

ENVIRONMENTAL DOCUMENTATION CHECKLIST FOR THIRD-PARTY WORK IN THE RIGHT-OF-WAY

All third-party applicants/design engineers, including those for Long Form Excavation Permits, Encroachment Permits, and Major Driveway Permits, are responsible for evaluating the environmental impacts of their proposed work, and verifying compliance with all applicable laws, rules, and regulations. This checklist is intended to provide a summary of the environmental evaluation required to be undertaken by the third-party applicant/design engineer. In addition to completing this checklist, the third-party applicant/design engineer is responsible for securing all necessary environmental permits and approvals. Issuance of the Long Form Excavation Permit, Encroachment Permit, or Major Driveway Permit is not an indication that the Department of Transportation (NHDOT) concurs with, or approves the environmental evaluation performed by the third-party applicant/design engineer. All third-party applicants/design engineers must provide applicable information and documentation for this checklist prior to issuance of the Long Form Excavation Permit, Encroachment Permit, or Major Driveway Permit for NHDOT's records. Please check the box for each evaluation made and permit required to support work within the State right-of-way. *Attach supporting documentation, as necessary.*

Land Disturbance *(This includes, but may not be limited to, any excavation and/or vegetation clearing)*

- Provide total square footage of land disturbance: _____
- National Pollutant Discharge Elimination System (NPDES) Construction General Permit Notice of Intent Tracking Number, if disturbing over 1.0 acre of land: _____
(<https://www.epa.gov/npdes/2022-construction-general-permit-cgp>)

Alteration Of Terrain (AOT) Program

- Consult the Department of Environmental Services (NHDES), and/or visit the link provided, to determine if your project will require an AOT permit (<https://www.des.nh.gov/land/land-development>).
- Provide the AOT Permit Number, if an AOT permit is required: _____

Cultural and/or Historic Resources

- Work conducted within 25 feet of a cemetery will comply with RSA 289:3*.
- Work that impacts stone walls or other boundary markers will comply with RSA 472:6*.
- Provide the New Hampshire Division of Historic Resources (NHDHR), Request for Project Review (RPR) file number (<http://www.nh.gov/nhdhr/review/rpr.htm>) for projects that utilize any state or federal funds, or require a state or federal permit (i.e. wetlands permit): _____

Endangered Species - *Attach documentation of concurrence, as applicable, from the following agencies:*

- NH Natural Heritage Bureau (NHB), Use the NHB DataCheck Tool (<https://www4.des.state.nh.us/NHB-DataCheck/>) for online inquiries.
- US Fish & Wildlife Service, Use the 'Information for Planning and Conservation (IPaC) tool (<http://ecos.fws.gov/ipac/>) for online inquiries.
- NH Fish & Game Department, as necessary, should there be concerns identified through either the IPaC tool, or NHB review (<https://wildlife.state.nh.us/wildlife/environmental-review.html>).

Floodplains/Floodways - *Attach documentation of concurrence from the following agency:*

- NH Office of Strategic Initiatives Floodplain Management Program, for a project that encroaches on a regulatory floodway; creates new obstructions in the 100 year floodplain; or alters any drainage patterns (<https://www.nh.gov/osi/planning/programs/fmp/index.htm>).

Wetlands/Shoreland – Permits must be obtained for any project that impacts wetlands/other areas under the jurisdiction of RSA 482-A* and/or RSA 483-B*. If your project impacts RSA 482-A or RSA 483-B jurisdictional areas, identify the following:

- NHDES (<https://www.des.nh.gov>), Wetlands Permit number: _____
- Army Corps of Engineers, Wetlands Permit number: _____
- NHDES Shoreland Water Quality Protection Act Permit number: _____

Contamination -Perform a NHDES OneStop Web GIS search (<https://www.des.nh.gov/onestop-navigation>) to identify any potential contamination and/or known remediation sites (active or closed) within 1,000 feet of the project, and/or impacts to known asbestos disposal sites. Coordinate with NHDES, as needed.

- NHDES site number(s): _____

Invasive Plant Species – Activities that disturb invasive plants or their root systems must comply with Prohibited Invasive Plant Species Rules ([Agr 3800](#)), and the NHDOT 2018 manual: [Best Management Practices for the Control of Invasive and Noxious Plant Species](#).

- Provide a map/plan showing locations of known invasive plant populations within the project area.

Small Municipal Separate Storm Sewer System (MS4) Permit (Applicable to projects with one (1.0) acre or more of land disturbance within designated [MS4 Communities](#) that meet all of the following criteria:)

YES NO

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | There is a point discharge from a catchment(s) greater than one (1.0) acre. <i>Non-point (sheet flow) does not require coverage under this permit.</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | The point discharge enters a Water of the United States . (navigable surface waters or wetlands) |
| <input type="checkbox"/> | <input type="checkbox"/> | The point discharge comes from a MS4 (pipe or ditch, but not a culvert) |
| <input type="checkbox"/> | <input type="checkbox"/> | The point discharge is in the Urbanize Area of a MS4 Community. |

(If you answered "Yes" to all the criteria listed above you are subject to the requirements of the MS4 permit. For additional guidance on EPA's National Pollutant Discharge Elimination System, Small MS4 General Permit visit: <https://www.epa.gov/npdes-permits/new-hampshire-small-ms4-general-permit>.

- A Technical Memorandum, including supporting plans documenting compliance with Part 2.3.6 of the MS4 permit, has been provided to DOT.
- The Technical Memorandum must include a signed statement of compliance (by a qualified professional, as defined by Appendix B.11 of the MS4 Permit).
- NHDOT has accepted the Technical Memorandum and plans with documented concurrence that the materials provided sufficiently meet the requirements of the MS4 permit.

Please refer to Procedure O&M 2-1 "Environmental Compliance for Third-Party Work in the Right-of-Way," for a better understanding of what NHDOT will be looking for in the Technical Memorandum and plans.

I, the undersigned, take responsibility for the above reviews. To the best of my knowledge and ability, the information represented in this document is accurate, and in conformance with applicable rules and regulations at the time of submission.

Third-Party Applicant/Design Engineer

Date