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The State of New Hampshire

Department of Environmental Services

Robert R. Scott, Commissioner

June 29, 2021

His Excellency, Governor Christopher T. Sununu
and The Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Approve the Maine Department of Transportation's request to perform work on the Piscataqua River in Portsmouth as outlined below. This request is pursuant to New Hampshire Department of Environmental Services (NHDES) file #2021-01126. This project will not have significant impact on, or adversely affect, the values of the Piscataqua River.

Dredge and fill a total of 2,300 square feet (SF) [750 SF/75 linear feet (LF) of permanent impact and 1,550 SF/165 LF of temporary impact] within tidal surface waters of the Piscataqua River to remove existing concrete cable mats at both upstream and downstream locations, and re-set the existing upstream submarine cable to the correct required depth.

The NHDES imposed the following conditions as part of this approval:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the plans for Maine Department of Transportation (MDOT) for State Project No. 15731, US Route 1 Bypass in Portsmouth plans dated March 23, 2021 as received by the NH Department of Environmental Services (NHDES) on April 13, 2021 and plans dated May 5, 2021 as received by NHDES on May 10, 2021.
2. All in-water work shall be monitored in accordance with the MDOT Sarah Mildred Long Bridge Cable Project, Turbidity Monitoring Plan dated May 2021 and conducted to protect water quality as required by Rule Env-Wt 307.03(a) through (h).
3. In accordance with Env-Wt 314.03, (a) The permittee shall notify the department in writing at least one week prior to commencing any work under the permit.
4. In accordance with NH Fish & Game and National Marine Fisheries Service recommendations, dredging in tidal waters shall not occur before August 1 to minimize impacts during a fish migration or larval setting stage of fish and shellfish, which is between November 15 and March 15.
5. In accordance with Env-Wt 607.02(n), impacts to tidal waters/wetlands and submerged lands during the mobilization and demobilization of dredging and other related project equipment shall be evaluated and minimized.
6. In accordance with Env-Wt 607.08(b), all practicable methods for minimizing suspended sediment and turbidity shall be employed, including closed buckets when appropriate.
7. In accordance with Env-Wt 307.03(a), no activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary

protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality.

8. In accordance with Env-Wt 307.03(c)(4), water quality control measures shall be capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment.
9. In accordance with Env-Wt 307.03(c)(3), water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508.
10. In accordance with Env-Wt 307.03(c)(5), water quality control measures shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction.
11. In accordance with Env-Wt 307.03(c)(7), temporary water quality control methods shall be removed upon completion of work when compliance with Env-Wt 307.03(c)(6) is achieved.
12. In accordance with Env-Wt 307.03(h), equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15.
13. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
14. In accordance with Env-Wt 307.03(g)(2), the person in charge of construction equipment shall repair any leaks prior to using the equipment in an area where such fluids could reach groundwater, surface waters, or wetlands.
15. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.

EXPLANATION

The NHDES approved this project on June 10, 2021. The NHDES supported its decision with the following findings:

1. This is a Major Project per NH Administrative Rule Env-Wt 607.01(b), all forms of dredging in tidal waters/wetlands shall be classified as major.
2. The purpose of the project is to re-set the submarine cables on the upstream side of the recently constructed bridge that powers the lift span of the bridge. Following construction of the bridge in 2013-2014, it was discovered that the cables were not installed properly at the required depths.
3. The existing concrete cable mat system was previously permitted to provide a protective layer over the submarine cables. The applicant has determined that the cable mat system has failed due to the extreme scour and deposition that regularly occurs in the Piscataqua River. The existing concrete mats will be removed as part of this project.
4. A search for the occurrence of rare plant, animal, or natural communities within the vicinity of the proposed project was completed using the NH Natural Heritage Bureau (NHB) online DataCheck tool. A project report from NHB (NHB21-0703), dated March 9, 2021, indicated the potential presence of three species within the vicinity of the project area. Conditions of the permit have been included to address recommendations by NH Fish & Game Department and National Marine Fisheries Service to minimize potential impacts to the species.

5. Per Rule Env-Wt 605.01, for projects in coastal areas, the applicant has demonstrated that the avoidance and minimization requirements in Env-Wt 307, Env-Wt 311.07, Env-Wt 313, and Env-Wt 603.04 have been met, and has demonstrated that all of the requirements listed in Env-Wt 605.01(a) through (c) have been met.
6. Per Env-Wt 605.02, the applicant for a permit for work in or adjacent to tidal waters/wetlands or the tidal buffer zone has demonstrated that adverse impacts listed in (a) through (d) have been avoided or minimized as required by Env-Wt 313.04.
7. Per Rule Env-Wt 603.09(a), the applicant submitted a statement from the Pease Development Authority Division of Ports and Harbors ("DP&H") Chief Harbormaster, or designee, for the subject location relative to the proposed structure's impact on navigation.
8. Per Rule Env-Wt 607.02(n), impacts to tidal waters/wetlands and submerged lands during the mobilization and demobilization of dredging and other related project equipment has been evaluated and minimized.
9. Per Rule Env-Wt 607.02(h), the new cable/pipeline crossings have been aligned along the least environmentally damaging route to avoid sensitive habitats.
10. Per Rule Env-Wt 607.02(d), the dredging project has been screened to avoid shellfish beds, submerged aquatic vegetation and essential fish habitat.
11. Per Rule Env-Wt 204, in correspondence dated March 2021, the applicant requested a waiver to Rule Env-Wt 307.10(i) and Rule Env-Wt 307.04(a), which states no dredging shall occur in tidal waters during a fish migration or larval setting stage of fish and shellfish, which is between November 15 and March 15 and avoid and minimize discharges of dredged material or placement of fill material during spawning
12. or breeding seasons by using water quality protection techniques as specified in Env-Wt 307 and timing of project as specified in Env-Wt 307.10(g) or (h).
13. Per Rule Env-Wt 311.01(b)(1), the applicant has coordinated with NH Fish and Game and National Marine Fisheries Service to minimize project related impacts for rare or protected animal species and habitats.
14. Per Rule Env-Wt 204.06, a waiver will be granted if the project will not have an adverse impact to the environment or natural resources of the state, public health, or public safety, and the strict compliance with the rule will provide no benefit to the public and will cause an operation or economic hardship to the applicant.

