and marine mammals to leave the vicinity. The buildup of power should occur in uniform stages to provide a constant increase in output. Bubble curtains can be used to reduce sound pressure levels during vibratory or impact hammer pile driving. This is to protect endangered species.

13. Federal Threatened and Endangered Species.

a) No activity is authorized under any GP which: i) is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species; or ii) “may affect” a listed species or critical habitat, unless ESA section 7 consultation addressing the effects of the proposed activity has been completed; or iii) violates the ESA.

b) For listed species or critical habitat under USFWS jurisdiction, project proponents must check <http://ecos.fws.gov/ipac> and submit a PCN if any listed species or critical habitat may be impacted. An activity is eligible for SV if the IPaC website indicates that only the northern long-eared bat (NLEB) (*Myotis septentrionalis*) is present BUT the activity:

- i)** will not remove trees ≥ 3 inches dbh; and
- ii)** is not within the “buffer” of a NLEB hibernacula or maternity roost tree; and
- iii)** does not involve work on bridges or existing riprap associated with dams.

c) For listed species or habitat under NMFS jurisdiction, the Corps will coordinate with NMFS as appropriate for all work eligible for SV (Minimum) that may have an effect on listed species or habitat; therefore SV eligible (Minimum) project proponents are not required to check for listed species or habitat for their projects.

d) Federal applicants should follow their own procedures for complying with the requirements of the ESA. Work may be eligible for SV (Minimum) if another Federal agency has satisfied the requirements of Section 7 of the ESA. Upon request, permittees must provide the Corps with the appropriate documentation to demonstrate compliance with those requirements.

e) Verification under these GPs does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with “incidental take” provisions, etc.) from the USFWS or the NMFS, the ESA prohibits any person to take a listed species, where “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

14. Wild and Scenic Rivers

No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or Study River (e.g. National Park Service, U.S. Forest Service, Bureau of Land

Management, U. S. Fish and Wildlife Service).

National Wild and Scenic Rivers System segments for New Hampshire as of February 2007, include: Wildcat Brook from its headwaters (Little Wildcat Brook, Bog Brook and Great Brook) to the confluence with the Ellis River (administered through the White Mountain National Forest), and the Lamprey River from the Bunker Pond Dam in the town of Epping to the confluence with the Piscassic River (administered by the NPS, Northeast Region).

15. Navigation

- a)** No activity may cause more than a minimal adverse effect on navigation.
- b)** Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the U.S.
- c)** Any structure or work that extends closer to the horizontal limits of any Corps Federal Navigation Project than a distance of three times the project's authorized depth shall be subject to removal at the owner's expense prior to any future Corps dredging or the performance of periodic hydrographic surveys. This is applicable to SV (Minimum) and PCN (Minor/Major).
- d)** There shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein, and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein.
- e)** The permittee understands and agrees that if future U.S. operations require the removal, relocation, or other alteration of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.
- f)** An application to the Corps is required for all work in, over or under an FNP or its buffer zone unless otherwise indicated in Appendix A.

16. Federal Liability

In issuing these GPs, the Federal Government does not assume any liability for the following:

- a)** damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes;
- b)** damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the U.S. in the public interest;
- c)** damages to persons, property or to other permitted or unpermitted activities or structures caused by the activity authorized by any of the GPs;
- d)** design or construction deficiencies associated with the permitted work; and
- e)** damage claims associated with any future modification, suspension or revocation of this permit.

17. Heavy Equipment in Wetlands

- a.** Operating heavy equipment other than fixed equipment (drill rigs, fixed cranes, etc.) within wetlands shall be minimized, and such equipment shall not be stored, maintained or repaired in

wetlands, to the maximum extent practicable. Where construction requires heavy equipment operation in wetlands, the equipment shall: a) have low ground pressure (typically <4 psi); b) be placed on timber mats that are adequate to support the equipment in such a way as to minimize disturbance of wetland soil and vegetation; or c) be operated on frozen wetlands. Timber mats are to be placed in the wetland from the upland or from equipment positioned on swamp mats if working within a wetland. Other support structures that are capable of safely supporting equipment may be used with written Corps authorization. An adequate supply of spill containment equipment shall be maintained on site. At a minimum, timber mats should be managed in accordance with the following construction mat best management practices:

- Mats should be in good condition to ensure proper installation, use and removal.
 - Where feasible, mats should be carried and not dragged unless they are being used as a grading implement.
 - Where feasible, place mats in a location that would minimize the amount needed for the wetlands crossing.
 - To prevent the spread of invasive plant species swamp or timber mats are to be thoroughly cleaned before re-use
 - Minimize impacts to wetland areas during installation, use, and removal.
 - Install adequate erosion & sediment controls at approaches to mats to promote a smooth transition to, and minimize sediment tracking onto, swamp mats.
 - In most cases, timber mats should be placed along the travel area so that the individual boards are resting perpendicular to the direction of traffic. No gaps should exist between mats. Place mats far enough on either side of the resource area to rest on firm ground.
 - Provide standard construction mat BMP details to work crews.
- b.** Construction equipment such as barges in tidal waters shall provide clearance above the substrate to avoid impacts to SAS during all tides.

18. Temporary Fill

- a)** Temporary fill shall be in place for no longer than one growing season.
- b)** Temporary fill, construction mats and corduroy roads shall be entirely removed as soon as they are no longer needed to construct the authorized work. Temporary fill shall be replaced in its original location or disposed of at an upland site and suitably contained to prevent its subsequent erosion into waters of the U.S.
- c)** All temporary fill and disturbed soils shall be stabilized to prevent its eroding into waters of the U.S. where it is not authorized. Work shall include phased or staged development to ensure only areas under active development are exposed and to allow for stabilization practices as soon as practicable. Temporary fill must be placed in a manner that will prevent it from being eroded by expected high flows.
- d)** Unconfined temporary impact authorized for discharge into waters of the U.S. shall consist of material that minimizes impacts to water quality (e.g. washed stone, stone, etc.).
- e)** Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Materials shall be placed in a location and manner that does not adversely impact surface or subsurface water flow into or out of the wetland. Temporary fill authorized for discharge into wetlands shall be placed on geotextile fabric or other appropriate material laid on the pre-construction wetland grade where practicable to minimize impacts and to facilitate restoration to the original grade. Construction mats are excluded from this requirement. A PCN is required for

construction mats and corduroy roads that involve underlying fill.

f) Construction debris nor deteriorated materials shall not be located in waters of the U.S.

19. Restoration of Inland Wetland Areas

a) Upon completion of construction, all disturbed wetland areas (the disturbance of these areas must be authorized) shall be stabilized with a wetland seed mix containing only plant species native to New England and shall not contain any species listed in the “Invasive and Other Unacceptable Plant Species” Appendix D in the “New England District Compensatory Mitigation Guidance” found at <http://www.nae.usace.army.mil/Portals/74/docs/regulatory/Mitigation/CompensatoryMitigationGuidance.pdf>

b) The introduction or spread of invasive plant species in disturbed areas shall be controlled. If swamp or timber mats are to be used, they shall be thoroughly cleaned before re-use.

c) In areas of authorized temporary disturbance, if trees are cut they shall be cut at or above ground level and not uprooted in order to prevent disruption to the wetland soil structure and to allow stump sprouts to revegetate the work area, unless otherwise authorized.

d) Wetland areas where permanent disturbance is not authorized shall be restored to their original condition and elevation, which under no circumstances shall be higher than the pre-construction elevation. Original condition means careful protection and/or removal of existing soil and vegetation, and replacement back to the original location such that the original soil layering and vegetation schemes are approximately the same, unless otherwise authorized.

20. Soil Erosion and Sediment Controls

a. Appropriate soil erosion and sediment controls¹ (hereinafter referred to as “controls”) must be used and maintained in effective operating condition during construction. Biodegradable wildlife friendly erosion controls should be used whenever practicable. Activities in streams (rivers, streams, brooks, etc.) and tidal waters that are capable of producing sedimentation or turbidity should be done during periods of low-flow or no-flow, when the stream or tide is waterward of the work, or when controls are used to obtain dry work conditions. A PCN is required for an activity that causes greater than minimal sedimentation or turbidity in streams or tidal waters.

b. No dewatering shall occur with direct discharge to waters or wetlands. Excess water in isolated work areas shall be pumped or directed to a sedimentation basin, tank or other dewatering structures in an upland area adequately separated from waters or wetlands. Suspended solids shall be removed prior to discharge back into waters or wetlands from these dewatering structures. All discharge points back into waters and wetlands shall use appropriate energy dissipaters and erosion and sedimentation control BMPs.

c. Controls shall be removed upon completion of work, but not until all exposed soil and other fills, as well as any work waterward of OHW or the HTL, are permanently stabilized at the earliest practicable date. Sediment and debris collected by these devices shall be removed and placed at an upland location in a manner that will prevent its later erosion into a waterway or wetland. Controls may be left in place if they are biodegradable, and flows and aquatic life movements are not disrupted.

¹ Appropriate soil erosion, sediment and turbidity controls include cofferdams, bypass pumping around barriers immediately up and downstream of the work footprint (i.e., dam and pump), installation of sediment control barriers (i.e., silt fence, vegetated filter strips, geotextile silt fences, filter tubes, erosion control mixes, hay bales or other devices) downhill of all exposed areas, stream fords, retention of existing vegetated buffers, application of temporary mulching during construction, phased construction, and permanent seeding and stabilization, etc.

21. Bank Stabilization

Projects involving construction or reconstruction/maintenance of bank stabilization structures within Corps jurisdiction should be designed to minimize environmental effects, effects to neighboring properties, scour, etc. to the maximum extent practicable. Where possible, bank stabilization projects shall optimize the natural function of the shoreline, including self-sustaining stability to attenuate flood flows, fishery, wildlife habitat and water quality protection, while protecting upland infrastructure from storm events that can cause erosion as well as impacts to public and private property.

Applicants must use the least intrusive method to stabilize the bank, follow the details at Env-Wt 404 Criteria for Shoreline Stabilization and the following sequential minimization process: diversion of water, vegetative stabilization, stone-sloped surfaces, and walls. Vertical bulkheads should only be used in situations where reflected wave energy can be tolerated. This generally eliminates bodies of water where the reflected wave energy may interfere with or impact harbors, marinas, or other developed shore areas. A revetment is sloped and is typically employed to absorb the direct impact of waves more effectively than a vertical seawall. It typically has a less adverse effect on the beach in front of it, abutting properties and wildlife.

22. Waterway/Wetland Work and Crossings

- a) All temporary and permanent crossings of waterbodies and wetlands shall be suitably culverted, bridged, or otherwise designed to withstand and to prevent the restriction of high flows, to maintain existing low flows, and not obstruct the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction.
- b) Aquatic Life Movements. No activity may substantially disrupt the necessary life-cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water.
- c) All temporary and permanent crossings of rivers, streams, brooks, etc. (hereafter referred to as "streams") shall conform to the "New Hampshire Stream Crossing Guidelines" located at www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/New-Hampshire-General-Permits. The Corps shall review projects under the PCN (Minor/Major) Impact or IP review procedures if conforming to the Guidelines is impractical. The Guidelines typically require bridge spans, open bottom arches or embedded culverts. Bridge spans are generally preferred.
- d) The requirements to comply with the Guidelines in order to proceed as a SV (Minimum) as stated in (c) above does not apply to constructed drainage systems designed primarily for the conveyance of storm water or irrigation. Also, non-tidal drainage and irrigation ditches excavated on dry land are not Federally-regulated.
- e) Only maintenance or replacement of serviceable crossings with an exact replica crossing (no change in size, character and scope) in the same footprint with no expansion or change in use/circumstances is considered as a maintenance project. Maintenance meeting these criteria are exempt from Corps regulation. Any deviation deems the crossing as "new", potentially requiring a new Corps authorization. **Note:** The State of NH's maintenance provisions differ from the Corps and will likely require reporting and written authorization from the State.
- f) Road crossings at wetland and waterbody crossings shall be installed in such a manner as to preserve hydraulic capacity, sediment transport, and organism passage at its present level, between the wetlands on either side of the road. The permittee shall take necessary measures to correct any wetland damage resulting from deficiencies in hydraulic capacity, sediment transport and organism passage.
- g) Activities involving open trench excavation in flowing waters require a PCN (Minor/Major). Work should not occur in flowing waters (requires using management techniques such as temporary flume pipes, culverts, cofferdams, etc.). Normal flows should be maintained within the stream boundary's

confines when practicable. Projects utilizing these management techniques must meet the other SV (Minimum) requirements and all of the applicable GP terms and general conditions.

h) Construction equipment crossing or accessing streams without using temporary bridges, spans, timber mats, culverts or cofferdams are not eligible as a SV (Minimum). (Note: Areas of fill and/or cofferdams must be included in total waterway/wetlands impacts to determine applicability of these GPs.

i) Projects which meet the definition of a SV (Minimum), in-stream (e.g., rivers, streams, brooks, etc.) construction work shall be conducted only during the low flow period of July 15 – October 1 in any year. Projects conducted outside of that time period are ineligible as a SV (Minimum) and shall be reviewed pursuant to PCN (Minor/Major) procedures, regardless of the waterway and wetland fill and/or impact area.) Any work that impacts upstream or downstream flooding or wetlands must be reviewed under the PCN (Minor/Major) procedures.

23. Discharge of Pollutants

All activities involving any discharge into waters of the U.S. authorized under these GPs shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the CWA (33 U.S.C. 1251), and applicable state and local laws. If applicable water quality standards, limitations, etc., are revised or modified during the term of this permit, the authorized work shall be modified to conform with these standards within 6 months from the effective date of such revision or modification, or within a longer period of time deemed reasonable by the District Engineer in consultation with the Regional Administrator of the EPA. Unless monitoring data indicates otherwise, applicants may presume that their activity complies with state water quality standards provided they are in compliance with the Section 401 WQC (Applicable only to the Section 404 activity).

24. Spawning, Breeding, and Migratory Areas

a) Jurisdictional activities and impacts such as excavations, discharges of dredged or fill material, and/or suspended sediment producing activities in jurisdictional waters that provide value as fish migratory areas, fish and shellfish spawning or nursery areas, or amphibian and migratory bird breeding areas, during spawning or breeding seasons shall be avoided and minimized to the maximum extent practicable.

b) Jurisdictional activities in waters of the U.S. that provide value as breeding areas for migratory birds must be avoided to the maximum extent practicable. The permittee is responsible for obtaining any “take” permits required under the USFWS’s regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the USFWS to determine if such “take” permits are required for a particular activity. Information on spawning habitat for species managed under the Magnuson-Stevens Fishery Conservation and Management Act (i.e., EFH for spawning adults) can be obtained from the NMFS website at: www.greateratlantic.fisheries.noaa.gov/habitat

25. Storage of Seasonal Structures

Coastal structures such as pier sections, floats, etc., that are removed from the waterway for a portion of the year (often referred to as seasonal structures) shall be stored in an upland location. These seasonal structures may be stored on the fixed, pile-supported portion of the structure that is seaward of MHW. This is intended to prevent structures from being stored on the marsh substrate and the substrate seaward of MHW.

26. Environmental Functions and Values

The permittee shall make every reasonable effort to carry out the construction or operation of the work authorized herein in a manner that minimizes any adverse impacts on existing fish, wildlife, and the environmental functions to the extent practicable. The permittee will discourage the establishment or spread of plant species identified as non-native invasive species by any federal or state agency. See the section on Invasive Species at <http://www.nae.usace.army.mil/Regulatory/> for control methods.

27. Invasive Species

- a) The introduction, spread or the increased risk of invasion of invasive plant or animal species on the project site, into new or disturbed areas, or areas adjacent to the project site caused by the site work shall be avoided. Hence, swamp and timber mats shall be thoroughly cleaned before reuse.
- b) Unless otherwise directed by the Corps, all applications for PCN inland projects proposing fill in Corps jurisdiction shall include an Invasive Species Control Plan. Additional information can be found at www.hort.uconn.edu/cipwg/

28. Protection of Special Resources (Special Aquatic Sites, Areas Containing Shellfish, and Special Wetlands)

These are defined at Appendix C, Endnotes/Definitions. These waters (e.g., riffle and pool complexes) and wetlands are more valuable and may be more sensitive to fragmentation, non-point source runoff, and other secondary impacts. Secondary impacts (e.g., site clearing, grading, and construction activities) should be limited.

Special Aquatic Sites (SAS): New projects with temporary or permanent fill in, or secondary impacts to, SAS (other than inland wetlands) do not qualify for these GPs. General Permits exist for projects proposing a repair, maintenance, enhancement or restoration activity. For PCN (Minor/Major) projects, all SAS (other than inland wetlands) within the project area shall be delineated.

Areas containing Shellfish: Projects proposing to fill or dredge in NH Fish and Game designated areas used for recreation harvest (open or closed), whether directly or indirectly, do not qualify for authorization under these GPs and must be reviewed as an Individual Permit project. Applicants must ensure that all projects proposed in or adjacent to any areas containing shellfish identified on these maps are designed to avoid and minimize adverse effects. Maps of designated areas containing shellfish used for recreation harvest are located at:
www.nae.usace.army.mil/reg/NHFGRecreationHarvestShellfishBeds.pdf

New Hampshire Special Wetlands: Projects with temporary or permanent fill in, or secondary impacts to special wetlands, do not qualify as a SV (Minimum) except where an applicant has adopted NHB and/or Fish and Game recommendations to avoid impacts to the special wetland. For Minor/Major projects, the applicant shall delineate all wetlands on the property using Federal delineation methods. The Corps and the NHDES may waive these delineation requirements on a case-by-case basis after consultation with the each other. Naturally vegetated upland buffers are especially essential to protect their functions.

29. Vernal Pools

- a) On projects requiring a PCN, vernal pools must be identified on the plan showing aquatic resource delineations.
- b) A PCN is required if a discharge of dredged or fill material is proposed in a vernal pool located within Federal jurisdictional boundaries
- c) Adverse impacts to vernal pools, vernal pool envelopes, and critical terrestrial habitats should be avoided and minimized to the maximum extent practicable.
- d) GC 29(b) and (c) do not apply to projects that are within a municipality that meets the provisions of a Corps-approved VP Special Area Management Plan (VP SAMP) and are otherwise eligible for self-verification, and the applicant meets the requirements to utilize the VP SAMP.

30. Inspections

The permittee shall allow the Corps to make periodic inspections at any time deemed necessary in order to ensure that the work is being or has been performed in accordance with the terms and conditions of this permit. The Corps may also require post-construction engineering drawings for completed work, and post-dredging survey drawings for any dredging work.

31. Maintenance

The permittee shall maintain the activity authorized by these GPs in good condition and in conformance with the terms and conditions of this permit. This does not include maintenance of dredging projects. Maintenance dredging is subject to the review thresholds in Appendix A – General Permit #7 as well as any conditions included in a written Corps authorization. Maintenance dredging includes only those areas and depths previously authorized and dredged. Some maintenance activities may not be subject to federal regulation under Section 404 in accordance with 33 CFR 323.4(a) (2).

32. Property Rights

These GPs do not convey any property rights, either in real estate or material, or any exclusive privileges, nor do they authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations.

33. Transfer of GP Verifications

When the work authorized by these GPs is still in existence at the time the property is transferred, the terms and conditions of these GPs, including any special conditions, will continue to be binding on the entity or individual who received the GP authorizations, as well as the new owner(s) of the property. If the permittee sells the property associated with a General Permit authorization, the permittee may transfer the General Permit authorization to the new owner by submitting a letter to the Corps to validate the transfer. A copy of the General Permit authorization letter must be attached to the letter, and the letter must include the following statement: “The terms and conditions of this General Permit, including any special conditions, will continue to be binding on the new owner(s) of the property”. This letter should be signed by both the seller and new property owner(s).

34. Modification, Suspension, and Revocation

These GPs may be either modified, suspended, or revoked in whole or in part pursuant to the policies and procedures of 33 CFR 325.7. Any such action shall not be the basis for any claim for damages against the U.S.

35. Special Conditions

The Corps may impose other special conditions on a project authorized pursuant to these GPs that are determined necessary to minimize adverse navigational and/or environmental effects or based on any other factor of the public interest. Failure to comply with all general conditions of the authorization, including special conditions, constitutes a permit violation and may subject the permittee to criminal, civil, or administrative penalties or restoration.

36. False or Incomplete Information

If the Corps makes a determination regarding the eligibility of a project under these GPs and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the permittee, the GP authorization(s) may not be valid and the U.S. Government may institute legal proceedings.

37. Abandonment

If the permittee decides to abandon the activity authorized under these GPs, unless such abandonment is merely the transfer of property to a third party, he/she may be required to restore the area to the satisfaction of the Corps.

38. Enforcement cases

These GPs do not apply to any existing or proposed activity in Corps jurisdiction associated with a Corps or EPA enforcement action until such time as the enforcement action is resolved or the Corps or EPA as appropriate determines that the activity may proceed independently without compromising the enforcement action.

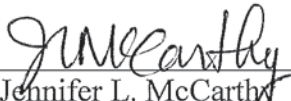
39. Duration of Authorization

These GPs expire five years from the date issued as listed at the top of the cover sheet. Activities authorized by these GPs that have either commenced (i.e., are under construction) or are under contract to commence in reliance upon this authorization will have an additional year from the expiration date to complete the work. The permittee must be able to document to the Corps' satisfaction that the project was under construction or under contract by the expiration date of these GPs. If work is not completed within the one year extended timeframe, the permittee must contact the Corps. The Corps may issue a new authorization provided the project meets the terms and conditions of the NH GPs in effect at the time.

Activities authorized under these GPs will remain authorized until the GPs expire, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.2(e)(2). Activities completed under the SV (Minimum) or PCN (Minor/Major) authorizations of these GPs will continue to be authorized after their expiration date.

40. Previously Authorized Activities

- a) Prior to issuance of these GPs, activities the Corps authorized and constructed under any previous NH GP shall remain authorized as specified in each authorization.
- b) Activities authorized pursuant to 33 CFR 330.3 (activities occurring before certain dates) are not affected by these GPs.



Jennifer L. McCarthy
Chief, Regulatory Division

Date: 8/18/2017

X. NH GP CONTACTS:

1. FEDERAL AGENCIES

U.S. Army Corps of Engineers
New England District, Regulatory Branch C
696 Virginia Road
Concord, MA 01742-2751
(800) 343-4789, (978) 318-8335 (978) 318-8303 (fax)

U.S. Environmental Protection Agency
Region 1, Attn Mark Kern
5 Post Office Square
Mail Code OEP06-3
Boston, MA 02109-3912
(617) 918-1589

(Federal Endangered Species)
U.S. Fish and Wildlife Service
70 Commercial Street
Suite 300
Concord, NH 02813
(603) 223-2541

National Park Service National Park Service North Atlantic Region
15 State Street
Boston, Massachusetts 02109
(617) 223-5191

National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
Habitat Conservation Division
55 Great Republic Drive
Gloucester, MA 01930
(978) 281-9102 or 9130
(NMFS ESA Federal Contact Zachary Jylkka & EFH contact Mike Johnson)

NOAA Restoration Center
55 Great Republic Drive
Gloucester, Massachusetts 01930
(978) 281 9313

Natural Resources Conservation Service
Federal Building
2 Madbury Road
Durham, NH 03824-2043
(603) 868-7581

2. STATE OF NEW HAMPSHIRE

NHDES Wetlands Bureau
29 Hazen Drive
Concord, NH 03302
(603) 271-2147, (603) 271-6588 (fax)

NHDES Dam Bureau
29 Hazen Drive
Concord, NH 03302
(603) 271-3406, (603) 271-6120 (fax)

New Hampshire Coastal Program
222 International Drive, Suite 175
Portsmouth, NH 03801
(603) 559-1500, (603) 559-1510 (fax)

NH Division of Historical Resources
State Historic Preservation Office
19 Pillsbury Street Concord, NH 03301-3570
(603) 271-3483

Natural Heritage Bureau (State Endangered Species)
172 Pembroke Road
P.O. Box 1856
Concord, NH 03302
(603) 271-2215, x323

NH Fish and Game Department (State Endangered Species)
Non-Game Endangered Wildlife Program
11 Hazen Drive
Concord, NH 03302-0095
(603) 271-3421

Pease Development Authority, Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801
(603) 436-8500

3. ORGANIZATIONAL WEBSITES

Corps of Engineers New England District <http://www.nae.usace.army.mil/Regulatory> and

http://www.nae.usace.army.mil/Portals/74/docs/regulatory/JurisdictionalLimits/Jurisdictional_Limits_Brochure.pdf

SAV survey guidance:

http://www.nae.usace.army.mil/Portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance.pdf

Environmental Protection Agency www.epa.gov/owow/wetlands

National Marine Fisheries Service, Northeast Region www.greateratlantic.fisheries.noaa.gov/habitat

National Marine Fisheries Service, National Headquarters <http://www.habitat.noaa.gov/index.html>

U.S. Fish and Wildlife Service www.fws.gov

National Park Service www.nps.gov/rivers/index.html

NH DES Wetlands Bureau www.des.nh.gov/organization/divisions/water/wetlands/index.htm

NH wetlands rules www.des.nh.gov/organization/commissioner/legal/rules/index.htm#wetlands

NH Fish and Game Department www.wildlife.state.nh.us

Marine www.wildlife.state.nh.us/marine

NH Coastal Program <http://des.nh.gov/organization/divisions/water/wmb/coastal/index.htm>

NH Division of Historical Resources www.nh.gov/nhdhr

NH GIS www.granit.unh.edu

NH Water Quality Certification Program

<http://des.nh.gov/organization/divisions/water/wmb/section401/index.htm>

Granit website: <http://www.granit.unh.edu/> (Has more than eelgrass- salt marsh, shellfish, etc.).

NMFS Habitat Conservation Division website (EFH):

<http://www.greateratlantic.fisheries.noaa.gov/habitat/index.html>

Natural Heritage Bureau (NHB) website, <http://www.nhdf.org/natural-heritage-and-habitats/> &

NHB DataCheck Tool (for acquiring rare species information):

https://www2.des.state.nh.us/nhb_datacheck/

Pease Development Authority, Division of Ports and Harbors, <http://www.portofnh.org>

APPENDIX A – GENERAL PERMITS

<p>GP 1. AIDS TO NAVIGATION AND TEMPORARY RECREATIONAL STRUCTURES (Section 10; tidal and navigable waters of the U.S.) The placement of aids to navigation and regulatory markers which are approved by and installed in accordance with the requirements of the U.S. Coast Guard (see 33 CFR, chapter I, subchapter C, part 66).</p> <p>Note: Federal navigation projects (FNPs) are comprised of Federal channels, anchorages, and turning basins</p>	
<p>Self-Verification (SV) (Minimum)</p> <ol style="list-style-type: none"> 1. Temporary buoys, markers, floats, etc. for recreational use during specific events, provided: <ul style="list-style-type: none"> • They are in place for no more than 30 days and are removed within 15 days after use is discontinued; and • Moorings, buoys, and floats located over SAS (e.g., vegetated shallows) must use proper/eco-friendly connections that don't rest on the bottom; and • Float stops, cable connections, or other devices must be used to provide ≥ 2.0 foot clearance between the bottom of the float and the substrate during all tides. • Not located within Federal Navigation Projects and their associated buffer zones 2. Structures, buoys, floats and other devices placed within anchorage or fleeting areas to facilitate moorage of vessels where such areas have been established for that purpose by the U.S. Coast Guard, provided placement is outside of EFH, SAS (e.g, vegetated shallows), or areas containing shellfish. If placement outside of vegetated shallows isn't possible, proper/eco-friendly moorings must be used so cable connections don't rest on the bottom; and 3. For 1 and 2 above to be SV Eligible, authorization by the local harbormaster and/or the Pease Development Authority, Division of Ports and Harbors, (http://www.portofnh.org) is required. 	<p>Pre-Construction Notification (PCN) Required (Minor/Major)</p> <p>Work not eligible for SV (Minimum)</p> <p>Aids to navigation or temporary markers, floats, etc. that are not to be removed within 30 days</p> <p>Aids to navigation or temporary markers, floats, structures, etc. that are within a Corps FNP.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance_(11-Aug-2016).pdf</p>

GP 2. REPAIR OR MAINTENANCE OF EXISTING CURRENTLY SERVICEABLE, AUTHORIZED OR GRANDFATHERED STRUCTURES/FILLS, REMOVAL OF STRUCTURES (Section 10 & 404; tidal and non-tidal waters of the U.S.) Repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure, or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. Includes removal of structures and fill.

Not authorized under GP 2: (a) Permanent loss in tidal waters >1 acre; or (b) ≥3 acres in non-tidal waters and/or wetlands.

Note: (1) Some maintenance activities may not be subject to regulation under Section 404 in accordance with 33 CFR 323.4(a)(2), (2) Grandfathered dates for Corps purposes only: a) Work performed and structures installed before 1968 (Section 10); b) Fill placed before 1975 (section 404), and (3) The State’s maintenance provisions differ from the Corps and may require written authorization from the State, even though it’s not required from the Corps. For example, the state does not grandfather wetland fill. The state also defines “abandoned” and “grandfathered status”, while the Corps does not.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor / Major)
<p>Tidal Waters (Sections 10 & 404)</p> <p>Repair, replacement in-kind, or maintenance of existing, currently serviceable, authorized structures or fills:</p> <ul style="list-style-type: none"> • Conditions of the original authorization apply. • No substantial expansion or change in use. • Must be rebuilt in same footprint, however minor deviations in structure design allowed • The repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events is authorized, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. • No new fill in tidal waters. • No new piles in tidal waters <p>Non-Tidal Waters (Sections 10 & 404)</p> <p>Repair/maintenance of existing, currently serviceable, authorized fills, including maintenance of existing flood control facilities, with an expansion or a change in use <3000 SF.</p> <p>Replacement of non-serviceable authorized fills <3000 SF</p> <ul style="list-style-type: none"> • Conditions of the original authorization apply <p>Timber mats of any area necessary to conduct activities for maintenance work provided that they are removed as soon as work is completed and shall be in place no longer than one growing season.</p>	<p>Work not eligible for SV (Minimum)</p> <p>Tidal Waters (Sections 10 & 404)</p> <p>Repair/maintenance of currently serviceable authorized fills with expansion or a change in use ≤1 acre.</p> <p>Replacement of non-serviceable authorized fills, including expansion or a change in use ≤1 acre.</p> <p>Repair/maintenance of currently serviceable authorized structures w/expansion where the structure (existing + expansion) qualifies as a Minor/Major Impact.</p> <p>Replacement of non-serviceable authorized structures w/expansion where the structure (existing + expansion) qualifies as a Minor/Major Impact.</p> <p>Timber mats ≤1 acre necessary to conduct activities for maintenance work. Mats should be removed as soon as work is completed.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance(11-Aug-2016).pdf</p> <p>Non-Tidal Waters (Sections 10 & 404)</p> <p>Repair/maintenance of existing, currently- serviceable, authorized fills, with an expansion or a change in use ≥3000 SF and ≤3 acres.</p> <p>Replacement of non-serviceable authorized fills ≥3000 SF and ≤3 acres.</p> <p>Timber mats of any area necessary to conduct activities for maintenance work provided that they are removed as soon as work is completed</p> <p>Note: All special wetlands on the property using Federal delineation methods shall be delineated. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES.</p>

GP 3. MOORINGS (Section 10; navigable waters of the U.S.) Private, non-commercial, non-rental, single-boat moorings & temporary moorings or moorings to facilitate construction or dredging; minor relocation of previously authorized moorings and mooring field expansions, boundary reconfigurations or modifications of previously authorized mooring fields and maintenance and replacement of moorings.

Not authorized under GP 3: Moorings within Federal navigation channel.

