GAC

The State of New Hampshire

Department of Environmental Services

Robert R. Scott, Commissioner

53

July 05, 2024

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

REQUESTED ACTION

Approve Onaway Camp Trust's request to perform the following work on Newfound Lake in Hebron pursuant to NH Department of Environmental Services (NHDES) Wetlands Bureau permit #2024-00739, and in accordance with RSA 482-A:3. No comments were submitted by the Hebron Conservation Commission regarding the project as proposed.

Install two 6 foot x 40 foot seasonal piers on an average of 1,807 feet of frontage along Newfound Lake in Hebron.

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 revised plans, revision dated May 4, 2024 by Barnard Survey Associates, as received by the NH Department of Environmental Services (NHDES) on May 6, 2024.
2. This permit shall not be effective until it has been recorded in the Grafton County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision as required to maintain compliance with Env-Wt 314.02 and Env-Wt 513.12.
4. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
5. All portions of the docking structures shall be located at least 20 feet from the abutting property lines and no watercraft shall be secured to the docking facility such that it crosses over the imaginary extension of the property lines over the surface water as required by RSA 482-A:3, XIII.
6. All seasonal structures docking structures shall be removed for the non-boating season as required per Env-Wt 513.22.
7. The seasonal dock shall be removed from the water prior to applying any paint, stain, or other preservative coating, and not returned to the water until after such coating is dry as required per Env-Wt 513.22(b)(4).
8. The owner understands and accepts that should these docking structures be found to have an unreasonable impact on the ability of abutting owners to use and enjoy their properties or the public's right to navigation, passage, and use of the resource for commerce and recreation the structures shall be subject to removal pursuant to RSA 482-A:1, RSA 482-A:11, II, and Env-Wt 513.03(a).

9. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
10. Pursuant to RSA 483-B:9, V(a)(2)(D), (v), this permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V(a)(2)(D), (iv).
11. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

EXPLANATION

NHDES approved this project on May 30, 2024. NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 513.24(c)(2), modification of a docking facility resulting in 5 or more slips.
2. The applicant has an average of 1,807 feet of frontage along Newfound Lake in Hebron.
3. A maximum of 25 slips may be permitted on this frontage per Rule Env-Wt 513.12, Frontage Requirements for Private and Non-commercial Docking Structures.
4. The docking facility consisting of the two proposed seasonal piers in combination with two pre-existing seasonal piers will provide 8 slips as defined per RSA 482-A:2, VIII, and therefore meets Rule Env-Wt 513.12.
5. The NHDES finds that because the project is not of significant public interest and will not significantly impair the resources of Newfound Lake a public hearing under RSA 482-A:8 is not required.
6. No concerns were received from abutters nor the local Conservation Commission related to the project.
7. The NHDES 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 - 900. No waivers of RSA 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900 were requested or approved under this permit action.

NHDES Wetlands Bureau permit #2024-00739 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

Check the Status of your Application

RSA/Rule: RSA 482-A/Env-Wt 100-900

APPLICANT'S NAME: Onaway Camp Trust **TOWN NAME:** Hebron

RECEIVED Administrative Use Only MAR 21 2024 NHDES LAND RESOURCES MANAGEMENT	INCOMPLETE Administrative Use Only MAR 21 2024	COMPLETE Administrative Use Only MAR 27 2024	File No.: 2024-00739
			Check No.: 3223
			Amount: 1,360.00
			Initials: BH

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 (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.	○ Yes ● No
• Protected species or habitat? ○ If yes, species or habitat name(s): ○ NHB Project ID #: NHB24-0589	○ 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): • A copy of the application was sent to the LAC on Month: Day: Year:	○ Yes ● No

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: Onaway Camp Trust		
MAILING ADDRESS: [redacted]		
TOWN/CITY: [redacted]	STATE: [redacted]	ZIP CODE: [redacted]
EMAIL ADDRESS: [redacted]		
FAX:	PHONE: [redacted]	
ELECTRONIC COMMUNICATION: By initialing here, 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.: Barnard, Alan M.		
COMPANY NAME: Barnard Survey Assoc., Inc.		
MAILING ADDRESS: 86 Hobart Hill Road		
TOWN/CITY: Hebron	STATE: NH	ZIP CODE: 03241
EMAIL ADDRESS: bsai663@gmail.com		
FAX:	PHONE: 603-530-2495	
ELECTRONIC COMMUNICATION: By initialing here, 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):

The proximity of wetlands areas adjacent to the proposed work was investigated. No wetland are within the proposed project area.

