



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

WETLANDS AND NON-SITE SPECIFIC PERMIT 2015-01878

Permittee: City of Portsmouth
c/o Terry Desmarais
680 Peverly Hill Rd.
Portsmouth, NH 03801

Project Location: Pierce Island, Portsmouth
Portsmouth Tax Map/Lot No. 208 / 1

Waterbody: Piscataqua River

**NOTE--
CONDITIONS**

APPROVAL DATE: 10/09/2015 **EXPIRATION DATE:** 10/09/2020

Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Impact 1,040 square feet (150 linear feet) of tidal wetlands and a total of 2,445 square feet of undeveloped upland tidal buffer zone (320 sq. ft. temporary and 2,125 sq. ft. permanent impacts) over three locations for installation of rip rap revetment for shoreline bank stabilization associated with upgrade construction at the Portsmouth Pierce Island Wastewater Treatment Facility in accordance with an EPA Consent Decree.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by AECOM dated July 2015, as received by the NH Department of Environmental Services (DES) on July 21, 2015.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. Orange construction fence shall be installed around permitted impact areas to avoid activities from creeping into unintended areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Relative to the protection of the state-threatened Marsh Elder populations the following conditions shall be adhered to:
 - a. No construction activity or equipment staging will occur outside of erosion control limits, approximately 40 feet from Marsh Elder populations;
 - b. Construction safety fencing shall be installed along either side of Pierce Island Road during the construction;

- c. During the construction season (Dec. 1- Apr. 30) erosion control fencing will be installed around the seasonal construction trailer/staging area, located adjacent to the eastern end of Sub-population 1;
 - d. Before construction fencing is removed at the end of the construction season, and /or upon termination of the project, care should be taken to remove any sediments that have collected along the fence, so that they do not run off with storm water and impact the Marsh Elder.
6. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
 7. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
 8. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
 9. Erosion control products shall be installed per manufacturers recommended specifications.
 10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
 11. No concrete is to be used anywhere in the construction of the stone riprap revetment. All stone shall be dry laid or placed stone underlain with filter fabric.
 12. All temporary impacts shall be remediated back to natural contours and stabilized with native seed mix, as well as planted according to the approved landscape plan immediately upon completion of project construction use of the site.
 13. A report documenting such restoration shall be submitted to DES within 30 days of the restoration activities being completed.
 14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
 15. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
 16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
 17. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;

3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES-Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by DES;
6. This project has been screened for potential impacts to **known** occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED: _____

for 
Dori Wiggin
DES Wetlands Bureau

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BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)

*NEW HAMPSHIRE
DEPARTMENT OF STATE*



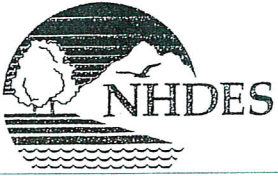
*I, David M. Scanlan, Deputy Secretary Of State, of the State of New Hampshire, do hereby certify that the Governor and Executive Council, at their meeting on December 2, 2015 approved **ITEM #54** the City of Portsmouth's request to perform work on the Piscataqua River in Portsmouth.*



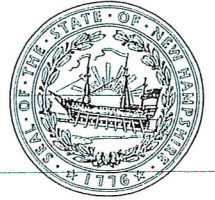
In Testimony Whereof , I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this second day of December, in the year of Our Lord, two thousand and fifteen.

A handwritten signature in black ink, appearing to read "D.M. Scanlan".

Deputy Secretary of State



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Thomas S. Burack, Commissioner

NOTICE TO RECIPIENTS OF MAJOR IMPACT N.H. WETLANDS PERMITS

Your permit was approved by the New Hampshire Wetlands Bureau as a major impact project, and your project will be reviewed by the U.S. Army Corps. Of Engineers for possible approval under the Army Corps. New Hampshire State Programmatic General Permit- SPGP. The Army Corps. will notify you within thirty (30) days as to whether you qualify.

*****NO WORK SHOULD BE DONE IN*****
*****WETLANDS UNTIL YOU RECEIVE THAT NOTICE*****

IF YOU DO NOT HEAR FROM THE ARMY CORPS WITHIN THIRTY (30) DAYS,
YOU SHOULD CALL THEM AT 1-800-343-4789.

CC: U.S. ARMY CORPS. OF ENGINEERS