

**APPENDIX 2A**

**FIRST SUPPLEMENT TO WETLANDS PERMIT**



THE STATE OF NEW HAMPSHIRE  
 DEPARTMENT OF ENVIRONMENTAL SERVICES  
 LAND RESOURCES MANAGEMENT  
 WETLANDS BUREAU  
 29 Hazen Drive, PO Box 95  
 Concord, NH 03302-0095



Phone: (603) 271-2147 Fax: (603) 271-6588  
 Website: <http://des.nh.gov/organization/divisions/water/wetlands/index.htm>  
 Permit Application Status: <http://des.nh.gov/onestop/index.htm>

## WETLANDS PERMIT APPLICATION

Administrative Use Only	Administrative Use Only	Administrative Use Only	File Number
			Check No.
			Amount
			Initials

**1. REVIEW TIME AND IMPACT TYPE: Use Attachment "A" to determine review time and impact type.**

Expedited Review, Minimum Impact    
  Standard Review, Minimum Impact    
  Standard Review, Minor or Major Impact

**2. PROJECT LOCATION:**

ADDRESS: 354 Keene Rd.		TOWN/CITY: Antrim	
TAX MAP: See attached.	BLOCK:	LOT: See attached.	UNIT:
LOCATION COORDINATES: N: 203,000 E: 890,000		<input type="checkbox"/> Latitude/Longitude <input type="checkbox"/> UTM <input checked="" type="checkbox"/> State Plane	

**3. PROPERTY OWNER INFORMATION:**

NAME: See attached Exhibit 10.

EMAIL or FAX: \_\_\_\_\_ PHONE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

TOWN/CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

**4. APPLICANT INFORMATION:**

NAME: Antrim Wind Energy, LLC

EMAIL or FAX: generate@eolian-energy.com     PHONE: 603-570-4842

MAILING ADDRESS: 155 Fleet St.

TOWN/CITY: Portsmouth     STATE: NH     ZIP CODE: 03801-4050

**5. AGENT INFORMATION:**

NAME: Joshua S. Brown     COMPANY NAME: TRC

EMAIL or FAX: jsbrown@trcsolutions.com     PHONE: 518-688-3146

MAILING ADDRESS: 10 Maxwell Dr.

TOWN/CITY: Clifton Park     STATE: NY     ZIP CODE: 12065

**6. CHECK BOX TO INDICATE APPLICABLE PROJECT TYPES:**

- |   |  |
|---|--|
| <input type="checkbox"/> Excluding culverts and bridges, all work in the bed or bank of a lake/pond of which the property owner(s) listed on page 1 do NOT own the entire bed and banks of the lake/pond.<br><br><input type="checkbox"/> Dock construction, maintenance, repair or replacement on a RIVER. | <input checked="" type="checkbox"/> Work in a wetland, stream, river (excluding docks on rivers), prime wetland, prime wetland buffer, tidal water, salt marsh, sand dune, tidal buffer zone or in a pond of which the entire bed and banks are owned by the property owner(s) listed on page 1.<br><br><input checked="" type="checkbox"/> All culvert and bridge construction, maintenance, repair or replacement. |
|---|--|

**7. PROJECT DESCRIPTION:**

The proposed Antrim Wind Energy Project is a wind energy generation facility to be located in Antrim, New Hampshire. The project will include construction of ten (10) wind turbine generators, a substation, and associated access roads, crane pads, and stormwater management facilities. The proposed site is generally linear, running approximately north to south along the ridge top of Tuttle Hill and Willard Mountain and spanning several individually owned parcels. The site will be accessed from State Route 9 (Keene Road). Approximately 4.0 miles of gravel road will be constructed. Within the project area approximately 63 acres will be disturbed during construction. Following construction approximately 49.4 acres will be restored and revegetated including temporary works space, temporary laydown yards, roadway shoulders and side slopes, and much of the turbine construction pad area at tower locations. Approximately 11.5 acres will remain as permanently developed area including the access road, substation yard, crane pads, and tower foundations.