The proposed docks meet the criteria of Env-Wt 513. A docking structure worksheet is attached as part of this application.

There are no coastal dune prime wetlands or priority resource areas associated with the project. The project does not propose any work along a stream or river.

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 (PERM.) impacts are impacts that will remain after the project is complete (e.g., changes in grade or surface materials).

Temporary (TEMP.) impacts are impacts not intended to remain (and will be restored to pre-construction conditions) after the project is completed.

	JURISDICTIONAL AREA	PERM. SF	PERM. LF	PERM. ATF	TEMP. SF	TEMP. LF	TEMP. ATF
Wetlands	Forested Wetland			☐			☐
	Scrub-shrub Wetland			☐			☐
	Emergent Wetland			☐			☐
	Wet Meadow			☐			☐
	Vernal Pool			☐			☐
	Designated Prime Wetland			☐			☐
	Duly-established 100-foot Prime Wetland Buffer			☐			☐
Surface	Intermittent / Ephemeral Stream			☐			☐
	Perennial Stream or River			☐			☐
	Lake / Pond	480		☐			☐
	Docking - Lake / Pond			☐			☐
	Docking - River			☐			☐
Banks	Bank - Intermittent Stream			☐			☐
	Bank - Perennial Stream / River			☐			☐
	Bank / Shoreline - Lake / Pond			☐			☐
Tidal	Tidal Waters			☐			☐
	Tidal Marsh			☐			☐
	Sand Dune			☐			☐
	Undeveloped Tidal Buffer Zone (TBZ)			☐			☐
	Previously-developed TBZ			☐			☐
	Docking - Tidal Water			☐			☐
	TOTAL	480					

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):	SF	× $0.40 =	$
Seasonal docking structure: 480	SF	× $2.00 =	$ 960
Permanent docking structure:	SF	× $4.00 =	$
Projects proposing shoreline structures (including docks) add $400 =			$ 400
		Total =	$ 1360
The application fee for minor or major impact is the above calculated total or $400, whichever is greater =			$ 1360

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: 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.
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:	DATE:
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): Barrie Pendergast Director	PRINT NAME LEGIBLY: Barrie Pendergast	DATE: 3/13/24
SIGNATURE (AGENT, IF APPLICABLE): Alan M. Barnard	PRINT NAME LEGIBLY: Alan M. Barnard	DATE: 3/16/24

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: Tracey N. Steenbergen	PRINT NAME LEGIBLY: Tracey Steenbergen
TOWN/CITY: Hebron, NH	DATE: 3/17/2024

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 BP	To the best of the signer's knowledge and belief, all required notifications have been provided 3/22/2024
Initials BP	The information submitted on or with the application is true complete and not misleading to the best of the signer's knowledge and belief 3/22/2024
Initials BP	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 3/22/2024
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	DATE
SIGNATURE (APPLICANT IF DIFFERENT FROM OWNER) Barrie Pendergast, Director	PRINT NAME LEGIBLY BARRIE PENDERGAST	DATE 3/15/2024
SIGNATURE (AGENT IF APPLICABLE)	PRINT NAME LEGIBLY	DATE

