

STATE OF NEW HAMPSHIRE  
INTRA-DEPARTMENT COMMUNICATION

  
**FROM** Matt Urban  
Wetlands Program Manager

**DATE** November 6, 2017  
**AT (OFFICE)** Bureau of Environment

**SUBJECT** Wetland Bureau Permit # 2017-02062  
Statewide, 27287 (Cornish)

**TO** David Scott, Bureau of Bridge 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 10/26/2017.

**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 271-7969.

MRU:sel  
Encl.

cc: BOE Original  
Bureau of Construction  
Gary Springs, Environmental Coordinator  
Jason Tremblay, Bureau of Bridge Design  
Lysa Bennet-Crouch, Bureau of Highway Design



## Department of Environmental Services



**Robert R. Scott, Commissioner**

October 27, 2017

RECEIVED  
BUREAU OF ENVIRONMENT

NOV 01 2017

NH DEPARTMENT OF  
TRANSPORTATION

MATT URBAN  
NH DEPT OF TRANSPORTATION  
PO BOX 483  
CONCORD NH 03302-0483

RE: File # 2017-02062  
Subject Property: Cornish Tax Map/Lot # ROW / ROW

Dear Mr. Urban:

Attached please find Wetlands Permit # 2017-02062 to replace rip rap along the slopes where it has been previously scoured away along 128 linear feet of brook and banks in front of the abutments and wing walls impacting 3,947 sq. ft. (2,211 sq. ft. temporary) of riverine and palustrine wetlands. NHDOT project 27287-5

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

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
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(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed in on May 17, 2017.
6. Mitigation is not required per Rule Env-Wt 302.03(c)(2)(c) as the project only involves stabilization to protect existing infrastructure.
7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine and palustrine resources, as identified under RSA 482-A:1.

Any person aggrieved by this decision may appeal to the New Hampshire Wetlands Council (the 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 New Hampshire Department of Environmental Services (NHDES) Public Information Center at (603) 271-2975.

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095  
(603) 271-3503 • Fax: 271-7894 TDD Access: Relay NH 1-800-735-2964

File Number: 2017-02062

October 27, 2017

Page 2 of 2

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,



Public Works Project Supervisor  
NHDES Wetlands Bureau

cc: Cornish Conservation Commission  
Cornish Municipal Clerk



# Department of Environmental Services



**Robert R. Scott, Commissioner**

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**WETLANDS AND NON-SITE SPECIFIC PERMIT 2017-02062**

**Permittee:** NH DEPT OF TRANSPORTATION  
PO BOX 483  
CONCORD NH 03302-0483

**Project Location:** NH ROUTE 120, CORNISH  
TAX MAP/LOT NO: ROW / ROW

**Waterbody:** BLOW-ME-DOWN-BROOK

**NOTE CONDITIONS**

**APPROVAL DATE:** OCTOBER 26, 2017

**EXPIRATION DATE:** OCTOBER 26, 2022

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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:** Replace rip rap along the slopes where it has been previously scoured away along 128 linear feet of brook and banks in front of the abutments and wing walls impacting 3,947 sq. ft. (2,211 sq. ft. temporary) of riverine and palustrine wetlands. NHDOT project 27287-5

**THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:**

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 4/17, as received by the Department on July 13, 2017.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
3. 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).
4. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
5. No machinery shall enter the water.
6. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
8. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).

- 9. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.
- 10. Navigable waterways shall remain open to the public.
- 11. 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.
- 12. 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.
- 13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

**GENERAL CONDITIONS THAT APPLY TO ALL NHDES 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 NHDES;
- 6. This project has been screened for potential impacts to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have only received 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  
NHDES 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)

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CONTRACTOR'S SIGNATURE (required)



The State of New Hampshire  
**Department of Environmental Services**

Robert R. Scott, Commissioner



**NOTICE TO RECIPIENTS OF  
MAJOR IMPACT NH 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 US 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 (ME, NH, VT, CT, RI); 1-800-362-4367 (MA).

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cc: US Army Corps of Engineers