**8. INDICATE AREA OF PROPOSED IMPACTS FOR EACH RESOURCE:**

Resource:	Permanent Sq. Ft.	Permanent Lin. Ft.	Temporary Sq. Ft.	Temporary Lin. Ft.	After-the-fact Sq. Ft.	After-the-fact Lin. Ft.
Forested wetland	<b>5,672</b>	-		-		-
Scrub-shrub wetland	<b>3,631</b>	-		-		-
Emergent wetland		-		-		-
Wet meadow		-		-		-
Bog		-		-		-
Prime wetland		-		-		-
Prime wetland buffer		-		-		-
Docking structure		-		-		-
Tidal Buffer Zone		-		-		-
Tidal water		-		-		-
Salt Marsh		-		-		-
Sand dune		-		-		-
Intermittent Stream	<b>156</b>	<b>156</b>				
Perennial Stream	<b>296</b>	<b>74</b>				
River						

Lake					
Pond					
Other					
<b>Total</b>	<b>8,800</b>	<b>230</b>	<b>955</b>		

**9 - 13. IF APPLICABLE, PROVIDE:**

9. Cubic yards of proposed sand for beach replenishment: **NA**

10. Cubic yards of proposed dredge material for surface water dredge: **NA**

11. Contributing watershed size(s) of impacted stream(s) and river(s) (acres or square miles): **AN-29: 12.6 ac. AN-17:106.4 ac.**

12. U. S. Geological Survey Topographic Map Waterbody name: **North Branch River**

13. ONLY Required for docking structures	(a)	(b)	(a) + (b) / 2 =
	Straight line distance pin to pin (lin. ft.)	Actual natural navigable shoreline pin to pin (lin. ft.)	Shoreline Frontage (lin. ft.):

**14. APPLICATION FEE:**

Minimum Impact, Expedited Review Application: Flat fee of \$ 200

**- OR -**

Minimum, Minor or Major Impact, Standard Review Application: Complete calculation below

Total temporary and permanent impacts:	_____ 9305 sq. ft.	X \$0.20 =	_____ 1,951
Temporary Docking Structure:	_____ sq. ft.	X \$1.00 =	_____
Permanent Docking Structure:	_____ sq. ft.	X \$2.00 =	_____
Projects proposing shoreline structures add \$200 or NA =			_____
Total =			_____
The Application Fee is above calculated Total or \$200, whichever is greater =			_____ 1,951

**15. INDICATE RELATED FILE / APPROVAL NO. AND STATUS:**

Existing Wetlands Bureau file no. this application is replacing: **No. 2012-00211**

Wetlands Bureau enforcement (subject and abutting properties):

Wetlands Bureau emergency authorization (subject property):

Wetlands Bureau denials (subject and abutting properties):

Wetlands Bureau withdrawals (subject and abutting properties):

Wetlands Bureau approvals (subject and abutting properties):

Shoreland Program waiver or permit:

Alteration of Terrain Bureau: **No. 120131-015**

Watershed Management Program:

Subsurface Systems Bureau: **No. 201200219**

Other NHDES Programs and Bureaus: **SEC No. 2012-001**

City/Town:

State Agencies: **Natural Heritage Bureau; file #NHB10-0644**

Federal Agencies: **NAE-2011-00196**

Link to all NHDES Programs, Bureaus and Units: <http://des.nh.gov/programs/index.htm>

**16. THE SUBMITTED APPLICATION WILL BE RETURNED TO YOU IF THE FOLLOWING INFORMATION IS NOT PROVIDED:**

- A. Attach application fee, check or money order payable to the NH DES Wetlands Bureau (RSA 482-A:3,I & Env-Wt 505.01(c))
- B. Applicant and Town Clerk signatures, numbers 19 and 23 on pages 5 and 6 of this form (Env-Wt 501.01(d)&(e) & 505.01(m)&(o))
- C. Narrative description of the proposed project, number 7 on page 2 of this form (Env-Wt 501.02(a) & 505.01(l))
- D. Documentation from Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: <https://www2.des.state.nh.us/nhbdatacheck/> or by phone (603) 271-2215 x 323. Please attach the REQUIRED letter/memo and map provided by NHB.
- E. Attach a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined. The map must be at an unaltered scale of 1:24,000 or 1" = 2,000 feet (1:25,000 metric map). (Env-Wt 501.02(a)(4) & 505.01(g))
- F. Attach a legible copy or tracing of the tax map from the municipal office (Env-Wt 501.02(a)(1)& 505.01(e))
- G. Attach legible and labeled color photographs clearly depicting the jurisdictional areas to be impacted, the resource outside of impact area, any shoreline structures and culvert inlet/outlets (Env-Wt 501.02(a)(3) & 505.01(i))
- H. Attach overview, cross-section and profile plans as applicable (Env-Wt 501.02(a)(2) & 505.01(h))