Application file documents are being forwarded to the Governor and the Executive Council in connection with their consideration of this matter pursuant to RSA 482-A:3, II(a), as it is a major project in public waters of the state.

We respectfully request your approval of this item.

Robert R. Scott
Commissioner

NHDES-W-06-081

AMENDMENT REQUEST FORM
FOR A WETLANDS APPLICATION OR PERMIT
Water Division/Land Resources Management
Wetlands Bureau

RSA/Rule: RSA 482-A:3, XIV(e)/ Env-Wt 311.13; Env-Wt 314.07

RECEIVED Administrative MAY 10 2021 Only NHDES LAND RESOURCES MANAGEMENT	Administrative Use Only	Administrative Use Only	File No.: 2021-01126
			Check No.: 91652
			Amount: $460.00
			Initials: RS

Any request for an amendment to a wetlands application or permit must be submitted to the Department on this form. An applicant may request an amendment to a pending permit application or an existing permit, provided the proposed change does not constitute a "**significant amendment**." A "**significant amendment**" means an amendment which changes the proposed or previously approved acreage of the permitted fill or dredge area by 20 percent or more, includes a prime wetland, or elevates the project's impact classification. This meaning of "significant amendment" shall not apply to an application amendment that is in response to a request from the Department (RSA 482-A:3, XIV(e)).

SECTION 1 - REQUESTED AMENDMENT TYPE AND AMENDMENT CRITERIA

Does the proposed change constitute a "significant amendment" as provided in RSA 482-A:3, XIV(e) and described above? ☐ Yes ☒ No

If you answered "yes" to the previous question, then you cannot request an amendment using this form and must file a new permit application.

☒ AMENDMENT TO PENDING PERMIT APPLICATION, NHDES FILE NUMBER: 2021-01126 (proceed to Section 2)

☐ AMENDMENT TO EXISTING PERMIT NUMBER: (proceed to Section 3)

SECTION 2 - AMENDMENT TO A PENDING PERMIT APPLICATION

☐ Not applicable

To request an amendment to a pending permit application, the applicant must:

- Submit the information required by Env-Wt 311.03, showing the changes prior to the Department's issuance of a final decision on the application, including but not limited to, a revised set of plans and revised application fees for any additional square footage of impacts calculated pursuant to RSA 482-A:3, I(b) or (c) as applicable, and
- Provide notice to each person to whom notice of the original application was sent prior to filing the amended application with the Department (Env-Wt 311.13).

☒ By checking this box, you confirm that you have provided all information required pursuant to Env-Wt 311.03 to the Department and provided the required notice(s) as described above.

SECTION 3 - AMENDMENT TO AN EXISTING PERMIT

☒ Not applicable

To request an amendment to an existing permit, the permittee must:

- Submit the information required and filed with the original permit application, including but not limited to a revised set of plans, and revised application fees for any additional square footage of impacts calculated pursuant to RSA 482-A:3, I(b) or (c) as applicable, and
- Provide notice to all who received notice of the original application prior to filing the amended application with the Department (Env-Wt 314.07).

☐ By checking this box, you confirm that you have provided all necessary information to the Department and provided the required notice(s) as described above.

McFarland Johnson
Innovative Solutions / Sustainable Results

53 Regional Drive, Box 3 • Concord, NH 03301
Phone: (603) 225-2978 • Fax: (603) 225-0095
www.mjinc.com

May 5, 2021

RECEIVED
MAY 10 2021
NHDES
LAND RESOURCES MANAGEMENT

NHDES Wetlands Bureau
Attn: David Price
29 Hazen Drive
Concord, NH 03302

RE: Application Amendment - Standard Dredge and Fill Wetlands Permit Application
Wetlands File Number: 2021-01126
MaineDOT Sarah Mildred Long Bridge Submarine Cable Project

Dear Mr. Price,

On behalf of the Maine Department of Transportation, McFarland-Johnson, Inc. is submitting the enclosed application amendment request for the Sarah Mildred Long Bridge submarine cable project in Portsmouth, New Hampshire. An application was submitted to your Department in April 2021 and is currently undergoing technical review (Wetlands File Number: 2021-01126). A final permit has not been issued at this time.

Application Amendment

An application amendment is being requested for an additional 1,150 SF / 115 LF (perpendicular to the thread of the channel) of temporary impacts located within the channel of the Piscataqua River associated with the removal of the concrete cable mats on the downstream cable located in New Hampshire (see attached Revised Impact Plan). The downstream cable is located approximately 60 feet southeast of the upstream cable. A summary of the proposed impacts to tidal waters is provided below.

Original Permit Application Impacts:

Location A: Permanent Impacts

750 SF / 75 LF

Location B: Temporary Impacts

400 SF / 50 LF

Additional Amendment Impacts:

Location C: Temporary Impacts

1,150 SF / 115 LF

The proposed work is anticipated to be completed in the late summer/early fall of 2021. Divers will be used to unclip the existing mats, and a barge-mounted 'long-reach' excavator or crane will be used to remove the existing mats. Impacts are temporary in nature and will be minimized by completing the work from a barge.

