



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

August 15, 2023



59

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

REQUESTED ACTION

Approve City of Portsmouth's request to perform the following work on Little Bay in Durham pursuant to NH Department of Environmental Services (NHDES) Wetlands Bureau permit #2020-02959, and in accordance with RSA 482-A:3. No comments were submitted by the Durham Conservation Commission regarding the project as proposed.

Dredge and fill 5,400 square feet within tidal waters and tidal wetlands to replace the subaqueous drinking water transmission line across Little Bay, from Durham to Newington. The project will temporarily impact a total of 78,460 square feet of jurisdictional area during construction, including 2,995 square feet within palustrine emergent wetlands, 26,595 square feet within the tidal buffer zone, 2,120 square feet within tidal marsh, and 46,750 square feet within tidal waters. Compensatory mitigation is provided for permanent impacts to tidal surface waters as a one-time payment of \$60,839.03 into the Aquatic Resource Mitigation (ARM) Fund within the Salmon Falls - Piscataqua River Watershed account.

NHDES imposed the following conditions as part of this approval:

1. All work shall be done in accordance with City of Portsmouth Little Bay Subaqueous Water Transmission Main Permit Drawing plans dated May 2023, by Wright-Pierce, last received by the NH Department of Environmental Services (NHDES) on May 18, 2023; and, in accordance with the Salt Marsh Restoration Plan and narrative dated July 2021, received by NHDES on July 23, 2021, per Env-Wt 307.16.
2. This permit is contingent on the permittee obtaining ownership, construction easements, or written permission from affected property owners to authorize any work outside of the existing right-of-way, per RSA 482-A:11, II and Env-Wt 311.11(d).
3. This permit is contingent on the permittee providing a final planting plan for review and approval by NHDES and the NH Natural Heritage Bureau (NHB), reflecting the recommendations provided by the NHB relative to NHB Datacheck #NHB20-2107. Selected plant species shall be common coastal species, native to NH and suitable to the appropriate habitat (salt tolerant, where specified).
4. Within 30 days of the start of construction sufficient notice shall be provided to affected abutters and property owners, the NHDES Spill Response Section Planning and Preparedness Manager, the NHDES Shellfish Program Manager, local commercial shellfish harvesters, the NH Commercial Fisherman's Association, the Pease Development Authority Division of Ports and Harbors Chief Harbormaster, and any other parties who may be affected by the construction activities, per RSA 482-A:11, II.
5. Work in tidal waters shall occur between November 15 and March 15, to protect fish migration and larval setting stage of fish and shellfish, per Env-Wt 307.10(i).

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588
TDD Access: Relay NH 1 (800) 735-2964

6. Tidal docking installation shall be done by barge or upland to prevent the driving of construction equipment in or through tidal waters or tidal wetlands, per Env-Wt 606.05(b).
7. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards, per Env-Wt 307.03(a).
8. All work including management of soil stockpiles, shall be conducted so as to minimize erosion, minimize sediment transfer to surface waters or wetlands, and minimize turbidity in surface waters and wetlands, per Env-Wt 307.03(b).
9. All activities associated with the project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400, the Protected Shoreland, during and after construction, per Env-Wt 307.07.
10. Heavy equipment shall not be operated in any jurisdictional area unless specifically authorized by this permit, per Env-Wt 307.15(a).
11. Equipment shall be staged and refueled outside of jurisdictional areas, per Env-Wt 307.15.
12. 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; repair any leaks prior to using the equipment in such areas; maintain oil spill kits and diesel fuel spill kits, as applicable, 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, per Env-Wt 307.03(g).

MITIGATION:

13. The permit is contingent on submittal of a check for cleared payment in the amount of \$60,839.03 to the Aquatic Resource Mitigation Fund, within the Salmon Falls - Piscataqua River Watershed Account, by the applicant as calculated per Env-Wt 803.07 and RSA 482-A:30. No work is authorized under this approval until the ARM payment is received.
14. In accordance with Env-Wt 807.01(b), the payment shall be received by NHDES within 120 days from the approval decision or NHDES will deny the application.

CONSTRUCTION MONITORING:

15. The project shall be monitored during construction by an on-site certified wetland scientist, or qualified professional, in accordance with the Turbidity Monitoring Plan dated July 2021, received by NHDES on July 23, 2021; and weekly construction monitoring reports shall be provided to NHDES through the duration of the project, per Env-Wt 307.16 and Env-Wt 307.18.
16. The permittee shall submit a report to NHDES within 60-days following completion of the project, that has been prepared by a certified wetland scientist, or qualified professional, containing narrative, exhibits, and photographs, as necessary to report the status of the project area and that describes the stability of and status of impacted jurisdictional areas and including a description of any necessary adjustments; monitoring of erosion, sedimentation and turbidity controls, per Env-Wt 307.18.

POST-CONSTRUCTION MONITORING:

17. The qualified professional shall monitor the restored salt marsh areas for five growing seasons following the completion of the project to ensure that post-construction substrate and vegetation schemes are as close as practicable to pre-construction conditions and the area has been fully restored in accordance with Env-Wt 307.12, per Env-Wt 307.16 and the Salt Marsh Restoration Plan dated July 2021, received by NHDES on July 23, 2021.
18. The qualified professional shall submit annual monitoring reports to NHDES by December 31 of each year for five growing seasons following the completion of the project, per Env-Wt 307.16 and Env-Wt 307.18.

19. The permittee, qualified professional(s), and permittee's contractor(s) shall coordinate with NHDES to adaptively manage the Salt Marsh Restoration plan and to take remedial actions as may be necessary to optimize restoration potential of impacted salt marsh areas. Adaptive management/remedial actions may include, though not be limited to, modifying the hydraulic regime, modifying material gradation and depth, or removal of invasive species, per Env-Wt 307.12.
20. If determined necessary by the permittee, qualified professional(s), the permittee's contractor(s) and NHDES, adaptive management and remedial actions shall only commence after obtaining written approval from the NHDES Wetlands Bureau, per Env-Wt 307.12.