**17A. INFORMATION REQUIRED FOR COMPLETION OF TECHNICAL REVIEW FOR ALL PROJECTS:**

- A. Is the project within a ¼ mile of a designated river? <http://des.nh.gov/organization/divisions/water/wmb/rivers/designriv.htm>  
 Y  N. **If yes:** 1. Indicate river: \_\_\_\_\_  
2. As required by RSA 482-A:3,I(d)(2), I have notified the Local River Advisory Committee (<http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm>) by sending a copy of the complete application and supporting materials via certified mail on: **Day:** \_\_ **Month:** \_\_ **Year:** \_\_\_\_  
3. Attach a copy of the certified mail receipt with your application submittal (RSA 482-A:3,I(d)(2))
- B. Attach a completed U.S. Army Corps of Engineers New Hampshire Programmatic General Permit (PGP) Appendix B – Required Information and Corps Secondary Impact Checklist (Attachment B).
- C. Does the project require compensatory mitigation pursuant to Env-Wt 302.03?  Y  N  
**If yes,** attach materials outlined in AND a completed Mitigation Agreement Form (Env-Wt 501.02(a)(6) & 501.06)  
Link: [http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation\\_form.doc](http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation_form.doc)
- D. Attach a copy or tracing of the town tax map showing the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters with each lot labeled with the abutter's name(s) and mailing address(es); or a list of abutters' names and mailing addresses to cross-reference with the tax map (Env-Wt 501.02(a)(1)& 505.01(f)). Abutter Notification Exceptions see Env-Wt 501.01(c)
- E. Attach a construction sequence (Env-Wt 501.02(a)(5) & 505.01)
- F. Is/are (a) waiver(s) to wetland rules being requested?  Y  N **If yes,** attach the waiver request(s) as outlined in Env-Wt 204
- G. All stream/river crossing projects, attach a response to Env-Wt 904.01, General Design Considerations (except single family residential access for Tier 1 and Tier 2 crossings pursuant to Env-Wt 303.04(z) & 901.03(e))
- H. If the applicant is not the property owner, attach a written letter of permission from the property owner granting the applicant permission to act on their behalf
- I. Will impacts occur within 20 feet of an abutting property line or imaginary extension thereof over surface water?  Y  N  
**If yes,** attach the signed permission letter(s) from the affected abutters (Env-Wt 304.04). This letter must be notarized if your project is a boat docking facility (RSA 482-A:3-XIII(c))

**17B. INFORMATION REQUIRED FOR COMPLETION OF TECHNICAL REVIEW FOR MINIMUM IMPACT PROJECTS:**

- J. Refer to Attachment A: Determination for Project Impact Classification & Review Time, Section 2: Minimum Impact Project Requirements, and indicate the letter for the Minimum Impact rule that describes your project: **Env-Wt 303.04** \_\_\_\_
- K. Attach required pages from Attachment A: Determination for Project Impact Classification & Review Time, as instructed on the attachment.
- L. Attach a statement demonstrating need for the proposed project (Pursuant to Env-Wt 302.03)
- M. Attach a statement demonstrating that the proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction in accordance with Env-Wt 302.03. (Env-Wt 505.01(d)&(y)).