Note: (a) The buffer zone is equal to 3 times the authorized depth of that Federal channel and Federal anchorage.
 (b) Boating facilities provide for a fee, rent, or sell mooring space. These facilities include but are not limited to marinas, yacht clubs, boat clubs, boat yards, town facilities, dockominiums

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p>Private, non-commercial, non-rental, single-boat moorings and temporary moorings to facilitate construction or dredging, provided:</p> <ul style="list-style-type: none"> • Proper/eco-friendly moorings are used so connections do not rest on the bottom during any tide. • Private moorings authorized by the local harbormaster and/or the Pease Development Authority, Division of Ports and Harbors (www.portofnh.org). • Not associated with a boating facility. • Moorings not located within Federal Navigation Projects and their associated buffer zones. • No interference with navigation. • No new or relocated moorings in SAS (e.g., vegetated shallows) or intertidal areas. 	<p>Work not eligible for SV (Minimum)</p> <p>Moorings located such that they and/or vessels docked or moored at them, are within the buffer zone of the horizontal limits of a Federal channel or Federal anchorage require a written authorization from the Corps.</p> <p>Moorings associated with an existing boating facility.</p> <p>Moorings to be located within Federal Anchorage Projects and their associated buffer zones</p> <p>Private moorings without local harbormaster and/or Pease Development Authority, Division of Ports and Harbors (www.portofnh.org), approval</p> <p>Locating new individual moorings in SAS (e.g., vegetated shallows) should be avoided to the maximum extent practicable. If SAS cannot be avoided, plans should show elastic mooring systems that prevent mooring cable connections from resting or dragging on the bottom substrate at all tides or helical anchors, or equivalent SAS protection systems, where practicable.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance(11-Aug-2016).pdf</p>

GP 4. PILE-SUPPORTED STRUCTURES AND FLOATS, INCLUDING BOAT LIFTS/HOISTS AND OTHER MISCELLANEOUS STRUCTURES AND WORK (Section 10 & 404; navigable waters of the U.S.) New, expansions, reconfigurations or modifications of structures for navigation access including floats and boat/float lifts.

Not authorized under GP 4: (a) excavation projects; (b) structures within Federal navigation channels or Federal anchorages; (c) structures associated with a NEW boating facility; or (d) permanent and temporary loss to tidal SAS and areas containing shellfish.

Notes: (1) Boating facilities are facilities that provide for a fee, rent, or sell mooring space, such as marinas, yacht clubs, boat clubs, boat yards, town facilities, dockominiums, etc. (2) Pile supported structures with no discharges of dredged or fill material are not regulated by the Corps in non-navigable waters. (3) DES measures all structures attached to shore starting at the highest observed tide line (HOTL).

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p>Tidal and Non-Tidal Navigable Waters (Section 10)</p> <p>No allowances for new pile-supported structures and floats or fill.</p> <p>Reconfiguring previously authorized structures within an existing boating facility provided those structures do not extend beyond the existing perimeter of the facility.</p>	<p>Work not eligible for SV (Minimum)</p> <p>Tidal and Non-Tidal Navigable Waters (Section 10 & 404)</p> <p>New pile supported structures.</p> <p>Recommendations for new private structures and floats:</p> <ul style="list-style-type: none"> • Maximum overall length of a pier, ramp and float is not to exceed 200 linear feet • Pile-supported structures for navigational access to the waterway <900 SF with attached floats <400 SF. • Pile-supported structures are <6’ wide and have at least a 1:1 height: width ratio. • Float stops, chains, or other devices must be used to provide ≥ 2.0-foot clearance between the bottom of the float and the substrate during all tides. • Pile-supported structures & floats are not located within 25’ of vegetated shallows and moored vessels are not positioned over SAS. • No structure extends across >25% of the waterway width at mean low water (MLW). • Not located within the buffer zone of the horizontal limits of a Federal navigation project. • Free floating (not attached to shore) bottom-anchored floats <400 SF <p>Fill <400 SF waterward of the ordinary high water line (OHW) or high tide line (HTL) facilitating the construction of structures.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged Aquatic Vegetation Survey Guidance (11-Aug-2016).pdf</p>

GP 5. BOAT RAMPS AND MARINE RAILWAYS (Sections 10 & 404; tidal and non-tidal waters of the U.S.)

Activities required for the construction of boat ramps and marine railways, including excavation and fill.

Not authorized under GP 5: (a) Permanent and temporary fill >3 acres of non-tidal waters and/or wetlands; (b) permanent and temporary loss > 1 acre in tidal waters, (c) permanent and temporary loss to tidal SAS and areas containing shellfish; (d) dredging in navigable waters of the U.S.

Self-Verification (SV) (Minimum)

Pre-Construction Notification (PCN) Required (Minor/Major)

Tidal Waters (Section 10 & 404)

No new or previously unauthorized fills.

Non-Tidal Waters (Sections 10 & 404)

<3,000 SF of waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented).

Timber mats of any area to conduct activities provided that they are removed as soon as work is completed and shall be in place no longer than one growing season.

This category excludes:

- Dams, dikes, or activities involving water diversions.
- Work in EFH waters
- Work in special aquatic sites (SAS) and special wetlands.
- Work on Corps properties & Corps-controlled easements.

Work not eligible for SV (Minimum)

Tidal Waters (Section 10)

Fill area ≤ 1 acre waterway fill and secondary waterway impacts (e.g., areas drained, flooded, cleared, or fragmented). Excludes work in SAS and areas containing shellfish.

Timber mats ≤ 1 acre necessary to conduct activities provided that they are removed as soon as work is completed.

Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at:

[http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisditionalLimits/SubmergedAquaticVegetationSurveyGuidance\(11-Aug-2016\).pdf](http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisditionalLimits/SubmergedAquaticVegetationSurveyGuidance(11-Aug-2016).pdf)

Non-Tidal Waters (Section 404)

Fill area $\geq 3,000$ SF to ≤ 3 acres waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented).

GP 6. UTILITY LINE ACTIVITIES (Sections 10 & 404; tidal and non-tidal waters of the U.S.)

Activities required for: (a) The construction, maintenance, relocation, repair, & removal of utility lines, including outfall and intake structures, and the associated excavation, backfill, or bedding for utility lines. This GP includes but is not limited to utility lines such as electric, water, oil, sewer, gas or cable; (b) The construction, maintenance or expansion of utility line substation and other appurtenant facilities associated with an electric line, gas line or other utility line in non-tidal waters; and (c) The construction and maintenance of foundations for overhead utility line towers, poles, and anchors provided the foundations are the minimum size necessary and separate footings for each tower leg (rather than a larger single pad) are used where practicable, considering system reliability and other factors. This GP includes, but is not limited to, utility lines such as: electric, water, oil, sewer, gas or cable. Activities including excavation, bedding and backfill, outfall and intake structures, and associated facilities within Corps jurisdiction. This GP authorizes the construction of access roads to facilitate construction of the above activities provided the activity, in combination with all other activities are included in one single and complete project, does not cause the permanent loss ≥ 3 acres of non-tidal waters of the U.S. Impacts resulting from mechanized pushing, dragging or other similar activities that redeposit excavated soil material shall be figured into the area limit determination.

Not authorized under GP 6: (a) Permanent and temporary loss >3 acres of non-tidal waters and/or wetlands, (b) permanent and temporary loss >1 acre in tidal waters; or (c) blasting or storage of equipment in wetlands (d) new utility line construction requiring a permanent or temporary loss to tidal SAS and areas containing shellfish. (e) No storage of equipment in wetlands.

Note: The Best Management Practices Manual for Utility Maintenance in and Adjacent to Wetlands and Waterbodies in New Hampshire (DRED) is to be followed for any utility project

<http://www.nhdf.org/library/pdf/Publications/DESUtilityBMPprev3.pdf>

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p>Tidal and Non-Tidal Navigable Waters (Section 10 & 404)</p> <p>No fill in tidal or navigable waters.</p> <p>Non-Tidal, Non-Navigable Waters (Section 404)</p> <p>$< 3,000$ SF of waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented).</p> <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed and shall be in place no longer than one growing season..</p> <p>This category excludes:</p> <ul style="list-style-type: none"> • Dams, dikes, or activities involving water diversions. • Work in EFH waters • Work in special aquatic sites (SAS) other than wetlands, and work in special wetlands. • Work on Corps properties & Corps-controlled easements. 	<p>Work not eligible for SV (Minimum).</p> <p>Tidal and Non-Tidal Navigable Waters (Section 10 & 404)</p> <p>Fill in tidal or navigable waters</p> <p>Timber mats ≤ 1 acre necessary to conduct activities. Mats should be removed as soon as work is completed.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged Aquatic Vegetation Survey Guidance(11-Aug-2016).pdf</p> <p>Non-Tidal, Non-Navigable Waters (Section 404)</p> <p>Installation of new, permanent culvert crossings of perennial streams.</p> <p>$3,000$ SF to ≤ 3 acres waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented).</p> <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed.</p> <p>Note: All special wetlands on the property shall be delineated using Federal delineation methods. The Corps may waive this requirement on a case-by-case basis after consultation with NHDES.</p>

GP 7. DREDGING (Section 10; navigable waters of the U.S.), TRANSPORT & DISPOSAL OF DREDGED MATERIAL (Sections 10, 404 & 103; tidal waters of the U.S.), BEACH NOURISHMENT (Sections 10 & 404; tidal and non-tidal waters of the U.S.), ROCK REMOVAL (Section 10, navigable waters of the U.S.), and ROCK RELOCATION (Sections 10 & 404; tidal and non-tidal waters of the U.S) New dredging and maintenance dredging, including: a) Disposal of dredged material at a confined aquatic disposal, beach nourishment, near shore, designated open water or ocean water disposal site, provided the Corps finds the dredged material to be suitable for such disposal; (b) Beach nourishment not associated with dredging; (c) Rock removal and relocation for navigation.

Not authorized under GP 7: (a) new dredging where the primary purpose is sand mining for beach nourishment; (b) Beach scraping; (c) Rock removal and relocation for navigation >1/2 acre; (d) blasting; or (e) permanent and temporary loss to tidal SAS and areas containing shellfish.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p>Tidal and Non-Tidal Navigable Waters (Sections 10 & 404)</p> <p>No tidal dredging except for maintenance of intakes/outfalls by divers with suction equipment.</p> <p>Provided:</p> <ul style="list-style-type: none"> • Dredging between Nov 15-Mar 15. • No impacts to SAS or areas containing shellfish. • Upland disposal. <p>For non-tidal Federally-designated navigable waters, maintenance dredging of any area < 3,000 SF. Includes return water from upland contained disposal area.</p> <p>Non-Tidal Waters (Section 404)</p> <p>Boulder relocation impacting <3,000 SF within lakes and ponds</p>	<p>Work not eligible for SV (Minimum)</p> <p>Tidal and Non-Tidal Navigable Waters (Sections 10, 103 & 404)</p> <p>For tidal waters, maintenance dredging and new dredging ≤20,000 SF (may be mechanical or hydraulic dredging).</p> <p>Provided:</p> <ul style="list-style-type: none"> • Dredging & disposal operation limited to Nov 15-Mar 15. • No impacts to SAS or areas containing shellfish. • Disposal includes: <ol style="list-style-type: none"> 1. upland disposal; 2. near shore disposal or beach nourishment of any size provided the primary purpose of the dredging is navigation; or 3. open water & confined aquatic disposal cells (CAD cells), if Corps, in consultation with Federal and State agencies, finds the material suitable. <p>For non-tidal Federally-designated navigable waters, maintenance dredging of any area ≥3,000 SF or new dredging of any area. Includes return water from upland contained disposal area.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance(11-Aug-2016).pdf</p> <p>Note: The Corps may waive or adjust the time of year requirement on a case-by-case basis after consultation with the NHDES and NH Fish & Game.</p>

GP 8. DISCHARGES OF DREDGED OR FILL MATERIAL INCIDENTAL TO THE CONSTRUCTION OF BRIDGES (Sections 10 & 404; tidal and non-tidal waters of the U.S.) Discharges of dredged or fill material incidental to the construction and modification of bridges across navigable waters of the U.S., including cofferdams abutments, foundation seals, piers, approach fills, and temporary construction and access fills. Provided the USCG authorizes the construction of the bridge structure under Section 9 of the Rivers and Harbors Act of 1899 or other applicable laws in tidal Section 10 and 404 navigable waters. A USCG Authorization Act Exemption or a STURRA (144h) exemption do not constitute USCG authorization.

Not authorized under GP 8 are: (a) permanent and temporary loss >1 acre in tidal waters, and (b) permanent and temporary fill in tidal SAS and areas containing shellfish for new construction, and (c) permanent and temporary loss ≥3 acres in non-tidal waters.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor / Major)
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Tidal & Navigable Waters (Section 10 & 404)

No work in tidal wetlands and waters

Non-Tidal Waters (Section 404)

<3,000 SF of waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented)

Stream crossings conform with the NH Stream Crossing Guidelines and this document’s general conditions.

- In-stream work limited to Jul 15-Oct 1.
- Culverts at waterbody crossings preserve hydraulic capacity, at its present level, between the wetlands on either side of the road.

Excludes:

- Open trench excavation in flowing waters.
- Work in SAS, EFH waters and special wetlands.
- Work on Corps properties & Corps-controlled
- Easements
- Causeways and approach fills

Note: Construction (timber) mats of any area necessary to conduct activities for new and maintenance work, mats should be removed as soon as work is completed and shall be in place for no longer than one growing season.

Work not eligible for SV (Minimum)

Tidal and Navigable Waters (Sections 10 & 404)

Causeways and approach fills

Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at:

[http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged Aquatic Vegetation Survey Guidance\(11-Aug-2016\).pdf](http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/SubmergedAquaticVegetationSurveyGuidance(11-Aug-2016).pdf)

Note: timber mats ≤ 1 acre necessary to conduct activities for new and maintenance work, mats should be removed as soon as work is completed.

Non-Tidal Waters (Section 404)

3,000 SF to ≤3 acres waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented)

All special wetlands within the project area shall be delineated. Corps may waive this requirement on a case-by-case basis in consultation with the NHDES.

Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed

Note: The Corps may waive or adjust the time of year requirement on a case-by-case basis after consultation with the NHDES and NH Fish & Game for Tidal and Non-tidal Waters (Section 10 & 404) .

GP 9. SHORELINE AND BANK STABILIZATION PROJECTS (Sections 10 & 404; tidal and non-tidal waters of the U.S.) Bank stabilization activities necessary for erosion protection along the banks of lakes, ponds, streams, estuarine and ocean waters, and any other open waters. Includes, but is not limited to breakwaters, bulkheads, seawalls, riprap, revetments/slope protection and similar structures as well as vegetative planting, soil bioengineering or alternative techniques that are a combination of the two specifically for the purpose of shoreline protection (e.g. living shorelines).

Not authorized under GP 9: (a) Non-tidal bank stabilization projects >500 LF in total length including both stream banks; (b) Permanent and temporary loss >1 acre in tidal waters; (c) Stream channelization or relocation activities; (d) Breakwaters, groins and jetties; (e) Permanent and temporary loss to tidal SAV.

Note: Soft stabilization measures such as bioengineered fiber roll revetments or equivalent, should be used whenever practicable.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p>Tidal Waters (Section 10 & 404)</p> <p>No activities are eligible for SV.</p> <p>Non-Tidal Waters (Section 10 & 404)</p> <p>Non-tidal bank stabilization <100 FT long and ≤ 1 CY of fill per linear foot waterward of the ordinary high water (OHW) and no fill within the streambed beyond the toe of slope of the stream bank.</p> <p>No vertical stone structures or embankments angled steeper than 1H:1V. No new bulkheads.</p> <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed and shall be in place for no longer than one growing season..</p> <p>Provided:</p> <ol style="list-style-type: none"> 1) No open trench excavation in flowing waters. 2) In-stream work limited to Jul 15-Oct 1. 3) No work in SAS, EFH waters and special wetlands. 4) No structures angled steeper than 3H:1V allowed. 5) Only rough-faced stone or roll revetments allowed. 6) No work on Corps properties & Corps-controlled easements 7) Stream crossings conform with the NH Stream Crossing Guidelines and this document's general conditions. 8) Culverts at waterbody crossings preserve hydraulic capacity, at its present level, between the wetlands on either side of the road. 	<p>Work not eligible for SV (Minimum).</p> <p>Tidal Waters (Section 10 & 404)</p> <p>All activities in tidal waters.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged Aquatic Vegetation Survey Guidance(11-Aug-2016).pdf</p> <p>Non-Tidal Waters (Section 10 & 404)</p> <p>The slope of the structure is steeper than 1V:3H in lakes/ponds; and 1V:1H in non-tidal streams</p> <p>Non-tidal bank stabilization ≥ 100 FT long or ≥ 1 CY per linear foot below OHW and no fill within the streambed beyond the toe of slope of the stream bank.</p> <p>Stream crossings not conforming with the NH Stream Crossing Guidelines.</p> <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed</p> <p>Note: All special wetlands within the project area shall be delineated. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES.</p>

GP 10. AQUATIC HABITAT RESTORATION, ESTABLISHMENT & ENHANCEMENT ACTIVITIES (Sections 10 & 404; tidal and non-tidal waters of the U.S.) Activities in waters of the U.S. associated with the restoration, enhancement and establishment of non-tidal and tidal wetlands and riparian areas, including invasive, non-native or nuisance species control; the restoration and enhancement of non-tidal streams and other non-tidal open waters; the relocation of non-tidal waters, including non-tidal streams & associated wetlands for reestablishment of a natural stream morphology and reconnection of the floodplain; the restoration and enhancement of shellfish, finfish and wildlife; and the rehabilitation or enhancement of tidal streams, tidal wetlands and tidal open waters; provided those activities result in net increases in aquatic resource functions and services.

Not authorized under GP 10: Artificial reefs.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p>Tidal Waters (Section 10 & 404)</p> <p>Pro-active salt marsh restoration impacts $\leq 3,000$ SF for the purposes of restoring subsiding marsh surfaces and dieback areas.</p> <p>This category excludes:</p> <ul style="list-style-type: none"> • new ditching to eliminate mosquito breeding habitat • fill for purposes of converting marsh to upland • Placement of seed shellfish, spatted-shell or cultch for the restoration or enhancement of existing, publicly-managed, non-commercial recreational areas containing shellfish. <p>Non-Tidal Waters (Section 404)</p> <p>Fill area $\leq 3,000$ SF of inland waterway and/or wetland fill (permanent and temporary) provided the activity is supported in writing by a local, state, or non-Corps Federal environmental resource management agency.</p> <p>This category excludes:</p> <ul style="list-style-type: none"> • Dams, dikes, or activities involving water diversions. • Work in SAS other than wetlands, and work in special wetlands. • Work on Corps properties & Corps-controlled easements • Conversions of wetlands to open water • Stream channelization <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed and shall be in place for no longer than one growing season...</p>	<p>Work not eligible for SV (Minimum)</p> <p>Tidal Waters (Section 10)</p> <p>Projects with proactive restoration (SAS, anadromous fish runs, areas containing shellfish, etc.) as a primary purpose with impacts $> 3,000$ SF.</p> <p>Placement of seed shellfish, spatted-shell or cultch for the restoration or enhancement of existing, publicly-managed, non-commercial recreational areas containing shellfish.</p> <p>Tidal and Non-Tidal Waters (Section 10 & 404)</p> <p>Aquatic habitat restoration, establishment, and enhancement of tidal wetlands and riparian areas provided those activities are proactive and result in net increases in aquatic resource functions and services as decided by the Corps.</p> <p>Integrated Marsh Management for combined wetland enhancement and mosquito control.</p> <p>Dam removals</p> <p>Note: For all waters above, all SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/SubmergedAquaticVegetationSurveyGuidance(11-Aug-2016).pdf</p> <p>Non-Tidal Waters (Section 404)</p> <p>Pond or lake reestablishment or restoration</p> <p>Water impoundments</p> <p>Projects with proactive restoration as a primary purpose with impacts of any size.</p> <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed.</p>

GP 11. FISH & WILDLIFE HARVESTING, ENHANCEMENT AND ATTRACTION DEVICES AND ACTIVITIES (Sections 10 & 404; tidal and non-tidal waters of the U.S.) Activities in waters of the U.S. associated with fish and wildlife harvesting devices including pound nets, crab traps, crab dredging, eel pots, lobster traps, duck blinds, and clam and oyster digging, fish aggregating devices, and small fish attraction devices such as open water fish concentrators (sea kites, etc.). Impoundments and semi-impoundments of waters of the U.S. for the culture and holding of motile species such as lobster.

Not authorized under GP 11: (a) Artificial reefs; (b) Devices and activities in Federal Navigation Channels (c) Permanent and temporary loss >1 acre in tidal waters; (d) Shellfish dredging, either mechanical or hydraulic in SAS; (e) new, or expansions of, impoundments and semi-impoundments of waters of the U.S. for the culture or holding of motile species such as lobster with an impounded area >½ acre; or (f) New fish weirs with an impoundment area >1/2 acre.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p>Tidal and Non-Tidal Waters (Section 10 & 404)</p> <p>Activities associated with fish and wildlife harvesting devices and activities such as pound nets, crab traps, crab dredging, eel pots, lobster traps, duck blinds, clam and oyster digging, shellfish seeding, and small fish attraction devices such as open water fish concentrators (sea kites, etc.). Provided there is no hazard to navigation.</p> <p>This category excludes:</p> <ul style="list-style-type: none"> • Impoundments or semi-impoundment of water, fish aggregating devices, or small fish attraction devices; • Permanent impacts to special aquatic sites (SAS) (e.g., vegetated shallows) • Devices and activities located in SAS • Devices and activities located in Federal Anchorage Projects 	<p>Work not eligible for SV (Minimum)</p> <p>Tidal and Non-Tidal Waters (Section 10 & 404)</p> <p>Impoundments or semi-impoundments of waters of the U.S. for the culture or holding of motile species such as lobster and new fish weirs with an impounded area ≤1/2 acre, fish aggregating devices, or small fish attraction devices.</p> <p>Devices and activities located in tidal SAS, including salt marsh and SAV</p> <p>Devices and activities located in Federal Anchorage Projects</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance(11-Aug-2016).pdf</p>

GP 12. OIL SPILL AND HAZARDOUS MATERIAL CLEANUP (Sections 10 & 404; tidal and non-tidal waters of the U.S.) (a) Activities conducted in response to a discharge or release of oil and hazardous substances that are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300) including containment, cleanup, and mitigation efforts, provided activities are done under either (i) The Spill Prevent, Control & Countermeasure Plan require by 40 CFR 112.3; (ii) The direction or oversight of the Federal on-site coordinator designated by 40 CFR 300; or (iii) Any approved existing State, regional or local contingency plan provided that the Regional Response Team concurs with the proposed response efforts or does not object to the response effort. (b) Activities required for the cleanup of oil releases in waters of the U.S. from electrical equipment that are governed by EPA’s polychlorinated biphenyl (PCB) spill response regulations at 40 CFR 761. (c) Booms placed in tidal waters. d. Use of structures & fills for spill response training exercises. Special Aquatic Sites (SAS) must be restored in place to pre-impact elevations.

Not authorized under GP 12: Permanent structures or impacts.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor / Major)
<p>Tidal and Non-Tidal Waters (Sections 10 & 404)</p> <p>1. Activities conducted in response to a discharge or release of oil and hazardous substances that are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300) including containment, cleanup, and mitigation efforts, provided that the activities are done under either:</p> <ul style="list-style-type: none"> • The Spill Prevention, Control and Countermeasure Plan required by 40 CFR 112.3; or • The direction or oversight of the Federal on-site coordinator designated by 40 CFR 300; or <p>2. Activities required for the cleanup of oil releases in waters of the U.S. from electrical equipment that are governed by EPA’s polychlorinated biphenyl (PCB) spill response regulations at 40 CFR 761.</p> <p>3. Booms placed in navigable waters for hazardous and toxic waste containment, absorption and prevention, provided they are removed upon completion of the cleanup.</p> <p>4. No spill response training exercises requiring structures of fill in tidal waters.</p> <p>Note: For the above activities in tidal waters, the permittee must contact the Corps at (978) 318-8338 before or as soon as possible after the work in SV #1, 2 or 3 above commences for the Corps to address the effects under the Federal Endangered Species Act. This does not apply to clean booms used for spill prevention, or properly contained and cleaned non-emergency oil or hazardous substance discharges.</p>	<p>Work not eligible for SV (Minimum)</p> <p>Tidal and Non-Tidal Waters (Sections 10 & 404)</p> <p>Temporary structures or impacts for spill response training exercises.</p> <p>The activity is planned or scheduled, not an emergency response, within Corps jurisdiction.</p> <p>Specific activities with impacts of any area or cubic yardage required affecting the containment, stabilization, or removal of hazardous or toxic waste materials that are performed, ordered, or sponsored by a government agency with established legal or regulatory authority may be reviewed as a Minor/Major Impact project. SAS and areas containing shellfish must be restored in place. Corps may waive this requirement on a case-by-case basis in consultation with the NHDES.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance(11-Aug-2016).pdf</p>

GP 13. CLEANUP OF HAZARDOUS AND TOXIC WASTE (Sections 10 & 404; tidal and non-tidal waters of the U.S.) Specific activities to effect the containment, stabilization or removal of hazardous or toxic waste materials, including court ordered remedial action plans or related settlements which are performed, ordered or sponsored by a government agency with established legal or regulatory authority.

Not authorized under GP 13: (a) the establishment of new disposal sites; or (b) the expansion of existing sites used for the disposal of hazardous or toxic waste.

Note: Activities undertaken entirely on a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site by authority of CERCLA as approved or required by EPA, are not required to obtain permits under Section 404 of the CWA or Section 10 of the Rivers and Harbors Act.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p>Tidal and Non-Tidal Waters (Section 10 & 404)</p> <p>Booms placed in navigable waters for oil and hazardous substance containment, absorption and prevention, provided they are removed upon completion of the cleanup. The permittee must contact the Corps at (978) 318-8338 before or as soon as possible after the work commences for the Corps to address the effects under the Federal Endangered Species Act. This does not apply to clean booms used for spill prevention.</p> <p>≤3,000 SF of permanent and temporary fill in non-tidal waters and wetlands.</p> <p>This GP excludes dredging in tidal waters</p>	<p>Work not eligible for SV (Minimum)</p> <p>Tidal and Non-Tidal Waters (Section 10 & 404)</p> <p>The activity occurs in tidal waters.</p> <p>Work in navigable waters of the US other than booms placed for hazardous and toxic waste containment, absorption, and prevention.</p> <p>>3,000 SF of permanent and temporary fill in non-tidal waters and wetlands.</p> <p>Specific activities with impacts of any area or cubic yardage required affecting the containment, stabilization, or removal of hazardous or toxic waste materials that are performed, ordered, or sponsored by a government agency with established legal or regulatory authority may be reviewed as a Minor/Major Impact project. SAS and areas containing shellfish must be restored in place. Corps may waive this requirement on a case-by-case basis in consultation with the NHDES.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance(11-Aug-2016).pdf</p>

GP 14. SCIENTIFIC MEASUREMENT DEVICES (Sections 10 & 404; tidal and non-tidal waters of the U.S.)

Scientific devices for measuring and recording scientific data, such as staff gauges, tide and current gauges, meteorological stations, water recording and biological observation devices, water quality testing and improvement devices, and similar structures. Also eligible are small temporary weirs and flumes constructed primarily to record water quantity and velocity. Upon completion of the use of the device to measure and record scientific data, the measuring device and any other structures or fills associated with that device (e.g., foundations, anchors, buoys, lines, etc.) must be removed to the maximum extent practicable.

Not authorized under GP 14: (a) permanent and temporary loss >3 acres in non-tidal waters and wetlands; and (b) permanent and temporary loss >1 acre in tidal waters; and (c) permanent loss to tidal SAS and areas containing shellfish.

Self-Verification (SV) (Minimum)

Pre-Construction Notification (PCN) Required (Minor/Major)

Tidal and Non-Tidal Waters (Section 10 & 404)

Temporary, non-biological sampling devices in waters of the U.S. that do not restrict or concentrate movement of aquatic organisms and will not adversely affect the course, condition or capacity of a waterway for navigation.

Scientific measurement devices, and small weirs and flumes constructed primarily to record water quantity and velocity provided the discharge of fill is limited to 10 cubic yards. No work may restrict movement of aquatic species or potentially threaten to impact or entangle sea turtles or marine mammals in near-coastal waters.

Work not eligible for SV (Minimum)

Tidal Waters (Section 10)

Permanent and temporary impacts occur in tidal waters of the U.S provided permanent loss \leq 1 acre.

Biological sampling devices, weirs or flumes.

Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: [http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged Aquatic Vegetation Survey Guidance\(11-Aug-2016\).pdf](http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/SubmergedAquaticVegetationSurveyGuidance(11-Aug-2016).pdf)

Tidal and Non-Tidal Waters (Section 10 & 404)

Permanent devices in tidal and non-tidal waters

Non-Tidal Waters (Section 404)

Permanent or temporary fill area \geq 3,000 SF to \leq 3 acres in non-tidal

GP 15. SURVEY ACTIVITIES (Sections 10 & 404; tidal and non-tidal waters of the U.S.) Survey activities such as soil borings, core sampling, seismic exploratory operations, plugging of seismic shot holes and other exploratory-type bore holes, exploratory trenching and historic resources surveys.

Not authorized under GP 15: (a) Permanent and temporary loss >3 acres of non-tidal waters and/or wetlands, and (b) permanent and temporary loss >1 acre in tidal waters, (c) permanent loss to tidal SAS and areas containing shellfish.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p>Tidal and Non-Tidal Waters (Sections 10 & 404)</p> <p>No permanent structures or drilling and discharge of excavated material from test wells for oil and gas exploration allowed.</p> <p>No fill in tidal wetlands and waters.</p> <p>No seismic exploratory operations in tidal waters.</p> <p>Non-Tidal Waters (Section 404)</p> <p>Impacts ≤3,000 SF in non-tidal waters and wetlands.</p> <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed and shall be in place no longer than one growing season.</p>	<p>Work not eligible for SV (Minimum)</p> <p>Tidal Waters (Section 10)</p> <p>Permanent and temporary fill area ≤1 acre in tidal waters.</p> <p>Seismic exploratory operations occur in tidal waters.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance(11-Aug-2016).pdf</p> <p>Non-Tidal Waters (Section 404)</p> <p>Fill area ≥3,000 SF to ≤3 acres in non-tidal waters and wetlands</p> <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed</p>

GP 16. AQUACULTURE PROJECTS AND FISHERIES (Sections 10 and 404, navigable waters of the US)

No shellfish dredging, including mechanical or hydraulic in SAS, including SAV, no placement of cultch in beds of SAV. Depth of cultch or spatted-shell limited to the minimum necessary for full coverage of the framed bed bottom & must not result in visible degradation of habitat for other aquatic resources. All structures must be marked in conformance with applicable NH State and or U.S. Coast Guard Aids to Navigation.