EXPLANATION

NHDES approved this project on July 14, 2023. NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 407.02(a), for impacts to tidal waters and tidal wetlands (priority resource areas as defined by Env-Wt 103.66(f)).
2. On September 23, 2021, the department received correspondence from the NH Fish & Game Department, indicating that, based on the proposed plans and information provided, the NHFG Marine Division had no further comments or concerns with the project (NHB identification number: NHB20-2107).
3. On August 23, 2021, the permittee received correspondence from the NH Natural Heritage Bureau (NHB; relative to NHB Datacheck #NHB20-2107), indicating that NHB understands "that the cofferdams are temporary and that any resulting impacts to sheet flow of tidal water across the intertidal system will be temporary as well." NHB requested explanation of the constraints that prevented the use of a turbidity curtain in lieu of the temporary cofferdam and trestle system. NHB also provided recommendations related to the final planting plan for restoration of temporary impacts.
4. NHDES finds that, based on site-specific challenges and limitations of effectively implementing a turbidity curtain (anticipated current velocity and water depth) in the areas subject to trench excavation, the approved coffer dam and trestle system are a less impacting alternative. Minimal sediment suspension is expected during trestle and cofferdam installation and removal; and, during excavation of the pipe trench, the coffer dam is expected to retain turbidity and suspended sediments.
5. NHDES finds that this permit is contingent upon the permittee providing a final planting plan for review and approval by NHDES and the NH Natural Heritage Bureau (NHB), reflecting the recommendations provided by the NHB relative to NHB Datacheck #NHB20-2107. Based on local availability, selected plant species will be common coastal species, native to NH and suitable to the appropriate habitat (salt tolerant, where specified).
6. No comments were received by NHDES from the Durham or Newington Conservation Commissions about this application. In correspondence dated July 23, 2021, and throughout the technical review process, the permittee indicated to NHDES that coordination with each municipality was on-going, and changes were incorporated to the extent possible.
7. On June 07, 2023, the applicant obtained a statement from the Pease Development Authority, Division of Ports and Harbors regarding the projects impact on navigation and passage stating, "[w]e examined the proposed site and found that the structure will have no negative effect on navigation in the channel," per Rule Env-Wt 603.09.
8. In correspondence dated February 02, 2021, the NH Shellfish Initiative expressed concerned about potential closure of shellfish farms and how farmers will be notified.

9. NHDES finds that the project as approved and conditioned will not have an unreasonable adverse impact on local shellfish harvesters. Harvesters will be provided notice prior to the start of construction to adequately manage their operations accordingly and turbidity will be contained within the approved cofferdam, reducing the risk of sedimentation over nearby shellfish farms.
10. In correspondence dated February 15, 2021, the NH Commercial Fisherman's Association stated that "...without being trenched [the new watermain] would create a 24" wall in its underwater route that could create obstruction to benthic species moving through this area with unknown consequences to these species and related habitat."
11. NHDES finds that the project as approved and conditioned will not have an unreasonable adverse impact on the movement of benthic invertebrates. The existing 20-inch watermain currently rest on the bed of Little Bay. The new 24-inch watermain will be located between the two existing mains. The landward extents of the new watermain on either shoreline will be buried within the intertidal zone.
12. In correspondence dated February 11, 2021, Virgin Oyster Company LLC stated that "...on incoming tides a large eddy forms over the entire farm and it may concentrate any suspended solids produced in dredging on the shoreline."
13. NHDES finds that the project as approved and conditioned, will not have an unreasonable adverse impact on water quality or aquatic habitats. The approved plans include measures to contain turbidity and suspended sediments within the constructed cofferdam, reducing the risk of sedimentation over nearby wetland and tidal habitats, and to actively monitor turbidity outside of the cofferdams to ensure that water quality standards are maintained throughout the duration of work. The project is also subject to review and authorization under the applicable standards of the Section 401 Water Quality Certification program.
14. In correspondence dated April 08, 2021, an attorney on behalf of an abutter to the project asked several clarifying questions about the proposed design, construction methods, jurisdictional boundary delineations, construction easements and appropriate authorization for work outside of existing easements, restoration and stabilization of salt marsh and shoreline impacts.
15. NHDES finds that the requisite construction sequencing details pursuant to RSA 482-A and Env-Wt Chapter 300 and 600 have been included in the approved plans and application materials; and, that the proposed cofferdam and temporary trestle system has been designed to achieve the least environmentally impacting practicable method for installing the new HDPE drinking water main.
16. NHDES finds that the limits of jurisdictional areas have been delineated by a NH Certified Wetland Scientist, as required by Env-Wt 306.05(a)(1).
17. NHDES finds that the project as approved and conditioned will obtain all necessary authorizations from affected property owners to conduct any work in jurisdictional areas outside of the existing right-of-way, per RSA 482-A:11, II and Env-Wt 311.11(d).
18. NHDES finds that the project as approved and conditioned will not have an unreasonable adverse impact on salt marsh. Per the approved Salt Marsh Restoration Plan, existing salt marsh will be removed and preserved during construction. Upon completion of construction, salt marsh will be replaced and monitored for five growing seasons to ensure long term restoration and stabilization of temporarily impacted salt marsh and tidal shoreline.
19. On June 01, 2023, NHDES held a public hearing on the proposed project. Two individuals testified at the hearing. Testimony included comments pertaining to alternative construction methods (i.e., jet plowing) and alteration of tidal currents and local sediment transport processes.

20. NHDES finds that the requisite construction sequencing details pursuant to RSA 482-A and Env-Wt Chapter 300 and 600 have been included in the approved plans and application materials; and, that the proposed cofferdam and temporary trestle system has been designed to achieve the least environmentally impacting practicable method for installing the new HDPE drinking water main. Alternative methods, such as "jet plowing" were previously approved in a different location, subject to different tidal conditions and depths, and for different material/utility types than the subject 24-inch HDPE watermain. The approved construction method is expected to contain turbidity and suspended sediments within the constructed cofferdam, reducing the risk of sedimentation over nearby wetland and tidal habitats, and the permittee will actively monitor turbidity outside of the cofferdams to ensure that water quality standards are maintained throughout the duration of work.
21. NHDES finds that the project as approved and conditioned will not alter tidal currents and sediment transport processes in the vicinity of the project. Native substrate side casted from the trench, within the coffer dam, will be used to backfill the pipeline trench to restore exiting grades. A diver will be deployed to inspect that existing grades are properly restored.
22. NHDES finds that the project as approved and conditioned will not have an unreasonable adverse impact on the value of such areas as sources of nutrients for finfish, crustacea, shellfish and wildlife of significant value, nor will it damage or destroy habitats and reproduction areas for plants, fish and wildlife of importance.
23. The Department finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100-1000. No waivers of RSA, 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100-1000 were requested or approved under this permit action.
24. Per Rule Env-Wt 313.04(a) and Env-Wt 605.03(a), compensatory mitigation is required as this project will result in 5,400 square feet of permanent impact to tidal surface waters.
25. Per Rule Env-Wt 801.03(b), the applicant is offering an in-lieu mitigation payment as specified in RSA 482-A:30, as permittee-responsible compensatory mitigation is not practicable.
26. The payment into the ARM fund shall be deposited in the NHDES fund for the Salmon Falls - Piscataqua Rivers watershed per RSA 482-A:29.
27. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.11(c). Work under this approval is not authorized until the ARM payment is received.
28. Per Rule Env-Wt 803.10(e), the department has accepted the proposal for an in-lieu mitigation payment as the proposal meets the requirements of Env-Wt 803.10(b), and of Env-Wt 803.10(c), and the mitigation type or combination of mitigation types listed in Rule Env-Wt 803.08(a) Table 800-1 that are available in the same watershed as the impacts for compensating jurisdictional area losses are not practicable.