**17C. INFORMATION REQUIRED FOR COMPLETION OF TECHNICAL REVIEW FOR MINOR AND MAJOR IMPACT PROJECTS:**

- N. Attach a response to questions outlined in Env-Wt 302.04(a)
- O. Attach a vernal pool survey and report (Env-Wt 302.04(a))
- P. If a wetland delineation is required, provide a NH Certified Wetland Scientist Stamp on attached plans (Env-Wt 301.01)

**18. SEE LISTED WETLAND RULE(S) FOR APPLICABLE PROJECT TYPE(S) PLAN REQUIREMENTS:**

<input type="checkbox"/> Minimum	Env-Wt 505.01
<input checked="" type="checkbox"/> Minor and Major	Env-Wt 501.02
<input type="checkbox"/> Subdivision	Env-Wt 304.09(c)
<input type="checkbox"/> Vegetative & riprap bank stabilization (river, stream, lake, pond)	Env-Wt 404.03 & 404.04
<input type="checkbox"/> Retaining Walls	Env-Wt 404.05
<input type="checkbox"/> Shoreline	Env-Wt 501.02(c)
<input type="checkbox"/> Tidal	Env-Wt 501.02(b)
<input type="checkbox"/> Protected Shoreland (SWQP)	Env-Wt 501.02(d)
<input checked="" type="checkbox"/> New Tier 1 Stream Crossing (Exempt: Env-Wt 303.04(z))	Env-Wt 903.03(a) & 904.01
<input type="checkbox"/> Tier 1 stream crossing or replacement	Env-Wt 903.03(a) & 904.01
<input type="checkbox"/> New Tier 2 stream crossing (Exempt: Env-Wt 303.04(z))	Env-Wt 903.03(a), 904.01, 904.03 (e), 904.03(f)
<input type="checkbox"/> Tier 2 stream crossing repair or replacement	Env-Wt 903.03(a), 904.01, 904.03 (e), 904.03(f)
<input type="checkbox"/> All Tier 3 Stream Crossings	Env-Wt 903.03 (a) & (b) , 904.01, 904.04(d), 904.04(g), 904.05

Wetland Rules Link: <http://des.nh.gov/organization/commissioner/legal/rules/documents/env-wt100-900.pdf>

**19. APPLICANT AND AGENT SIGNATURES REQUIRED FOR ALL APPLICATIONS:**

By signing the application, I am certifying that:

1. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
2. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
3. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
4. Any structure that I am proposing to repair/replace was either previously permitted by the Wetlands Bureau or would be considered grandfathered per Env-Wt 101.44.
5. I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
6. I authorize the municipal conservation commission to inspect the site of the proposed project.
7. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
8. I understand that the willful submission of falsified or misrepresented information to the New Hampshire Department of Environmental Services is a criminal act, which may result in legal action.
9. I am aware that the work I am proposing may require additional state, local or federal permits.
10. The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.

Signature of Applicant	Print name legibly	Date
	John B. Kenworthy	8/6/12

Signature of Authorized Agent (if applicable)	Print name legibly	Date

<b>20. ELECTRONIC COMMUNICATION:</b>	
By initialing here, I the applicant or authorized agent in accordance with RSA 482-A:3, XIV (b), hereby authorize DES to communicate all matters relative to this application electronically with the individual's email addresses provided on pg. 1 of the application:	_____

**21. CONSERVATION COMMISSION SIGNATURE REQUIRED FOR EXPEDITED APPLICATIONS ONLY:**

Expedited Applications ONLY require that the Conservation Commission signature is obtained prior to submitting the final application to the Town/City Clerk for signature and mailing to the NHDES Wetlands Bureau. *The Conservation Commission is not required to sign. If the Conservation Commission does not sign this statement for any reason, then the application is not eligible for expedited review and shall be reviewed in the standard review time.*

The signature below certifies that the municipal conservation commission has reviewed this application, and: 1) waives its right to intervene per RSA 482-A:11; 2) believes that the application and submitted plans accurately represent the proposed project; and 3) has no objection to permitting the proposed work.

Authorized Commission Signature	Print name legibly	Date

**22. APPLICATION SUBMITTAL:**

- APPLICANT:**
- If sought, obtain the Conservation Commissions signature as outlined above on this page, no. 21;
  - Submit the original application form and materials, four copies, application fee check and any required municipal fees (authorized by RSA 482-A:3,1) to the town/city clerk.
- TOWN/CITY CLERK:**
- Per RSA 482-A:3,1(d):
- Collect from the applicant the postal receipts demonstrating that all abutters and the Local Advisory Committee were sent proper notice;
  - Immediately sign the original application and four copies in the signature space provided on this pg. no. 23 below;
  - Retain one copy of the application form and all attachments that will remain with the town/city clerk and will be made reasonably accessible to the public;
  - Immediately distribute a copy of the application with attachments to the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board in accordance with RSA 482-A:3, 1; and
  - IMMEDIATELY send the original application materials and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on the front of this application.