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

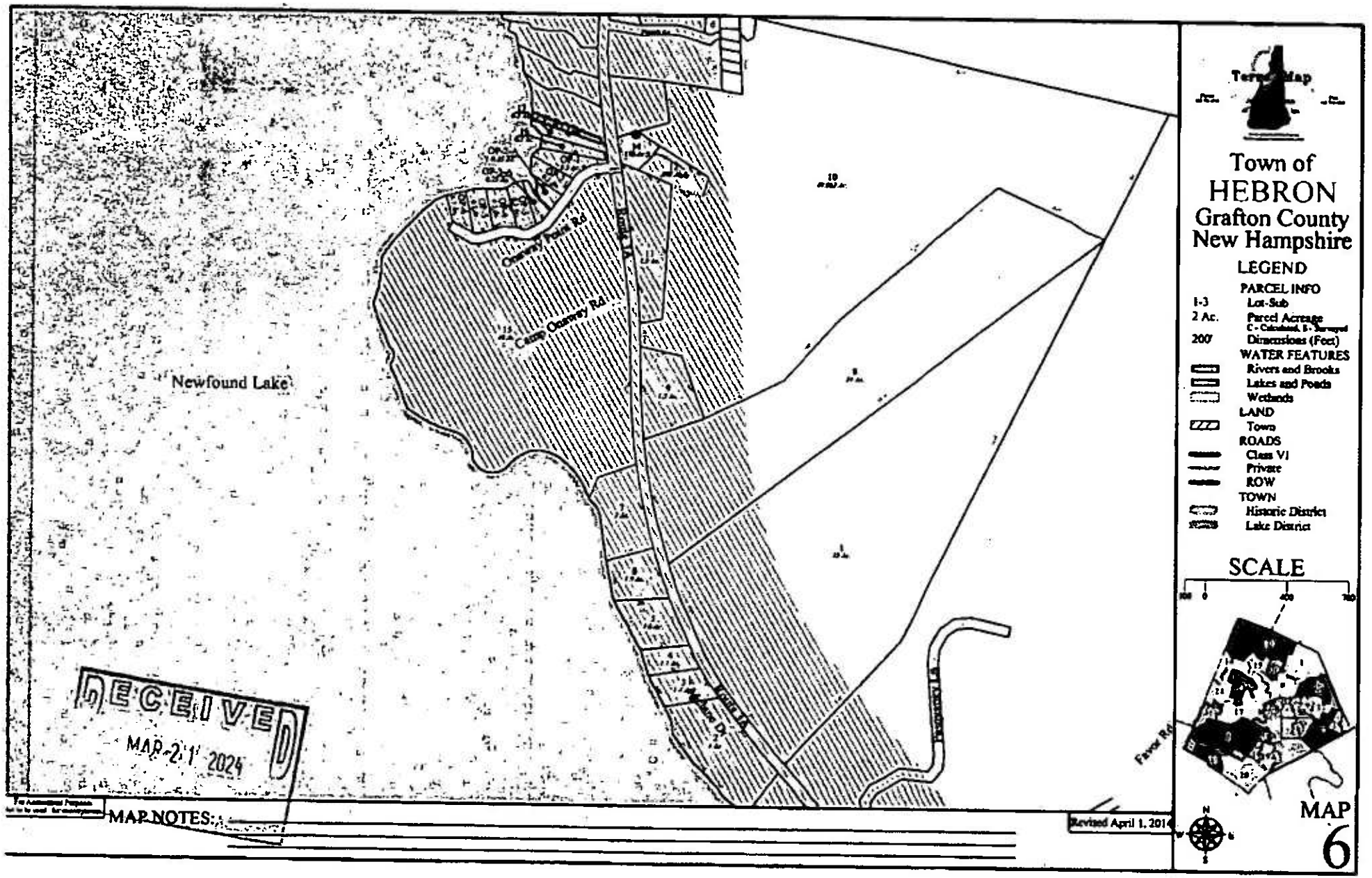
TOWN/CITY CLERK SIGNATURE	PRINT NAME LEGIBLY
TOWN/CITY	DATE

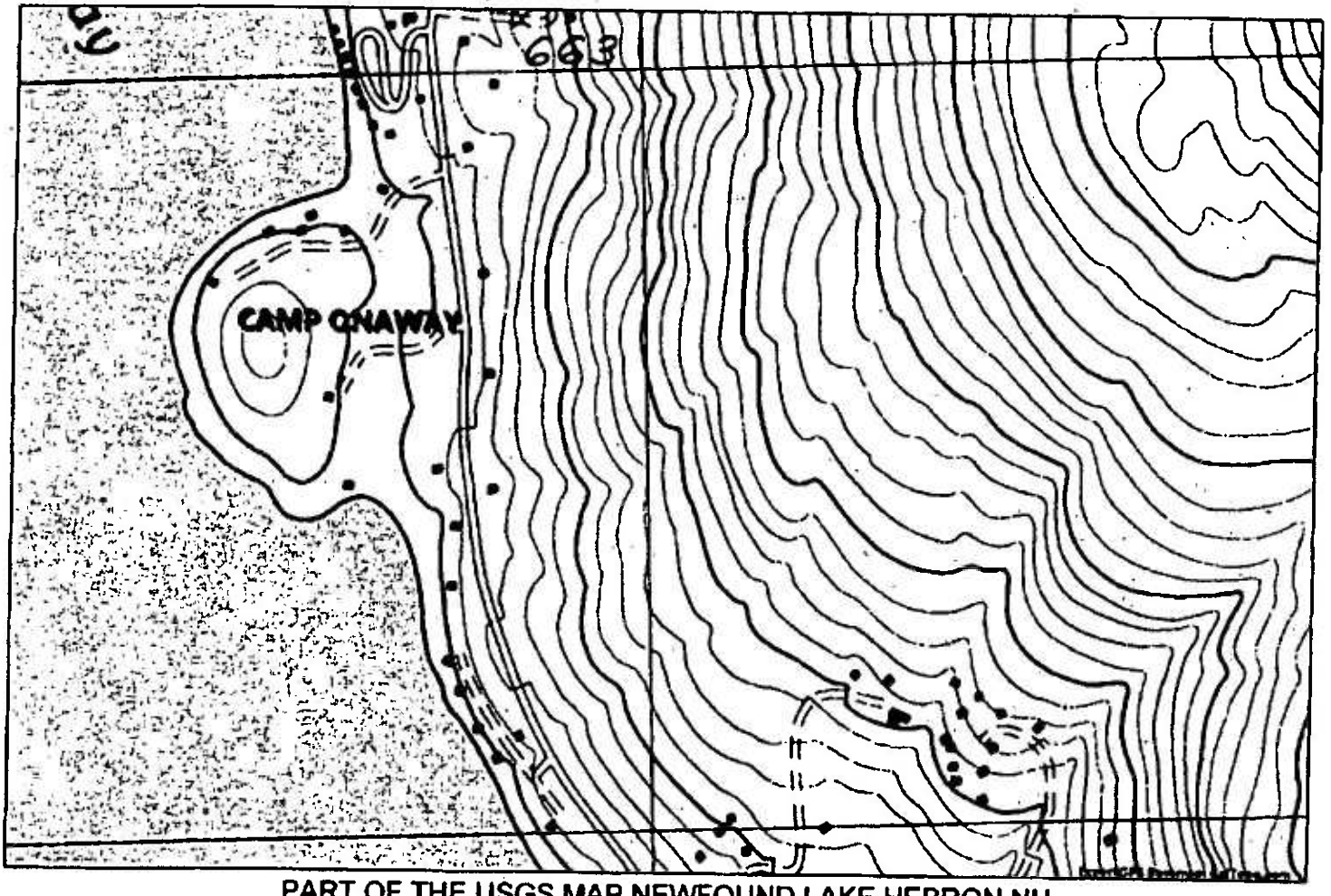
RECEIVED
MAR 22 2024
NHDES
LAND RESOURCES MANAGEMENT

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".


Town of
HEBRON
Grafton County
New Hampshire
LEGEND
PARCEL INFO
1-3 Lot-Sub
2 Ac. Parcel Acreage
200' Dimensions (Feet)
WATER FEATURES
Rivers and Brooks
Lakes and Ponds
Wetlands
LAND
Town
ROADS
Class VI
Private
ROW
TOWN
Historic District
Lake District
SCALE
MAP
6
Newfound Lake
Camp Ossipee Rd
Ossipee Point Rd
Fever Rd
Revised April 1, 2014
MAP NOTES:
RECEIVED
MAR 21 2024



PART OF THE USGS MAP NEWFOUND LAKE HEBRON NH

RECEIVED
MAR 21 2024
NHDES
LAND RESOURCE MANAGEMENT

New Hampshire Natural Heritage Bureau
NHB DataCheck Results Letter

To: ALAN BARNARD, BARNARD SURVEY ASSOC. INC.
86 HOBART HILL ROAD

HEBRON, NH 03241-7301

From: NH Natural Heritage Bureau
Date: 3/5/2024 (valid until 3/5/2025)
Re: Review by NH Natural Heritage Bureau of request submitted 2/25/2024
Permits: NHDES - Seasonal Dock, Trails and Culvert Repair and Replacement Statutory Permit by Notification (SPN)

VALID ONLY FOR NOTIFICATION OR MINIMUM IMPACT APPLICATIONS SUBMITTED TO THE NHDES WETLANDS BUREAU

NHB ID: NHB24-0589 **Applicant:** ALAN M BARARND

Location: HEBRON
27 CAMP ONAWAY DRIVE

Project Description: Adding two tip up docks along the shoreline of Newfound Lake being attached to existing boulders.

The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government.

It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 2/25/2024 9:35:22 AM, and cannot be used for any other project.

Based on the information submitted, no further consultation with the NH Fish and Game Department pursuant to Fis 1004 is required.