Not authorized under GP 16 are: Permanent and temporary loss in tidal SAS and areas containing shellfish, including Submerged Aquatic Vegetation

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor / Major)
<p>Tidal Waters (Section 10)</p> <p>Suspended cages or nets located wholly below and within the footprint of an existing authorized fixed or floating structure provided there is a vertical clearance of at least 2 feet between the bottom of the gear and the sea floor at mean low water.</p> <p>Aquaculture projects that don't exceed 1,000 SF in area, aren't located in SAS or intertidal areas, culture only indigenous species, use only "transient gear" type cages or bottom culture with predator netting, are marked to inform mariners of the location of the gear, have a minimum clearance of 3 FT between the top of the gear and the elevation of MLW in areas where the elevation of the sea floor is above Elevation – 15 FT MLW, have a minimum clearance of 10 FT between the top of the gear and the elevation of MLW in areas where the elevation of the sea floor is equal to or below Elevation –15 FT MLW, and have been reviewed and approved in writing by the NH DES and NH Fish & Game.</p> <p>Aquaculture projects that are SV (Minimum) eligible shall provide to the Corps:</p> <ol style="list-style-type: none"> 1. A copy of their NH State application and NH Fish and Game license number and state plane coordinates of the facility boundary in feet or meters. 2. Documentation that the applicant has coordinated with the US Coast Guard specifically regarding USCG Private Aids to Navigation standards. 3. Documentation that they contacted their local harbormaster and/or the Pease Development Authority, Division of Ports and Harbors (www.portofnh.org) for authorization of their facility. 	<p>Work not eligible for SV (Minimum)</p> <p>Tidal Waters (Section 10)</p> <p>Vertical-drop longlines for the culture of shellfish or other marine organisms, such as kelp and seaweed.</p> <p>Cages, trays, racks, netting or other structures on the ocean bottom or floating on the water surface for the rearing or depuration of cultured shellfish.</p> <p>Research, educational or experimental aquaculture gear for indigenous species that exceed >1,000 SF.</p> <p>Activities that involve a change from authorized gear for bottom culture to floating or suspended gear.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged Aquatic Vegetation Survey Guidance(11-Aug-2016).pdf</p> <p>Tidal and Non-Tidal Waters (Section 10 & 404)</p> <p>Installation of intake and discharge structures for a land-based hatchery.</p>

GP 17. NEW/EXPANDED RESIDENTIAL & COMMERCIAL DEVELOPMENTS & RECREATIONAL FACILITIES (Section 404, non-tidal waters of the U.S.) Discharges of dredged or fill material for the construction or expansion of developments and/or recreational facilities. Fill area includes all temporary and permanent fill, and regulated discharges associated with excavation.

Not authorized under GP 17: (a) Permanent and temporary loss > 3 acres in non-tidal waters and wetlands; (b) subsurface sewerage disposal systems in waters of the U.S.; and (c) New roadway and driveway crossings in non-tidal waters and/or wetlands.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p><3,000 SF of waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented). Fill area includes all temporary and permanent fill, and certain excavation discharges (except for incidental fallback).</p> <p>This category excludes:</p> <ul style="list-style-type: none"> • Dams, dikes, or activities involving water diversions. • Work in EFH waters • Work in special aquatic sites (SAS) other than wetlands, and work in special wetlands. • Work on Corps properties & Corps-controlled easements • Stormwater treatment or detention systems. <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed and shall be in place no longer than one growing season.</p>	<p>Work not eligible for SV (Minimum)</p> <p>3,000 SF to ≤3 acres waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented)</p> <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance(11-Aug-2016).pdf</p>

GP 18. ENERGY GENERATION, RENEWABLE ENERGY GENERATION AND HYDROPOWER FACILITIES (Sections 10 & 404; tidal and non-tidal waters of the U.S.) Structures and work in navigable waters of the U.S. and discharges of dredged or fill material into tidal and non-tidal waters of the U.S. for the construction, expansion, modification or removal of: (a) Land-based energy generation & renewable energy pilot & production facilities, including attendant features; (b) Water-based energy generation, wind or hydrokinetic renewable energy generation pilot & production projects and their attendant features; and (c) Discharges of dredged or fill material associated with hydropower projects. Attendant features may include, but are not limited to, land-based collection and distribution facilities, control facilities, and parking lots. For each single and complete project in (b) above, no more than 10 generation units (e.g., wind turbines or hydrokinetic devices) are authorized in navigable waters of the U.S. Upon completion of the pilot project, the generation units, transmission lines, and other structures or fills associated with the pilot project must be removed to the maximum extent practicable

Not authorized under GP 18: (a) permanent and temporary loss >1 acre in tidal waters; or (b) permanent and temporary loss in tidal special aquatic sites (SAS) and areas containing shellfish.

Note: For the purposes of this GP, the term “pilot project” means an experimental project where the renewable energy generation units will be monitored to collect information on their performance and environmental effects at the project site.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p>Tidal and Non-Tidal Navigable Waters (Section 10 & 404)</p> <p>This category excludes:</p> <ul style="list-style-type: none"> • Dams, dikes, or activities involving water diversions • Work in SAS and EFH waters • Work in tidal waters or navigable waters of the U.S. • Production facilities <p>Non-Tidal Waters (Section 404)</p> <p><3,000 SF of waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented).</p> <p>Timber mats of any area necessary to conduct activities provided mats are be removed as soon as work is completed and shall be in place no longer than one growing season.</p>	<p>Work not eligible for SV (Minimum)</p> <p>Tidal and Non-Tidal Navigable Waters (Section 10)</p> <p>The activity occurs in tidal waters or navigable waters of the U.S.</p> <p>Timber mats of any area necessary to conduct activities provided mats are be removed as soon as work is completed.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged Aquatic Vegetation Survey Guidance(11-Aug-2016).pdf</p> <p>Non-Tidal Waters (Section 404)</p> <p>3,000 SF to ≤3 acres waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented).</p>

GP 19. MINING ACTIVITIES (Sections 10 & 404; non-tidal waters of the U.S.) Discharges of dredged or fill material into non-tidal waters and wetlands for mining activities.

Not authorized under GP 19: (a) Permanent and temporary fill > 3 acres of non-tidal waters and/or wetlands, and (b) no permanent and temporary loss in tidal waters.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p><3,000 SF of waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented)</p> <p>This category excludes:</p> <ul style="list-style-type: none"> • Dams, dikes, or activities involving water diversions. • Work in SAS other than wetlands, and work in special wetlands. • Activities in streams. • Work on Corps properties & Corps-controlled easements • Stream channelization, relocation or loss of streambed including impoundments, or discharge of tailings into streams <p>Timber mats of any area necessary to conduct activities for new and maintenance work provided mats are be removed as soon as work is completed and shall be in place no longer than one growing season.</p>	<p>Work not eligible for SV (Minimum)</p> <p>3,000 SF to ≤3 acres waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented).</p> <p>Activities in streams including stream channelization, relocation or loss of streambed including impoundments, or discharge of tailings into streams.</p> <p>Timber mats of any area necessary to conduct activities for new and maintenance work provided mats are be removed as soon as work is completed.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance(11-Aug-2016).pdf</p>

GP 20. TEMPORARY FILL NOT ASSOCIATED WITH A PROJECT WITHIN CORPS

JURISDICTION (Sections 10 & 404; non-tidal waters of the U.S.) Temporary discharges, such as sandbag/earth cofferdams, access fills, etc., necessary for construction activities or dewatering of construction sites.

Not authorized under GP 20: (a) temporary loss >3 acres for projects not using timber mats in non-tidal waters and/or wetlands; or (b) temporary loss to tidal special aquatic sites (SAS) and areas containing shellfish.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor/Major)
<p>Fill area ≤3,000 SF of temporary inland waterway and/or wetland fill provided temporary discharges are in place for <1 growing season.</p> <p>This category excludes:</p> <ul style="list-style-type: none"> • Dams, dikes, or activities involving water diversions. • Work in EFH waters • Work in SAS special wetlands. • Work on Corps properties & Corps-controlled Easements <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed and shall be in place no longer than one growing season.</p>	<p>Work not eligible for SV (Minimum)</p> <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance(11-Aug-2016).pdf</p>

GP 21. AGRICULTURAL ACTIVITIES (Sections 10 & 404; non-tidal waters of the U.S.) Discharges of dredged or fill material in non-tidal waters of the U.S. for agricultural activities with impact to non-tidal waters and wetlands such as pads for barn/greenhouse, mechanized land clearing, land leveling and installation of drainage tiles for irrigation. Also includes the relocation or modification of existing, serviceable drainage ditches in wetlands and farm ponds not meeting the exemption.

Not authorized under GP 21: (a) aquaculture fish ponds in waters of the U.S, or (b) permanent and temporary loss to tidal SAS and areas containing shellfish.

Note: Some discharges for agricultural activities may qualify for an exemption under Section 404(f)(1) of the Clean Water Act (see 33 CFR 323.4). GP 21 is intended to cover those agricultural discharges that do not qualify for agricultural exemption and/or are subject to the recapture provision under section 404(f)(2) of the Act.

Self-Verification (SV) (Minimum)

<3,000 SF of waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented)

This category excludes:

- Dams, dikes, or activities involving water diversions.
- Work in vegetated shallows or riffle and pool complexes, and work in special wetlands.
- Work on Corps properties & Corps-controlled easements
- Construction of farm ponds in perennial streams.

Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed and shall be in place no longer than one growing season.

Pre-Construction Notification (PCN) Required (Minor/Major)

Work not eligible for SV (Minimum)

Work that does not qualify for exemption under Section 404(f) of the Clean water Act.

Permanent and temporary impacts are ≥ 3000 SF to ≤ 3 acres in non-tidal waters and wetlands or will impact non-tidal SAS, other than non-tidal wetlands.

New drainage ditches in wetlands.

Stream channelization, relocation, impoundments, loss of streambed or farm ponds in non-perennial streams.

The activity causes turbidity or sediment suspension in non-tidal streams

Construction of farm ponds not meeting the Section 404(f)(1) exemption

Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed.

Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at:

[http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/SubmergedAquaticVegetationSurveyGuidance\(11-Aug-2016\).pdf](http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/SubmergedAquaticVegetationSurveyGuidance(11-Aug-2016).pdf)

GP 22. REPAIR OR MAINTENANCE OF EXISTING CURRENTLY SERVICEABLE, AUTHORIZED OR GRANDFATHERED DAMS (Section 10 & 404; tidal and non-tidal waters of the U.S.) Repair, rehabilitation, or replacement of any previously authorized, currently serviceable dam. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized.

Not authorized by GP 22: (a) permanent and temporary loss >1 acre in tidal waters; (b) permanent loss to tidal SAS and areas containing shellfish.

Notes: (a) Some maintenance activities may not be subject to regulation under Section 404 in accordance with 33 CFR 323.4(a)(2). (b) The State's maintenance provisions differ from the Corps and may require written authorization from the State, even though it's not required from the Corps. For example, the state **does not** grandfather wetland fill.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor / Major)
<p>Tidal & Non-Tidal Waters (Section 10 & 404)</p> <p>Repair, replacement in-kind, or maintenance of existing, currently serviceable, authorized dams:</p> <p>Provided:</p> <ul style="list-style-type: none"> • Conditions of the original authorization apply. • No substantial expansion or change in use. • Must be rebuilt in same footprint, however minor deviations in structure design allowed. • The repair, rehabilitation, or replacement of those dams destroyed or damaged by storms, floods, or other discrete events is authorized, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. <p>This category excludes:</p> <ul style="list-style-type: none"> • Work in SAS, EFH and areas containing shellfish <p>Non-Tidal Waters (Section 404)</p> <p>Repair/maintenance of existing, currently serviceable, authorized dams with an expansion or a change in use ≤3000 SF</p> <ul style="list-style-type: none"> • Conditions of the original authorization apply • Minor deviations in fill design allowed. <p>Timber mats of any area necessary to conduct activities for new and maintenance work provided mats are removed as soon as work is completed and shall be in place no longer than one growing season.</p>	<p>Work not eligible for SV (Minimum)</p> <p>Tidal Waters (Section 10)</p> <p>Repair/maintenance of currently serviceable authorized dams with expansion or a change in use ≤1 acre.</p> <p>Repair/maintenance of currently serviceable authorized dams w/expansion where the structure (existing + expansion) qualifies as a PCN (Minor/Major) Impact.</p> <p>Replacement of non-serviceable authorized dams w/expansion where the structure (existing + expansion) qualifies as a PCN (Minor/Major) Impact.</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance(11-Aug-2016).pdf</p> <p>Tidal and Non-Tidal Waters (Sections 10 & 404)</p> <p>Dam and flood control or levee repairs that will alter water levels or flood elevations.</p> <p>Discharges of more than de minimus quantities of accumulated bottom sediments from or through a dam.</p> <p>Non-Tidal Waters (Section 404)</p> <p>Repair/maintenance of existing, currently- serviceable, authorized dams, with an expansion or a change in use ≥3000 SF and ≤3 acres.</p> <p>Replacement of non-serviceable authorized dams ≥3000 SF and ≤3 acres.</p> <p>Timber mats of any area necessary to conduct activities for new and maintenance work provided mats are removed as soon as work is completed</p>

GP 23. WETLAND, STREAM, RIVER & BROOK CROSSINGS (Sections 10 & 404; tidal and non-tidal waters of the U.S.) Activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., driveways, roads, highways, bridges, railways, trails, airport runways, pipelines and taxiways) and attendant features, provided that work is performed in accordance with New Hampshire Stream Crossing Best Management Practices to the maximum extent practicable.

Not authorized under GP 23: (a) Permanent and temporary loss for any single and complete projects that are ≥ 3 acres in non-tidal waters and wetland; or (b) Permanent & temporary loss for any single and complete new construction projects in tidal SAS and areas containing shellfish.

Self-Verification (SV) (Minimum)	Pre-Construction Notification (PCN) Required (Minor / Major)
<p>Tidal Waters (Section 10 & 404)</p> <p>No work in tidal waters</p> <p>Non-Tidal Waters (Sections 10 & 404)</p> <p><3,000 SF of waterway and/or wetland fill and secondary impacts, (e.g., areas drained, flooded, cleared, excavated or fragmented).</p> <p>Stream crossings conform with the NH Stream Crossing Guidelines and general conditions of this document.</p> <ul style="list-style-type: none"> • In-stream work limited to Jul 15-Oct 1. • Culverts at waterbody crossings preserve hydraulic capacity to maintain the sediment transport and aquatic organism passage, at its present level, between the wetlands on either side of the road. <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed and shall be in place no longer than one growing season.</p> <p>Excludes:</p> <ul style="list-style-type: none"> • Open trench excavation in flowing waters. • Work in SAS, special wetlands and EFH. • Work on Corps properties & Corps-controlled easements 	<p>Work not eligible for SV (Minimum)</p> <p>Tidal Waters (Section 10)</p> <p>Repair and maintenance of an existing tidal crossing with impacts ≤ 1 acre</p> <p>Note: All SAS and areas containing shellfish within the project area shall be delineated by survey. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES. SAV survey guidance is available at: http://www.nae.usace.army.mil/portals/74/docs/regulatory/JurisdictionalLimits/Submerged_Aquatic_Vegetation_Survey_Guidance(11-Aug-2016).pdf</p> <p>Non-Tidal Waters (Section 404)</p> <p>Permanent and temporary impacts for any single and complete projects that are ≤ 3 acres in non-tidal waters and wetlands</p> <p>Timber mats of any area necessary to conduct activities provided mats are removed as soon as work is completed.</p> <p>Note: All SAS & special wetlands within the project area shall be delineated. The Corps may waive this requirement on a case-by-case basis after consultation with the NHDES.</p>



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New England District

Appendix B

Regional General Permits (GPs) Required Information and Corps Secondary Impacts Checklist

In order for the Corps of Engineers to properly evaluate your application, applicants must submit the following information along with the New Hampshire DES Wetlands Bureau application or permit notification forms. Some projects may require more information. For a more comprehensive checklist, go to www.nae.usace.army.mil/regulatory, “Forms/Publications” and then “Application and Plan Guideline Checklist.” Check with the Corps at (978) 318-8832 for project-specific requirements. For your convenience, this Appendix B is also attached to the State of New Hampshire DES Wetlands Bureau application and Permit by Notification forms.

All Projects:

- Corps application form ([ENG Form 4345](#)) as appropriate.
- Photographs of wetland/waterway to be impacted.
- Purpose of the project.
- Legible, reproducible black and white (no color) plans no larger than 11”x17” with bar scale. Provide locus map and plan views of the entire property.
- Typical cross-section views of all wetland and waterway fill areas and wetland replication areas.
- In navigable waters, show mean low water (MLW) and mean high water (MHW) elevations. Show the high tide line (HTL) elevations when fill is involved. In other waters, show ordinary high water (OHW) elevation.
- On each plan, show the following for the project:
- Vertical datum and the NAVD 1988 equivalent with the vertical units as U.S. feet. Don’t use local datum. In coastal waters this may be mean higher high water (MHHW), mean high water (MHW), mean low water (MLW), mean lower low water (MLLW) or other tidal datum with the vertical units as U.S. feet. MLLW and MHHW are preferred. Provide the correction factor detailing how the vertical datum (e.g., MLLW) was derived using the latest National Tidal Datum Epoch for that area, typically 1983-2001.
- Horizontal state plane coordinates in U.S. survey feet based on the Traverse Mercator Grid system for the State of New Hampshire (Zone 2800) NAD 83.
- Show project limits with existing and proposed conditions.
- Limits of any Federal Navigation Project in the vicinity of the project area and horizontal State Plane Coordinates in U.S. survey feet for the limits of the proposed work closest to the Federal Navigation Project;
- Volume, type, and source of fill material to be discharged into waters and wetlands, including the area(s) (in square feet or acres) of fill in wetlands, below the ordinary high water in inland waters and below the high tide line in coastal waters.
- Delineation of all waterways and wetlands on the project site,:
- Use Federal delineation methods and include Corps wetland delineation data sheets. See GC 2 and www.nero.noaa.gov/hcd for eelgrass survey guidance.
- GP 3, Moorings, contains eelgrass survey requirements for the placement of moorings.
- For activities involving discharges of dredged or fill material into waters of the U.S., include a statement describing how impacts to waters of the U.S. are to be avoided and minimized, and either a statement describing how impacts to waters of the U.S. are to be compensated for (or a conceptual or detailed mitigation plan) or a statement explaining why compensatory mitigation should not be required for the proposed impacts. Please contact the Corps for guidance.



**US Army Corps
of Engineers**®
New England District

**New Hampshire General Permits (GPs)
Appendix B - Corps Secondary Impacts Checklist
(for inland wetland/waterway fill projects in New Hampshire)**

1. Attach any explanations to this checklist. Lack of information could delay a Corps permit determination.
2. All references to “work” include all work associated with the project construction and operation. Work includes filling, clearing, flooding, draining, excavation, dozing, stumping, etc.
3. See GC 5, regarding single and complete projects.
4. Contact the Corps at (978) 318-8832 with any questions.

1. Impaired Waters	Yes	No
1.1 Will any work occur within 1 mile upstream in the watershed of an impaired water? See http://des.nh.gov/organization/divisions/water/wmb/section401/impaired_waters.htm to determine if there is an impaired water in the vicinity of your work area.*	X	
2. Wetlands	Yes	No
2.1 Are there are streams, brooks, rivers, ponds, or lakes within 200 feet of any proposed work?	X	
2.2 Are there proposed impacts to SAS, special wetlands. Applicants may obtain information from the NH Department of Resources and Economic Development Natural Heritage Bureau (NHB) DataCheck Tool for information about resources located on the property at https://www2.des.state.nh.us/nhb_datacheck/ . The book Natural Community Systems of New Hampshire also contains specific information about the natural communities found in NH.	X	
2.3 If wetland crossings are proposed, are they adequately designed to maintain hydrology, sediment transport & wildlife passage?	X	
2.4 Would the project remove part or all of a riparian buffer? (Riparian buffers are lands adjacent to streams where vegetation is strongly influenced by the presence of water. They are often thin lines of vegetation containing native grasses, flowers, shrubs and/or trees that line the stream banks. They are also called vegetated buffer zones.)		X
2.5 The overall project site is more than 40 acres?		X
2.6 What is the area of the previously filled wetlands?	0	
2.7 What is the area of the proposed fill in wetlands?	0	
2.8 What is the % of previously and proposed fill in wetlands to the overall project site?	0	
3. Wildlife	Yes	No
3.1 Has the NHB & USFWS determined that there are known occurrences of rare species, exemplary natural communities, Federal and State threatened and endangered species and habitat, in the vicinity of the proposed project? (All projects require an NHB ID number & a USFWS IPAC determination.) NHB DataCheck Tool: https://www2.des.state.nh.us/nhb_datacheck/ USFWS IPAC website: https://ecos.fws.gov/ipac/location/index	X	

3.2 Would work occur in any area identified as either “Highest Ranked Habitat in N.H.” or “Highest Ranked Habitat in Ecological Region”? (These areas are colored magenta and green, respectively, on NH Fish and Game’s map, “2010 Highest Ranked Wildlife Habitat by Ecological Condition.”) Map information can be found at: <ul style="list-style-type: none"> • PDF: www.wildlife.state.nh.us/Wildlife/Wildlife_Plan/highest_ranking_habitat.htm. • Data Mapper: www.granit.unh.edu. • GIS: www.granit.unh.edu/data/downloadfreedata/category/databycategory.html. 		×
3.3 Would the project impact more than 20 acres of an undeveloped land block (upland, wetland/waterway) on the entire project site and/or on an adjoining property(s)?		×
3.4 Does the project propose more than a 10-lot residential subdivision, or a commercial or industrial development?		×
3.5 Are stream crossings designed in accordance with the GC 21?	×	
4. Flooding/Floodplain Values	Yes	No
4.1 Is the proposed project within the 100-year floodplain of an adjacent river or stream?		×
4.2 If 4.1 is yes, will compensatory flood storage be provided if the project results in a loss of flood storage?		
5. Historic/Archaeological Resources		
For a minimum, minor or major impact project - a copy of the Request for Project Review (RPR) Form (www.nh.gov/nhdhr/review) with your DES file number shall be sent to the NH Division of Historical Resources as required on Page 11 GC 8(d) of the GP document**		

*Although this checklist utilizes state information, its submittal to the Corps is a Federal requirement.

** If your project is not within Federal jurisdiction, coordination with NH DHR is not required under Federal law.

Appendix C Definitions / Terminology

Boating Facilities: Facilities that provide for a fee, rent, or sell mooring space, such as marinas, yacht clubs, boat clubs, boat yards, town facilities, dockominiums, etc.

Compensatory Mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved. Must comply with the applicable provisions of 33 CFR 332. See also the New England District Compensatory Mitigation Guidance at <http://www.nae.usace.army.mil/Missions/Regulatory/Mitigation.aspx>

Cumulative Impacts: The impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).

Direct Impacts: Effect caused by the proposed action and occurring at the same time and place. (40 CFR 1508.7)

Federal Navigation Projects (FNPs): These areas are maintained by the Corps; authorized, constructed and maintained on the premise that they will be accessible and available to all on equal terms; and are comprised of Corps Federal anchorages, Federal channels and Federal turning basins. Information, including the limits, is provided at <http://www.nae.usace.army.mil/Missions/Navigation.aspx>

FNP Buffer Zone: The buffer zone of a Corps FNP is equal to three times the authorized depth of the FNP.

Floodplain: shall mean the lowland and relatively flat areas adjoining inland and coastal waters including floodprone areas of offshore islands, including at a minimum, that area subject to a one percent or greater chance of flooding in any given year. (Executive Order 11988)

Height: Width Ratio: The height of structures shall at all points be equal to or exceed the width of the deck. For the purpose of this definition, height shall be measured from the marsh substrate to the bottom of the longitudinal support beam.

Historic Resources: Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

Incidental Fallback: Incidental fallback is the redeposit of small volumes of dredged material that is incidental to excavation activity in waters of the United States when such material falls back to substantially the same place as the initial removal. (33 CFR 323.2(d)(2)(ii))

Indirect Impacts (NEPA) – Effects which are caused by the action that are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth-inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems (40 CFR 1508.8).

Loss of waters of the United States: Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. The loss of stream bed includes the linear feet of stream bed that is filled or excavated. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities eligible for exemptions under Section 404(f) of the Clean Water Act are not considered when calculating the loss of waters of the United States.

Living Shoreline: A term used to describe a combination of mostly naturally derived materials including plants, shell and rock or manufactured rock-like surfaces that are used along a shoreline exhibiting erosion to dissipate wave energy and to collect naturally deposited sediment.

Maintenance: Maintenance does not include any modification that changes the character, scope, or size of the original fill design.

Maintenance Dredging: Includes areas and depths previously dredged and authorized by the Corps. Proof of authorization is required. Maintenance dredging typically refers to the routine removal of accumulated sediment from channel beds to maintain the design depths of navigation channels, harbors, marinas, boat launches and port facilities. Maintenance dredging is conducted regularly for navigational purposes (typically at least every ten years) and does not include any expansion of the previously dredged area or depth. The Corps may review a maintenance dredging activity as new dredging if sufficient time has elapsed to allow for the colonization of SAS, shellfish, etc. New Dredging: Includes dredging proposed in previously un-dredged areas and/or in areas exceeding previously authorized dimensions (deeper or wider than previously authorized) excluding normal overdredge.

Pre-construction notification (PCN): A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by any of these GPs. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of these GPs. A PCN may be voluntarily submitted in cases where PCN is not required and the project proponent wants confirmation that the activity is authorized under one or more of the GPs.

Secondary effects: These are effects on an aquatic ecosystem that are associated with a discharge of dredged or fill materials, but do not result from the actual placement of the dredged or fill material. Information about secondary effects on aquatic ecosystems shall be considered prior to the time final Section 404 action is taken by permitting authorities. Some examples of secondary effects on an aquatic ecosystem are a) aquatic areas drained, flooded, fragmented, or mechanically cleared, b) fluctuating water levels in an impoundment and downstream associated with the operation of a dam, c) septic tank leaching and surface runoff from residential or commercial developments on fill, and d) leachate and runoff from a sanitary landfill located in waters of the U.S. See 40 CFR 230.11(h).

Areas Containing Shellfish: areas containing shellfish (open or closed) used for recreation harvest as designated by the NH Fish and Game Department. Maps of these areas containing shellfish are located at: www.nae.usace.army.mil/reg/NHFGRecreationHarvestShellfishBeds.pdf .

Special Aquatic Sites (SAS) These include inland and saltmarsh wetlands, mud flats, vegetated shallows (submerged aquatic vegetation, SAV), sanctuaries and refuges, coral reefs, and riffle and pool complexes. These are defined at 40 CFR 230.3 and listed in 40 CFR 230 Subpart E.

Special Wetlands: These include 1. enriched/calcareous seepage swamps, estuarine wetlands, floodplains, peatlands, and unique basin swamps/marshes 2. all wetlands that provide habitat for threatened or endangered species, and 3. all exemplary wetland natural community occurrences as designated by the NH Natural Heritage Bureau (NHNHB). The wetland types provided in 1 above are expanded below and fully described in Natural Community Systems of New Hampshire and Natural Communities of New Hampshire, which are available at <http://www.nhdf.org/natural-heritage-and-habitats/>

Note: The applicant is required to have NHNHB check the wetland types listed in 2 and 3 of Special wetlands by either requesting a hard copy review or using the DataCheck Tool at https://www2.des.state.nh.us/nhb_datacheck/

Temporal loss: The time lag between the losses of aquatic resource functions caused by the permitted impacts and the replacement of aquatic resource functions at the compensatory mitigation site(s) (33 CFR 332.2).

Vegetated Shallows: Permanently inundated areas that under normal circumstances support communities of rooted aquatic vegetation, such as eelgrass and widgeon grass (*Rupia maritima*) in marine systems (doesn't include salt marsh) as well as a number of freshwater species in rivers and lakes. Note: These areas are also commonly referred to as submerged aquatic vegetation (SAV).

Water Diversions: Water diversions are activities such as bypass pumping or water withdrawals. Temporary flume pipes, culverts or cofferdams where normal flows are maintained within the stream boundary's confines aren't water diversions. "Normal flows" are defined as no change in flow from pre-project conditions.

APPENDIX D

EFH RIVERS FOR ATLANTIC SALMON

MERRIMACK RIVER AND TRIBUTARIES

Allen Brook	Baker Brook	Bennett Brook
Bow Bog Brook	Bow Brook	Bowman Brook
Bradleys Island	Brickyard Brook	Browns Brook
Bryant Brook	Burnham Brook	Cate Brook
Chandler Brook	Chase Brook	Cohas Brook
Cold Brook	Contoocook River	Cross Brook
Dalton Brook	Giles Pond - Salmon Brook	Glines Brook
Hayward Brook	Horseshoe Island	Horseshoe Pond - Naticook Brook
Knox Brook	Little Cohas Brook	Messer Brook
Millstone Brook	Nashua River	Needle Shop Brook
Nesenkeag Brook	Pemigewasset River	Penacook Lake
Piscataquog River	Pointer Club Brook	Punch Brook
Ray Brook	Riddle Brook	Sawmill Brook
Second Brook	Shaw Brook	Soucook River
Souhegan River	South Branch River	Stirrup Iron Brook
Suncook River	Tannery Brook	Turkey River
Watts Brook	Weeks Brook	Winnepesaukee River
Woods Brook		

ANDROSCOGGIN RIVER AND TRIBUTARIES

Austin Mill Brook	Bean Brook	Bear Brook
Bog Brook	Cascade Alpine Brook	Chickwolnepy Stream
Clear Stream	Clement Brook	Conner Brook
Dead River	East Brook	Gates Brook
Goose Pond	Horne Brook	Island Brook
Josh Brook	Kidder Brook	Leadmine Brook
Leavitt Stream	Mollidgewock Brook	Moose Brook
Moose Pond	Moose River	Munn Pond
Pea Brook	Peabody Brook	Perkins Brook
Rattle River	Sessions Brook	Smoky Camp Brook
Stearns Brook	Stony Brook	Tinker Brook
Umbagog Lake		

APPENDIX D (cont.)

SACO RIVER AND TRIBUTARIES

Albany Brook	Artist Brook	Avalanche Brook
Barlett Brook	Bearcamp River	Beech River
Bemis Brook	Conway Lake	Davis Brook
E.Branch Saco River	Echo Lake	Ellis River
Flume Cascade	Kearsarge Brook	Kendron Brook
Lucy Brook	Mason Brook	Meadow Brook
Mountain Brook	Nancy Brook	Ossipee River
Razor Brook	Rocky Branch	Sawyer River
Sleeper Brook	Swift River	Willey Brook

COCHECO RIVER & LAMPREY RIVER

Note: Rivers and Tributaries that are bolded are specifically included as rivers that are contained in various State and Federal anadromous fish restoration programs and should be the primary focus for Atlantic salmon protections.



To: Anthony Jones
P.O. Box 219
Stratham, NH 03885

Date: 4/2/2020

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 4/2/2020
NHB File ID: NHB20-0938

Applicant: Anthony Jones

Location: Tax Map(s)/Lot(s):
Portsmouth

Project Description: The project proposes the rehabilitation of several manholes. There will be no excavation. There will be temporary and permanent impacts to maintain the easement and mobilize equipment to the areas of the manholes to be rehabilitated.