The existing cable mat system was engineered and permitted with the intent of providing a protective layer over the submarine bridge cables. However, failure of the cable mat system has occurred due to extreme scouring and deposition that regularly occurs in the Piscataqua River. Failure of the concrete mats could potentially damage the submarine cable sheath. After a thorough analysis and extensive coordination with the U.S. Army Corps of Engineers, MaineDOT is proposing the complete removal of the concrete mat system to protect the submarine cables. The removal of the mat system will allow the natural scour/deposition regime to occur at the cable locations with the long-term goal of establishing natural cover overtop the cables. MaineDOT has also proposed storing a spare cable at an adjacent facility in case of emergency failure; adding signage to the bridge piers alerting mariners to the presence of an underwater cable; and periodic bathymetric surveys to monitor cable locations. Please see attached letter from MaineDOT to the Army Corps for additional details. MaineDOT will continue to coordinate with the Army Corps and future correspondence will be provided to NHDES for their files.

A check for $460 is included with this submittal for the additional application fee for the 1,150 SF of temporary impacts (1,150 SF x $0.40 = $460.00). Proposed impacts for the entire project total 750 SF / 75 LF of permanent impacts and 1,550 SF / 155 LF of temporary impacts.

Please let us know if you have any questions regarding the proposed project or this amendment request. Thank you for time and review of the application materials.

Sincerely,

Christine Perron

Christine Perron, CWS, McFarland-Johnson, Inc.

cc:
Kristen Chamberlain, MaineDOT
Eric Ham, MaineDOT
Peter Britz, City of Portsmouth Conservation Commission
Kelli Barnaby, City of Portsmouth City Clerk
Marc Laurin, NHDOT
Cheri Patterson, NHFG

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Janet T. Mills
GOVERNOR

Bruce A. Van Note
COMMISSIONER

April 26, 2021

Michael Hicks, Project Manager
Regulatory Division
US Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751

RECEIVED
MAY 10 2021
NHDES
LAND RESOURCES MANAGEMENT

RE: ACOE Permit Number NAE-2013-01623
Kittery-Portsmouth, Sarah M. Long Bridge #3641

Dear Mr. Hicks:

As you are aware, the submarine cables permitted and installed under the subject project suffer from two unique deficiencies, an incorrect installed elevation at the upstream location and failure of the protective concrete cable mat system at both the upstream and downstream locations. The former remains the responsibility of the Bridge Contractor who is actively planning corrective action to bring this into compliance with the original design and permit. This letter serves to propose a solution to the latter issue, which unfortunately did not perform as designed.

The cable mat system was engineered and permitted with the intent of providing a layer of protection over the submarine cable in lieu of soil cover. Failure of the cable mat system was observed shortly after installation on the downstream cable location and within two years at the upstream location. MaineDOT hired GZA GeoEnvironmental to help determine the cause of failure and find a long term solution to the problem. Since discovery of the problem, MaineDOT has conducted multiple dive inspections and bathymetric surveys to monitor the condition and better understand the scour/deposition regime of the river. Hydraulic and geotechnical analyses by GZA show that the original design theoretically should not have failed. However, what the original design did not, and could not, anticipate is the extreme magnitude of scouring and deposition that regularly occurs in this river. This scouring and deposition was further magnified by the changes in flow regime caused by the installation and removal of a work trestle, construction of new bridge foundations and removal of the existing bridge foundations. In some areas, changes in elevation close to ten feet have been observed over the river bottom. It is the collective judgment of GZA and MaineDOT that the cable mat system simply cannot withstand these conditions. Early in the evaluation there were some stabilization concepts that appeared promising at the time. However, after a more thorough analysis we do not have confidence that the cable mat system can be retrofitted to maintain stability for the long term.

Based on the most recent bathymetric survey (8/2020) and dive inspection (10/2020) we are concerned about further failure of the concrete cable mats beyond what has been observed.

NHDES-W-06-012

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: MaineDOT, Kristen Chamberlain **TOWN NAME:** PORTSMOUTH

RECEIVED Administrative Use APR 13 2021 NH DES LAND RESOURCES MANAGEMENT	COMPLETE Administrative Use Only APR 14 2021	Administrative Use Only	File No. 2021-0112 6 Check No. 91494 Amount: $460.00 Initials: RD

A person may request a waiver of 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 but is still in compliance with RSA 482-A. 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 Waiver 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?	☒ Yes ☐ No
Does the property contain a PRA? If yes, provide the following information:	☒ Yes ☐ No
• 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.	☐ Yes ☒ No
• Protected species or habitat? o If yes, species or habitat name(s): Atlantic Sturgeon, Shortnose Sturgeon o NHB Project ID #: NHB21-0703	☒ Yes ☐ No
• Bog?	☐ Yes ☒ No
• Floodplain wetland contiguous to a tier 3 or higher watercourse?	☒ Yes ☐ No
• Designated prime wetland or duly-established 100-foot buffer?	☐ Yes ☒ No
• Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?	☒ Yes ☐ No
Is the property within a Designated River corridor? If yes, provide the following information: • Name of Local River Management Advisory Committee (LAC): N/A • A copy of the application was sent to the LAC on Month: Day: Year:	☐ Yes ☒ No

For dredging projects, is the subject property contaminated? • If yes, list contaminant: N/A	☐ Yes ☒ No
Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	☒ Yes ☐ No
For stream crossing projects, provide watershed size (see WPPT or Stream Stats): N/A	

SECTION 2 - PROJECT DESCRIPTION (Env-Wt 311.04(l))

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.

The proposed project involves re-setting submarine cables on the upstream side of the recently constructed Sarah Mildred Long Bridge that power the lift span of the bridge. Due to the location within a Federal navigation channel, and per Condition 19 of the U.S. Army Corps of Engineers Individual Permit, the cables are required to be installed at a minimum of -42 feet below Mean Lower Low Water (MLLW). The bridge replacement project was originally permitted in 2013-2014 and construction took place over multiple years before the new bridge was opened to traffic in the Spring of 2018. Following construction of the bridge, it was discovered that the cables were not installed properly at the required depths. The proposed project involves removing the existing concrete cable mats, moving the entire length of upstream cable (approximately 300') and excavating approximately 125 feet of river bottom (75 feet in NH) to the proper depth, before resetting the cable and re-installing the concrete mats. The dredging work will be completed using a barge-mounted long-reach excavator. Underwater hand jetting may also be used if the work cannot be completed with the excavator alone. Work will be completed between August 1 and March 15, and the repairs are anticipated to require a duration of 30 to 60 days to complete. The proposed project is anticipated to require approximately 1,150 square feet of impacts associated with dredging and resetting the existing cable at the proper depth. Please refer to the materials included with this submittal for additional project information.

