

STATE OF NEW HAMPSHIRE  
INTRA-DEPARTMENT COMMUNICATION

  
**FROM** Matt Urban  
Wetlands Program Manager

**DATE** February 9, 2018  
**AT (OFFICE)** Bureau of Environment

**SUBJECT** Wetland Bureau Permit # 2017-01302  
Walpole-Charlestown, 14747

**TO** Don Lyford, 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 9/19/2017.

**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 271-3226.

MRU:sel  
Encl.

cc:  
BOE Original  
Jon Evans, Bureau of Environment  
Gary Springs, Environmental Coordinator  
Samantha Fifield, Bureau of Highway Design



Department of Environmental Services



Robert R. Scott, Commissioner

WETLANDS AND NON-SITE SPECIFIC PERMIT 2017-01302

Permittee: NH DEPT OF TRANSPORTATION PO BOX 483 CONCORD NH 03302-0483
Project Location: NH ROUTE 12 AND 12A, WALPOLE - CHARLESTOWN TAX MAP/LOT NO: ROW / ROW
Waterbody: CONNECTICUT RIVER

RECEIVED BUREAU OF ENVIRONMENT FEB 01 2018 NH DEPARTMENT OF TRANSPORTATION

APPROVAL DATE: SEPTEMBER 19, 2017 EXPIRATION DATE: SEPTEMBER 19, 2022

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: Reconstruct and widen approximately 2.7 miles of NH 12 from Main St. in Walpole to Route 12A in Charlestown upgrading drainage and stormwater management along with utility relocation and guardrail installation impacting 422,659 sq. ft. (101,536 sq. ft. temporary) of riverine and palustrine wetlands. Compensatory mitigation includes a one-time payment of \$1,287,621.45 to the Aquatic Resource Mitigation Fund. NHDOT project #14747.

Approve the rule waiver for Env-Wt 806.05(b) requiring payment to the ARM Fund be submitted within 120 days and allow an extension to 240 days as requested.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

- 1. All work shall be in accordance with: a. Plans by NHDOT Bureau of Highway Design dated 5/4/2017 as received by the Department on May 9, 2017 and b. Plans by NHDOT Bureau of Highway Design dated 08-2017 as received by the Department on Aug. 28, 2017.
2. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit.
3. It shall be the responsibility of the permittee to schedule and coordinate the pre-construction meeting providing at least 5-day notice to the NHDES Wetlands Bureau and / or other Land Resources Management Program staff, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), erosion control monitor, and the contractor(s) responsible for performing the work.
4. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specifically authorized.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Construction equipment shall not be located within surface waters.

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. 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.
9. 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.
10. 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).
11. 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.
12. The retention of mature trees whether alive or dead shall occur along the river edge wherever possible to maintain the opportunity for eagle perches.
13. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Work shall be done during low flow.
16. Should invasive species be encountered during construction, the contractor will follow the appropriate procedures outlined in NHDOT's Best Management Practices for Roadside Invasive Plants, dated 2008 to ensure proper handling and disposal.
17. This permit is contingent on the issuance of and compliance with the Section 401 Water Quality certification.
18. Mitigation Project Monitoring plan to be submitted prior to construction in accordance with Env-Wt 803.04.
19. In accordance Env-Wt 803.04 plantings shall be monitored for no fewer than 5 growing seasons.
20. The mitigation areas shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional and stable embankment is replicated in a manner satisfactory to the DES Wetlands Bureau.
21. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
22. A copy of the final plan set is to be made available to the public via the NHDOT website.

**GENERAL CONDITIONS THAT APPLY TO ALL NHDES WETLANDS PERMITS:**

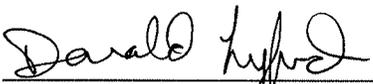
1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon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

January 31, 2018

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

RECEIVED  
BUREAU OF ENVIRONMENT

FEB 01 2018

NH DEPARTMENT OF  
TRANSPORTATION

RE: New Hampshire Department of Environmental Services (NHDES)  
Wetlands Bureau File #2017-01302, 14747, NH ROUTE 12, WALPOLE

Dear Matt Urban:

This letter confirms the receipt of \$1,287,621.45 for roadway reconstruction for the sale of 1,626.7 stream credits to compensate for the following impacts to habitats in the Lower Connecticut River watershed/service area. These impacts are authorized by NHDES and the Corps permits as follows:

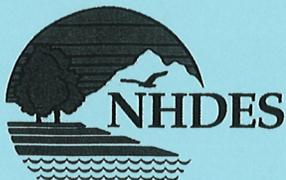
# of Credits	Wetland Type	Service Area
1,626.7	Permanent Stream Impacts - 4,745 feet (ft) of channel impact and 135 ft of bank impact	Lower Connecticut River

By making this payment, the Permittee permanently transfers responsibility for the mitigation liability to NHDES, Aquatic Resource Mitigation (ARM) Fund Program. By accepting the mitigation payment, NHDES is solely responsible for use of these funds, less an administrative fee, to provide compensatory mitigation for the above-described impacts.

Sincerely,

Lori L. Sommer  
NHDES Wetland Mitigation Coordinator

cc: Ruth Ladd, USACOE (Ruth.M.Ladd@usace.army.mil)



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