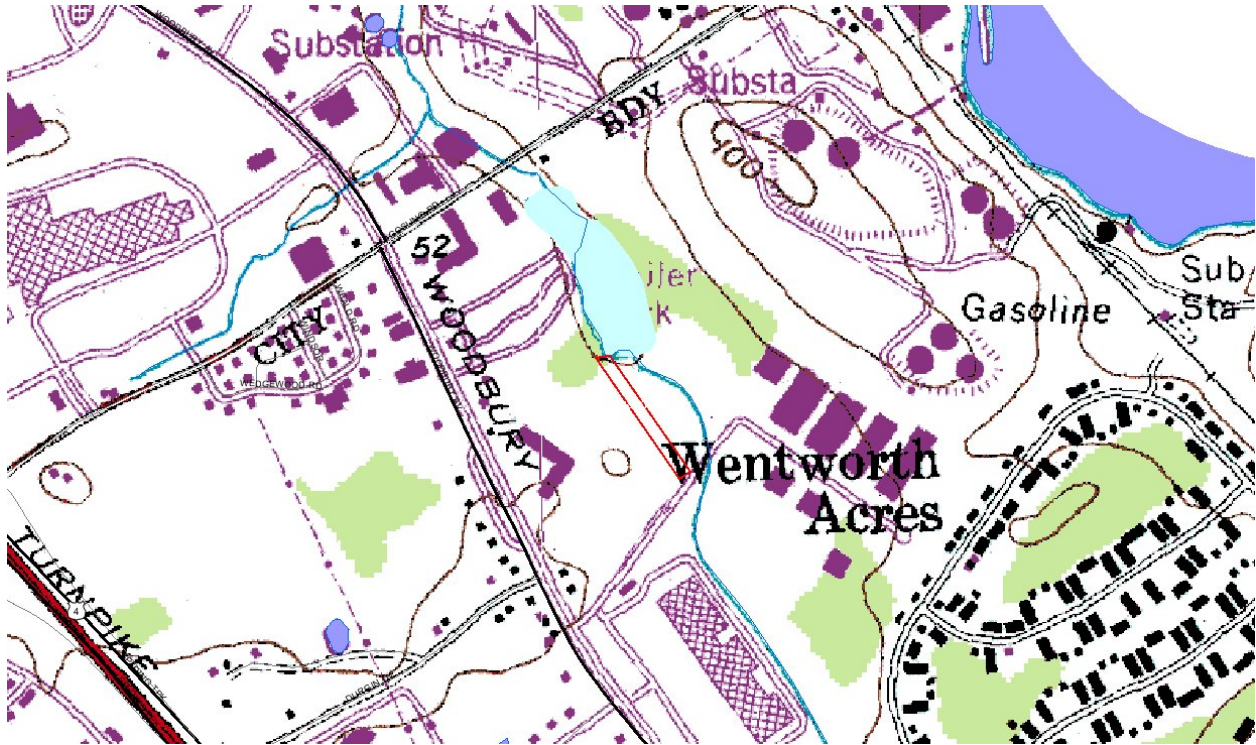
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded occurrences for sensitive species near this project area.

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

This report is valid through 4/1/2021.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB20-0938



CONFIDENTIAL – NH Dept. of Environmental Services review



NH NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

Memo

To: Anthony Jones
P.O. Box 219
Stratham, NH 03885

From: Amy Lamb, NH Natural Heritage Bureau
Date: 4/8/2020 (valid for one year from this date)
Re: Review by NH Natural Heritage Bureau
NHB File ID: NHB20-0940
Town: Portsmouth
Location: City of Portsmouth
Description: The project proposes the rehabilitation of several manholes. There will be no excavation. There will be temporary and permanent impacts to maintain the easement and mobilize equipment to the areas of the manholes to be rehabilitated.

As requested, I have searched our database for records of rare species and exemplary natural communities, with the following results:

Comments: Please clarify the type of wetlands to be impacted (e.g., whether any salt marsh will be impacted), as well as the nature of the temporary and permanent wetland impacts referenced in the project description above. Please send this information, along with any available site photos and site plans, to me at Amy.Lamb@dncr.nh.gov.

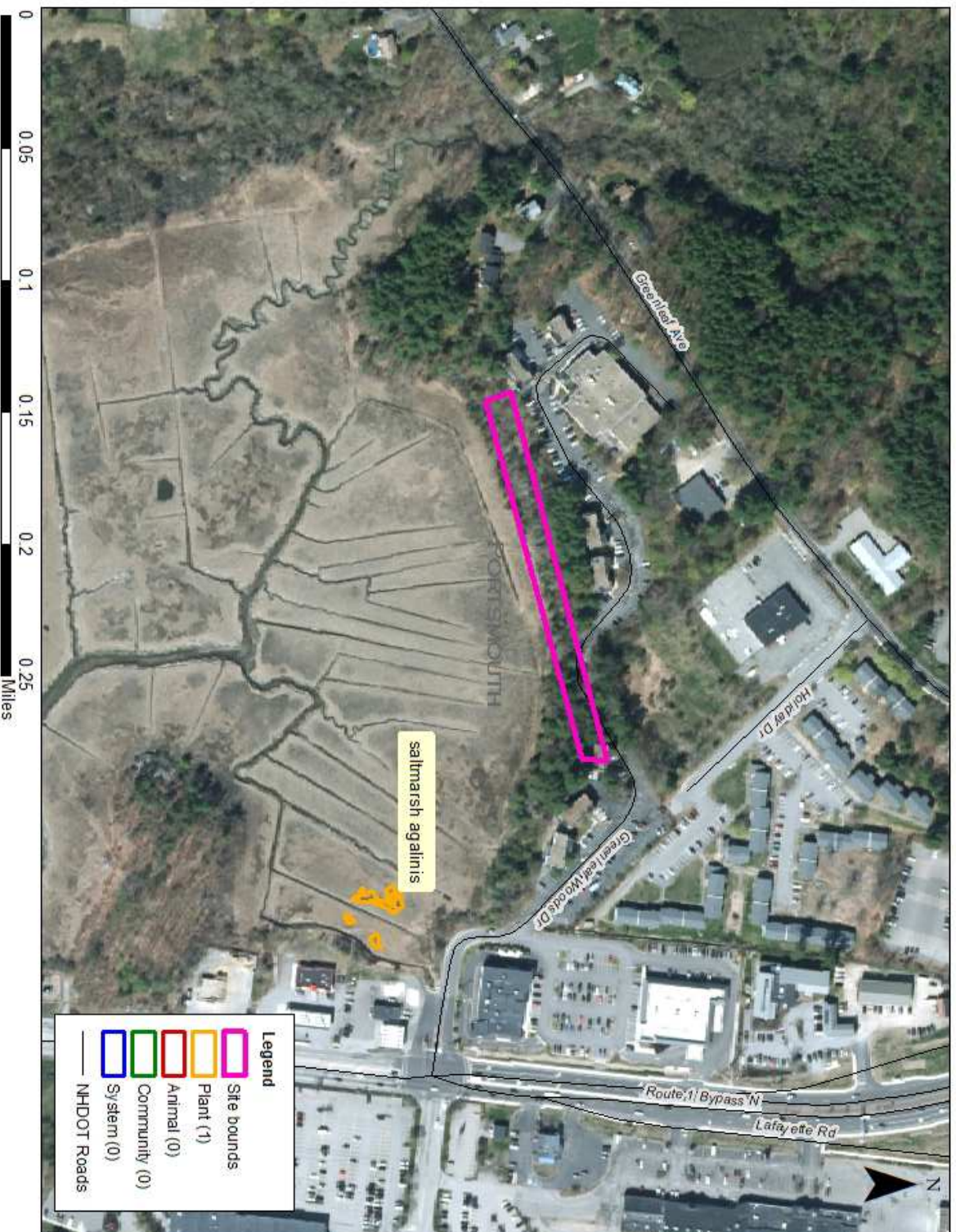
Plant species	State ¹	Federal	Notes
saltmarsh agalinis (<i>Agalinis maritima</i> ssp. <i>maritima</i>)	T	--	

¹Codes: "E" = Endangered, "T" = Threatened, "SC" = Special Concern, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list. An asterisk (*) indicates that the most recent report for that occurrence was more than 20 years ago.

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

CONFIDENTIAL – NH Dept. of Environmental Services review

NHB20-0940



New Hampshire Natural Heritage Bureau - Plant Record

saltmarsh agalinis (*Agalinis maritima* ssp. *maritima*)

Legal Status

Federal: Not listed
State: Listed Threatened

Conservation Status

Global: Demonstrably widespread, abundant, and secure
State: Imperiled due to rarity or vulnerability

Description at this Location

Conservation Rank: Good quality, condition and landscape context ('B' on a scale of A-D).
Comments on Rank: --

Detailed Description: 2011: Area 3: 200 individual plants estimated. Flowers, fruit, and seed capsules evident throughout population. 1997: Area 1 & 2: Over 1,000 plants estimated in the area. 1982: Dunlop and Bertrand specimen at NHA. 50+ plants scattered in wet pannes with *Spartina patens* (salt-meadow cord-grass). All flowering plants. 1961: Harris specimen in NEBC.

General Area: 2011: Area 3: Located in 3 separate salt pannes adjacent to drainage ditch, within the larger high salt marsh associated with Sagamore Creek. Salt-meadow cordgrass (*Spartina patens*) is dominant. The invasive, common reed (*Phragmites australis* ssp. *australis*) is encroaching on the marsh from the upland area and roadway ditch outlet. Drainage ditches have been established throughout the marsh. 1997: Triglochin (forb) pannes were very shallow, briefly flooded, moderately vegetated depressions typically dominated by *Triglochin maritimum* (arrow grass). Other common species included saltgrass (*Distichlis spicata*), saltmarsh rush (*Juncus gerardii*), saltmeadow cordgrass (*Spartina patens*), smooth cordgrass (*Spartina alterniflora*) (short form). Less frequent species were seaside plantain (*Plantago maritima* ssp. *juncooides*), Carolina sea-lavender (*Limonium carolinianum*), hastate-leaved orache (*Atriplex prostrata*), sea-milkwort (*Lysimachia maritima*), seaside alkali grass (*Puccinellia maritima*), and coastal silverweed (*Argentina egedii* ssp. *groenlandica*). Forb pannes also provided habitat for dwarf glasswort (*Salicornia bigelovii*) and the state endangered sweet-scented camphorweed (*Pluchea odorata* var. *succulenta*). 1982: 0-10 feet, flat, full sun, damp woods, disturbed soil and saltmarsh.

General Comments: 2011: Portions of the area east of the ditch was graded by NHDOT ca. 10 years ago to attempt to remove common reed (*Phragmites australis* ssp. *australis*) as part of mitigation associated with the widening of Rte. 1 and construction of the bridge over Sagamore Creek. However, the invasive is re-established. 1997: Sections of marsh to west need to be surveyed. 1982: This occurrence may have been impacted by 1995/96 Department of Transportation bridge replacement project. Plants easy to find on right date.

Management Comments: 2011: NHDOT is proposing the reconstruction of the Rte. 1 and Rte. 1 Bypass interchange. Necessary improvement to roadway drainage will entail regrading of about 200 ft. of the drainage ditch within the salt marsh. No impacts to the salt pannes adjacent to the ditch will occur. Measures will be undertaken by NHDOT [at request of NHB through environmental review] during the re-grading that will identify [flagging] the pannes containing the salt marsh gerardia (*Agalinis maritima*) and restrict access to these areas.

Location

Survey Site Name: Sagamore Creek
Managed By:

County: Rockingham
Town(s): Portsmouth
Size: 4.5 acres

Elevation:

Precision: Within (but not necessarily restricted to) the area indicated on the map.

Directions: 2011: Located west of Lafayette Road (Rte. 1) and south of Greenleaf Woods Dr. in three salt pannes of the high salt marsh associated with Sagamore Creek. Pannes are on either side of drainage ditch. Access the salt marsh from flagpoles located on Green leaf Woods Drive or from behind

Sunoco service station on Lafayette Road.1997: Intersection of Sagamore Creek and Rte 1A. North edge of creek, east of Rte 1.

Dates documented

First reported:	1961	Last reported:	2011-10-07
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CONFIDENTIAL – NH Dept. of Environmental Services review



NH NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

Memo

To: Anthony Jones
P.O. Box 219
Stratham, NH 03885

From: Amy Lamb, NH Natural Heritage Bureau
Date: 4/8/2020 (valid for one year from this date)
Re: Review by NH Natural Heritage Bureau
NHB File ID: NHB20-0941 Town: Portsmouth Location: City of Portsmouth
Description: The project proposes the rehabilitation of several manholes. There will be no excavation. There will be temporary and permanent impacts to maintain the easement and mobilize equipment to the areas of the manholes to be rehabilitated.

As requested, I have searched our database for records of rare species and exemplary natural communities, with the following results.

Comments: Please clarify the type of wetlands to be impacted (e.g., whether any Atlantic white cedar swamp will be impacted), as well as the nature of the temporary and permanent wetland impacts referenced in the project description above. Please send this information, along with any available site photos and site plans, to me at Amy.Lamb@dncr.nh.gov.

Natural Community	State ¹	Federal	Notes
Atlantic white cedar - yellow birch - pepperbush swamp*	--	--	Changes to the hydrology of the wetland are the greatest threat facing the cedar swamp. Damming which causes pooling for extended periods can flood and drown existing trees, and drainage that results in lower water levels can lead to invasion by other species that can out compete -- and eventually eliminate -- Atlantic white cedar trees. Increased nutrient input from stormwater runoff could also deleteriously impact this acidic, low-nutrient plant community.
Red maple - sensitive fern swamp*	--	--	These swamps are influenced by groundwater seepage and springs which moderate water fluctuations and maintain conditions favorable for the accumulation of organic matter. The primary threats are changes to the hydrology of the wetland complex, particularly raising or lowering the water levels, and increased nutrient and pollutant input carried in by stormwater runoff.
Seasonally flooded Atlantic white cedar swamp*	--	--	The primary threat to this community is changes in the water level of adjacent streams or open water. Increased nutrient input from stormwater runoff could also deleteriously impact this acidic, low-nutrient plant community.

¹Codes: "E" = Endangered, "T" = Threatened, "SC" = Special Concern, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list. An asterisk (*) indicates that the most recent report for that occurrence was more than 20 years ago.

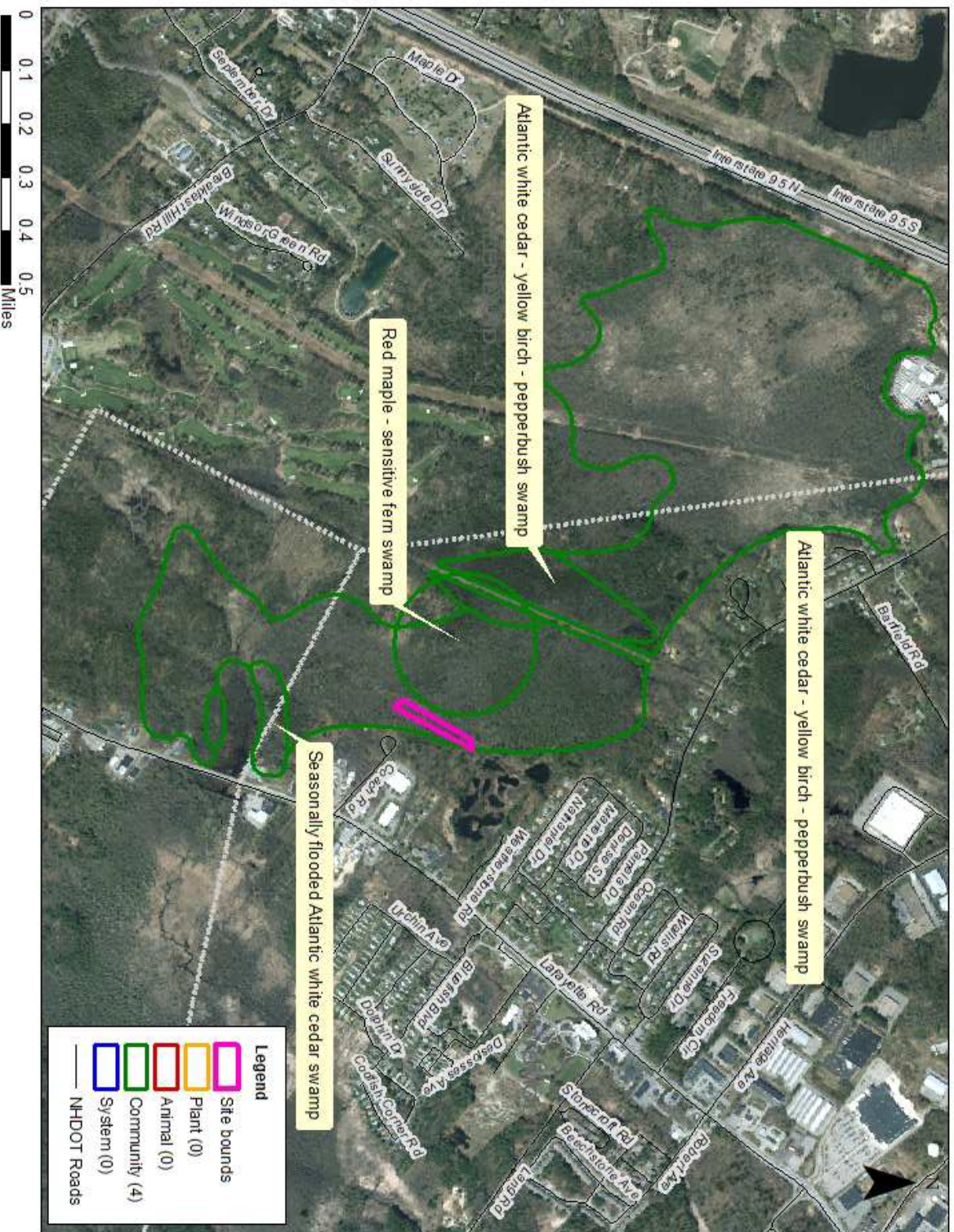
A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

Department of Natural and Cultural Resources
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DNCR/NHB
172 Pembroke Rd.
Concord, NH 03301

CONFIDENTIAL – NH Dept. of Environmental Services review

NH20-0941



New Hampshire Natural Heritage Bureau - Community Record

Atlantic white cedar - yellow birch - pepperbush swamp

Legal Status

Federal: Not listed
State: Not listed

Conservation Status

Global: Not ranked (need more information)
State: Imperiled due to rarity or vulnerability

Description at this Location

Conservation Rank: Good quality, condition and landscape context ('B' on a scale of A-D).
Comments on Rank: --

Detailed Description: 1996: No details. 1989: Has a healthy population of *Chamaecyparis thyoides* (Atlantic white cedar) plus *Picea mariana* (black spruce), *Tsuga canadensis* (hemlock), and *Larix* (larch). Excellent variety of bog plants.

General Area: 1972: Bordered by two roads, forest land, and a railroad bed.

General Comments: Swamp logged in the past, but has since regained a natural quality. NH Natural Area #3. 335 acres total wetlands at Packer Bog.

Management: --
Comments:

Location

Survey Site Name: Packer Bog
Managed By: Packer Bog

County: Rockingham
Town(s): Greenland
Size: 359.6 acres

Elevation:

Precision: Within (but not necessarily restricted to) the area indicated on the map.

Directions: Greenland at Packer Bog.

Dates documented

First reported: 1972
Last reported: 1996-07-16

New Hampshire Natural Heritage Bureau - Community Record

Red maple - sensitive fern swamp

Legal Status

Federal: Not listed
State: Not listed

Conservation Status

Global: Not ranked (need more information)
State: Rare or uncommon

Description at this Location

Conservation Rank: Good quality, condition and landscape context ('B' on a scale of A-D).
Comments on Rank: --

Detailed Description: 1997: Primarily *Acer rubrum* (red maple). Characterized by a variably closed canopy controlled by flooding duration and soil saturation. Associates with the *A. rubrum* in the canopy were *Fraxinus nigra* (black ash), *Ulmus americana* (American elm), and *Betula lenta* (black birch). The moderately developed shrub layer was dominated by *Ilex verticillata* (winterberry), *Viburnum dentatum* var. *lucidum* (northern arrow-wood), and *Clethra alnifolia* (sweet pepperbush). Herb composition and density was variable depending in part on canopy closure and the height of the water table during the growing season. Common species included *Carex stricta* (tussock sedge), *Osmunda regalis* (royal fern), *Onoclea sensibilis* (sensitive fern), *Lemna minor* (lesser duckweed), *Sparganium americanum* (lesser bur reed), and *Typha latifolia* (broad-leaved cat-tail). State rare *Malaxis unifolia* (green adder's-mouth) and *Chamaecyparis thyoides* (Atlantic white cedar) were relocated in the swamp. 1989: Classic acidic seepage swamp with impressive *Acer rubrum* (red maple) and diversity of conifers including *Chamaecyparis thyoides* (Atlantic white cedar). Characteristic species include *Carex folliculata* (follicled sedge), *Larix laricina* (eastern larch), *Platanthera clavellata* (small green woodland orchid), *Sarracenia purpurea* (pitcher-plant), and *Rhus vernix*.

General Area: 1997: An Atlantic white cedar basin swamp also occurs in this area, with three others farther downstream. Much of the upland forested community in the watershed is second growth transitional hardwood-conifer forest. 1989: Atlantic white cedar swamp which contains some fairly old regrowth forest. Less than characteristic amount of cedar here may be due to past cutting.

General Comments: 1989: This swamp is the headwaters for 2 brooks. *Malaxis unifolia* (green adder's-mouth) is found here.

Management Comments: --

Location

Survey Site Name: Portsmouth Cedar Swamp
Managed By: Portsmouth II, City of

County: Rockingham
Town(s): Portsmouth
Size: 35.3 acres

Elevation:

Precision: Within (but not necessarily restricted to) the area indicated on the map.

Directions: From Portsmouth, go south ca. 3-4 miles on Rte. 1 to crossing of Berry's Brook and the Portsmouth/Greenland town line. Portion of Packer Bog east of railroad track and west of Route 1. Site is behind pumping station on Rte. 1. Follow pipeline trail toward railroad tracks and into swamps.

Dates documented

First reported: 1983
Last reported: 1997-10-01

New Hampshire Natural Heritage Bureau - Community Record

Seasonally flooded Atlantic white cedar swamp

Legal Status

Federal: Not listed
 State: Not listed

Conservation Status

Global: Not ranked (need more information)
 State: Imperiled due to rarity or vulnerability

Description at this Location

Conservation Rank: Fair quality, condition and/or landscape context ('C' on a scale of A-D).
 Comments on Rank: --

Detailed Description: 1993: At southern end of larger bog/swamp complex. North of sewer, the young *Chamaecyparis thyoides* (Atlantic white cedar) stand is nearly pure and contiguous, with few herbs and shrubs. The more mature stand is more open and cedar shares dominance with *Acer rubrum* (red maple). Southern most releve plot has highest species richness from statewide survey.

General Area: 1993: Berry's Brook flows through the community creating seepage swamp conditions. Site is cut into north and south stands by a main sewer line. Stand was contiguous before sewer line disturbance. Sewer line has affected hydrology: soils north of sewer are dry; soils south are inundated.

General Comments: --

Management Comments: 1993: Sewer line has disturbed and impacted site. Long-term viability of cedar doubtful.

Location

Survey Site Name: Portsmouth-Rye Townline Swamp
 Managed By:

County: Rockingham
 Town(s): Rye
 Size: 9.0 acres

Elevation:

Precision: Within (but not necessarily restricted to) the area indicated on the map.

Directions: At south end of Packer Bog; just east off Lafayette Road (Route 1) along Berry's Brook.

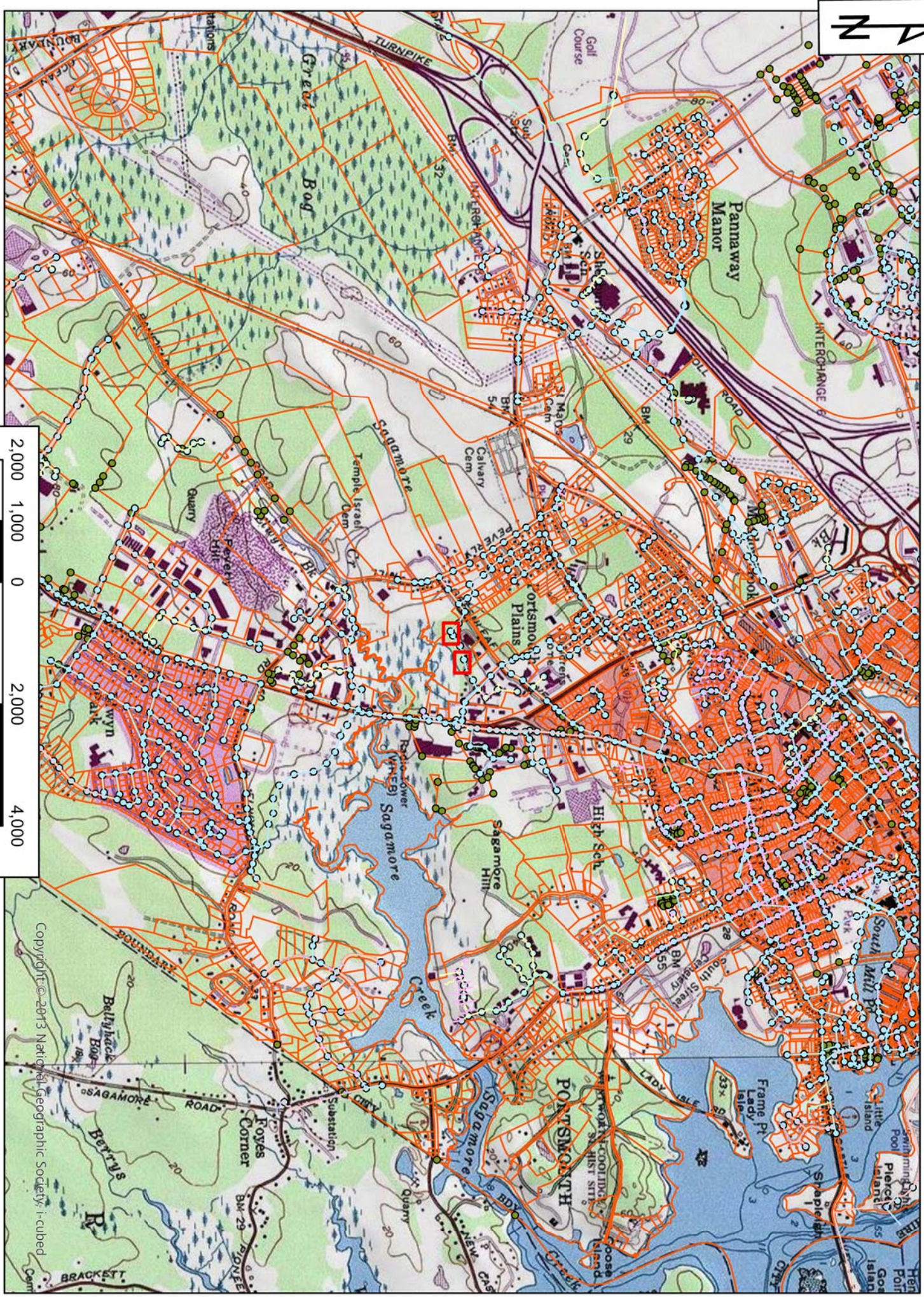
Dates documented

First reported: 1993-08-27 Last reported: 1993-08-27



USGS MAP: AREA #2

GREENLEAF AVENUE

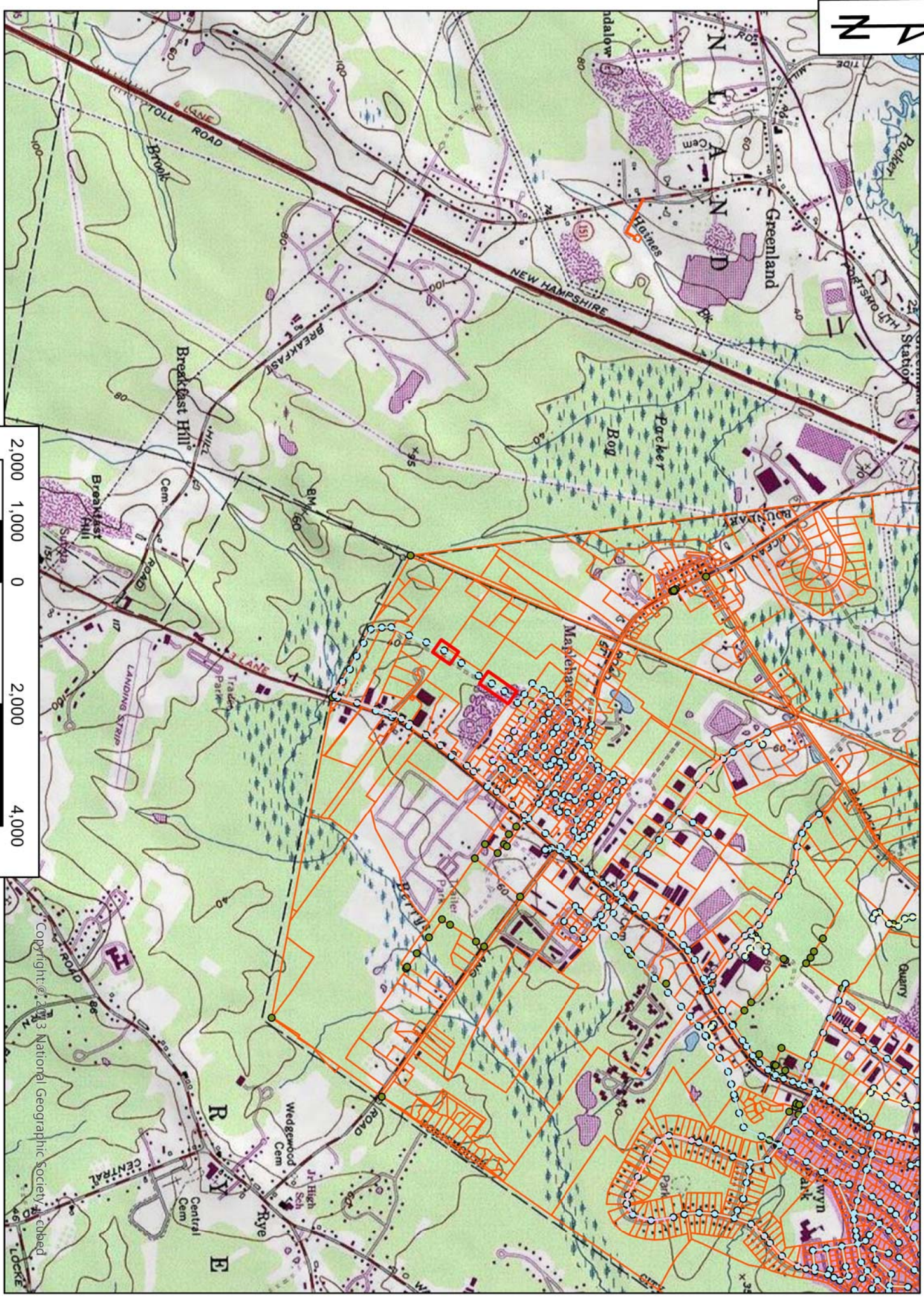


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Scale: 1:24,000



USGS MAP: AREA #3

RYE PUMP STATION



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Scale: 1:24,000

PHOTO LOG

SEWER MANHOLE REHABILITATION PROJECT PORTSMOUTH, NH

PREPARED BY:

JONES & BEACH
ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com



PHOTO A RYE PUMP STATION ACCESS ROAD



PHOTO B CONDOMINIUM UNITS BEHIND SEWER EASEMENT



PHOTO C EXISTING STONE BASE IN SEWER EASEMENT



PHOTO D COMMERCE WAY TOWARD SMH #2386



PHOTO E SAGAMORE CREEK AS SEEN FROM THE SEWER EASEMENT



PHOTO F SEWER EASEMENT LOOKING NORTHEAST - BROOK CROSSING



PHOTO G SEWER EASEMENT LOOKING SOUTHEAST

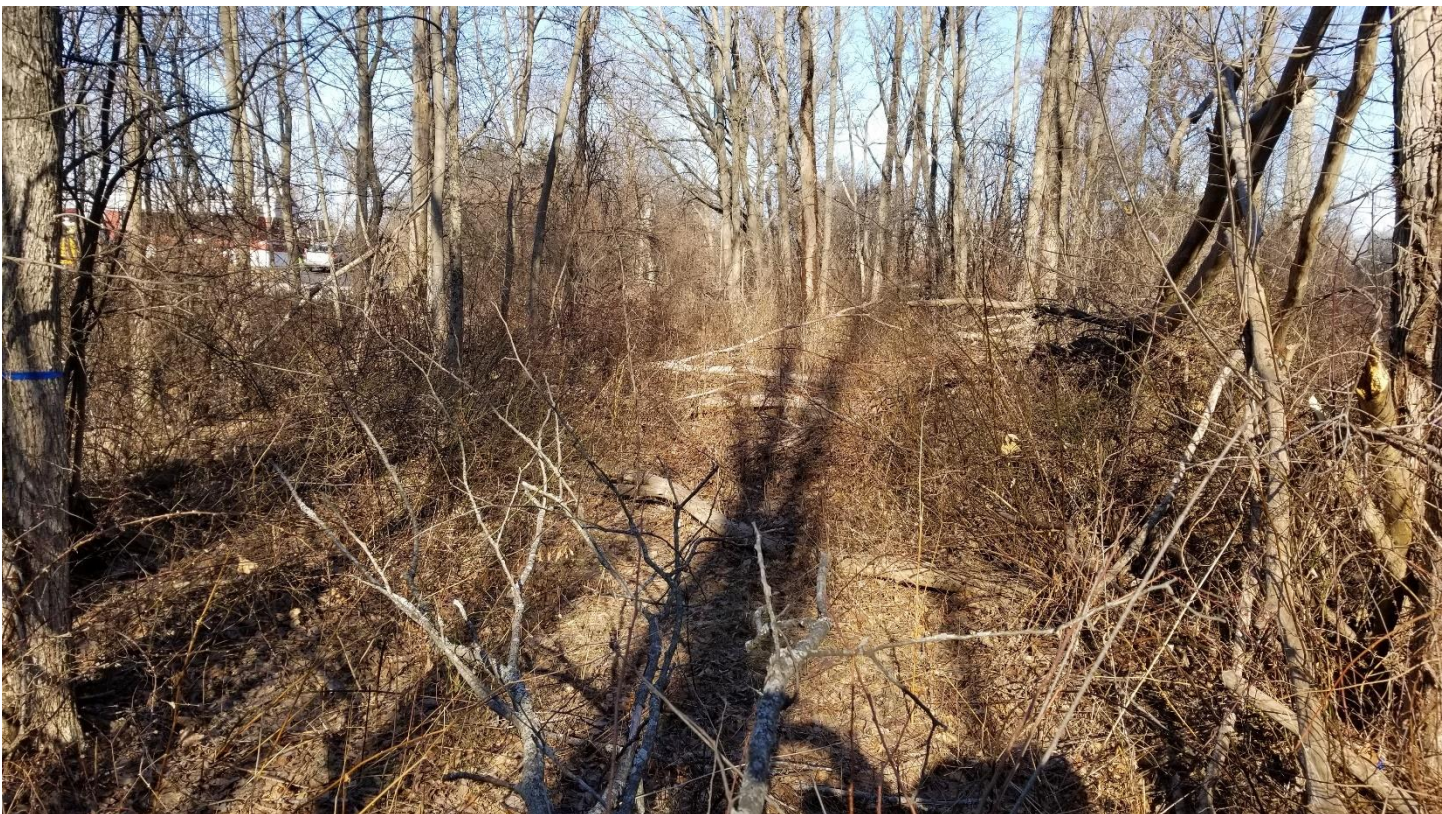


PHOTO H SEWER EASEMENT AT ORIENTAL GARDENS



PHOTO I SMH #375



PHOTO J SEWER EASEMENT



PHOTO K SMH #375



PHOTO L SMH #2458



PHOTO M SMH# 629



PHOTO N SMH #632



PHOTO O SMH #1646, LOOKING NORTHEAST



PHOTO P SMH #1646 LOOKING SOUTHWEST FROM STREET



PHOTO Q SMH #1646



PHOTO R SMH #2385 AND SMH #631



PHOTO S SMH #2386



PHOTO T SMH #2445



PHOTO U SMH #2455



PHOTO V SMH #2458, CRACKED COVER



PHOTO W SMH #631 AND SMH #632



PHOTO X SMH #2458



PHOTO Y SMH #5872

FLEMING DONNA FLEMING SAROJ A
433 GREENLEAF AVE
PORTSMOUTH, NH 03801

LIEN HSIU Y CHOE HYON S
423 PEVERLY HILL RD
PORTSMOUTH, NH 03801

GALARNEAU THOMAS M GALARNEAU JESSICA
A
437 PEVERLY HILL RD
PORTSMOUTH, NH 03801

LEONARD STEVEN P
451 PEVERLY HILL RD
PORTSMOUTH, NH 03801

SHORTILL KUMIKO ANEE
465 PEVERLY HILL RD
PORTSMOUTH, NH 03801

JONES DONALD E AND MONA M
296 PEVERLY HILL RD
PORTSMOUTH, NH 03801

LUFKIN DYLAN
300 PEVERLY HILL RD
PORTSMOUTH, NH 03801

NITSCHELM ANDREW A NITSCHELM KRISTA D
384 PEVERLY HILL RD
PORTSMOUTH, NH 03801

BLOUT MICHAEL J
404 GREENLEAF AVE
PORTSMOUTH, NH 03801

SARGENT ADAM L LANTZ GRETCHEN M
394 GREENLEAF AVE
PORTSMOUTH, NH 03801

CHAMBERLIN SUSAN W SCHERR ALBERT E IV
390 GREENLEAF AVE
PORTSMOUTH, NH 03801

TANNER FAMILY REVOCABLE TRUST TANNE
MARK AND ALLISON J TRUSTEES
380 GREENLEAF AVE
PORTSMOUTH, NH 03801

YAUN CHRISTOPHER D
360 GREENLEAF AVE
PORTSMOUTH, NH 03801

KENICK JEAN
350 GREENLEAF AVE
PORTSMOUTH, NH 03801

CROSBY LORIA A CROSBY CARL W JR
419 GREENLEAF AVE
PORTSMOUTH, NH 03801

WESTGATE MARK E WESTGATE MARIA L
407 GREENLEAF AVE
PORTSMOUTH, NH 03801

MORAN THOMAS J MORAN JAMINE E
401 GREENLEAF AVE
PORTSMOUTH, NH 03801

CHASE HOME FOR CHILDREN C/O
WOODMAN
82 COURT ST
PORTSMOUTH, NH 03801

SAGAMORE CREEK HOLDINGS LLC
6 GREENLEAF WOODS DR UNIT 301
PORTSMOUTH, NH 03801

TOTO LLC
2040 LAFAYETTE RD
PORTSMOUTH, NH 03801

MONTVILLE ROBERT C
8 TUCKERS TRAIL
STRATHAM, NH 03885

DRIFTWOOD PROPERTIES LLC
93 MIDDLE ST
PORTSMOUTH, NH 03801

DAY LAWRENCE E JR REVO TRUST DAY
LAWRENCE TRUSTEE
100 PORTSMOUTH AV
GREENLAND, NH 03840

GREENLEAF WOODS 4-301 LLC
264 LAFAYETTE RD #10
PORTSMOUTH, NH 03801

TJ & MADISON PROPERTIES LLC
4 GREENLEAF WOODS DR #302
PORTSMOUTH, NH 03801

MICHAUD MARIA
2 HAMPSHIRE ROAD
PORTSMOUTH, NH 03801

5 GREENLEAF WOOD UNIT 102 LLC
377 GOODWIN RD
ELIOT, ME 03903

HODGKINS DAVID JR (50%)
3 CARRIAGE RD
BOW, NH 03304

DESAULNIER PAULA M
5 GREENLEAF WOODS DR # 202
PORTSMOUTH, NH 03801

CHAMPAGNE ROBERT R REVOCABLE TRUST
CHAMPAGNE ROBERT R TRUSTEE
120 SAGAMORE RD
RYE, NH 03870

CHAMPAGNE ROBERT R REVOCABLE TRUST
CHAMPAGNE ROBERT R TRUSTEE
120 SAGAMORE RD
RYE, NH 03870

8 GREENLEAF WOODS DRIVE LLC
1 CATE STREET SUITE 520
PORTSMOUTH, NH 03801

TOTO LLC
2040 LAFAYETTE RD
PORTSMOUTH, NH 03801

JALA LLC
2040 LAFAYETTE RD
PORTSMOUTH, NH 03801

9 MILK STREET LLC
2 GREENLEAF WOODS DR #201
PORTSMOUTH, NH 03801

PEACHTREE HOLDINGS LLC
54 ROSS RD
DURHAM, NH 03824

SOFTWARE FORGE REALTY LLC
2 GREENLEAF WOODS E301
PORTSMOUTH, NH 03801

TANTARA ASSOCIATES CORP
54 MASON ST
WORCESTER, MA 01610

LURVEY ALLAN M LURVEY PHYLLIS C
3 GREENLEAF WOODS M101
PORTSMOUTH, NH 03801

PEACHTREE HOLDINGS LLC
54 ROSS RD
DURHAM, NH 03824

BIANCHI THOMAS BIANCHI ROBIN
PO BOX 725
NEWCASTLE, NH 03854

BIANCHI THOMAS BIANCHI ROBIN G
PO BOX 725
NEWCASTLE, NH 03854

KIMMELL DYLAN M REVO TRUST KIMMELL
DYLAN M TRUSTEE
PO BOX 506
NEW CASTLE, NH 03854

MARELLA REAL ESTATE HOLDINGS LLC C/O
THE PINNACLE GROUP
6 GREENLEAF WOODS DR #201
PORTSMOUTH, NH 03801

MARELLA REAL ESTATE HOLDINGS LLC
6 GREENLEAF WOODS DR #201
PORTSMOUTH, NH 03801

STILES RIDGE LLC
1 BIRCH HILL RD
YORK, ME 03909

MARELLA REAL ESTATE HOLDINGS L
6 GREENLEAF WOODS DR #201
PORTSMOUTH, NH 03801

SANGILLO MARK P
8 CRANBERRY PINES
SCARBOROUGH, ME 04074

PESARIK JUDITH
6 GREENLEAF WOODS DR #302
PORTSMOUTH, NH 03801

7101 GLW LLC
7 GREENLEAF WOODS DR STE 201
PORTSMOUTH, NH 03801

SANSOUCY GEORGE E PE LLC
86 REED RD
LANCASTER, NH 03584

PEACHTREE HOLDINGS LLC
54 ROSS RD
DURHAM, NH 03824

PEACHTREE HOLDINGS LLC
54 ROSS RD
DURHAM, NH 03824

PEACHTREE HOLDINGS LLC
54 ROSS RD
DURHAM, NH 03824

PEACHTREE HOLDINGS LLC
54 ROSS RD
DURHAM, NH 03824

101 SPRUCEWOOD LLC
1 GREENLEAF WOODS DR S-101
PORTSMOUTH, NH 03801

460 WMH LLC
1 GREENLEAF WOODS DR #102
PORTSMOUTH, NH 03801

C2-C3 LLC
1 GREENLEAF WOODS DR STE 201
PORTSMOUTH, NH 03801

GREENLEAF WOODS 4-301 LLC
264 LAFAYETTE RD #10
PORTSMOUTH, NH 03801

RUJO LLC
2040 LAFAYETTE RD
PORTSMOUTH, NH 03801

FATINA CATHERINE RICHARDSON MARLENE
1 GREENLEAF WOODS DR #302
PORTSMOUTH, NH 03801

535 PEVERLY HILL LLC
6 SHEARWATER ST
DURHAM, NH 03824

YOUNG MENS CHRISTIAN ASSOC
550 PEVERLY HILL RD
PORTSMOUTH, NH 03801

GREENLEAF WOODS CONDO MASTERCARD

FRAZER LAURA
539 PEVERLY HILL RD
PORTSMOUTH, NH 03801

LI WENLIANG
305 ORIENTAL GDNS
PORTSMOUTH, NH 03801

BOUDRIEU CLINTON A BOUDRIEU ARLENE
J
304 ORIENTAL GDNS
PORTSMOUTH, NH 03801

ROONEY KENDALL J
303 ORIENTAL GDNS
PORTSMOUTH, NH 03801

LEONARD ROBERT H
302 ORIENTAL GDNS
PORTSMOUTH, NH 03801

WENTZELL WILLIS F WENTZELL PAMELA J
301 ORIENTAL GARDENS
PORTSMOUTH, NH 03801

LANDREY SHIRLEY P WILLIAMS JAMES R
217 ORIENTAL GDNS
PORTSMOUTH, NH 03801

CAPPS TRAVIS A CAPPS DOROTHY J
#214 ORIENTAL GDNS
PORTSMOUTH, NH 03801

GLYNN DANIEL GAVIN
213 ORIENTAL GDNS
PORTSMOUTH, NH 03801

LAVALLEY THOMAS JOSEPH
210 ORIENTAL GDNS
PORTSMOUTH, NH 03801

FURY ANDREW
313 ORIENTAL GDNS
PORTSMOUTH, NH 03801

FOX MARTIN
211 ORIENTAL GARDENS
PORTSMOUTH, NH 03801

LAVALLEY ALBERT BENJAMIN
#210 ORIENTAL GDNS
PORTSMOUTH, NH 03801

GRECO AMADEO A JR GRECO SUSAN M
209 ORIENTAL GDNS
PORTSMOUTH, NH 03801

BOUFFARD BRITTON
208 ORIENTAL GDNS
PORTSMOUTH, NH 03801

STETSON JAMES T
207 ORIENTAL GARDENS
PORTSMOUTH, NH 03801

MCCANN ROBERT W MCCANN SUZANNE M
206 ORIENTAL GDNS
PORTSMOUTH, NH 03802

HERMAN THOMAS
205 ORIENTAL GDNS
PORTSMOUTH, NH 03801

HUTTON STEPHAN G
204 ORIENTAL GD
PORTSMOUTH, NH 03801

CAO WEN
225 WILMONT ST
MANCHESTER, NH 03101

PARKHOUSE JOSETTE
202 ORIENTAL GDNS
PORTSMOUTH, NH 03801

ALPERIN JANET P
312 ORIENTAL GDNS
PORTSMOUTH, NH 03801

SPLAINE JAMES
201 ORIENTAL GARDENS
PORTSMOUTH, NH 03801

CAMERON DONALD CLARA Z
113 ORIENTAL GDNS
PORTSMOUTH, NH 03801

MURPHY JOHN
111 ORIENTAL GRDS
PORTSMOUTH, NH 03801

MASON PETER
110 ORIENTAL GARDENS
PORTSMOUTH, NH 03801

CORREIA REBECCA CORREIA STEVEN
1092 TEN ROD RD
FARMINGTON, NH 03835

BRIDGES JANET M
108 ORIENTAL GARDENS
PORTSMOUTH, NH 03801

RAZA MOHAMMAD
107 ORIENTAL GDNS
PORTSMOUTH, NH 03801

O'LEARY MICHAEL J O'LEARY DARLENE G
106 ORIENTAL GDNS
PORTSMOUTH, NH 03801

GAGE JESSE R
105 ORIENTAL GARDENS
PORTSMOUTH, NH 03801

BEHEN CAROL
104 ORIENTAL GDNS
PORTSMOUTH, NH 03801

SMITH LESLIE
311 ORIENTAL GD
PORTSMOUTH, NH 03801

SHAW BONNIE
103 ORIENTAL GDNS
PORTSMOUTH, NH 03801

FITZGERALD DORIS I FITZGERALD JOSEPH R
102 ORIENTAL GDNS
PORTSMOUTH, NH 03801

RAYES ISSAM
PO BOX 294
PORTSMOUTH, NH 03802

BUTLER HELENA M REVOCABLE TRUST
BUTLER HELENA M TRUSTEE
310 ORIENTAL GDNS
PORTSMOUTH, NH 03801

DURGIN HARRY
309 ORIENTAL GDNS
PORTSMOUTH, NH 03801

PANEBIANCO DEBORA A
308 ORIENTAL GDNS
PORTSMOUTH, NH 03801

MCCAMPBELL FREDERICK MOTT
106 GREEN ST APT #4
BROOKLYN, NY 11222

GERGEN MICHELE R
215 ORIENTAL GDNS
PORTSMOUTH, NH 03801

PUBLIC SERVICE CO OF NH
PO BOX 270
HARTFORD, CT 06141

RETROSI PROPERTIES LLC
150 GOSLING RD
PORTSMOUTH, NH 03801

CITY OF PORTSMOUTH DPW
PO BOX 628
PORTSMOUTH, NH 03802

JASK RLTY TR OBRIEN JJ TRUSTEE
PO BOX 1349
PORTSMOUTH, NH 03802

DANGELO INC ATTN A/P
PO BOX 519
W BRIDGEWATER, MA 02379

BUBBLES INC
46 SUMMER ST
ROCHESTER, NH 03867

PORTSMOUTH FARMS LLC
33 HOBBS RD
NORTH HAMPTON, NH 03862

R&R PORTSMOUTH LLC
2100 BURR ST
FAIRFIELD, CT 06824

LEEMILTS PETROLEUM CO GETTY REALTY
CORP
2 JERICHO PLAZA WING C STE 110
JERICHO, NY 11753-1681

COLE BJ PORTFOLIO II LLC BJ'S WHOLESAL
PROP TAX DPT C2
25 RESEARCH DRIVE
WESTBOROUGH, MA 01581

YDNIC LLC C/O CAMERON & MITTLEMAN LL
301 PROMENADE ST
PROVIDENCE, RI 02908

GOODMAN FAMILY REAL EST TRUST
GOODMAN NANCY L (25%)
31 SHELTON RD
SWAMPSCOTT, MA 01907

RIZ MAR REALTY TRST C/O COLLIERS
INTERNATIONAL NEW HAMPSHIRE
175 CANAL ST SUITE 401
MANCHESTER, NH 03101

GREENBACK SECURITY LLC
112 GATES ST
PORTSMOUTH, NH 03801

SGB AND RGB VENTURES LLC
1800 WOODBURY AVE
PORTSMOUTH, NH 03801

HEMMER NICHOLAS FRANK
315 ORIENTAL GDNS
PORTSMOUTH, NH 03801

MACPHAIL MICHAEL K MCPHAIL CHELSEA L
3334 LAFAYETTE RD
PORTSMOUTH, NH 03801

RICHARDSON SCOTT A
35 MARIETTE DR
PORTSMOUTH, NH 03801

CAHILL JEROME J CAHILL ERIN G
37 MARIETTE DR
PORTSMOUTH, NH 03801

BLANDING STEVEN M SCHULTZ HALEY E
39 MARIETTE DR
PORTSMOUTH, NH 03801

GRAVEL TYLER
409 OCEAN RD
PORTSMOUTH, NH 03801

BLAUDSCHUN CHRISTOPHER GILPATRICK
KATIE
411 OCEAN RD
PORTSMOUTH, NH 03801

TRAN THEM T VU MINH D
379 OCEAN RD
PORTSMOUTH, NH 03801

COUTURIER KELLY D COUTURIER MICHAEL P
381 OCEAN RD
PORTSMOUTH, NH 03801

PHAM CUC BUI TONY
385 OCEAN RD
PORTSMOUTH, NH 03801

RENZULLO IVILO M EDNA P
2959 MUJR RD
YUBA CITY, CA 95991

ROBERGE JOSEPH J ROBERGE PATRICIA A
3448 LAFAYETTE RD
PORTSMOUTH, NH 03801

NELSON ROBERT S WENAS FIFI E
3430 LAFAYETTE RD
PORTSMOUTH, NH 03801

KRUKOFF PATRICIA
96 COAKLEY RD
PORTSMOUTH, NH 03801

SEAWARD DANIEL O III
3370 LAFAYETTE RD #1
PORTSMOUTH, NH 03801

BOGARDUS KIRK W
11 WINTER ST APT 6
FRANKLIN, MA 02038

BOURQUE ALICIA K TIPPING KYLE T
83 SAINT MATTHEW'S DR
BARRINGTON, NH 03825

HUBBARD CHARLOTTE
3370 LAFAYETTE RD UNIT 12
PORTSMOUTH, NH 03801

MCCOURT TREVOR MCCOURT KELSEY A
3370 LAFAYETTE RD UNIT #13
PORTSMOUTH, NH 03801

MORGAN ROBERT E
3370 LAFAYETTE RD #14
PORTSMOUTH, NH 03801

SHULTZ KEVIN J
3370 LAFAYETTE RD #15
PORTSMOUTH, NH 03801

AIKENS PETER J SR AIKENS JEAN P
3370 LAFAYETTE RD #16
PORTSMOUTH, NH 03801

FREIERMUTH CONSTANCE K REVO LIV TRUST
FREIERMUTH CONSTANCE K TRUSTEE
3370 LAFAYETTE RD UNIT 17
PORTSMOUTH, NH 03801

QUINONES CARLOS M JR 3/4 INT POMBO
LOREN DAVILA REVO TRST 06 1/4 INT
75 HIGH ST APT E4
EXETER, NH 03833-2928

KALIMUTHU MANIKANDAN
3370 LAFAYETTE RD #19
PORTSMOUTH, NH 03801

LAROCHE NOAH
3370 LAFAYETTE RD UNIT 2
PORTSMOUTH, NH 03801

MILLER GEORGE R JR REVO TRUST 09 MILLER
PATRICIA I REVO TRUST 09
3370 LAFAYETTE ROAD #20
PORTSMOUTH, NH 03801

SALMON CAROLYN M REVO TRUST SALMON
CAROLYN M TRUSTEE
3370 LAFAYETTE RD #3
PORTSMOUTH, NH 03801

LEHOUX NEIL M
3370 LAFAYETTE RD UNIT 4
PORTSMOUTH, NH 03801

SLATTERY & DUMONT LLC
66 OLD CONCORD TURNPIKE #10
BARRINGTON, NH 03825

RAMSAY STEVEN J RAMSAY SARAH B
2 INDIAN TR
EXETER, NH 03833

GUTIERREZ NOEL E GUTIERREZ MYRNA M
3370 LAFAYETTE RD #7
PORTSMOUTH, NH 03801

NEVEU CHRISTOPHER PAUL
3370 LAFAYETTE RD UNIT 8
PORTSMOUTH, NH 03801

CERAMI KRISTEN A
3370 LAFAYETTE RD #9
PORTSMOUTH, NH 03801

CITY OF PORTSMOUTH CONSV COMM
PO BOX 6697
PORTSMOUTH, NH 03802

CITY OF PORTSMOUTH CONSV COMM
PO BOX 6697
PORTSMOUTH, NH 03802

CITY OF PORTSMOUTH CONSV COMM
PO BOX 6697
PORTSMOUTH, NH 03802

CITY OF PORTSMOUTH
1 JUNKINS AVE
PORTSMOUTH, NH 03801

PORTSMOUTH LAFAYETTE RD LLC
67 MOUNTAIN BLVD SUITE 201
WARREN, NJ 07059

NAVEESHA HOSPITALITY LLC
440 BEDFORD ST
LEXINGTON, MA 02420

OLD TEX MEX LLC
PO BOX 372
GREENLAND, NH 03840

LEBEL ROBERT R REV TRUST - 1998 (50%)
LEBEL MARY ANN REV TRUST - 1998 (50%)
3600 LAFAYETTE RD
PORTSMOUTH, NH 03801

CITY OF PORTSMOUTH
1 JUNKINS AVE
PORTSMOUTH, NH 03801

CITY OF PORTSMOUTH
1 JUNKINS AVE
PORTSMOUTH, NH 03801

CITY OF PORTSMOUTH DPW
PO BOX 628
PORTSMOUTH, NH 03802

CITY OF PORTSMOUTH DPW
PO BOX 628
PORTSMOUTH, NH 03802

GARDNER JR C WESLEY REVO TRUST
GARDNER JR C WESLEY TRUSTEE
150 NATHANIEL DR
PORTSMOUTH, NH 03801

YAEGER SUSAN
140 NATHANIEL DR
PORTSMOUTH, NH 03801

HERNANDEZ EMMANUEL HERNANDEZ
KAREN
130 NATHANIEL DR
PORTSMOUTH, NH 03801

GORONSKI RICHARD C GORONSKI ALICJA K
120 NATHANIEL DR
PORTSMOUTH, NH 03801

KARUNAKAREN SUBRAMANIAN
SHANMUHANANTHAN NAGHADEVI
110 NATHANIEL DR
PORTSMOUTH, NH 03801

REDDY LAXMINARAYAN N REDDY
DHANALAXMI L
100 NATHANIEL DR
PORTSMOUTH, NH 03801

MCCARTHY KAREN A BEAUVAIS AUDRA E
90 NATHANIEL DR
PORTSMOUTH, NH 03801

GALLAGHER PAUL J
80 NATHANIEL DR
PORTSMOUTH, NH 03801

WERRY WILLIAM A DOWD-WERRY DIANA M
72 NATHANIEL DR
PORTSMOUTH, NH 03801

HASSAN KERRI HASSAN COREY
60 NATHANIEL DRIVE
PORTSMOUTH, NH 03801

OLEARY JOHN T OLEARY SHIRLEY T
50 NATHANIEL DR
PORTSMOUTH, NH 03801

TAYLOR CINDY L
36 NATHANIEL DR
PORTSMOUTH, NH 03801

7 TRACKS REALTY KELLAWAY THOMAS R
TRUSTEE
5 LIAMS CT
GREENLAND, NH 03840

CITY OF PORTSMOUTH
1 JUNKINS AVE
PORTSMOUTH, NH 03801

FRENCH FAMILY REVOCABLE TRUST OF 199
FRENCH JAMES H & HEIDI B TRUSTEES
9 NATHANIEL DR
PORTSMOUTH, NH 03801

DIEMER FREDERICK C REVO TRUST DIEMER
FREDERICK C TRUSTEE
31 NATHANIEL DR
PORTSMOUTH, NH 03801

BARSTOW ERIK T BARSTOW JENNAFER J
41 NATHANIEL DR
PORTSMOUTH, NH 03801

LE RYAN NGHIEM NGO HELEN
53 NATHANIEL DR
PORTSMOUTH, NH 03801

CARTER CHRISTINE G DEBERNARDIS CARTER
CHAD
63 NATHANIEL DR
PORTSMOUTH, NH 03801

ESTEY FAMILY TRUST ESTEY PAUL GENE &
SUN YON TRUSTEES
73 NATHANIEL DR
PORTSMOUTH, NH 03801

WEATHERSTONE CONDO MASTERCARD

WESTCHESTER CORNER LLC
72 SOUTH BROADWAY
SALEM, NH 03079

BOSTON AND MAINE CORP
IRON HORSE PK HIGH ST
NO BILLERICA, MA 01862

CITY OF PORTSMOUTH DPW
PO BOX 628
PORTSMOUTH, NH 03802

CITY OF PORTSMOUTH CONSV COMM
PO BOX 6697
PORTSMOUTH, NH 03802

CITY OF PORTSMOUTH
1 JUNKINS AVE
PORTSMOUTH, NH 03801

HERBERT MARY BETH
112 GATES STREET
PORTSMOUTH, NH 03801

CITY OF PORTSMOUTH DPW
PO BOX 628
PORTSMOUTH, NH 03802

SEA GULL REVOCABLE TRUST DREW WILLIAM
G TRUSTEE
PO BOX 147
NEW CASTLE, NH 03854-0147

CITY OF PORTSMOUTH CONSV COMM
PO BOX 6697
PORTSMOUTH, NH 03802

CITY OF PORTSMOUTH DPW
1 JUNKINS AVENUE
PORTSMOUTH, NH 03801

CITY OF PORTSMOUTH DPW
PO BOX 628
PORTSMOUTH, NH 03802

CITY OF PORTSMOUTH CONSV COMM
PO BOX 6697
PORTSMOUTH, NH 03802

REGENERATION REALTY TRUST
3612 LAFAYETTE RD DEPT 5
PORTSMOUTH, NH 03801

REGENERATION REALTY TRUST BOBBETT
JONATHAN TRUSTEE
3612 LAFAYETTE DR DEPT 8
PORTSMOUTH, NH 03801

CITY OF PORTSMOUTH
1 JUNKINS AVE
PORTSMOUTH, NH 03801

CITY OF PORTSMOUTH
1 JUNKINS AVE
PORTSMOUTH, NH 03801

PORTSMOUTH LAFAYETTE RD LLC
67 MOUNTAIN BLVD SUITE 201
WARREN, NJ 07059

RICCI CONSTRUCTION CO INC
225 BANFIELD ROAD
PORTSMOUTH, NH 03801

JONES & BEACH ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

July 8, 2020

**Re: Wetlands Permit Application
Cross-Country Sewer Rehabilitation
Portsmouth, NH
JBE Project No. 18229**

Dear Abutter:

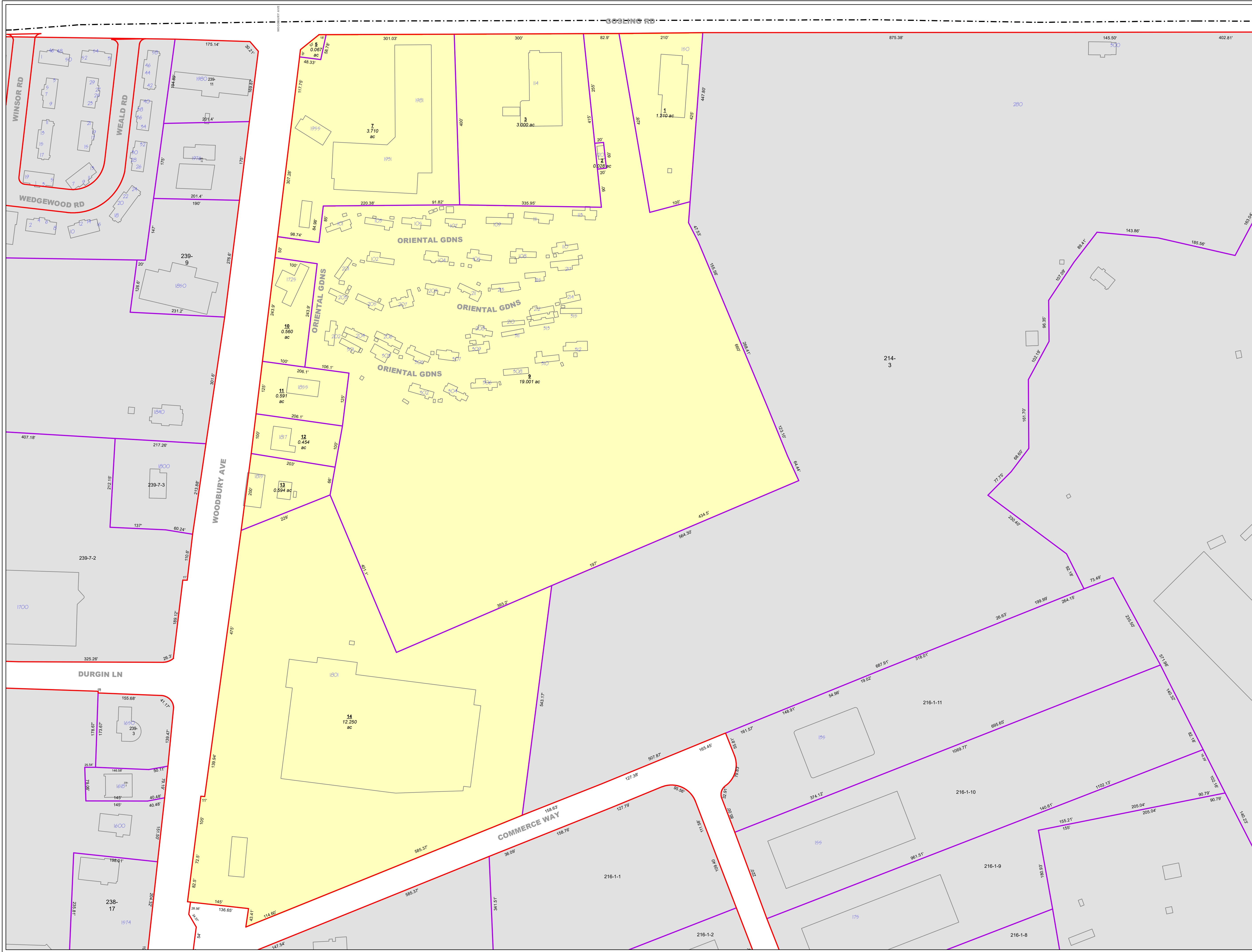
On behalf of our client, under RSA 482-A:3 I (d)(1), we are required to notify you that we are applying for a Wetlands and Non-Site Specific Permit from the N.H. Department of Environmental Services (DES) Wetlands Bureau. This letter is to inform you, as an abutter to an area where the work is taking place, that an application will be filed with the DES Wetlands Bureau. The project proposes the rehabilitation of several sewer manholes and the construction of temporary crossings and wetland impacts in order to mobilize equipment and personnel to those area.