SECTION 3 - PROJECT LOCATION

Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

ADDRESS: Sarah Mildred Long Bridge, US Route 1 Bypass	
TOWN/CITY: Portsmouth	
TAX MAP/BLOCK/LOT/UNIT: N/A	
US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: Piscataqua River ☒ N/A	
(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places):	43.08656° North -70.76136° 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: Maine Department of Transportation (MaineDOT); Attn: Kristen Chamberlain		
MAILING ADDRESS: 24 Child Street		
TOWN/CITY: Augusta	STATE: ME	ZIP CODE: 04333
EMAIL ADDRESS: kristen.chamberlain@maine.gov		
FAX:	PHONE: 207-557-5089	
ELECTRONIC COMMUNICATION: By initialing here: KC, I hereby authorize NHDES to communicate all matters relative to this application electronically.		

SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c)) ☐ N/A		
LAST NAME, FIRST NAME, M.I.: Perron, Christine		
COMPANY NAME: McFarland Johnson, Inc.		
MAILING ADDRESS: 53 Regional Drive		
TOWN/CITY: Concord	STATE: NH	ZIP CODE: 03301
EMAIL ADDRESS: cperron@mjinc.com		
FAX:	PHONE: 603-225-2978	
ELECTRONIC COMMUNICATION: By initialing here CJP, 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. ☒ Same as applicant		
NAME:		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP CODE:
EMAIL ADDRESS:		
FAX:	PHONE:	
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):

Env-Wt 400: Resources located within the proposed project area include the Piscataqua River, a tidal water with a Cowardin Classification of E1UBL. The proposed project is located in the middle of the river channel and no other resources are located in the vicinity of the proposed impacts. Therefore, a formal delineation of the water course was not completed. The project will result in 750 SF of permanent impacts associated with dredging in the channel and 400 SF of temporary impacts associated with temporarily relocating the existing concrete mats and cable. The project is also located within a Priority Resource Area (PRA) including Tidal Waters and Floodplain Wetlands Adjacent to a Tier 3 Stream. Therfore, based on the impacts to a PRA the proposed project is classified as a Major impact project.

Env-Wt 500: Not Applicable - The project does not meet the definition of any of the project-specific requirement types.

Env-Wt 600: All of the required information outlined in Env-Wt 600 has been provided with this application including a Coastal Functional Assessment and a Coastal Vulnerability Assessment. Please refer to the supporting documentation included with this permit application for additional information regarding coastal resources and tidal waters.

Env-Wt 700: Not Applicable - No Prime Wetlands located in the vicinity of the proposed project.

Env-Wt 900: Not Applicable - The proposed project does not involve any stream crossings.

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 you have attached all documents related to avoidance and minimization, as well as functional assessment (where applicable). 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/rivers, 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			☐			☐
	Scrub-shrub Wetland			☐			☐
	Emergent Wetland			☐			☐
	Wet Meadow			☐			☐
	Vernal Pool			☐			☐
	Designated Prime Wetland			☐			☐
	Duly-established 100-foot Prime Wetland Buffer			☐			☐
Surface Water	Intermittent / Ephemeral Stream			☐			☐
	Perennial Stream or River			☐			☐
	Lake / Pond			☐			☐
	Docking - Lake / Pond			☐			☐
	Docking - River			☐			☐
Banks	Bank - Intermittent Stream			☐			☐
	Bank - Perennial Stream / River			☐			☐
	Bank / Shoreline - Lake / Pond			☐			☐
Tidal	Tidal Waters	750	75	☐	400	40	☐
	Tidal Marsh			☐			☐
	Sand Dune			☐			☐
	Undeveloped Tidal Buffer Zone (TBZ)			☐			☐
	Previously-developed TBZ			☐			☐
	Docking - Tidal Water			☐			☐
TOTAL		750	75		400	40	

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):	1,150 SF	× $0.40 =	$ 460
Seasonal docking structure:	0 SF	× $2.00 =	$ 0
Permanent docking structure:	0 SF	× $4.00 =	$ 0
Projects proposing shoreline structures (including docks) add $400 =			$ 0
		Total =	$ 460
The application fee for minor or major impact is the above calculated total or $400, whichever is greater =			$ 460

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: KC CJP	To the best of the signer's knowledge and belief, all required notifications have been provided.
Initials: KC CJP	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: KC CJP	The signer understands that: • The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: 1. Deny the application. 2. Revoke any approval that is granted based on the information. 3. 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.
Initials: KC CJP	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.

