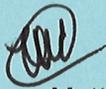


STATE OF NEW HAMPSHIRE
INTRA-DEPARTMENT COMMUNICATION


FROM Matt Urban
Wetlands Program Manager

DATE October 5, 2016
AT (OFFICE) Bureau of Environment

SUBJECT Wetland Bureau Permit # 2016-02463
Ossipee, 29315

TO Tobey Reynolds, Bureau of Highway Design

Forwarded herewith, for your files and further use as appropriate, is a copy of the subject permit as approved by the Wetlands Bureau and the Water Division on 09/26/2016.

Please note specific conditions on permit.

TERRAIN ALTERATION

Note that the non-site specific permit (RSA 485-A: 17 "Terrain Alteration") is part of this Wetlands Bureau Permit.

WATER QUALITY CERTIFICATION

- This permit covers the project's consideration for Water Quality protection and no further action is required by this office.
- This permit does not cover the Water Quality protection for this project. However, a Water Quality Permit will be obtained for this project.

CORPS PERMIT STATUS

- No Corps Jurisdiction
- SPGP (Minimum Impact) - No waiting period; no Corps approval required
- SPGP (Minor Impact)-Wait 30 days from NHWB issuance date; no written approval from Corps required
- SPGP (Major Impact)-Wait 30 days from NHWB issuance date; written approval from Corps required
- Emergency - No waiting period; No written approval from Corps required
- Amendment - No waiting period; No written approval from Corps required
- Corps Individual Permit Required

COASTAL ZONE MANAGEMENT (CZM) STATUS

- Outside of Coastal Zone-consistency finding not necessary from OSP
- Within Coastal Zone (Non-Federal Action)-consistency finding not necessary from OSP
- Within Coastal Zone (Federal Action)-if covered by SPGP, or no Corps' jurisdiction, consistency finding is automatic from OSP
- Within Coastal Zone (Federal Action)-if individual Corps permit, written consistency finding is necessary from OSP

EROSION CONTROL PLAN STATUS

- Erosion Control Plan Required; Submit Erosion Control Plan to DES Wetlands Bureau

If you have any questions, please call 271-3226.

MRU:sel
Encl.

cc:
BOE Original
Darrel Elliott, Environmental Coordinator (Via Electronic Notification)
Meli Dube, Environmental Manager (Via Electronic Notification)
Emily Polychronopoulos, Highway Design (Via Electronic Notification)
Lysa Bennet Crouch, Highway Design (Via Electronic Notification)



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

September 26, 2016

Matt Urban
NH Dept. of Transportation
PO Box 483
Concord, NH 03302-0483

RE: NH Dept. of Transportation - File # 2016-02463 - Ossipee

Tax Map/Lot # 132 / 8; Block

Dear Mr. Urban:

Attached please find Wetlands Permit # 2016-02463 to add a right turn lane southbound from Rte 28 onto NH Route 171 replacing catch basins and culverts impacting 2,937 sq. ft. (654 sq. ft. temporary) of palustrine wetland. NHDOT project 29315

The decision to approve this application was based on the following findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamp or wet meadow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. On August 26, 2016 the Dept. of Environmental Services (DES) received an application (Expedited Review) to widen the NW corner of Rt. 28 onto Rt. 171 impacting 2,937 sq. ft. of emergent wetland.
6. On August 30, 2016 the DES notified the applicant that page 2 of the application indicates the jurisdictional area proposed to be impacted as an emergent wetland (marsh) which, according to the rules, is at least a minor project and all appropriate rules should be addressed prior to a technical review.
7. The application included a photo of the wetland dated May 3, 2016 showing surface water.
8. On September 16, 2016, to follow-up from a previous meeting, the NHDOT sent an email with a soils map and a recent photo attached stating that the jurisdictional area is not a marsh. It was stated that the soils in this area were excessively drained and therefore not likely that the water table would be at or above the surface throughout the year.
8. The soils map attached to the email is a digitized version of a county soil survey where the data is for general land use planning purposes only and does not display sufficient precision to be used for site specific applications.

Page 1 of 2

9. If the soils in this area were excessively drained, as claimed, the water table would be many feet below the surface.

10. The DES has determined that the wetland area to be impacted has been altered from the drainage structures previously installed, it is unlikely there is surface water throughout the year because the area is disturbed by mowing and should have been classified on the application as a wet meadow.

Any person aggrieved by this decision may appeal to the N.H. Wetlands Council ("Council") by filing an appeal that meets the requirements specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Council, Env-WtC 100-200. The appeal must be filed **directly with the Council within 30 days** of the date of this decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council.

Information about the Council, including a link to the Council's rules, is available at <http://nhec.nh.gov/> (or more directly at <http://nhec.nh.gov/wetlands/index.htm>.) Copies of the rules also are available from the DES Public Information Center at (603) 271-2975.

Your permit must be signed, and a copy must be posted in a prominent location on site during construction.

If you have any questions, please contact our office at (603) 271-2147.

Sincerely,



Gino Infascelli, CWS
Public Works Supervisor
DES Wetlands Bureau

cc: Ossipee Conservation Commission
Ossipee Municipal Clerk



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

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WETLANDS AND NON-SITE SPECIFIC PERMIT 2016-02463

Permittee: NH Dept. of Transportation
PO Box 483
Concord, NH 03302-0483

Project Location: Intersection NH Route 28 / NH Route 171, Ossipee
Ossipee Tax Map/Lot No. 132 / 8

Waterbody:

**NOTE--
CONDITIONS**

APPROVAL DATE: 09/26/2016

EXPIRATION DATE: 09/26/2021

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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: Add a right turn lane southbound from Rte. 28 onto NH Route 171 replacing catch basins and culverts impacting 2,937 sq. ft. (654 sq. ft. temporary) of palustrine wetland. NHDOT project 29315

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 7/2016 as received by the Department on Aug. 26, 2016.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

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SEP 30 2016

10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during low flow.
12. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
13. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
14. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.

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.

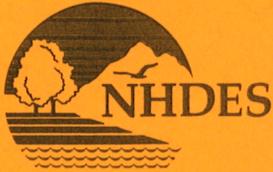
APPROVED: *Gino Infascelli*
Gino Infascelli
DES Wetlands Bureau

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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.

Talmy Reynolds
OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

**NOTICE TO RECIPIENTS OF
MINIMUM IMPACT NH WETLANDS PERMITS**

Your permit was approved by the New Hampshire Wetlands Bureau as a minimum impact project, and your project is automatically approved under the Army Corp's New Hampshire Programmatic General Permit.

For the purpose of the NH PGP, Minimum Impact Projects do not include new construction of:

- Dams;
- Dikes;
- Water withdrawal of diversion projects which require fill in wetlands or surface waters;
- Wetlands restoration projects, or any projects which involve work in other than low flow conditions (July 1 – September 30);
- Any projects involving more than 3,000 square feet of a water body or wetland fill and secondary impacts.

Also, not included under Minimum Impact Projects are those projects that include the reconstruction or replacement of currently unserviceable structures/fills. The projects must be reviewed through the screening procedures of minor impact projects. The activities in section 10 waters not regulated by the Wetlands Bureau formerly authorized under the Nationwide Permit Program and listed in Appendix A of this document are designated non-reporting activities.

These approvals do not relieve you from obtaining any necessary local permits that may be required by your town.

If you have any questions, feel free to give us a call at 603-271-2147.

This notice was sent with minimum impact permit.