The application with plans that show the proposed project will be available for viewing during normal business hours at the office of the Portsmouth City Clerk or can also be reviewed at the NHDES headquarters in Concord by scheduling a file review by calling (603) 271- 8808 or visiting online at: www4.egov.nh.gov/DES/FileReview.

Please feel free to contact myself with any questions. Thank you for your time.

Very truly yours,
JONES & BEACH ENGINEERS, INC.

Christopher Albert
Senior Project Manager



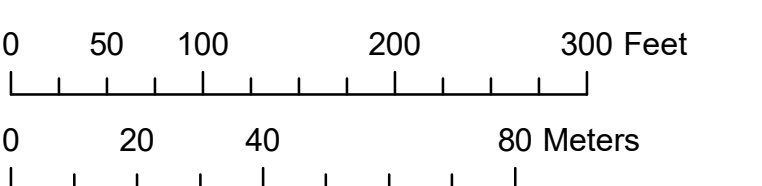
Partial Legend
 See the cover sheet for the complete legend.

7-5A Lot or lot-unit number
 2.56 ac Parcel area in acres (ac) or square feet (sf)
 25 Address number
 233-137 Parcel number from a neighboring map
 68' Parcel line dimension

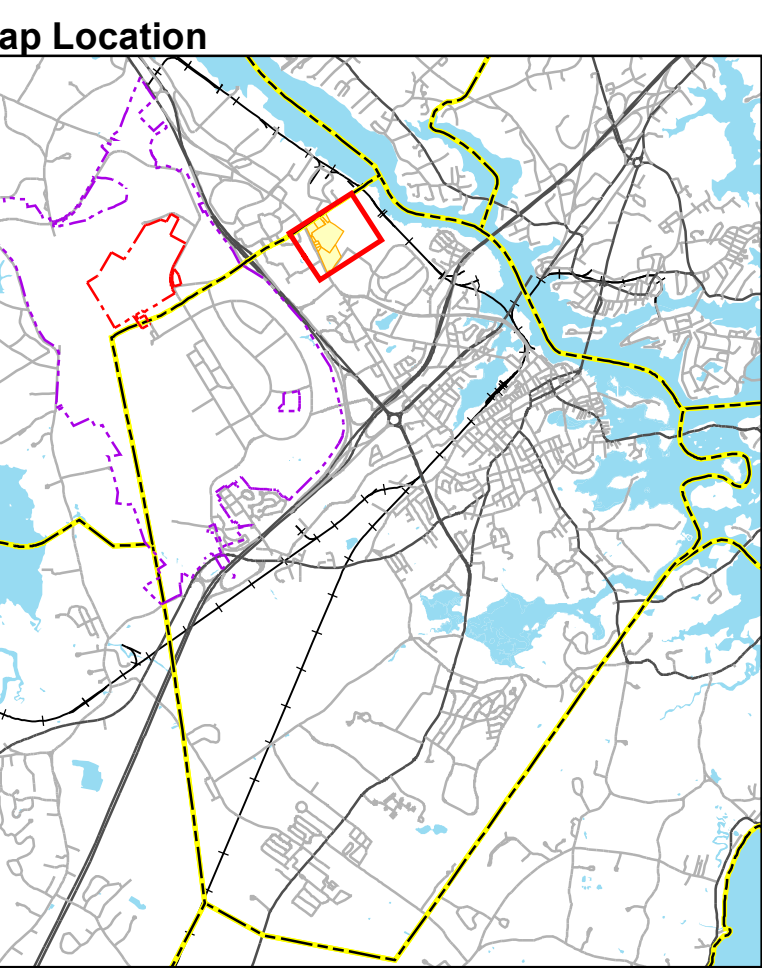
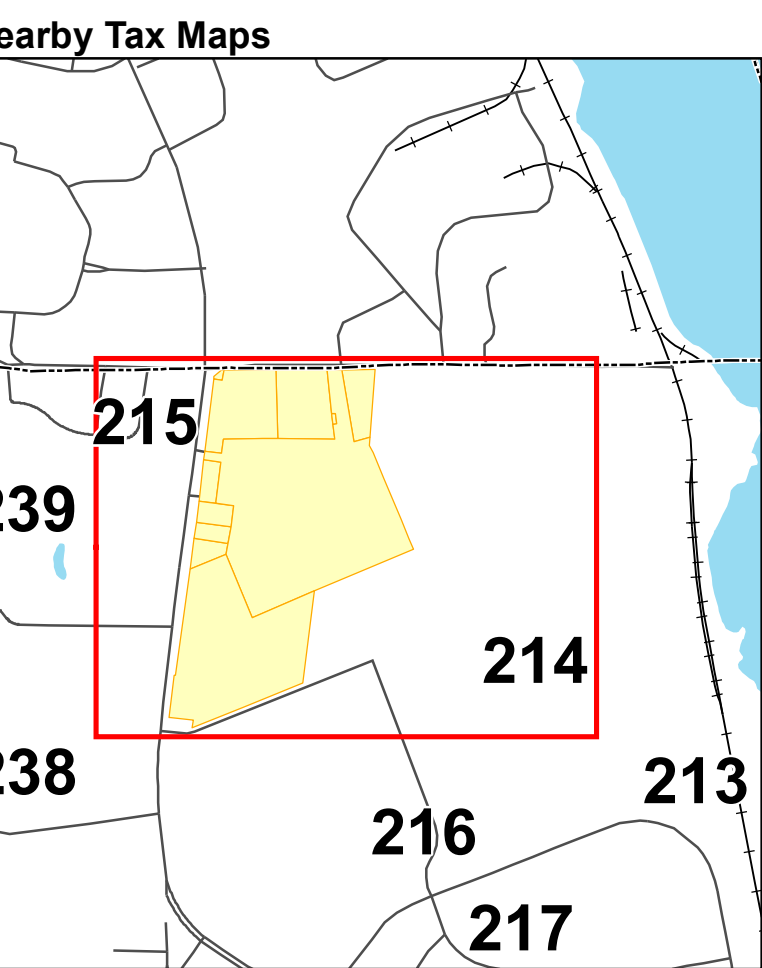
SIMS AVE Street name

- Parcel/Parcel boundary
- Parcel/ROW boundary
- Water boundary
- Structure (1994 data)

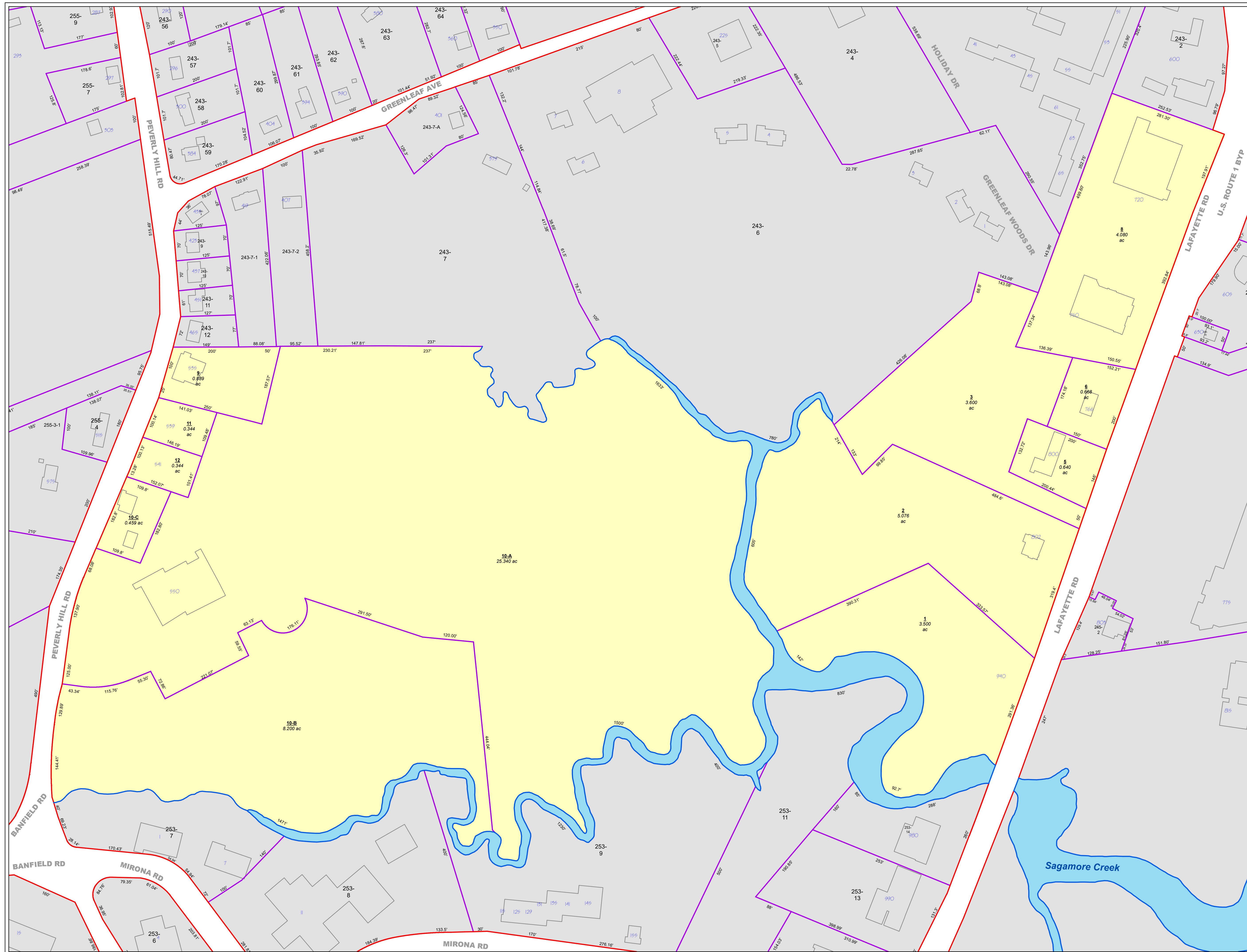
Parcel covered by this map
 Parcel from a neighboring map (see other map for current status)



This map is for assessment purposes only. It is not intended for legal description or conveyance. Parcels are mapped as of April 1. Building footprints are 2006 data and may not represent current structures. Streets appearing on this map may be paper (unbuilt) streets. Lot numbers take precedence over address numbers. Address numbers shown on this map may not represent posted or legal addresses.



Portsmouth, New Hampshire
 2019
Tax Map 215



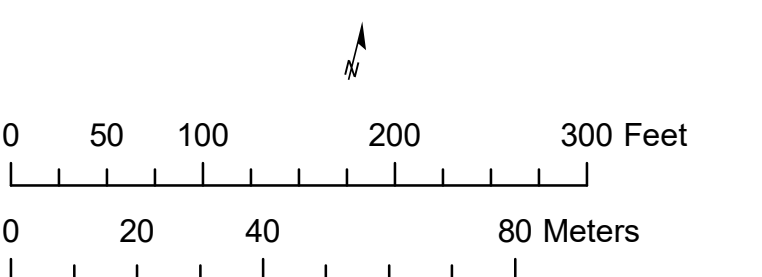
Partial Legend
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- 25 Address number
- 233-137 Parcel number from a neighboring map
- 68' Parcel line dimension
- Street name

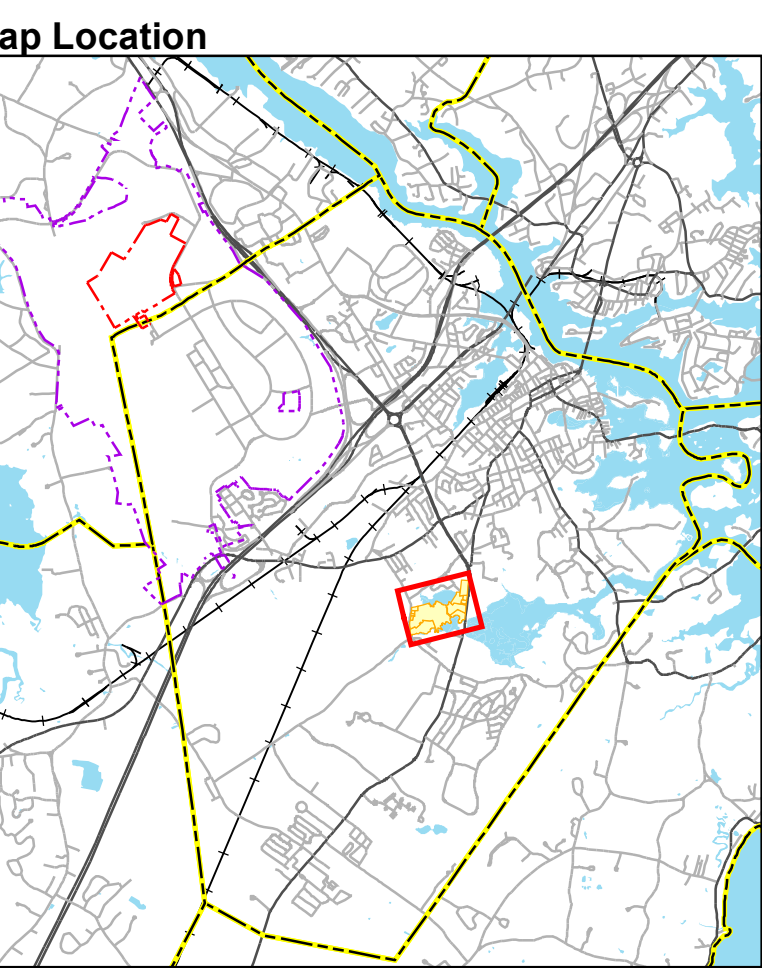
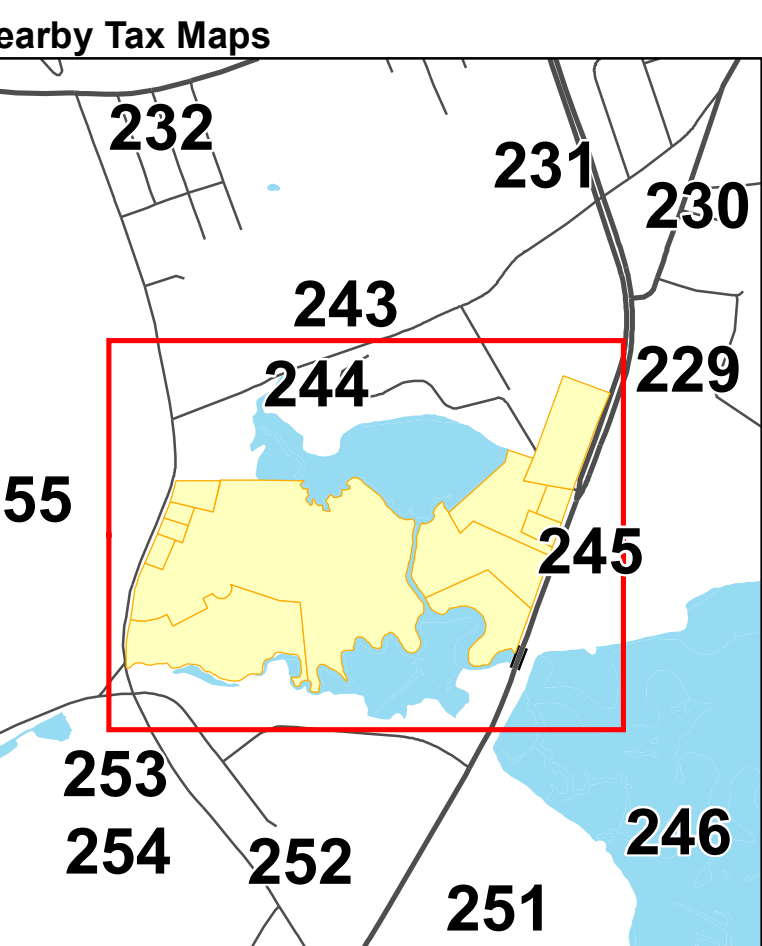
SIMS AVE
 Street name

- Parcel/Parcel boundary
- Parcel/ROW boundary
- Water boundary
- Structure (1994 data)

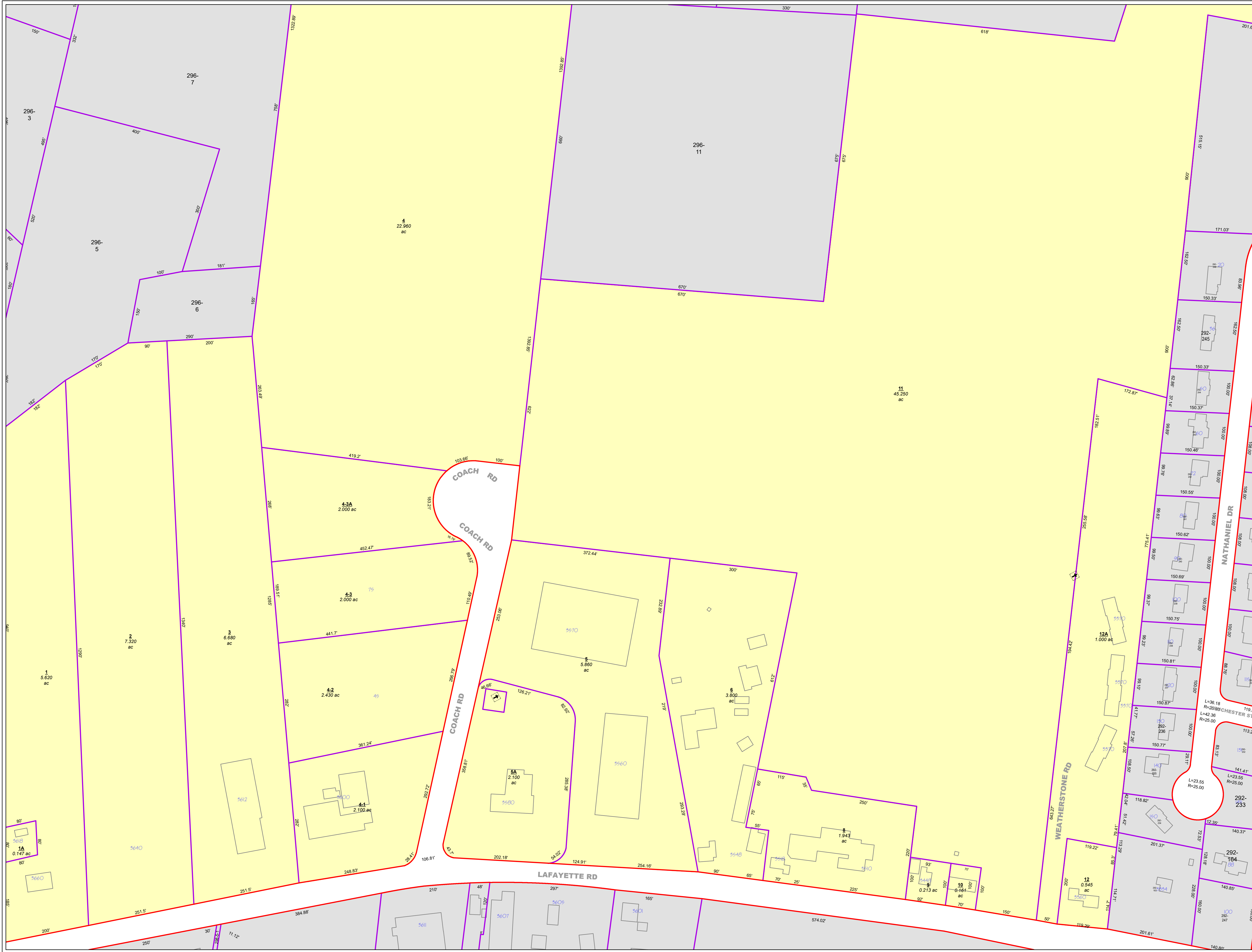
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- Parcel from a neighboring map (see other map for current status)



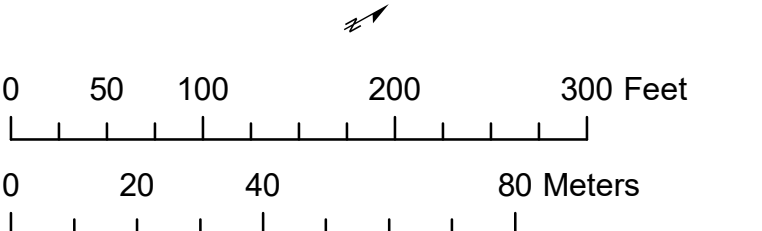
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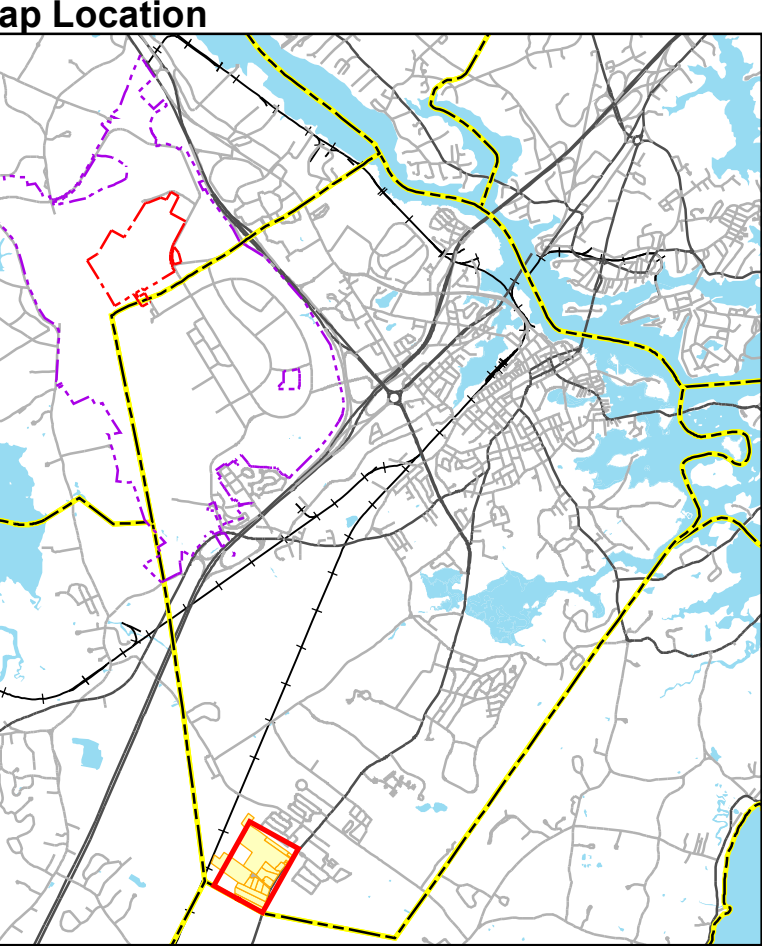
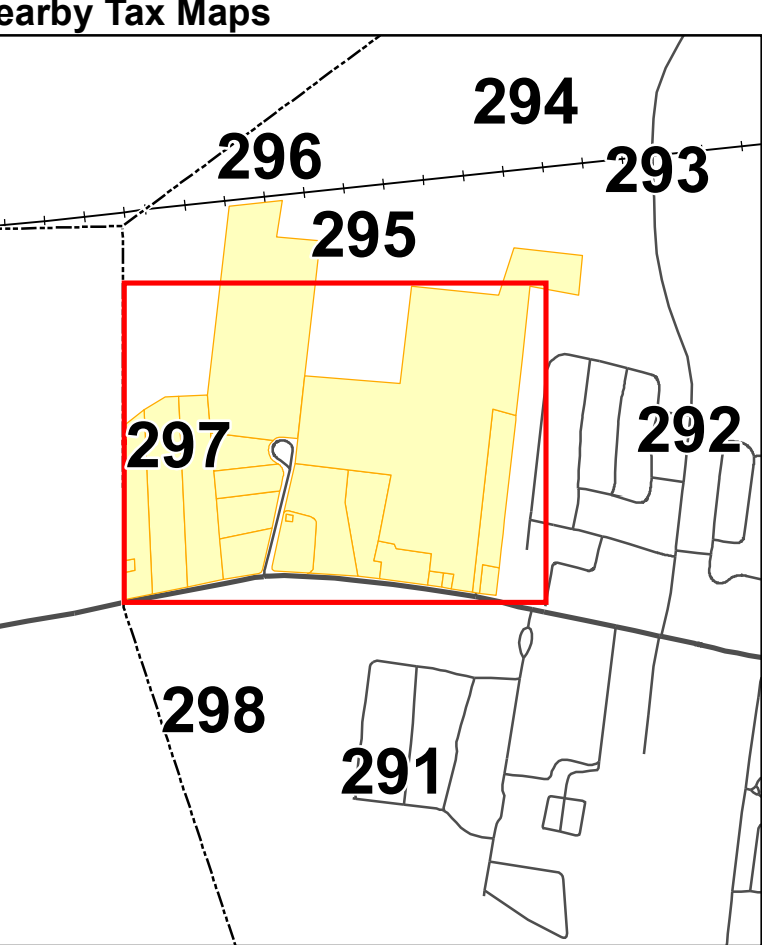
Portsmouth, New Hampshire
 2019
Tax Map 244

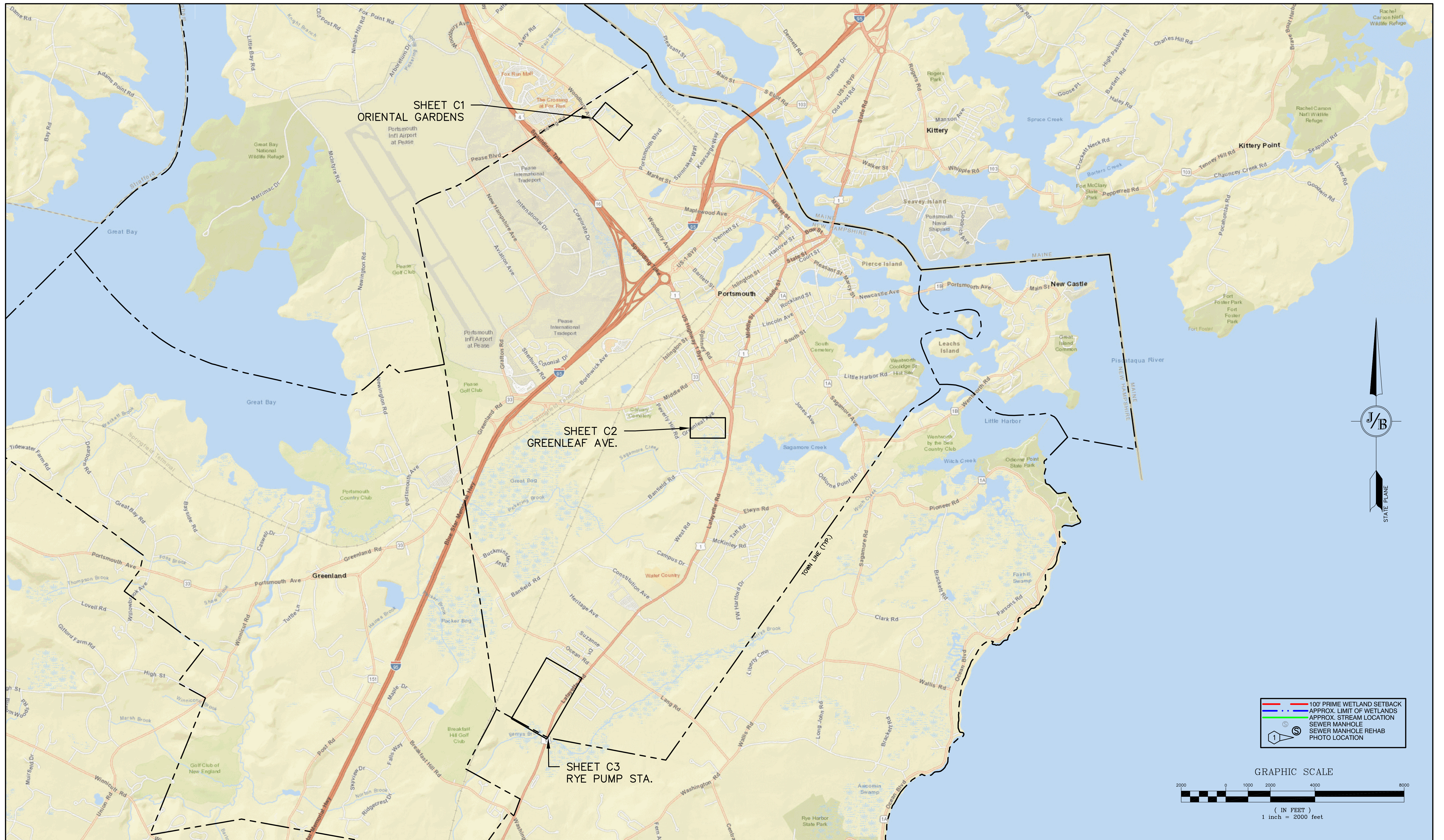


- Partial Legend**
 See the cover sheet for the complete legend.
- 7-5A** Lot or lot-unit number
 - 2.56 ac Parcel area in acres (ac) or square feet (sf)
 - 25 Address number
 - 233-137 Parcel number from a neighboring map
 - 68' Parcel line dimension
 - SIMS AVE Street name
 - Parcel/Parcel boundary
 - Parcel/ROW boundary
 - Water boundary
 - Structure (1994 data)
 - Parcel covered by this map
 - Parcel from a neighboring map (see other map for current status)

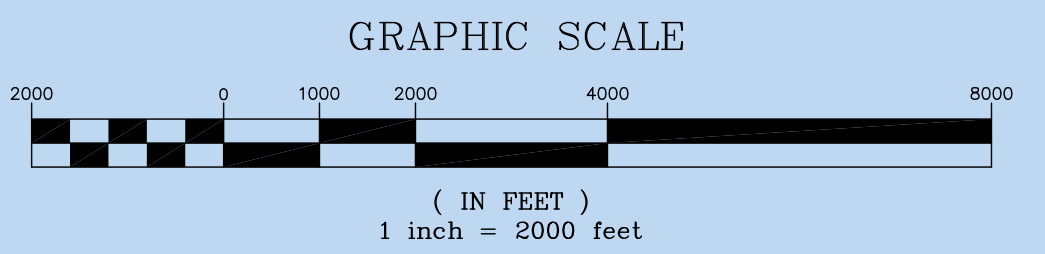


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— 100' PRIME WETLAND SETBACK
- - - APPROX. LIMIT OF WETLANDS
— APPROX. STREAM LOCATION
 SEWER MANHOLE
 SEWER MANHOLE REHAB
 PHOTO LOCATION