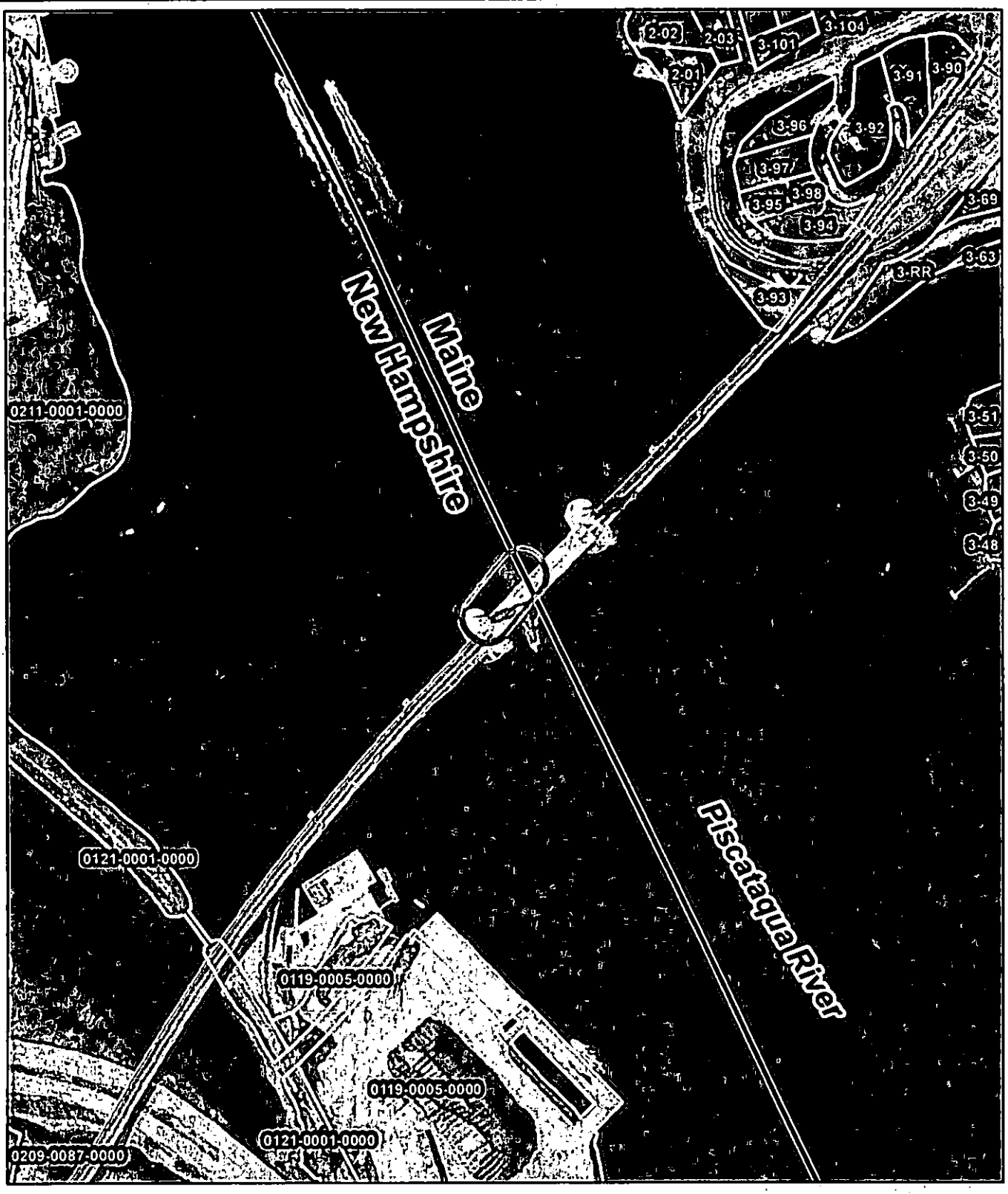
SECTION 15 - REQUIRED SIGNATURES (Env-Wt 311.04(d); Env-Wt 311.11)		
SIGNATURE (OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): Kristen Chamberlain	Kristen Chamberlain	DATE: 4/1/21
SIGNATURE (AGENT, IF APPLICABLE):	PRINT NAME LEGIBLY: Christine Perron	DATE: 3/26/2021

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: Portsmouth	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".



Project Location

New Hampshire Parcels

Maine Parcels

State Line

0 300 600

Feet

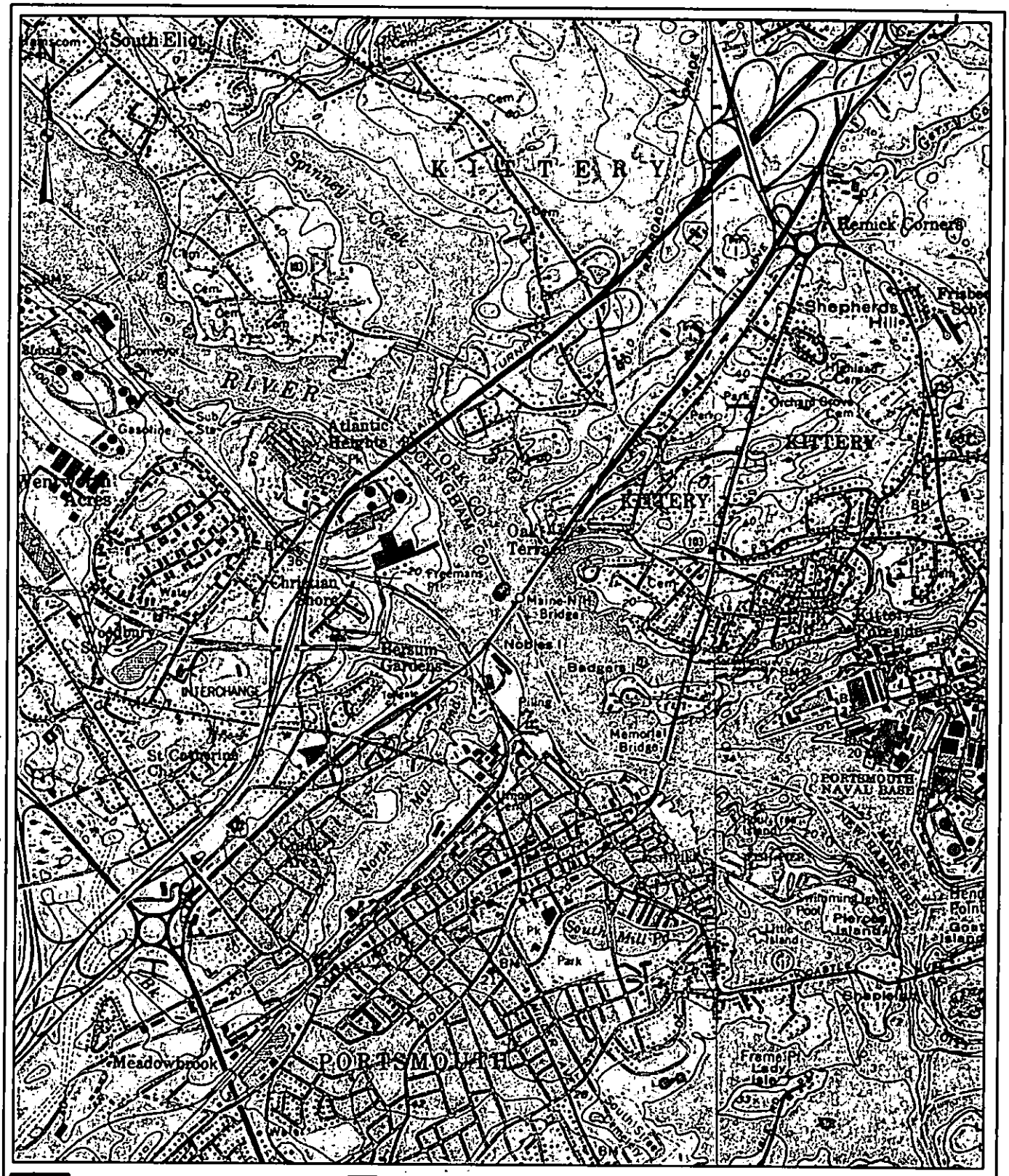
MEDOT SARAH MILDRED LONG BRIDGE
CABLE REPLACEMENT PROJECT
PISCATAQUA RIVER, PORTSMOUTH, NH

