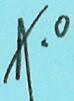


STATE OF NEW HAMPSHIRE  
INTRA-DEPARTMENT COMMUNICATION

FROM  Andrew O'Sullivan  
Wetlands Program Manager

DATE January 14, 2020  
AT (OFFICE) Bureau of Environment

SUBJECT Wetland Bureau Permit # 2019-02971  
Shelburne, 42426

TO Kirk Mudgett, Bureau of Highway Design

Forwarded herewith, for your files and further use as appropriate, is a copy of the subject permit as approved by the Wetlands Bureau and the Water Division on 12/18/2019.

**Please note specific conditions (specifically #2 & 10) on the permit.**

TERRAIN ALTERATION

Note that the non-site specific permit (RSA 485-A: 17 "Terrain Alteration") is part of this Wetlands Bureau Permit.

WATER QUALITY CERTIFICATION

- This permit covers the project's consideration for Water Quality protection and no further action is required by this office.
- This permit does not cover the Water Quality protection for this project. However, a Water Quality Permit will be obtained for this project.

CORPS PERMIT STATUS

- No Corps Jurisdiction
- SPGP (Minimum Impact) - No waiting period; no Corps approval required
- SPGP (Minor Impact)-Wait 30 days from NHWB issuance date; no written approval from Corps required
- SPGP (Major Impact)-Wait 30 days from NHWB issuance date; written approval from Corps required
- Emergency - No waiting period; No written approval from Corps required
- Amendment - No waiting period; No written approval from Corps required
- Corps Individual Permit Required

COASTAL ZONE MANAGEMENT (CZM) STATUS

- Outside of Coastal Zone-consistency finding not necessary from OSP
- Within Coastal Zone (Non-Federal Action)-consistency finding not necessary from OSP
- Within Coastal Zone (Federal Action)-if covered by SPGP, or no Corps' jurisdiction, consistency finding is automatic from OSP
- Within Coastal Zone (Federal Action)-if individual Corps permit, written consistency finding is necessary from OSP

EROSION CONTROL PLAN STATUS

- Erosion Control Plan Required; Submit Erosion Control Plan to DES Wetlands Bureau

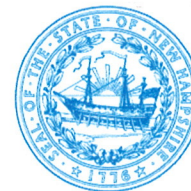
If you have any questions, please call 271-3226.

AMO:sel  
Encl.

cc:  
BOE Original  
Construction  
Deidra Benjamin, Environmental Coordinator  
Lysa Bennet-Crouch, Bureau of Highway Design (via electronic notification)



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



**Robert R. Scott, Commissioner**

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**WETLANDS AND NON-SITE SPECIFIC PERMIT 2019-02971**

**NOTE CONDITIONS**

**PERMITTEE:** NH DEPARTMENT OF TRANSPORTATION  
PO BOX 483  
CONCORD NH 03302-0483

**PROJECT LOCATION:** RTE 2, SHELBURNE  
TAX MAP #ROW, LOT #ROW

**WATERBODY:** KIDDER BROOK

**APPROVAL DATE:** DECEMBER 18, 2019

**EXPIRATION DATE:** DECEMBER 18, 2024

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Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued by the New Hampshire Department of Environmental Services (NHDES). This permit shall not be considered valid unless signed as specified below.

**PERMIT DESCRIPTION:** Dredge and fill a total of 1,671 square feet (SF), 1,413 SF permanent and 258 SF temporary, within the bed and bank of Kidder Brook (impacting 279 linear feet) to replace an existing 72 inch CMP with a 5 foot high x 8 foot wide x 60 foot long precast concrete box culvert embedded 12 inches with stream simulation and precast headwalls and wingwalls. The project also includes repair of scoured/eroded areas upstream and downstream of the culvert.

**THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:**

1. All work shall be in accordance with plans by NH Department of Transportation dated September 10, 2019 as received by the NH Department of Environmental Services (NHDES) on September 19, 2019.
2. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the NHDES Wetlands Bureau prior to construction.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work shall be done during low flow.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
10. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.

[www.des.nh.gov](http://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

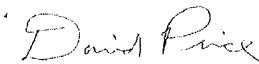
TDD Access: Relay NH 1 (800) 735-2964

11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
12. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
13. The channel at the culvert inlet and outlet/recreated stream channel bed and box culvert must maintain the natural and a consistent streambed elevation and not impede stream flow.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
16. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

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

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The NHDES Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by NHDES;
6. This project has been screened for potential impacts to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have only received cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species;
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.


APPROVED:



David Price  
Wetlands Bureau  
Land Resources Management

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**BY SIGNING BELOW, I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.**

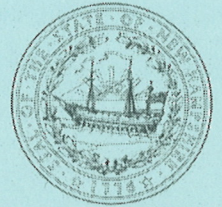
  
\_\_\_\_\_  
OWNER'S SIGNATURE (required)

\_\_\_\_\_  
CONTRACTOR'S SIGNATURE (required)



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

Robert R. Scott, Commissioner



**NOTICE TO RECIPIENTS OF  
MAJOR IMPACT NH WETLANDS PERMITS**

Your permit was approved by the New Hampshire Wetlands Bureau as a major impact project, and your project will be reviewed by the US Army Corps of Engineers for possible approval under the Army Corps New Hampshire State Programmatic General Permit – SPGP. The Army Corps will notify you within thirty (30) days as to whether you qualify.

**\*\*\*NO WORK SHOULD BE DONE IN WETLANDS  
UNTIL YOU RECEIVE THAT NOTICE\*\*\***

If you do not hear from the Army Corps within thirty (30) days, you should call them at 1-978-318-8335 (ME, NH, VT, CT, RI); 1-800-362-4367 (MA).

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cc: US Army Corps of Engineers