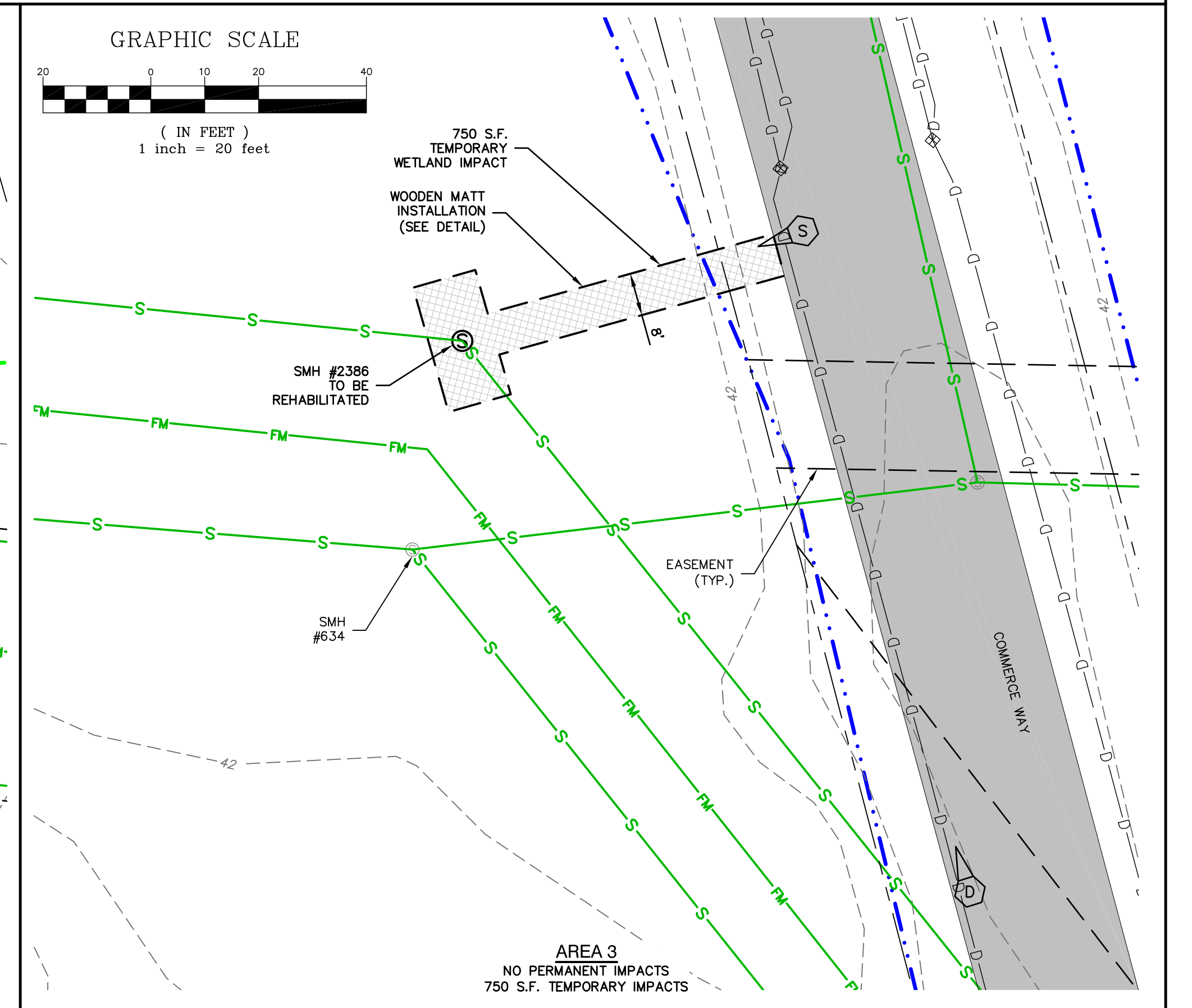
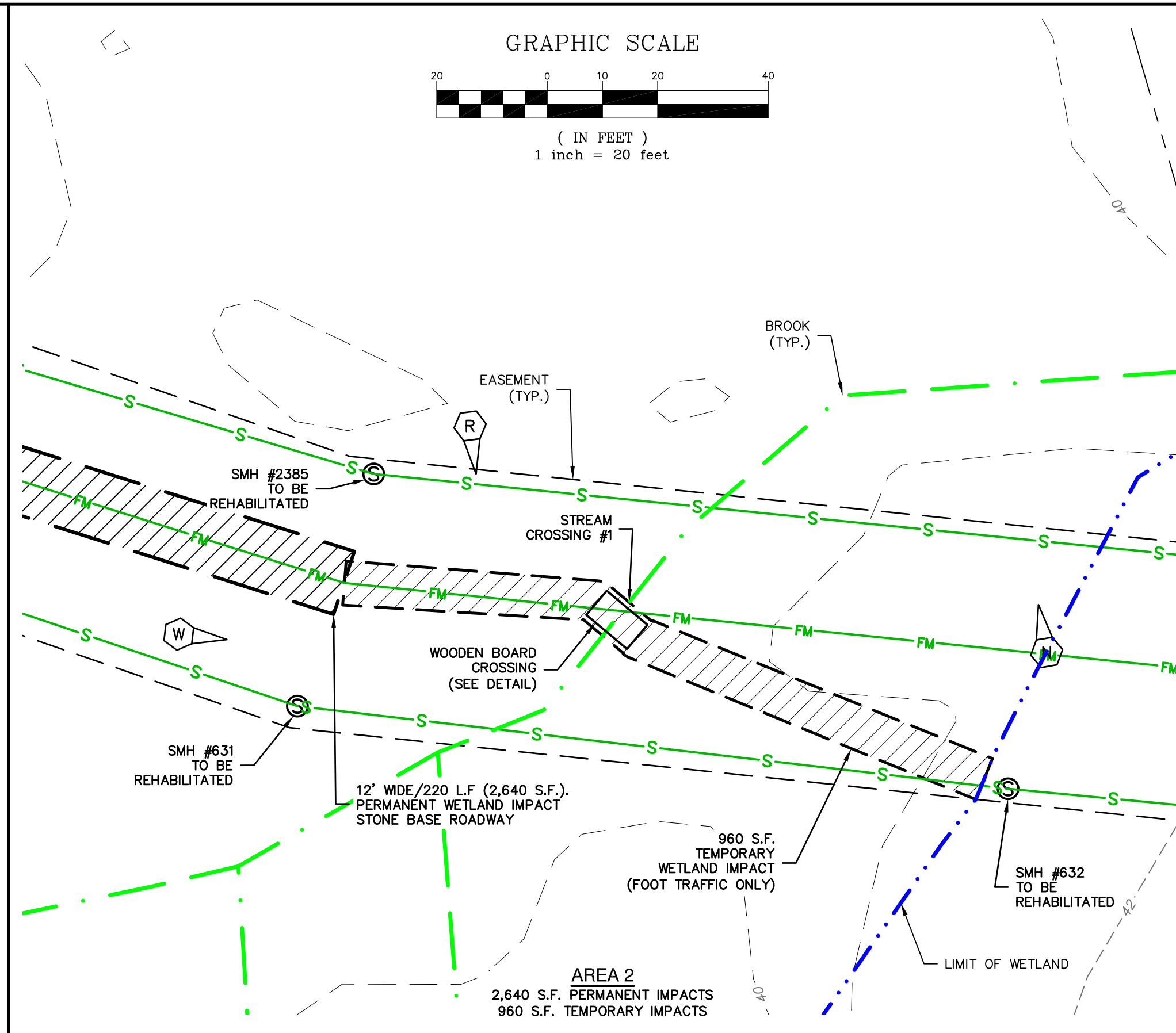
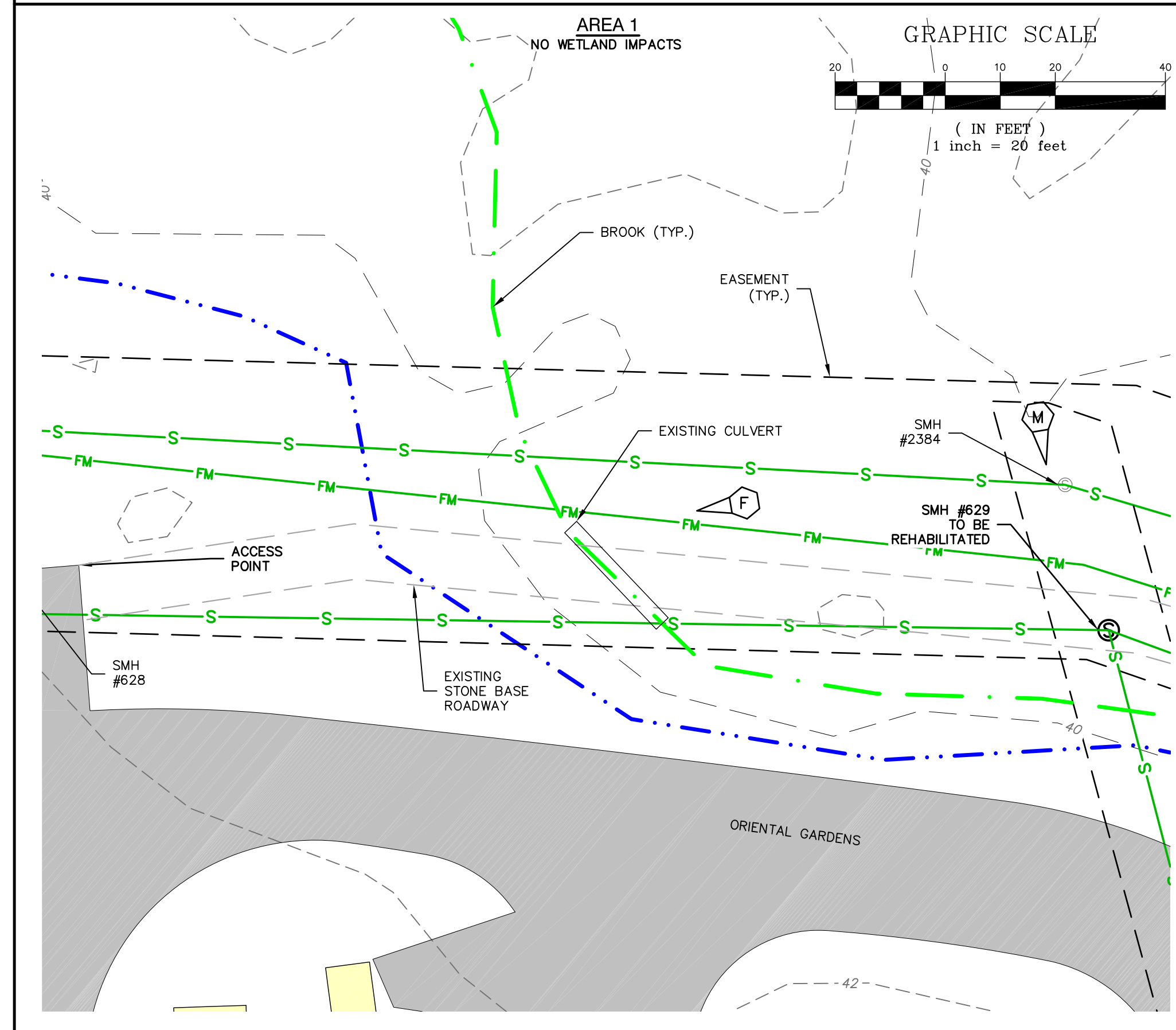
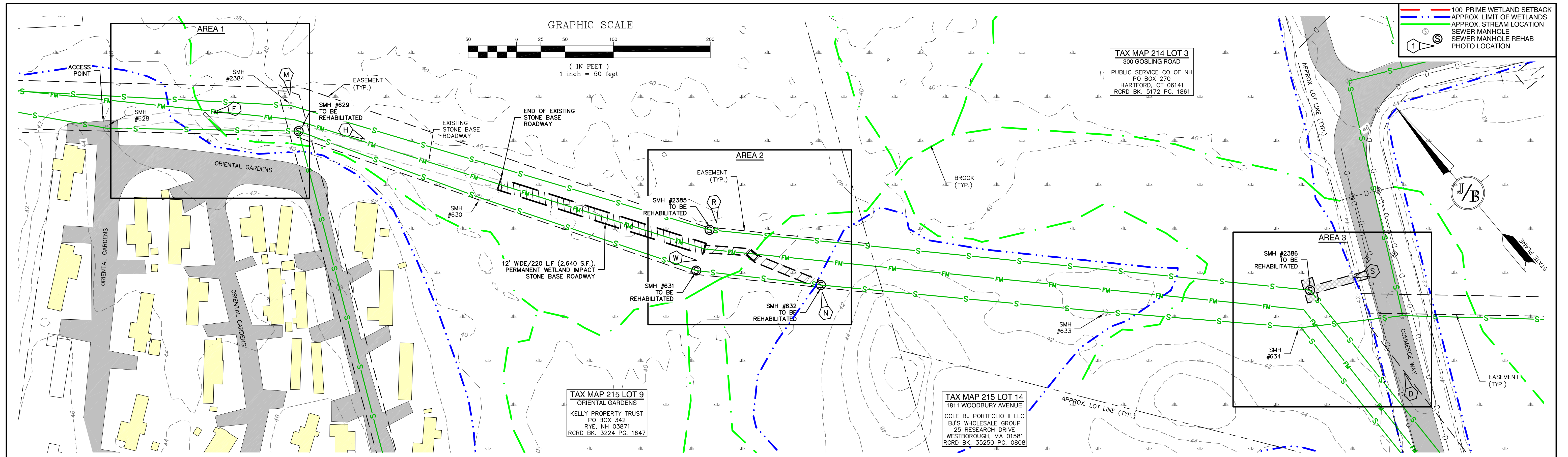
Design: CSA	Draft: AMJ	Date: 03/18/2020
Checked: CSA	Scale: AS SHOWN	Project No.: 18229
Drawing Name: 18229-PLAN.dwg		
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.		

REV.	DATE	REVISION	BY
2	06/24/20	ISSUED FOR CONSERVATION COMMISSION	AMJ
1	06/19/20	ADDED BUILDINGS, LABELS, PAVEMENT	AMJ
0	03/18/20	ISSUED FOR REVIEW	AMJ

Designed and Produced in NH
Jones & Beach Engineers, Inc.
 Civil Engineering Services
 85 Portsmouth Ave. PO Box 219 Stratham, NH 03885
 603-772-4746 FAX: 603-772-0227
 E-MAIL: JBE@JONESANDBEACH.COM

Plan Name:	CITY OVERVIEW PLAN
Project:	CROSS-COUNTRY SEWER REHABILITATION PORTSMOUTH, NH
Owner of Record:	WOODARD & CURRAN, ATTN: JASON JANCAITIS, P.E. 40 SHATTUCK ROAD, SUITE 110, ANDOVER, MA 01810

DRAWING No.
OV1
 SHEET 1 OF 5
 JBE PROJECT NO. 18229



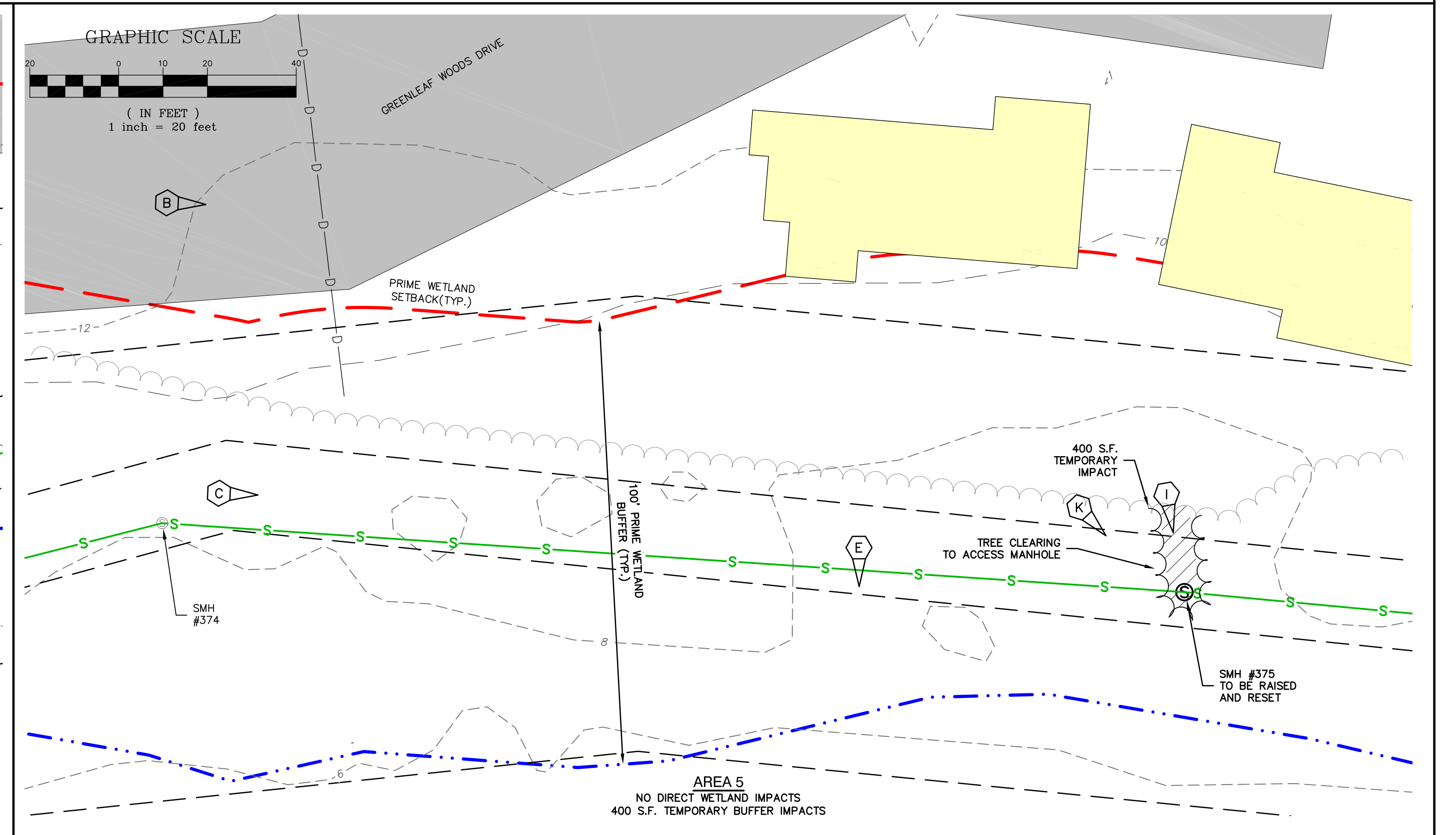
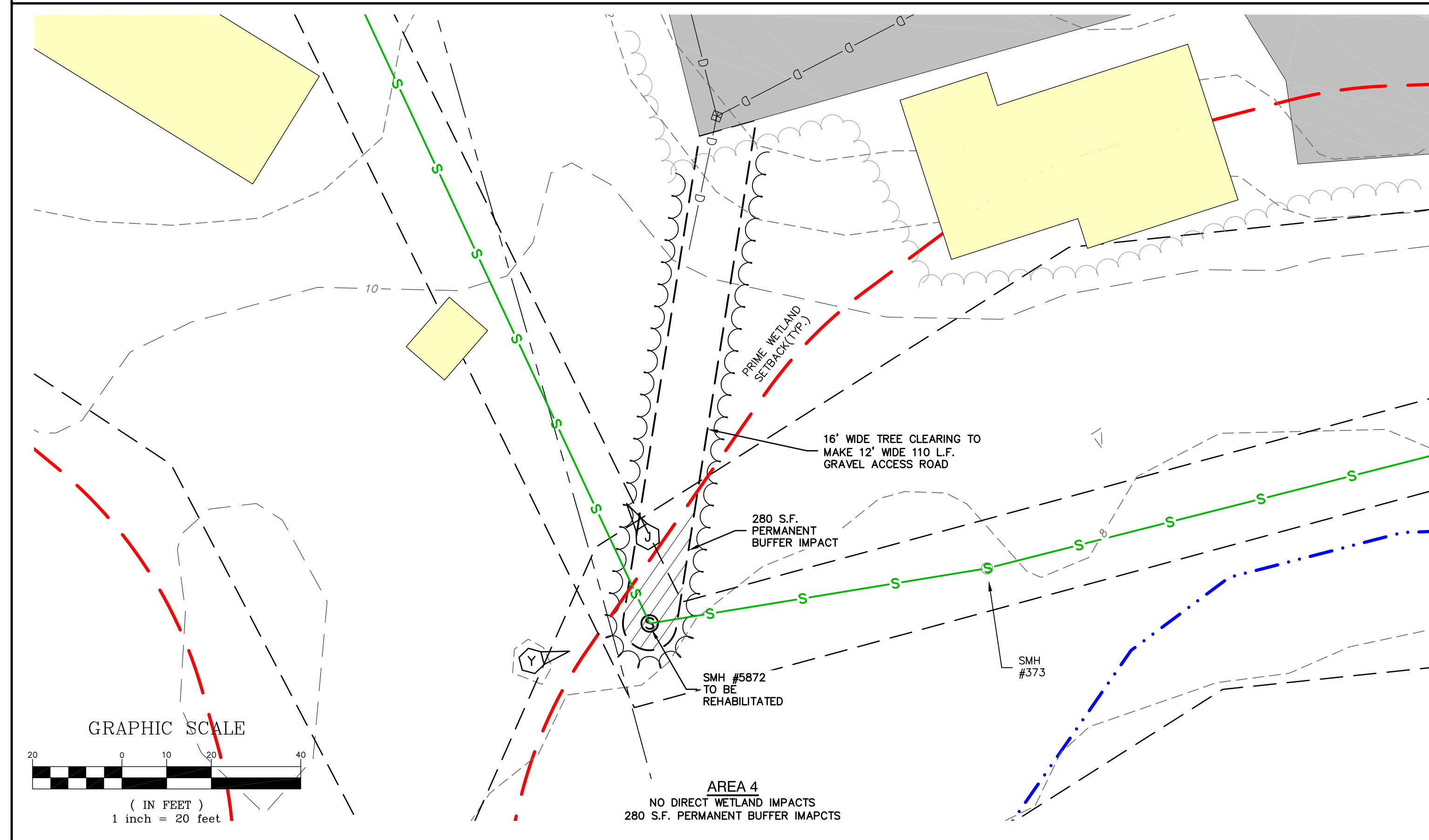
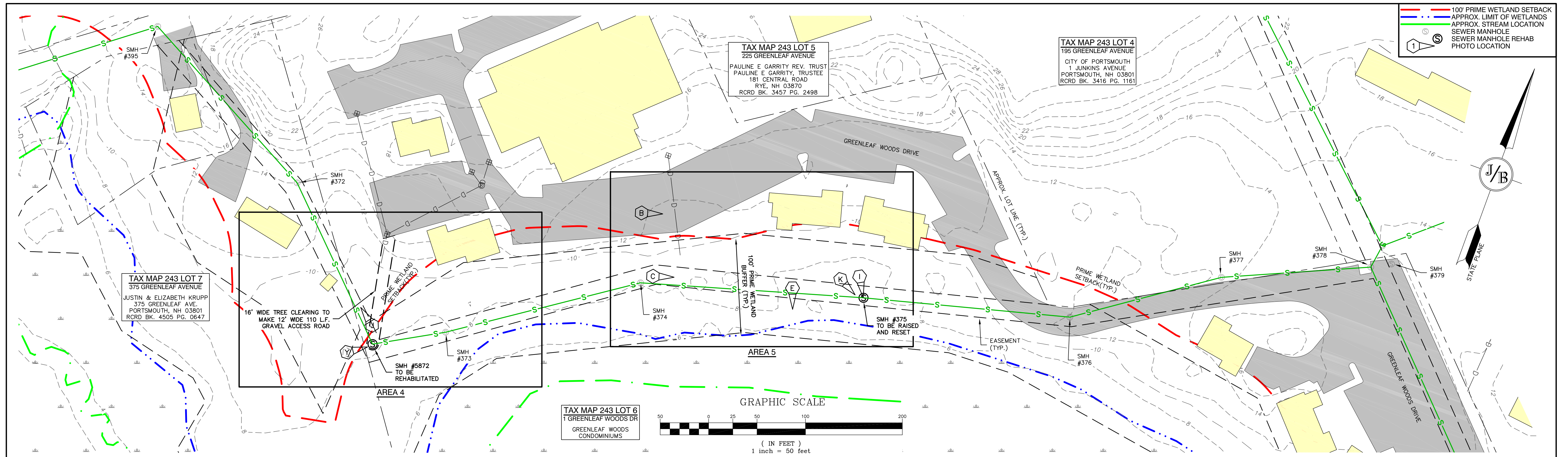
Design: CSA Draft: AMJ Date: 03/18/2020
 Checked: CSA Scale: AS SHOWN Project No.: 18229
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1	06/19/20	ADDED BUILDINGS, LABELS, PAVEMENT	AMJ
0	03/18/20	ISSUED FOR REVIEW	AMJ

Designed and Produced in NH
J/B Jones & Beach Engineers, Inc.
 Civil Engineering Services
 85 Portsmouth Ave. PO Box 219 Stratham, NH 03885
 603-772-4746 FAX: 603-772-0227 E-MAIL: JBE@JONESANDBEACH.COM

Plan Name: **ORIENTAL GARDENS PLAN**
 Project: **CROSS-COUNTRY SEWER REHABILITATION PORTSMOUTH, NH**
 Owner of Record: **WOODARD & CURRAN, ATTN: JASON JANCAITIS, P.E., 40 SHATTUCK ROAD, SUITE 110, ANDOVER, MA 01810**