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NHDES
LAND RESOURCES MANAGEMENT

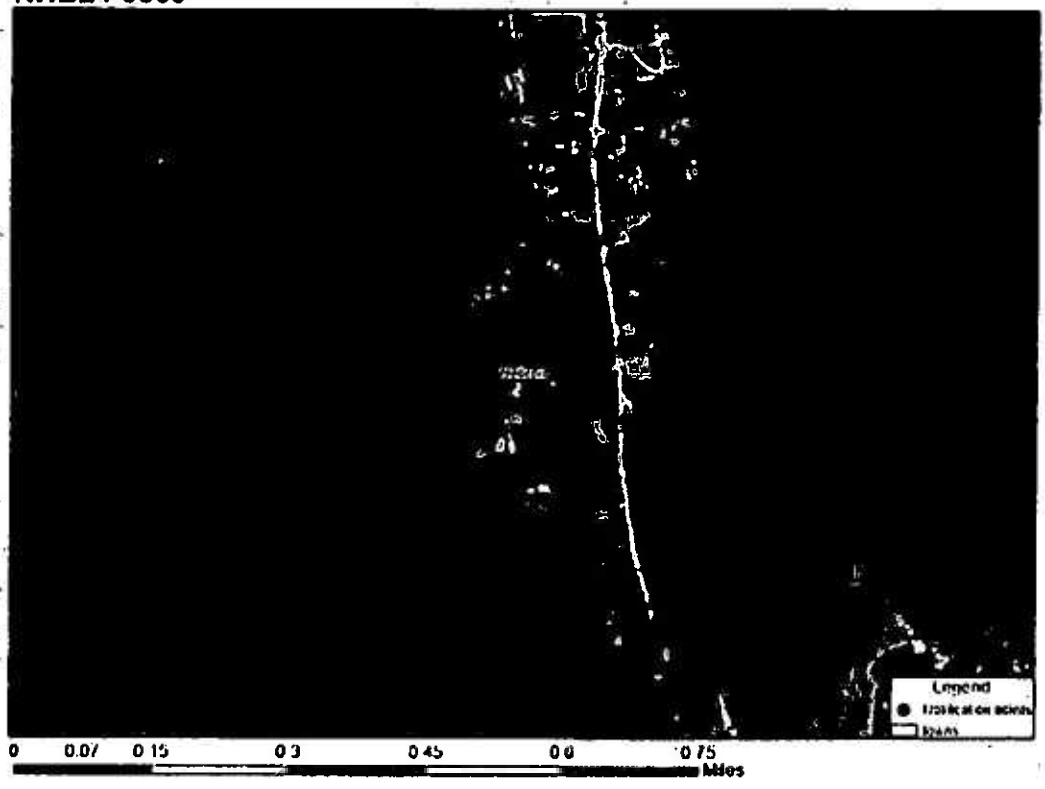
Department of Natural and Cultural Resources
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DNCR/NHB
172 Pembroke Rd.
Concord, NH 03301

New Hampshire Natural Heritage Bureau
NHB DataCheck Results Letter

MAP OF PROJECT BOUNDARIES FOR: **NHB24-0589**

NHB24-0589



Department of Natural and Cultural Resources
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DNCR/NHB
172 Pembroke Rd.
Concord, NH 03301

BARNARD SURVEY ASSOC. INC.

86 Hobart Hill Road
Hebron, N.H. 03241-7301
Phone: 603-530-2495
Fax: 603-744-5495
Email: beal663@gmail.com

WETLANDS ABUTTERS LIST FOR
Camp Onaway
Tax Map 6 Lot 15
26 Summit Grove Ave. Suite 130
Bryn Mawr, PA 19010
Tax Map 6 Lot 15
Mrach 2024

This list is for the direct abutters as required to Camp Onaway as all other names on the Site Plan are across Public or State Roads and are not required notification by Certified Mail.