NHDES Wetlands Bureau permit #2020-02959 application documents are enclosed for review by the Governor and the Executive Council in consideration of this request and in accordance with RSA 482-A:3, II(a), as it is a major project located in New Hampshire public waters.

We respectfully request your approval of this item.



Robert R. Scott, Commissioner



**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: **City of Portsmouth**

TOWN NAME: **Durham, Newington**

Administrative Use Only	Administrative Use Only	Administrative Use Only	File No: 2020-01954
			Check No: 196263
			Amount: \$3,248.00
			Initials: [Signature]

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 (WPPIT), the Natural Heritage Bureau (NHB) Data Check 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the property contain a PRA? If yes, provide the following information:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHFG) 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. 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> Protected species or habitat? <ul style="list-style-type: none"> If yes, species or habitat name(s): Atlantic Sturgeon, Common Tern, Shortnose Sturgeon Sparsely vegetated intertidal system, subtidal system NHB Project ID #: 20-210 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bog?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Floodplain wetland contiguous to a tier 3 or higher watercourse?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Designated prime wetland or duly-established 100-foot buffer?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the property within a Designated River corridor? If yes, provide the following information:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> Name of Local River Management Advisory Committee (LAC): [Redacted] 	

<ul style="list-style-type: none"> A copy of the application was sent to the LAC on Month: <input type="checkbox"/> Day: <input type="checkbox"/> Year: <input type="checkbox"/> 	
For dredging projects, is the subject property contaminated? <ul style="list-style-type: none"> If yes, list contaminant: <input type="checkbox"/> 	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
For stream crossing projects, provide watershed size (see WPPT or Stream Stats): <input checked="" type="checkbox"/> N/A	
SECTION 2 - PROJECT DESCRIPTION (Enr AWC 811.04(f)) 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.	
<p>The City of Portsmouth owns and maintains a 6 mile cross-country drinking water transmission main that brings treated drinking water from the Madbury Water Treatment Plant to the Newington Booster Pump Station. The pipeline supplies over 60% of the water drinking water serving the City's regional water system. The transmission main has a subaqueous crossing of Little Bay between Durham and Newington (Fox Point) that consists of two, parallel cast iron water mains, approximately 3,200 ft long. The mains have experience significant corrosion. Replacement of this crossing is critical to ensure the reliability of this critical drinking water transmission main. The proposed replacement involves installing a 24" HDPE water main on the ocean floor within the existing pipeline corridor with connection to the existing main at either shore. The project will require temporary impacts to tidal wetlands and the tidal buffer zone and permanent impacts to subtidal wetlands.</p>	
SECTION 3 - PROJECT LOCATION Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.	
ADDRESS: <input type="checkbox"/> 180 Pleasant Street, Durham / <input type="checkbox"/> Fox Point, Newington	
TOWN/CITY: <input type="checkbox"/> Durham, <input type="checkbox"/> Newington	
TAX MAP/BLOCK/LOT/UNIT: <input type="checkbox"/> Durham 12-5-2 // <input type="checkbox"/> Newington 1-1	
US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: <input type="checkbox"/> Little Bay <input checked="" type="checkbox"/> N/A	
(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places): <input type="checkbox"/> 43.1939° North	

lrm@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

7086338 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: **City of Portsmouth**

MAILING ADDRESS: **680 Beverly Hill Road**

TOWN/CITY: **Portsmouth** STATE: **NH** ZIP CODE: **03801**

EMAIL ADDRESS: **bjfoetz@cityofportsmouth.com**

FAX: **[REDACTED]** PHONE: **5036107304**

ELECTRONIC COMMUNICATION: By initialing here: **Bj** 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.: **Eckstrom, Britt**

COMPANY NAME: **Wright Pierce**

MAILING ADDRESS: **230 Commerce Way, Suite 302**

TOWN/CITY: **Portsmouth** STATE: **NH** ZIP CODE: **03801**

EMAIL ADDRESS: **britteckstrom@wright-pierce.com**

FAX: **[REDACTED]** PHONE: **5035707128**

ELECTRONIC COMMUNICATION: By initialing here: **BE** 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: **[REDACTED]**

MAILING ADDRESS: **[REDACTED]**

TOWN/CITY: **[REDACTED]** STATE: **[REDACTED]** ZIP CODE: **[REDACTED]**

EMAIL ADDRESS: **[REDACTED]**

FAX: **[REDACTED]** PHONE: **[REDACTED]**

ELECTRONIC COMMUNICATION: By initialing here: **Bj** 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):

The proposed project area includes crossing a private property in the Town of Durham, crossing land owned by the Town of Newington, and a crossing of Little Bay. The City of Portsmouth has an easement for use and maintenance of the existing water main. The project area proposes temporary impacts to tidal wetlands including salt marsh (E2EWA), mudflats (E2US3), subtidal areas (E1UBL), and the 100-foot TBZ. Permanent impacts are proposed to subtidal areas (E1UBL). A small portion of the project area lies with the protected shoreline. There are no freshwater resources within the project area. The following Rare, Threatened and Endangered (RTE) species have been observed near the project vicinity: Atlantic Sturgeon, Common Tern, Shortnose Sturgeon. Please refer to project narrative for further discussion of coastal resources and the proposed mitigation for the planned temporary and permanent impacts to jurisdictional wetlands.

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)(4))

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	5400			5650		
	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	5400			5650		
	Tidal Marsh				2220		
	Sand Dune						
	Undeveloped Tidal Buffer Zone (TBZ)				28100		
	Previously-developed TBZ						
	Docking - Tidal Water						
TOTAL		5400			73670		

SECTION 12 - APPLICATION FEE (RSA 482-A:3, 1)

<input type="checkbox"/> MINIMUM IMPACT FEE: Flat fee of \$400.
<input type="checkbox"/> 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).
<input checked="" type="checkbox"/> MINOR OR MAJOR IMPACT FEE: Calculate using the table below:
Permanent and temporary (non-docking): 79370 SF × \$0.40 = \$ 31,748
Seasonal docking structure: SF × \$2.00 = \$
Permanent docking structure: SF × \$4.00 = \$
Projects proposing shoreline structures (Including docks) add \$400 = \$
Total = \$
The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$ 31,748

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:  To the best of the signer's knowledge and belief, all required notifications have been provided.