PARCEL MAP

SCALE :	DATE :	FIGURE :
1 inch = 300 feet	MARCH 2021	2

McFarland Johnson

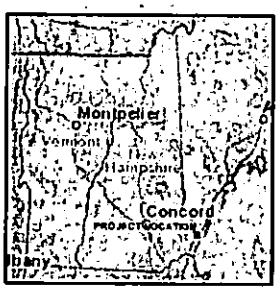
M:\18316.03 MaineDOT SML Cable Permit\Draw\GIS\WHOES Wetland Permit Figures\Figure 2 - MEDOT SML Permitting Parcel Map.mxd



PROJECT LOCATION

0 2,000 4,000

Feet



MEDOT SARAH MILDRED LONG BRIDGE
CABLE REPLACEMENT PROJECT
PISCATAQUA RIVER, PORTSMOUTH, NH

USGS LOCATION MAP

SCALE:	DATE:	FIGURE:
1 inch = 2,000 feet	MARCH 2021	1

McFarland Johnson

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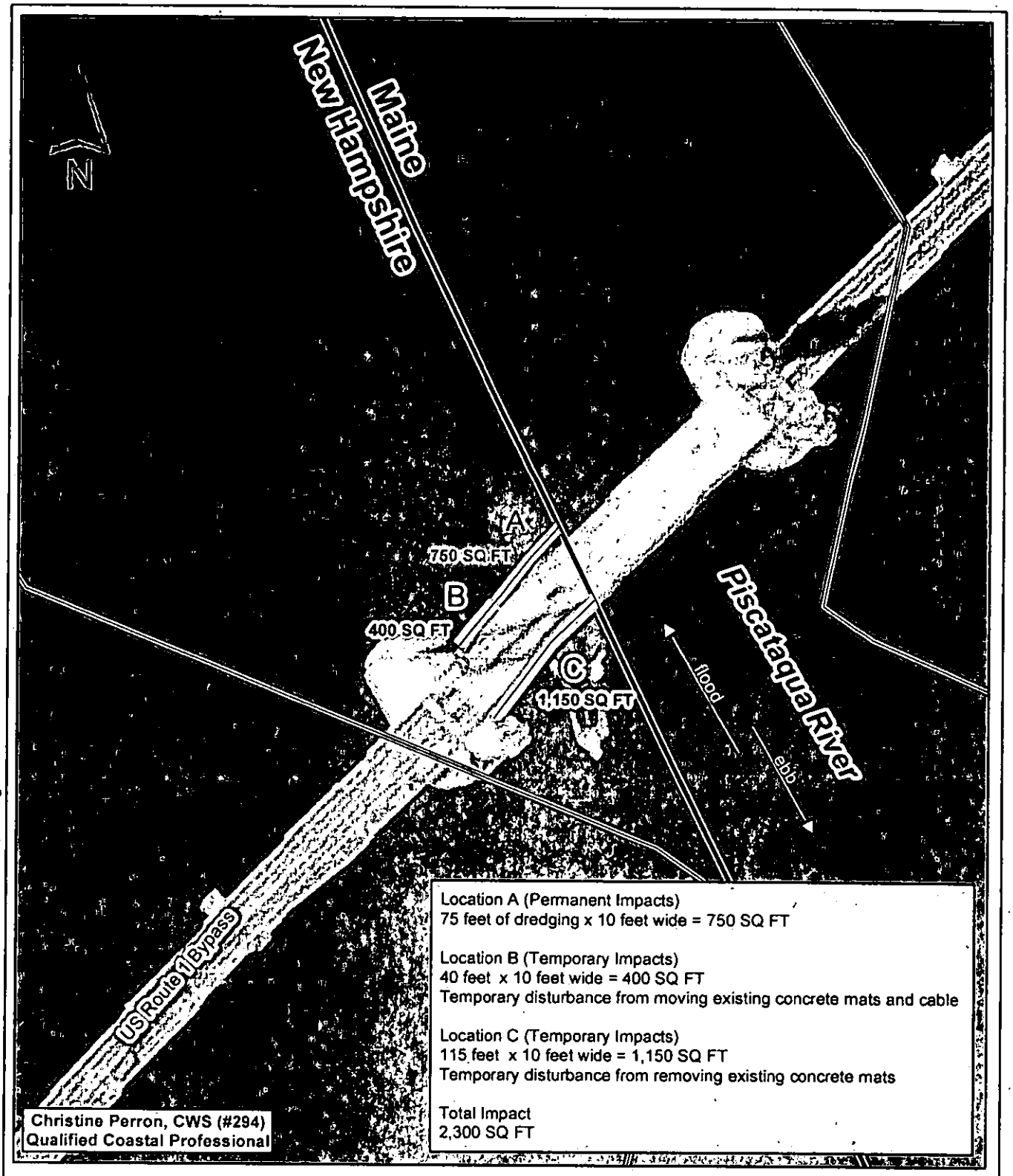
This application contains 4 pages of Confidential Information that was provided by the New Hampshire Department of Natural and Cultural Resources, Natural Heritage Bureau. This information is being withheld from disclosure to the public.