Tax Map 6 Lot 7
Camp Onaway
[redacted]

Tax Map 6-OP Lot 6
[redacted]

Certified Mail sent to the
Town of Hebron
PO Box 188
Hebron, NH 03241

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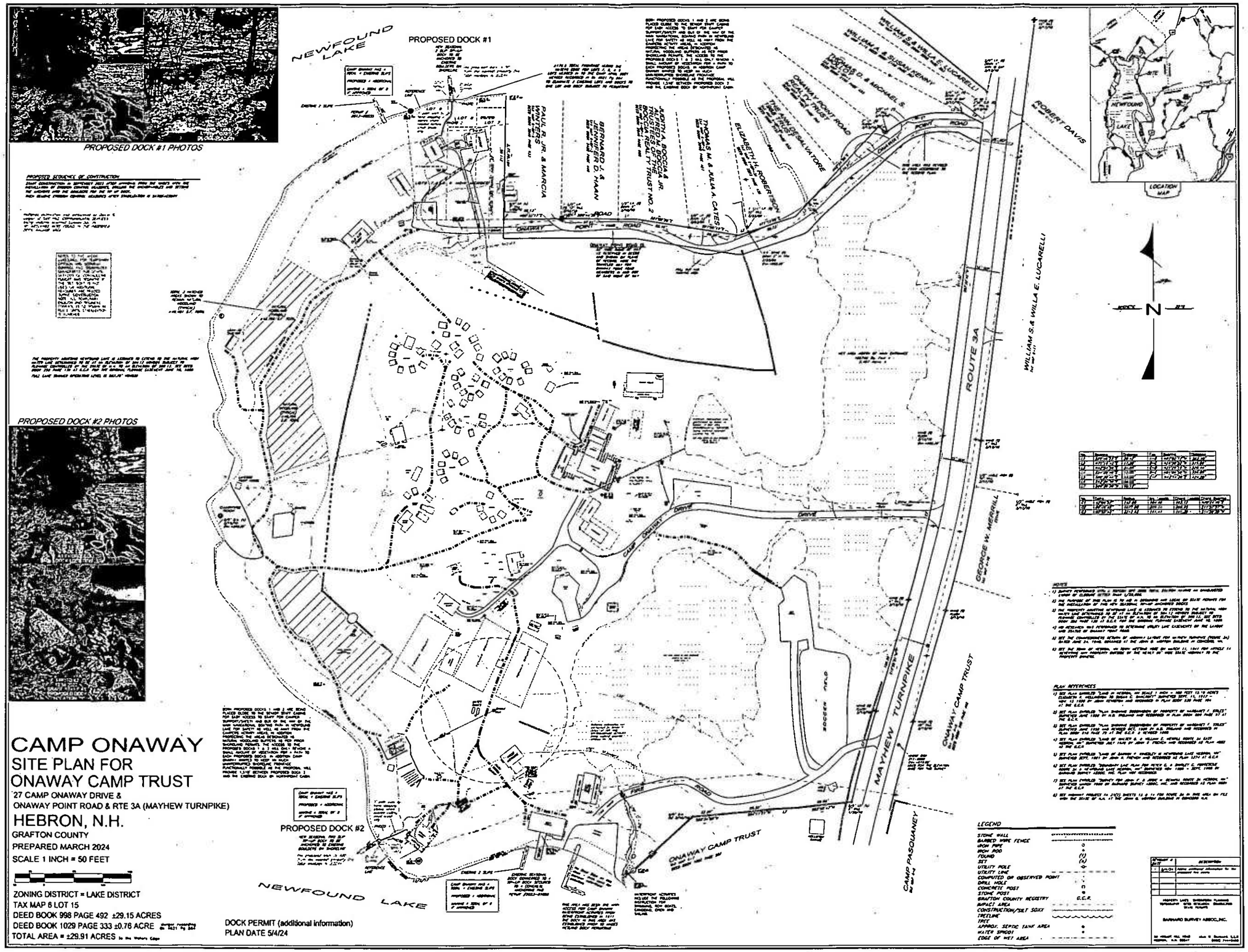
MAR 21 2024
NHDES
LAND RESOURCES MANAGEMENT



CAMP ONAWAY
SITE PLAN FOR ONAWAY CAMP TRUST

27 CAMP ONAWAY DRIVE &
ONAWAY POINT ROAD & RTE 3A (MAYHEW TURNPIKE)

HEBRON, N.H.

GRAFTON COUNTY
PREPARED MARCH 2024
SCALE 1 INCH = 50 FEET

ZONING DISTRICT = LAKE DISTRICT
TAX MAP 6 LOT 15
DEED BOOK 998 PAGE 492 ±29.15 ACRES
DEED BOOK 1029 PAGE 333 ±0.76 ACRE
TOTAL AREA = ±29.91 ACRES

DOCK PERMIT (additional information)
PLAN DATE 5/4/24