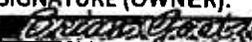
Initials:  The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.

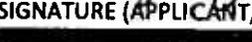
Initials:  The signer understands that:

- The submission of false, incomplete, or misleading information constitutes grounds for NHDES to:
 - Deny the application.
 - Revoke any approval that is granted based on the information.
 - 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:  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. 311:0 (d); Env. Wt. 311:11)

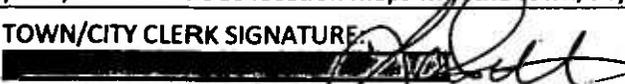
SIGNATURE (OWNER): 	PRINT NAME LEGIBLY: Brian Goetz	DATE: 10/10/2020
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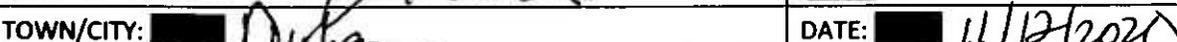
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): 	PRINT NAME LEGIBLY: [Redacted]	DATE: [Redacted]
--	-----------------------------------	---------------------

SIGNATURE (AGENT, IF APPLICABLE): 	PRINT NAME LEGIBLY: Britt Eckstrom	DATE: 11/19/2020
--	---------------------------------------	---------------------

TOWN/CITY CLERK SIGNATURE (Env. Wt. 311:0 (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: Corney Pitt
---	------------------------------------

TOWN/CITY:  Durham	DATE:  11/12/2020
---	---

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	5400			15650		
	Tidal Marsh				2220		
	Sand Dune						
	Undeveloped Tidal Buffer Zone (TBZ)				26100		
	Previously-developed TBZ						
	Docking - Tidal Water						
TOTAL		5400			23970		

SECTION 12 - APPLICATION FEE (RSA 482-A:3, 0)

<input type="checkbox"/>	MINIMUM IMPACT FEE: Flat fee of \$400.
<input type="checkbox"/>	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).
<input checked="" type="checkbox"/>	MINOR OR MAJOR IMPACT FEE: Calculate using the table below:
	Permanent and temporary (non-docking): 23970 SF × \$0.40 = \$ 9,588
	Seasonal docking structure: SF × \$2.00 = \$
	Permanent docking structure: SF × \$4.00 = \$
	Projects proposing shoreline structures (including docks) add \$400 = \$
	Total = \$
	The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$ 9,588

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: 
 To the best of the signer's knowledge and belief, all required notifications have been provided.

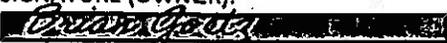
Initials: 
 The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.

Initials: 
 The signer understands that:

- The submission of false, incomplete, or misleading information constitutes grounds for NHDES to:
 - Deny the application.
 - Revoke any approval that is granted based on the information.
 - 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.

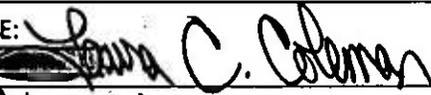
Initials: 
 If the applicant is not the owner of the property, each property owner signature shall constitute certification by the signer that he or she is aware of the application being filed and does not object to the filing.

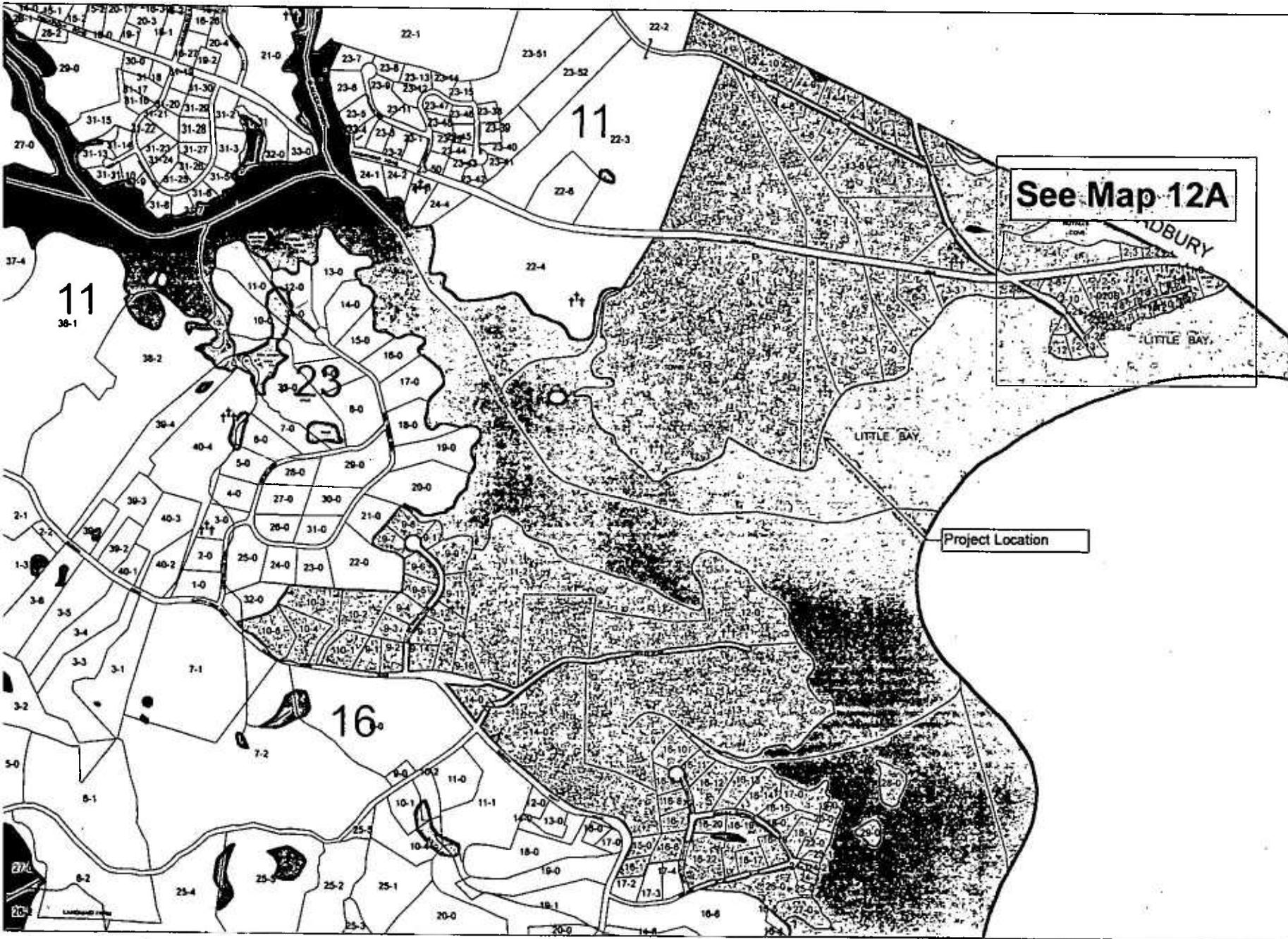
SECTION 15 - REQUIRED SIGNATURES (Env-Wt-311.04(d), Env-Wt-311.11)