Any questions regarding the confidential information should be directed to Pamela G. Monroe, Legal Unit Administrator, NHDES at pamela.g.monroe@des.nh.gov or (603) 271-3137.



Location A (Permanent Impacts)
75 feet of dredging x 10 feet wide = 750 SQ FT

Location B (Temporary Impacts)
40 feet x 10 feet wide = 400 SQ FT
Temporary disturbance from moving existing concrete mats and cable

Location C (Temporary Impacts)
115 feet x 10 feet wide = 1,150 SQ FT
Temporary disturbance from removing existing concrete mats

Total Impact
2,300 SQ FT

Existing Cable Location

Proposed Impact Locations

PERMANENT

TEMPORARY

Federal Navigation Channel

State Line

0 100 200
Feet

MAINE DOT
SARAH MILDRED LONG BRIDGE CABLE REPLACEMENT
PORTSMOUTH-KITTERY 15731

REVISED IMPACT PLAN

SCALE:	DATE:	SHEET:
1 inch = 100 feet	MAY 5 , 2021	1

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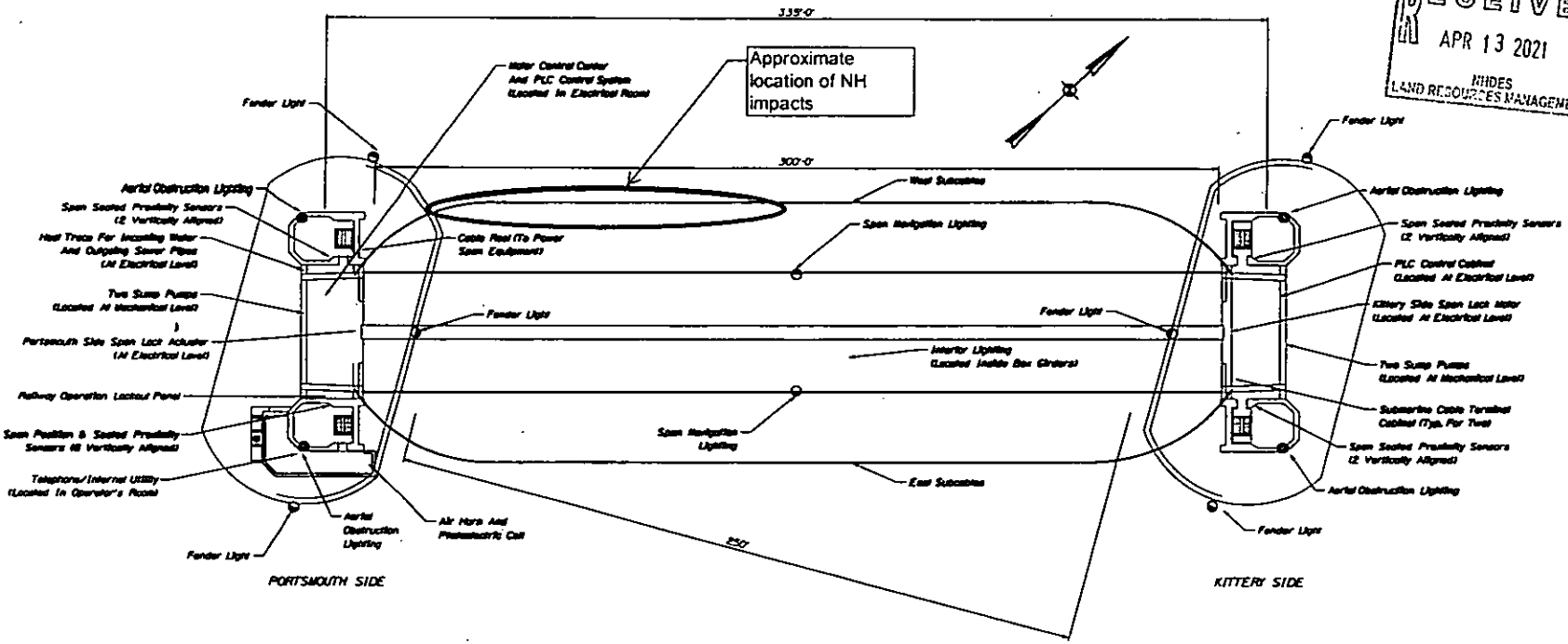
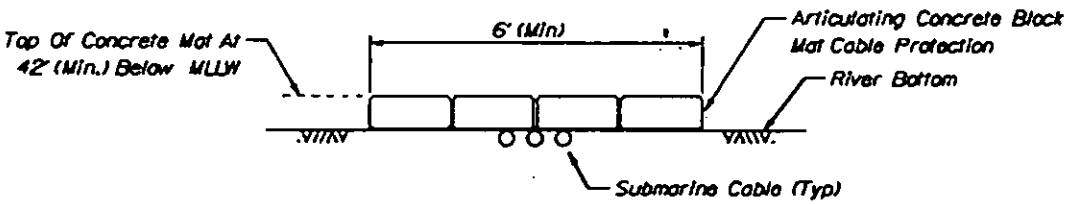
RECEIVED
MAY 10 2021
NHDES
LAND RESOURCES MANAGEMENT

\\mfj63\projects\MaineDOT SML Cable Permit\Draw\GIS\NHDES Wetland Permit Figures\SML Cable Wetland Impact Plan_Amendment.mxd