DRAWING No.
C1
 SHEET 2 OF 5
 JBE PROJECT NO. 18229



Design: CSA Draft: AMJ Date: 03/18/2020
 Checked: CSA Scale: AS SHOWN Project No.: 18229
 Drawing Name: 18229-PLAN.dwg
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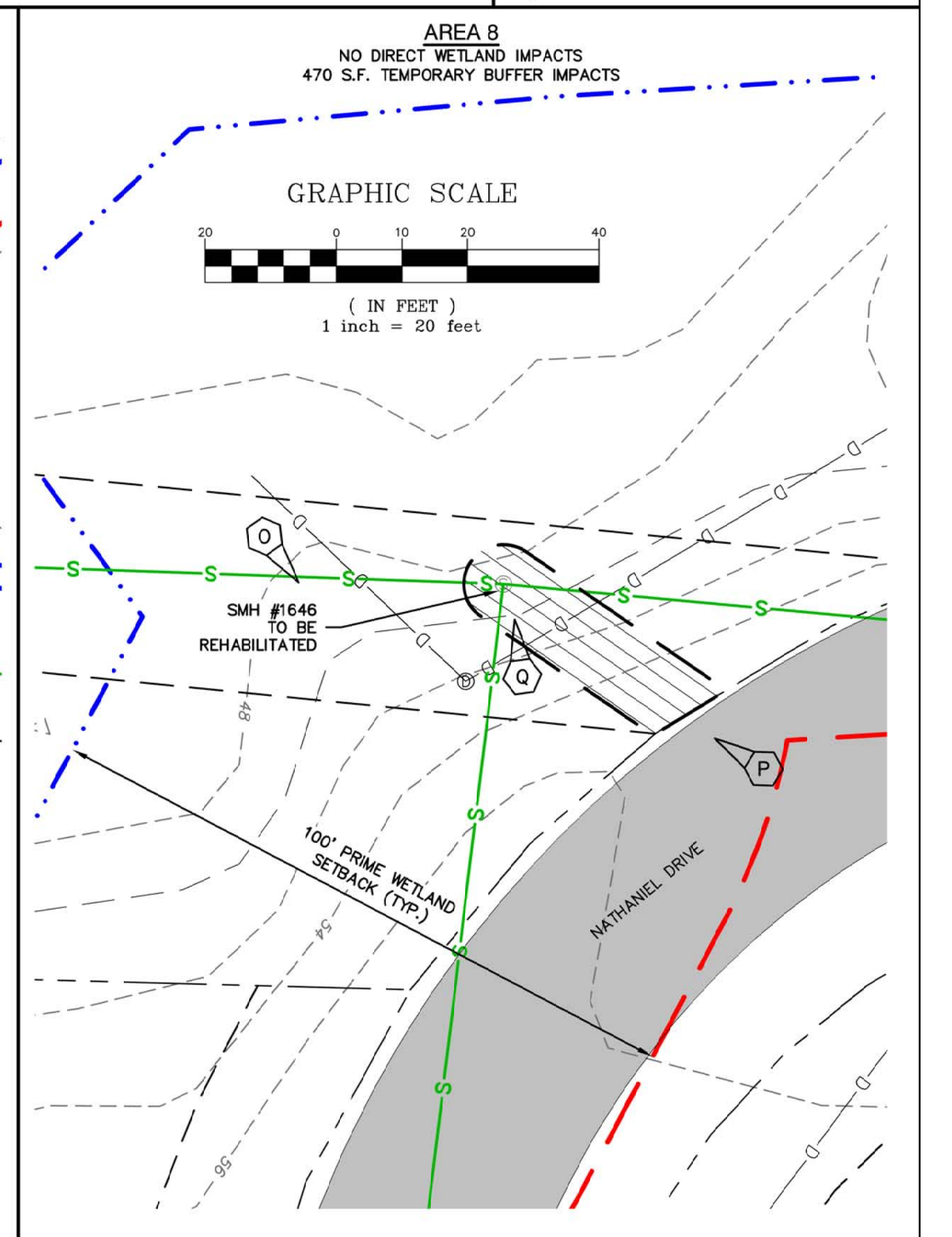
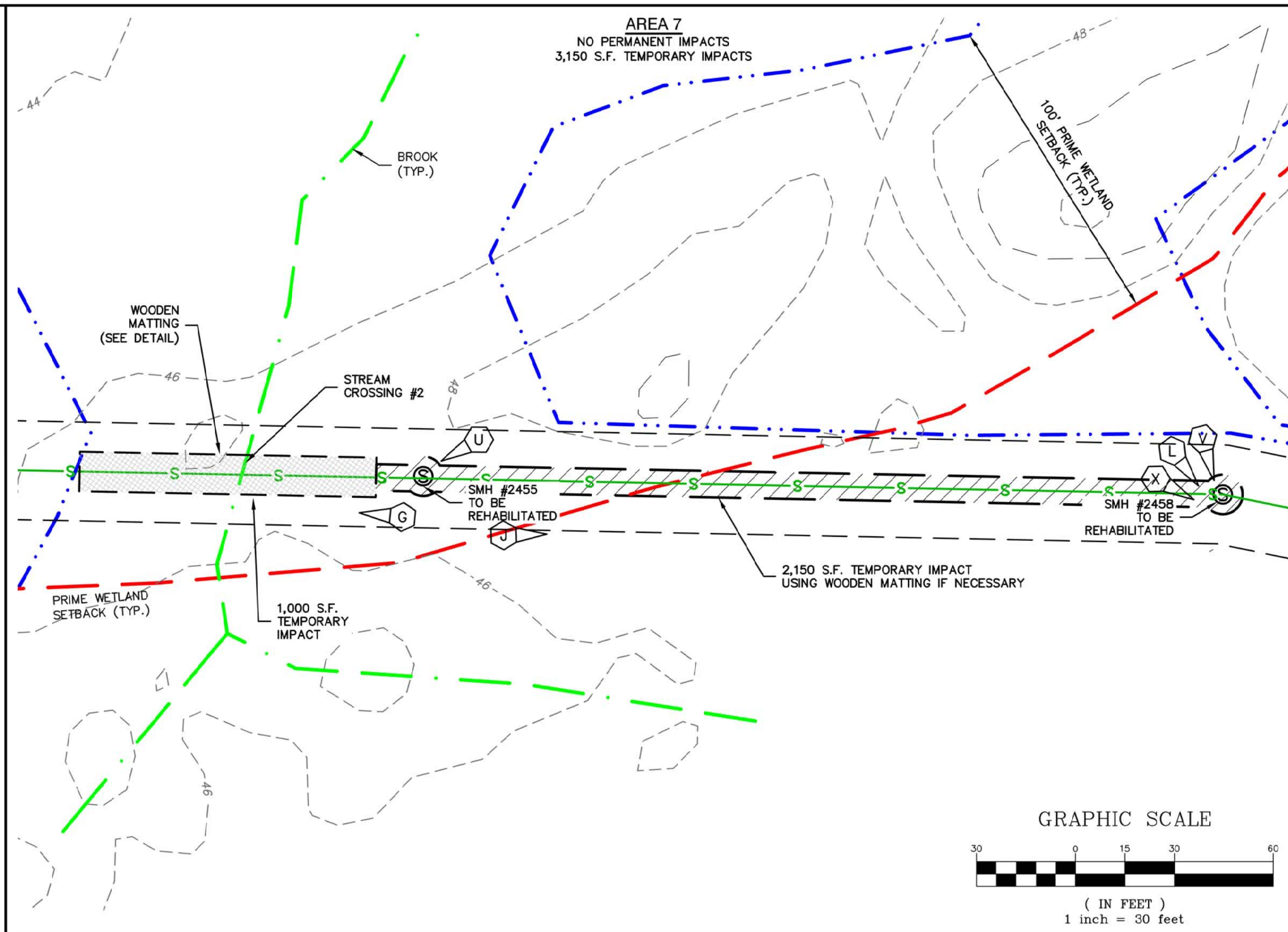
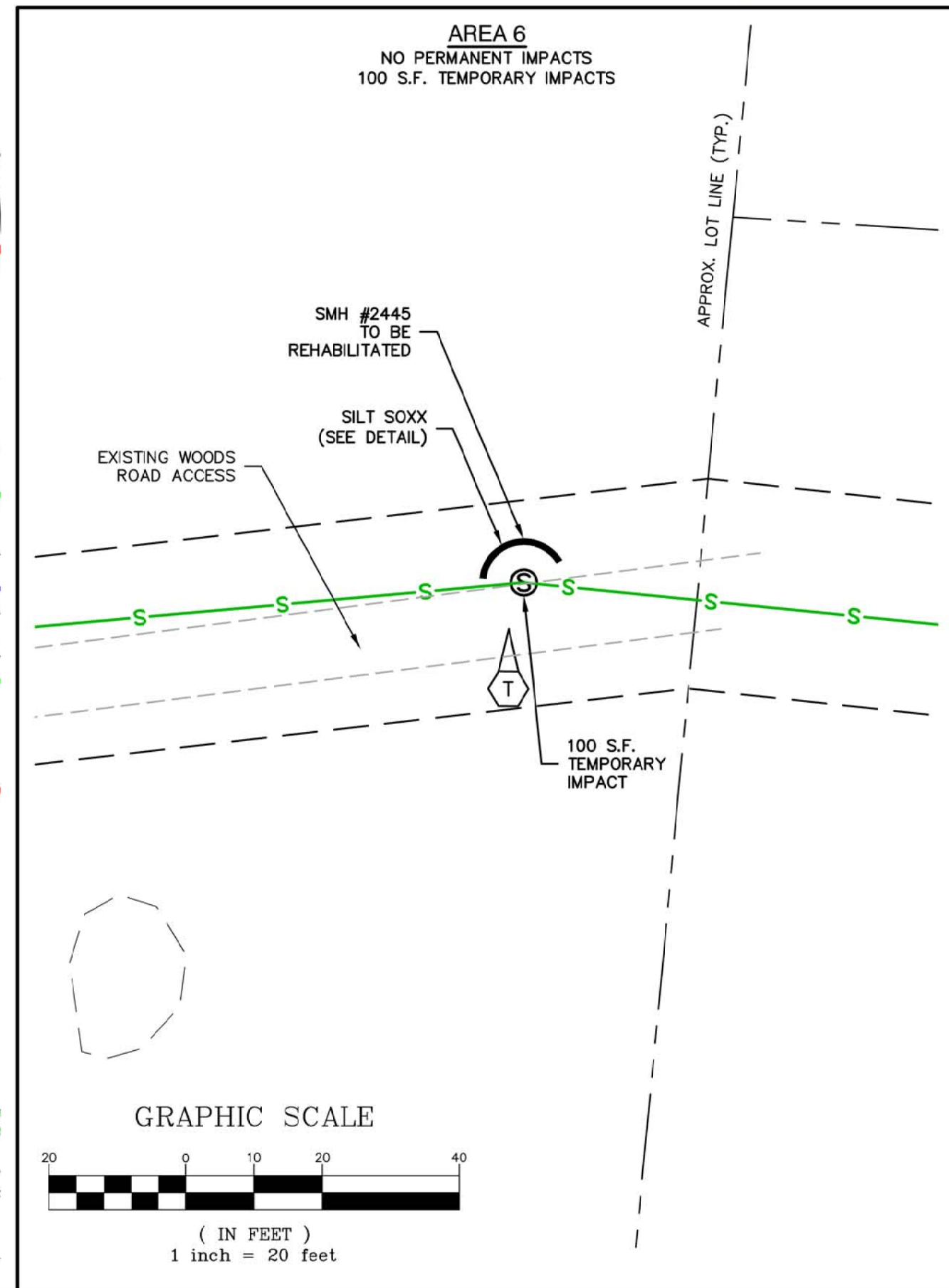
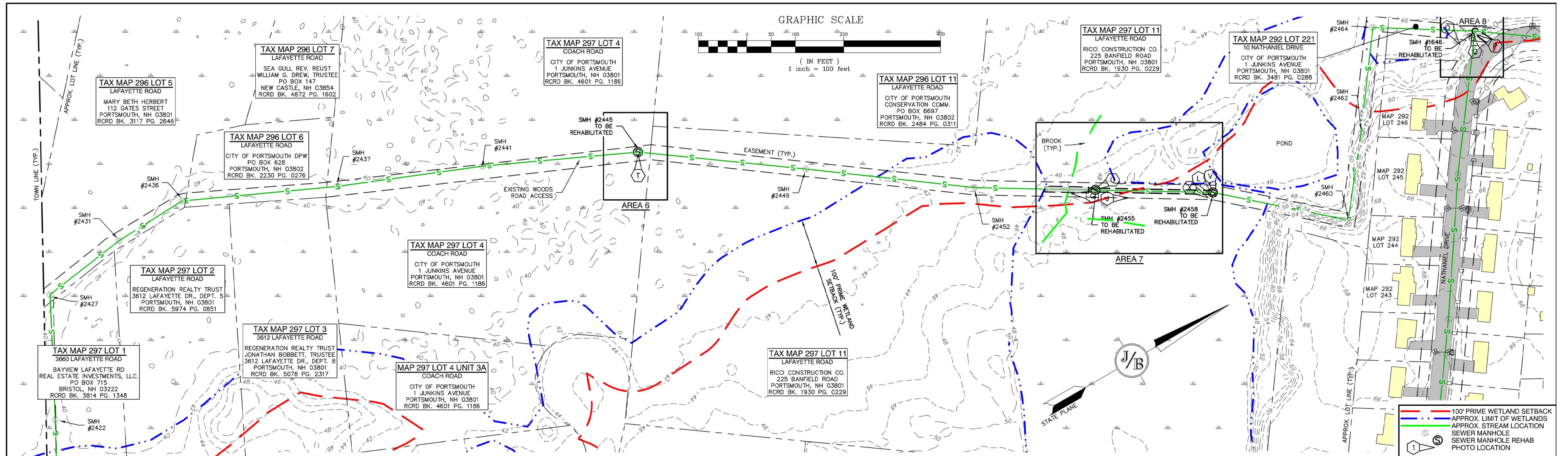
REV.	DATE	REVISION	BY
2	06/24/20	ISSUED FOR CONSERVATION COMMISSION	AMJ
1	06/19/20	ADDED BUILDINGS, LABELS, PAVEMENT	AMJ
0	03/18/20	ISSUED FOR REVIEW	AMJ

Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.
 Civil Engineering Services
 85 Portsmouth Ave. PO Box 219 Stratham, NH 03885
 603-772-4746 FAX: 603-772-0227 E-MAIL: JBE@JONESANDBEACH.COM

Plan Name: **GREENLEAF AVENUE PLAN**
 Project: **CROSS-COUNTRY SEWER REHABILITATION PORTSMOUTH, NH**
 Owner of Record: **WOODARD & CURRAN, ATTN: JASON JANCAITIS, P.E., 40 SHATTUCK ROAD, SUITE 110, ANDOVER, MA 01810**

DRAWING No. **C2**
 SHEET 3 OF 5
 JBE PROJECT NO. 18229



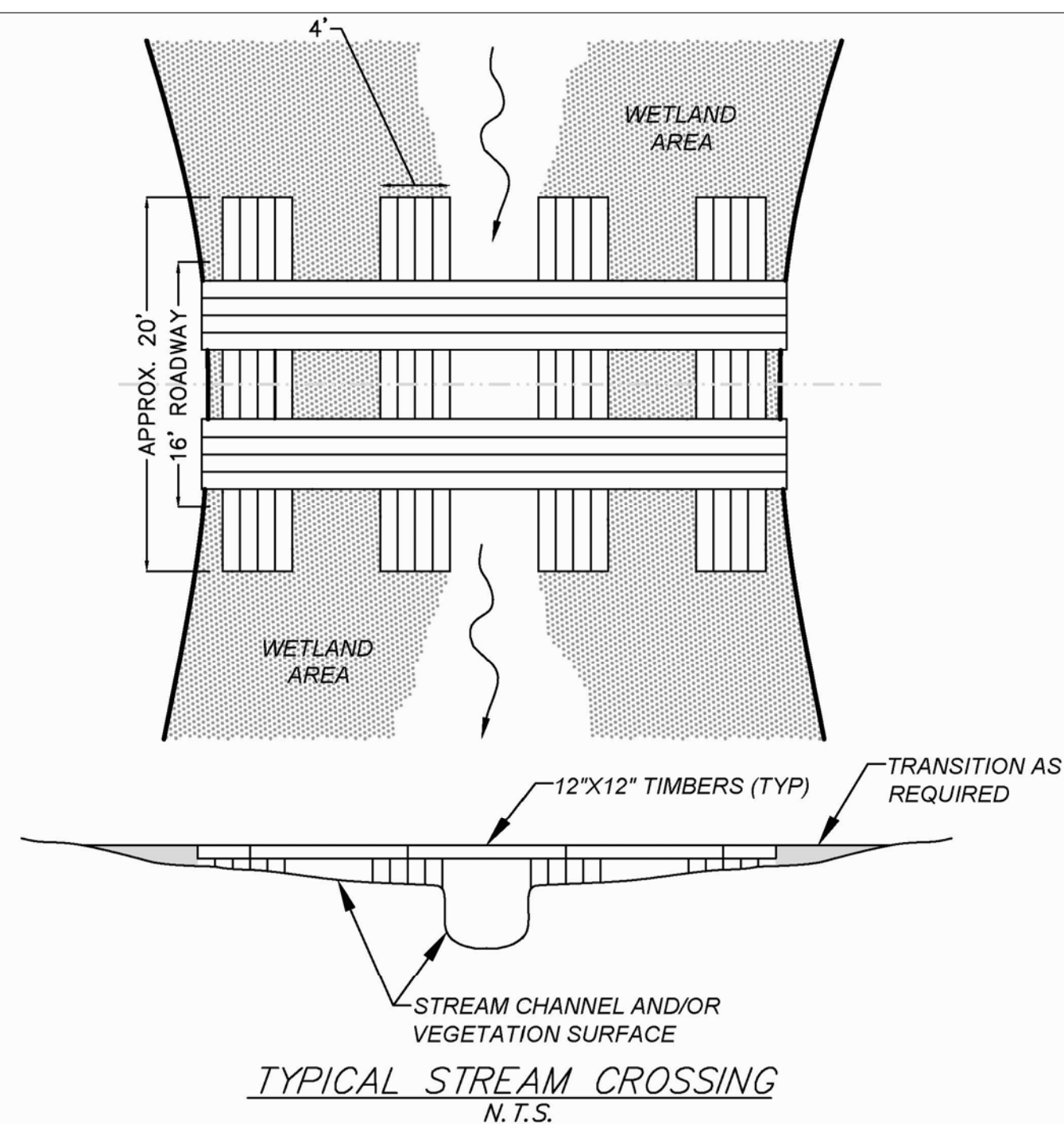
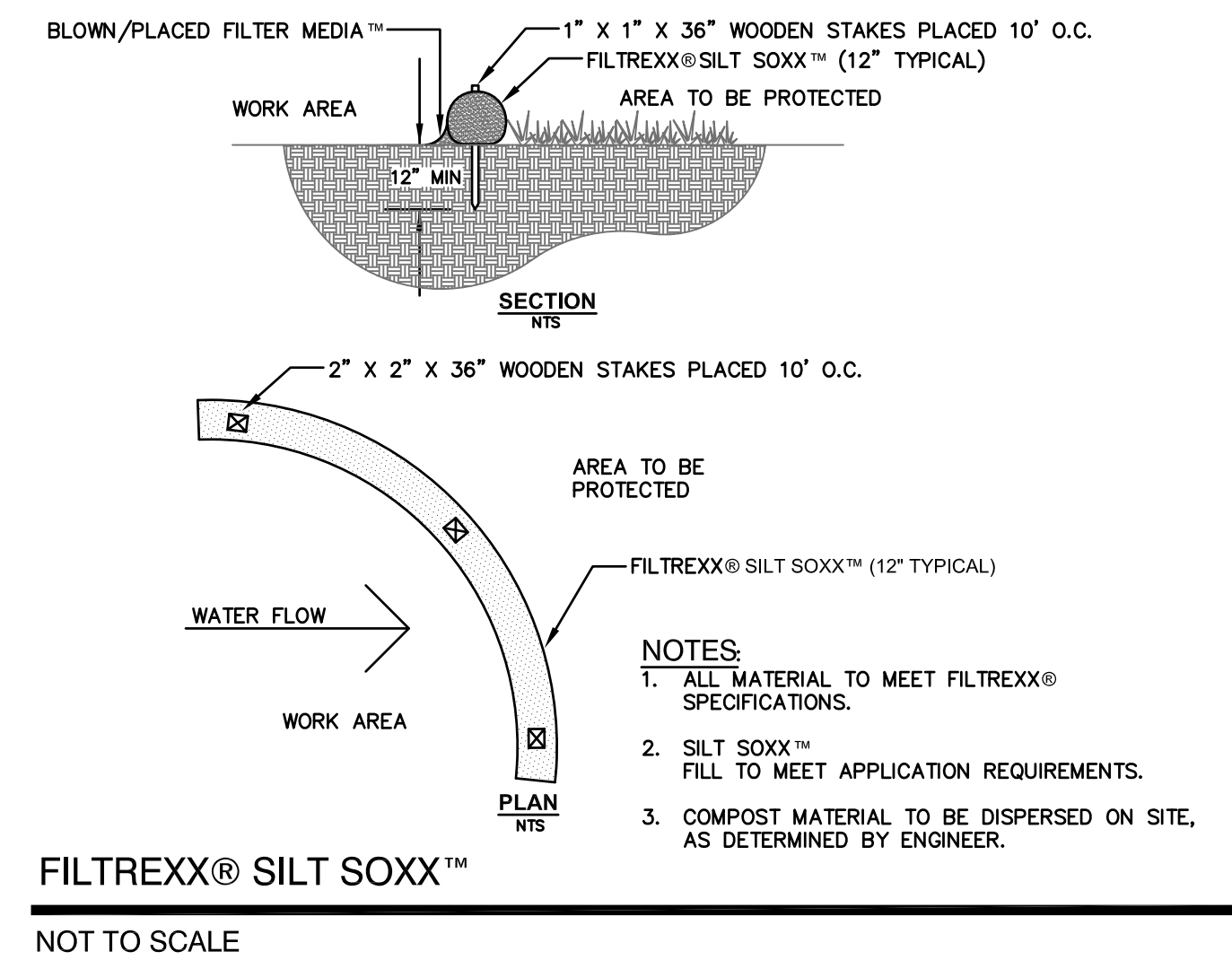
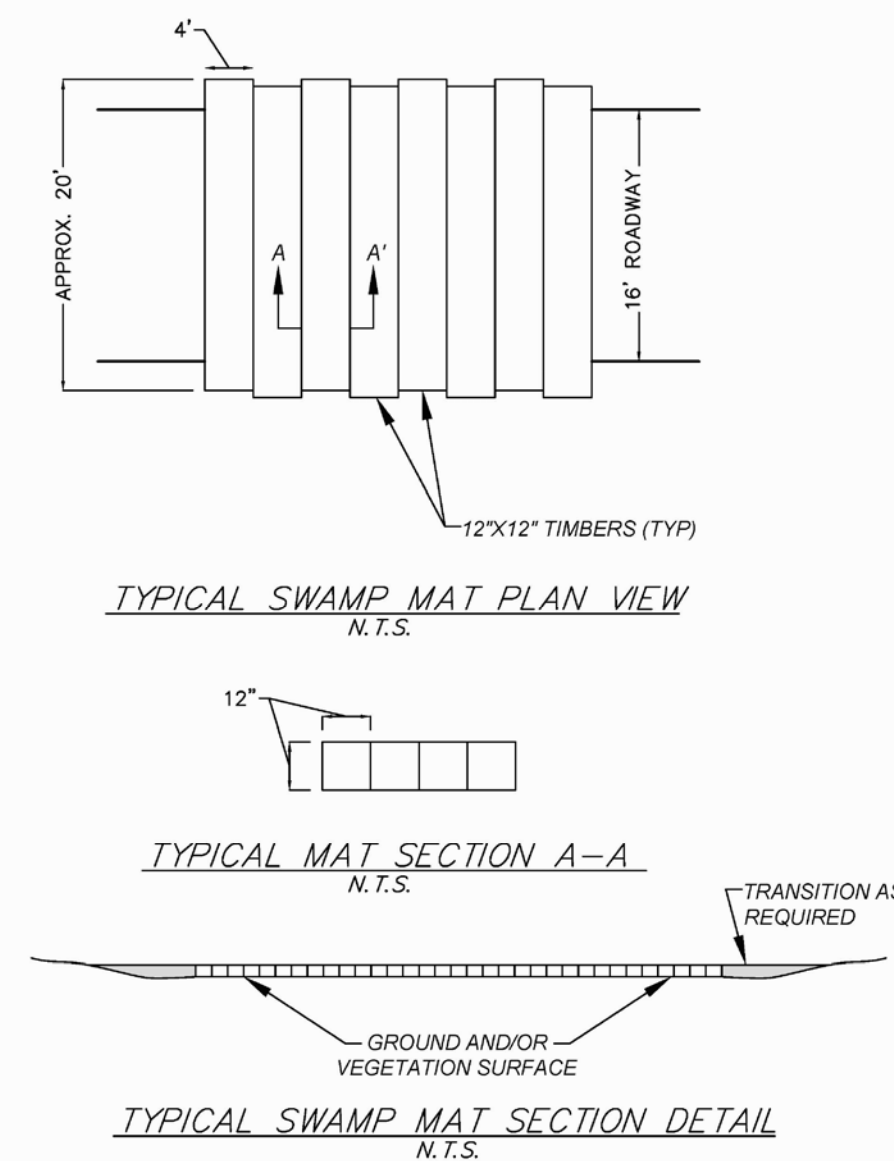
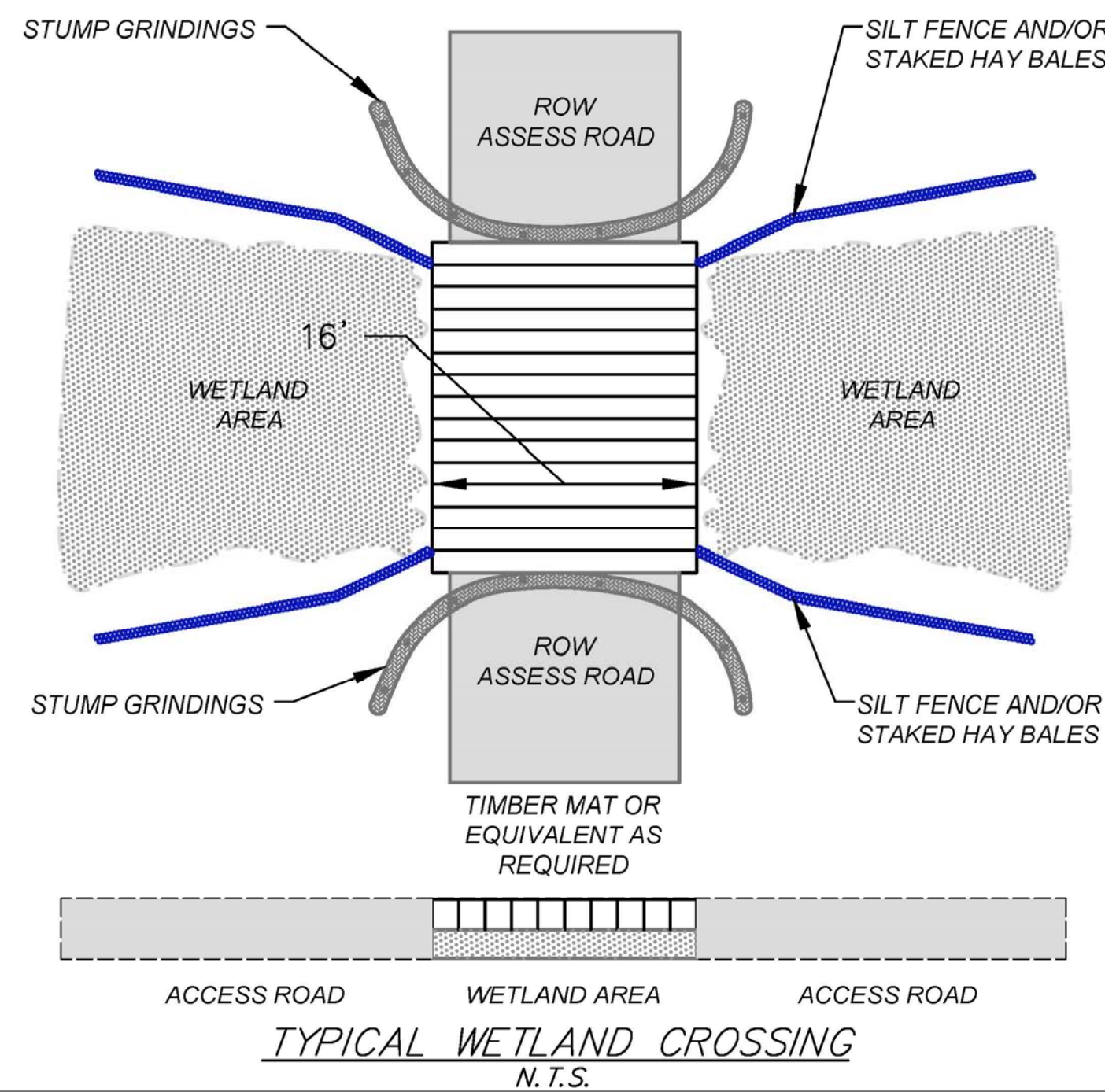
Design: CSA Draft: AMJ Date: 03/18/2020
 Checked: CSA Scale: AS SHOWN Project No.: 18229
 Drawing Name: 18229-PLAN.dwg
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REV.	DATE	REVISION	BY
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0	03/18/20	ISSUED FOR REVIEW	AMJ

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 603-772-4746
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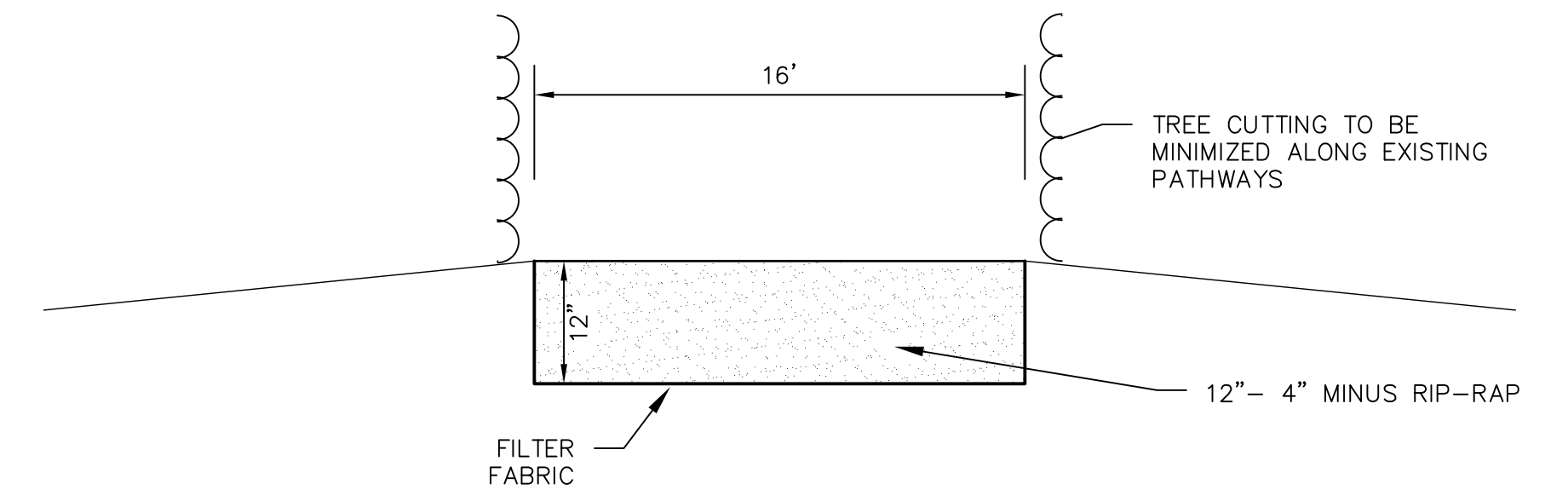
Plan Name: **RYE PUMP STATION OVERVIEW PLAN**
 Project: **CROSS-COUNTRY SEWER REHABILITATION PORTSMOUTH, NH**
 Owner of Record: **WOODARD & CURRAN, ATTN: JASON JANCAITIS, P.E. 40 SHATTUCK ROAD, SUITE 110, ANDOVER, MA 01810**

DRAWING No.
C3
 SHEET 4 OF 5
 JBE PROJECT NO. 18229

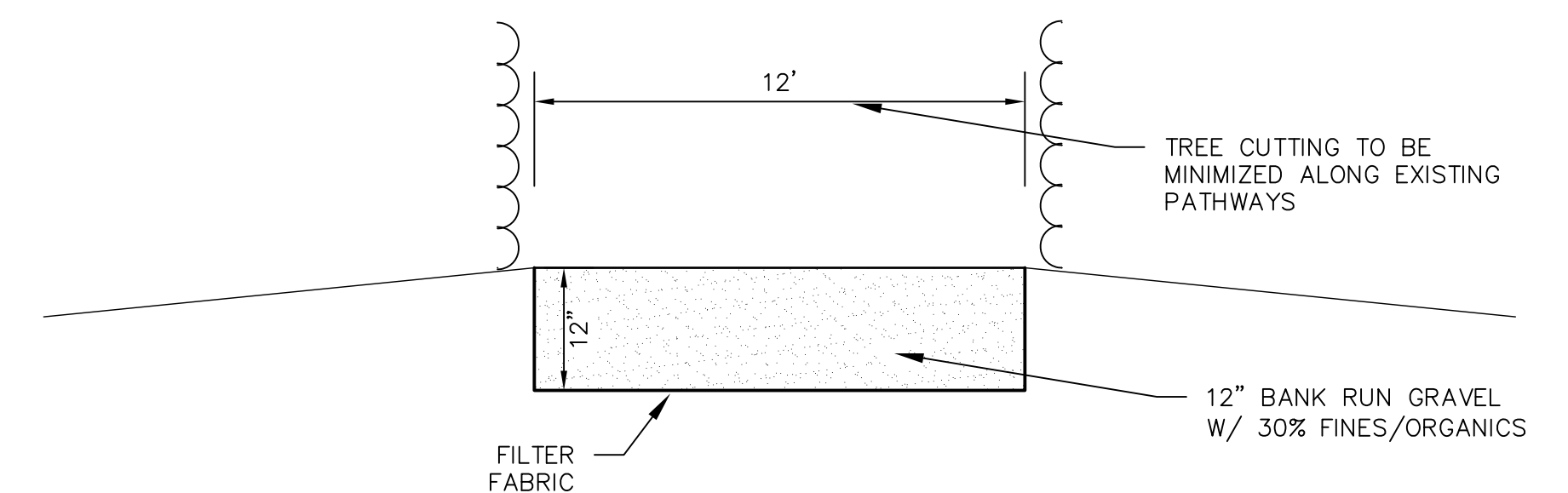


CONSTRUCTION SEQUENCE

1. PRIOR TO THE START OF ANY ACTIVITY, A PRE CONSTRUCTION MEETING IS TO BE HELD WITH ALL DEPARTMENT HEADS PRIOR TO THE START OF CONSTRUCTION.
2. CONSTRUCTION TO TAKE PLACE DURING THE WINTER SEASON.
3. WETLAND BOUNDARIES ARE TO BE CLEARLY MARKED PRIOR TO THE START OF CONSTRUCTION.
4. CUT AND REMOVE TREES IN CONSTRUCTION AREA AS REQUIRED OR DIRECTED.
5. INSTALL SILT FENCING, SILT SOXX, HAY BALES AND BERMS AS NECESSARY TO PREVENT EROSION INTO THE WETLANDS DURING THE CONSTRUCTION PROCESS. THESE ARE TO BE MAINTAINED DURING CONSTRUCTION.
6. CLEAR, CUT, GRUB AND DISPOSE OF DEBRIS IN APPROVED FACILITIES. CONSTRUCT ACCESS ROADS, TEMPORARY OR PERMANENT, AS DIRECTED ON PLANS.
7. REHABILITATE MANHOLES, PER SPECIFICATIONS FROM WOODWARD & CURRAN.
8. REMOVE TEMPORARY EROSION CONTROL MEASURES AFTER SEEDING AREAS HAVE BEEN 75%-85% ESTABLISHED AND SITE IMPROVEMENTS ARE COMPLETE. SMOOTH AND RE-VEGETATE ALL DISTURBED AREAS.
9. UPON COMPLETION OF CONSTRUCTION, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY ANY RELEVANT PERMITTING AGENCIES THAT THE CONSTRUCTION HAS BEEN FINISHED IN A SATISFACTORY MANNER.



TYPICAL STONE ROADWAY BASE
ALL CROSS-COUNTRY SEWER EASEMENTS THROUGH WETLANDS



TYPICAL GRAVEL ACCESS ROAD
TO SMH #5872

Design: CSA	Draft: AMJ	Date: 03/18/2020
Checked: CSA	Scale: AS SHOWN	Project No.: 18229
Drawing Name: 18229-PLAN.dwg		
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0	03/18/20	ISSUED FOR REVIEW	AMJ

Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.

85 Portsmouth Ave. Civil Engineering Services 603-772-4746
PO Box 219 Stratham, NH 03885 FAX: 603-772-0227
E-MAIL: JBE@JONESANDBEACH.COM

Plan Name:	DETAIL SHEET
Project:	CROSS-COUNTRY SEWER REHABILITATION PORTSMOUTH, NH
Owner of Record:	WOODARD & CURRAN, ATTN: JASON JANCAITIS, P.E. 40 SHATTUCK ROAD, SUITE 110, ANDOVER, MA 01810

DRAWING No.

D1

SHEET 5 OF 5
JBE PROJECT NO. 18229