SIGNATURE (OWNER): 	PRINT NAME LEGIBLY: Brian Goetz	DATE: 11/10/2020
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): 	PRINT NAME LEGIBLY: 	DATE: 
SIGNATURE (AGENT, IF APPLICABLE): 	PRINT NAME LEGIBLY: Britt Eckstrom	DATE: 11/19/2020

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.

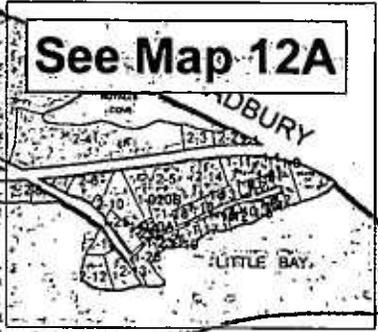
TOWN/CITY CLERK SIGNATURE: 
 PRINT NAME LEGIBLY:  LAURA C. COLEMAN
 TOWN/CITY:  NEWINGTON
 DATE:  NOV. 12, 2020



Map 12



PROPERTY MAP
DURHAM,
 NEW HAMPSHIRE



Project Location

- Legend**
-  Adjacent Map Sheet
 -  Current Map Sheet
 -  Cemetery

1 inch = 910 feet

This map was updated by
 Stratford Regional Planning
 and the Town of Durham
 January 2019.

THIS MAP IS FOR
 ASSESSMENT PURPOSES.
 IT IS NOT INTENDED
 FOR LEGAL DESCRIPTION
 OR CONVEYANCE.

Project Location

GREAT BAY

1-1-1
TOWN OF NEWINGTON
2.06

HEN ISLAND

FOX POINT

1-1
TOWN OF NEWINGTON
110.00 AC.

FOX POINT ROAD

GREAT BAY



LEGEND	LOT 106 12-12	LOT 106 7210
TOWN LINE	---	---
RDW - PUBLIC	---	---
RDW - PRIVATE	---	---
RDW - PAPER	---	---
LOT LINE	---	---
EASEMENT	---	---
BROOKS/STREAMS	---	---
LAKES/PONDERS	---	---
FORMER LOT LINE	---	---
POA / SHOT	---	---
BUILDINGS/DRIVES	---	---
ISLANDS / WATER BODIES	---	---
POLE OR SIGN	---	---

MERIDIAN LAND SERVICES, INC.
 51 OLD BARNDA ROAD, ARREST, N.H. 03029
 TEL: 603-882-2222 FAX: 603-882-2222
 WWW.MLS.COM

THIS DOCUMENT HAS BEEN PREPARED
 TO SHOW APPROXIMATE LOT LOCATIONS
 ONLY. DEFINITIVE LOT LOCATIONS
 TO BE MADE FOR THE RECORD.

NEWINGTON, N.H.

TAX MAP SCALE
 1" = 100' (1:12,500)
 AUGUST 2015
 DATE OF LAST REVISION

GRAPHIC SCALE
 0 50 100 200
 FEET
 M.S. JOB NO. 4171.00

57	2
4	3

1

JDM W:\GIS_Development\Projects\NH\Portsmouth\14202A-SubaqueousWaterTransMain\MXD\Figure-LittleBayFocusArea-8x11.mxd



Project Area



0 1,000 2,000 Feet

**Little Bay Subaqueous
Water Main Replacement
Project Location**
Durham and Newington, NH

PROJ NO: 14201A DATE: 9/23/2020

WRIGHT-PIERCE
Engineering a Better Environment



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



Robert R. Scott, Commissioner

This application contains confidential information from the NH Natural Heritage Bureau (NHB) Datacheck tool provided by the NH Department of Natural and Cultural Resources, NHB. This information is being withheld from disclosure to the public.

Please direct all questions regarding the confidential information to Pamela G. Monroe, Legal Unit Administrator, NH Department of Environmental Services, at: pamela.g.monroe@des.nh.gov, or (603) 271-3137.

Abutter Notification

Abutter notification has not been completed for the project area within the existing utility right-of-way (ROW) per Env-Wt 306.06(c)(4) which states abutter notification is not required for utility maintenance or repair projects within a utility ROW.

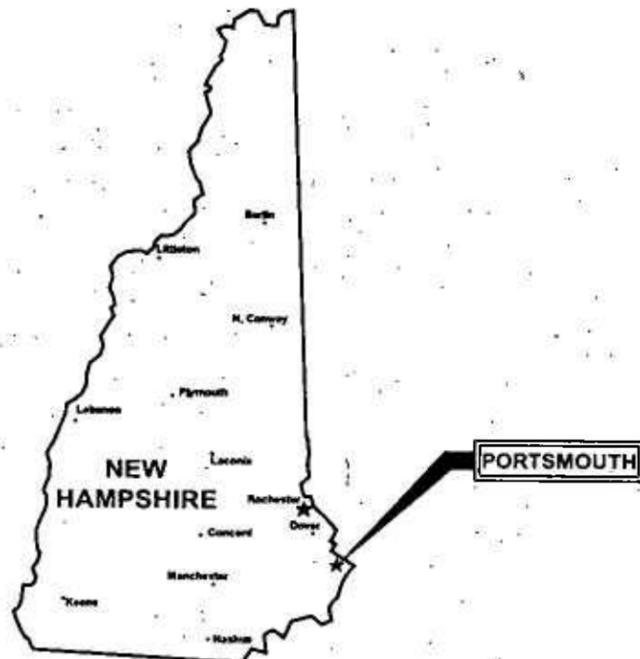
The City has had ongoing outreach with the property owner on the Durham side and the Town of Newington. The City will continue to conduct pro-active outreach actions throughout the Project permitting and construction.