100% PLANS (7-3-2014)



RECEIVED
APR 13 2021
MDES
LAND RESOURCES MANAGEMENT



SUBMARINE CABLE TRENCH DETAIL

(Typical For Two, Not To Scale)

Elevations of tidal datums referred to Mean Lower Low Water (MLLW), in Feet, for NOAA Station 8419870, Seavey Island, ME

REFERENCE	ELEVATION
BASE FLOOD ELEVATION	12.86
HIGHEST OBSERVED WATER LEVEL (02/07/1978)	12.52
MEAN HIGHER HIGH WATER (MHHW)	8.84
MEAN HIGH WATER (MHW)	8.43
North American Vertical Datum (NAVD88)	4.62
MEAN SEA LEVEL (MSL)	4.43
MEAN TIDE LEVEL (MTL)	4.37
MEAN LOW WATER (MLW)	0.32
MEAN LOWER LOW WATER (MLLW)	0.00
UPSTREAM SUBMARINE CABLE at SML BRIDGE (PROPOSED)	-42.00

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16710.00
PIN 16710.00

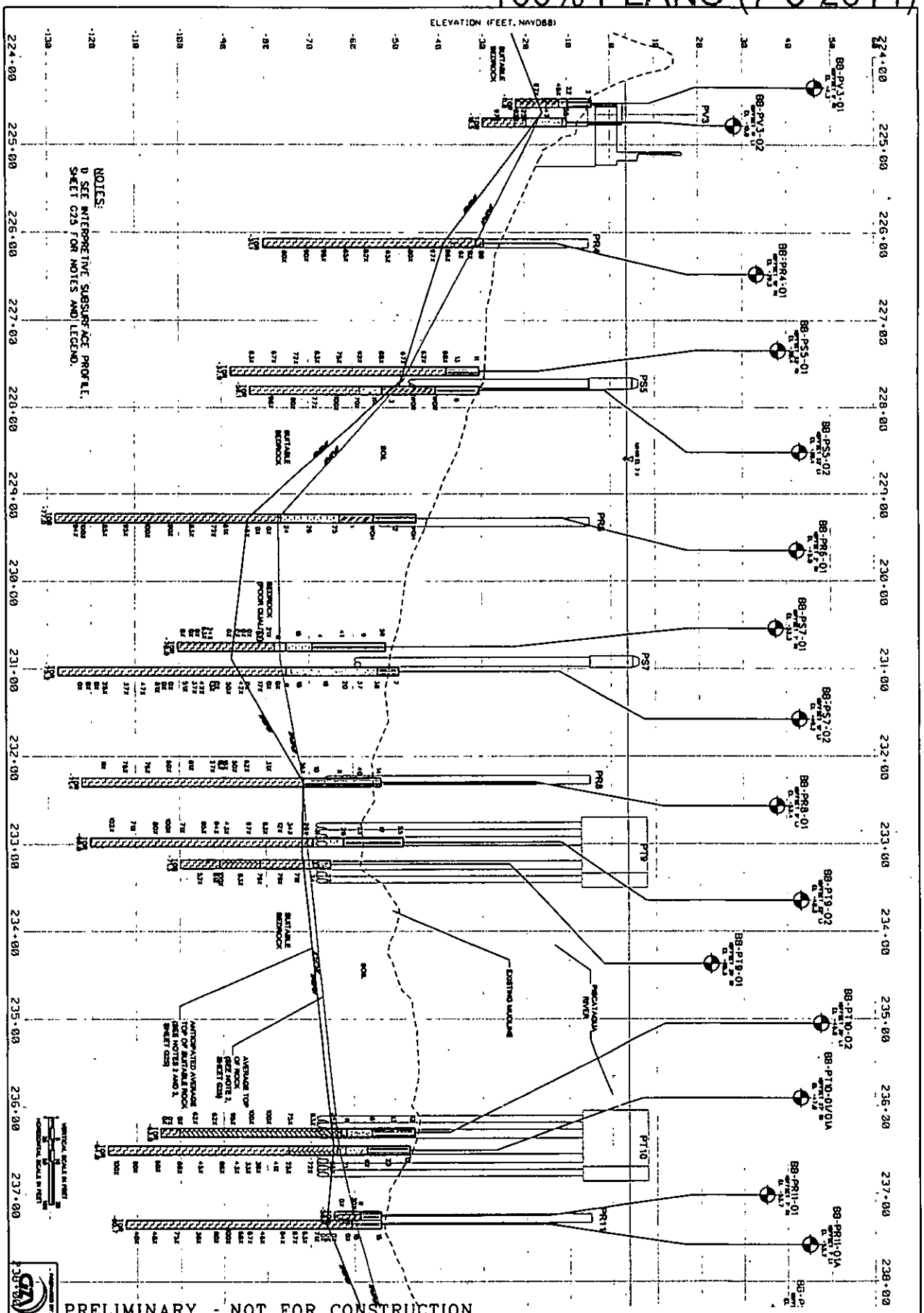
SARAH MILDRED LONG BRIDGE
PISCATAQUA RIVER
KITTERY, ME PORTSMOUTH, NH

GENERAL ELECTRICAL PLAN

SHEET NUMBER
2

Filename: ...\GEOTECH\USTA\G26_PROFILE_2.dgn Division: GEOTECH Username: D. LANDI Date: 7/3/2014

100% PLANS (7-3-2014)



PRELIMINARY - NOT FOR CONSTRUCTION

SHEET NUMBER G26 OF G54	SARAH MILDRED LONG BRIDGE PISCATAQUA RIVER KITTERY, ME PORTSMOUTH, NH	SIGNATURE P.E. NUMBER DATE	STATE OF MAINE DEPARTMENT OF TRANSPORTATION
	INTERPRETIVE SUBSURFACE PROFILE 2 OF 3		16710.00
			PIN 16710.00 GEOTECH PLANS