CITY OF PORTSMOUTH LITTLE BAY SUBAQUEOUS WATER TRANSMISSION MAIN

DURHAM & NEWINGTON, NH

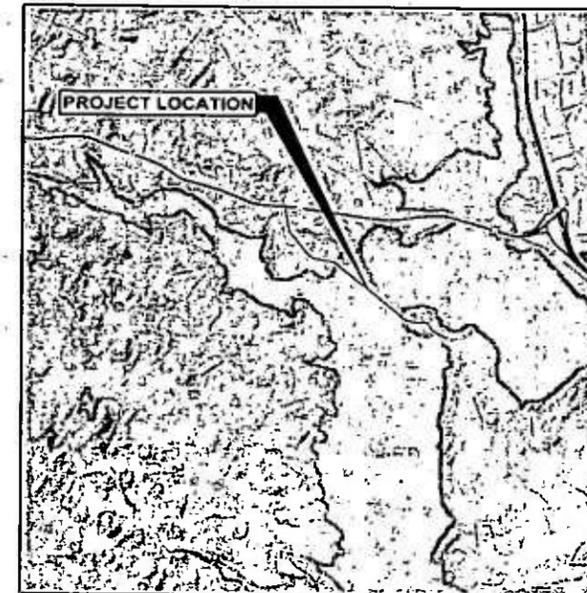
MAY 2023

PERMITTING DRAWINGS



DRAWING INDEX

GENERAL	COVER SHEET
—	—
CIVIL	SHEET INDEX
C-1	GENERAL NOTES, ABBREVIATIONS AND LEGEND
C-2	EXISTING CONDITIONS-DURHAM
C-3	EXISTING CONDITIONS-NEWINGTON
C-4	CONSTRUCTION ACCESS PLAN - DURHAM
C-5	CONSTRUCTION STAGING PLAN - 180 POCAQUA ROAD
C-6	CONSTRUCTION STAGING PLAN - NEWINGTON
C-7	PLAN & PROFILE I - STA 100+00 TO 106+00
C-8	PLAN & PROFILE II - STA 106+00 TO 112+00
C-9	PLAN & PROFILE III - STA 112+00 TO 118+00
C-10	PLAN & PROFILE IV - STA 118+00 TO 124+00
C-11	PLAN & PROFILE V - STA 124+00 TO 130+00
C-12	PLAN & PROFILE VI - STA 130+00 TO 134+00
C-13	WATER MAIN CONNECTION DETAIL - DURHAM
C-14	WATER MAIN CONNECTION DETAIL - NEWINGTON
C-15	RESTORATION PLAN - DURHAM
C-16	RESTORATION PLAN - NEWINGTON
C-17	DETAILS 1
C-18	EROSION CONTROL NOTES & DETAILS - DURHAM
C-19	EROSION CONTROL NOTES & DETAILS - NEWINGTON
C-20	—



LOCATION PLAN

NOT FOR CONSTRUCTION

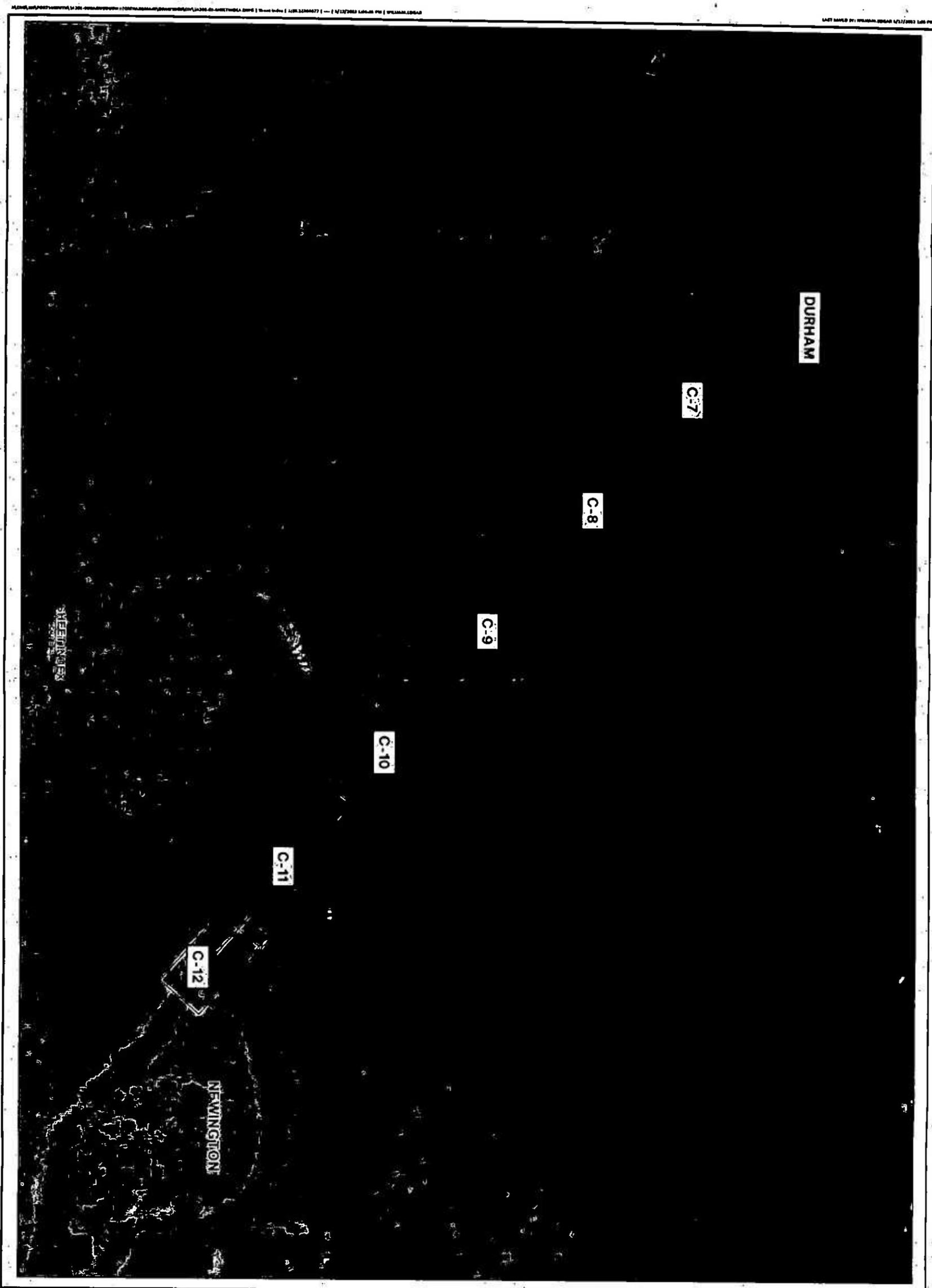
WRIGHT-PIERCE 
Engineering a Better Environment

Offices Throughout New England
888.621.8156 | www.wright-pierce.com

FOR REVIEW _____

FOR BIDDING _____

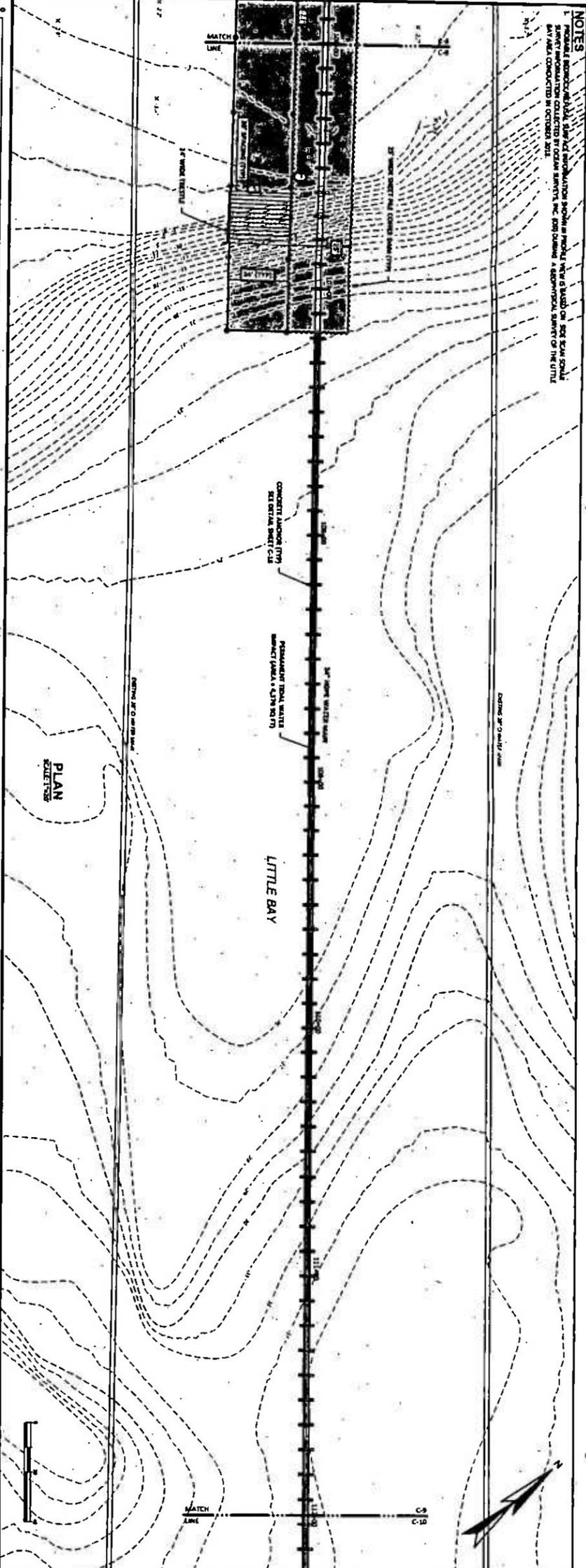
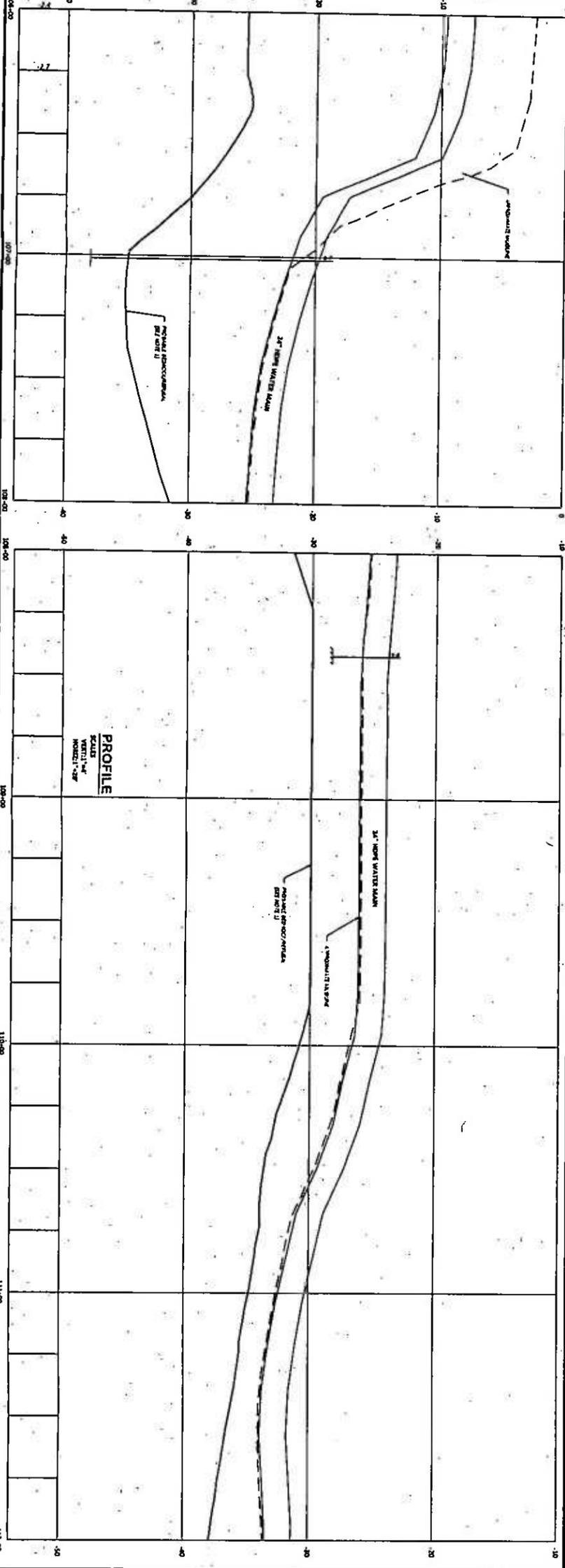
WP PROJECT No. 14202A



DRAWING C-1	CITY OF PORTSMOUTH SUBAQUEOUS WATER TRANSMISSION MAIN LITTLE BAY, DURHAM-NEWINGTON NEW HAMPSHIRE	WRIGHT-PIERCE Engineering a Better Environment 603.621.8156 www.wright-pierce.com	DESIGNED BY: D. J. JARY CAD COORD: W. EDGAR CHECKED BY: DATE: APPROVED BY: DATE: PROJECT NO. 14202A	NO. 1 SUBREVISIONS/REVISIONS PERMITTING DRAWINGS _____ _____ _____ _____ _____ _____	APP'D DATE
	SHEET INDEX				

PLANNING AND DESIGN SERVICES, INC. 100 DOWNS AVE. SUITE 200, PORTSMOUTH, NH 03801
 PROJECT NO. 15202A | DATE: 08/14/2015 | DRAWING NO. C-9

LAST DATED BY: WRIGHT-PIERCE



NOTES
 1. PROPOSED OPERATIONAL POINT IS BASED ON 50% SCALE SOIL BAY AREA CONDUCTED BY GEOTECH SERVICES, INC. FOR DESIGN & CONSTRUCTION OF THE UTILITY.

CITY OF PORTSMOUTH
SUBAQUEOUS WATER TRANSMISSION MAIN
LITTLE BAY, DURHAM-NEWINGTON
NEW HAMPSHIRE

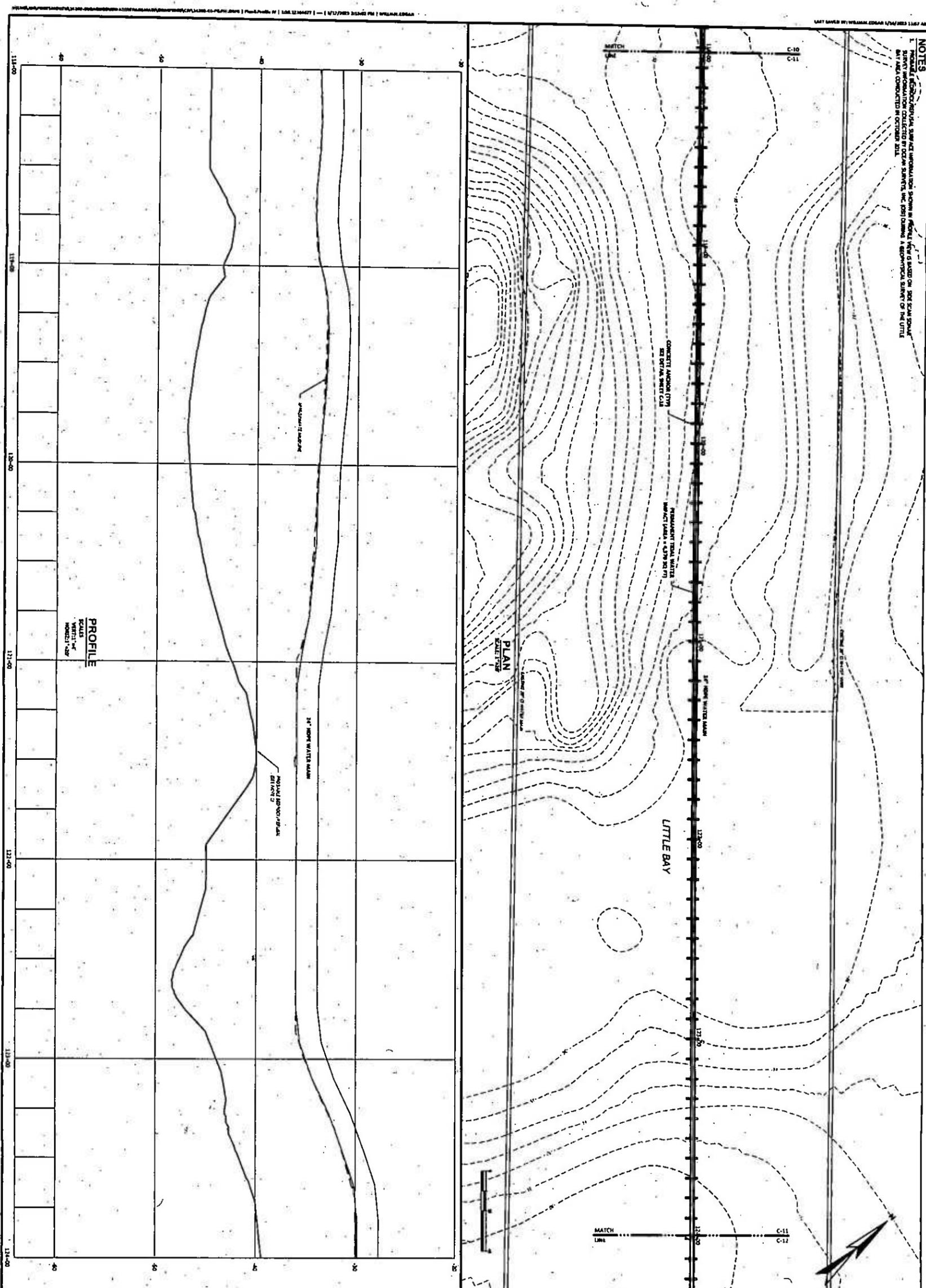
WRIGHT-PIERCE
 Engineering a Better Environment
 603.621.8156 | www.wright-pierce.com

DESIGNED BY: D. LARY
 CAD COORD: W. LOGAN
 INSP: W. LOGAN
 CHECKED BY:
 DATE:
 APPROVED BY:
 DATE:
 PROJECT NO.: 15202A

NO.	REVISIONS/VERSIONS	APP'D	DATE
1	PERMITTING DRAWINGS		

DRAWING
 C-9

WATER MAIN REPLACEMENT PLAN & PROFILE II
 STA. 108+00 TO STA. 112+00



NOTES
 1. PROPOSED CONSTRUCTION SHALL BE BASED ON THE INFORMATION SHOWN IN THIS DRAWING AND SHALL BE BASED ON THE DATA COLLECTED BY THE SURVEYOR. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DATA COLLECTED BY THE SURVEYOR.

DRAWING C-11	CITY OF PORTSMOUTH SUBAQUEOUS WATER TRANSMISSION MAIN LITTLE BAY, DURHAM-NEWINGTON NEW HAMPSHIRE <small>WATER MAIN REPLACEMENT PLAN & PROFILE IV STA. 113+00 TO STA. 114+00</small>	 WRIGHT-PIERCE Engineering a Better Environment 888.621.8156 www.wright-pierce.com	DESIGNED BY: D. LARBY CAD COORD: W. EDGAR CHECKED BY: DATE: APPROVED BY: DATE: PROJECT NO.: 18282A	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">NO.</th> <th style="width: 75%;">SUBMISSIONS/REVISIONS</th> <th style="width: 20%;">APPRO. DATE</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td>PERMITTING DRAWING</td> <td></td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	SUBMISSIONS/REVISIONS	APPRO. DATE	1	PERMITTING DRAWING													
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1	PERMITTING DRAWING																					