**23. TOWN/CITY CLERK SIGNATURE REQUIRED FOR ALL APPLICATIONS:**

I hereby certify that the applicant has filed five application forms, five detailed plans, and five USGS location maps with the town/city indicated below. As required by Chapter 482-A:3 (amended 1991), and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

Town/City

Signature or Town/City Clerk

Print name legibly

Date



THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF ENVIRONMENTAL SERVICES  
LAND RESOURCES MANAGEMENT  
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Status Search: <http://des.nh.gov/onestop/index.htm>

## ATTACHMENT A: DETERMINATION FOR PROJECT IMPACT CLASSIFICATION & REVIEW TIME

### EXEMPTIONS:

The questions and criteria listed in this attachment do not apply to projects that qualify for review by the following applications and notifications:

1. Wetlands Utility Maintenance Notification (Env-Wt 303.04(af), Env-Wt 303.04(i) & RSA 482-A:3 XV)
2. Routine Roadway and Railway Maintenance Activities (Env-Wt 303.05(q))
3. Minimum Impact Forest Management Activities (Env-Wt 303.04(e) & (g))
4. Minimum Impact Agricultural Activities (Env-Wt 303.04(u))
5. Minimum Impact Trail Activities (Env-Wt 303.04(y) & Env-Wt 303.04(h))
6. Seasonal Dock Notification Form for Lakes and Ponds (RSA 482-A:3 XIV)
7. Recreational Mineral Dredging Application (Env-Wt 303.04(s))
8. Permit by Notification (Env-Wt 506)
9. Shoreland Permit Application (RSA 483-B)

To determine if the project complies with any of the above project types, see the relevant application / notification forms online at: <http://des.nh.gov/organization/divisions/water/wetlands/categories/forms.htm>

### PURPOSE:

Completion of this attachment will determine:

1. The projects impact classification, either Minimum Impact or Minor / Major Impact; and
2. If the project is determined to be Minimum Impact, this attachment will also determine the review time, either Expedited (within 30 days from receipt of an accepted application) or Standard (within 75 days from the date of the Notice of Acceptance Letter for projects that propose less than 1 acre of impact and 105 days from the date of the Notice of Acceptance Letter for projects that proposed greater than 1 acre of impact).

## SECTION 1: PROJECT IMPACT CATEGORY:

### SECTION 1 - INSTRUCTIONS:

- Respond to the Section 1 questions below.
- If you answer “Yes” to any of the Section 1 questions, your project is Minor or Major Impact and will be reviewed in the Standard 75 – 105 day review time. You do not need to complete remaining Sections 2 and 3 of this attachment. Please complete the following:
  - a. Check Standard Review, Minor or Major Impact on page 1, number 1 of the application form;
  - b. Confirm all items listed in numbers 16, 17A, A-I and 17C, N-P on page 4 of the application form are addressed in your application submittal; and
  - c. Submit pages 2 and 3 of this attachment with your application.
- If you answer “No” to all of the Section 1 questions, please proceed to Section 2: Project Specific Criteria.

**SECTION 1 - QUESTIONS:**

Please check yes or no in response to the following questions. Does the project?

All:		
1.	Impact areas in or within 100 feet of a designated prime wetland (Env-Wt 303.02(f))? Link: <a href="http://des.nh.gov/organization/divisions/water/wetlands/prime_wetlands.htm">http://des.nh.gov/organization/divisions/water/wetlands/prime_wetlands.htm</a>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.	The Natural Heritage Bureau (NHB) report identified a positive result for an exemplary natural community tracked as rare by NHB AND the required additional communication with NHB has confirmed that the project will impact the identified community (Env-Wt 303.02 (k))? Link: <a href="https://www2.des.state.nh.us/nhb_datacheck/">https://www2.des.state.nh.us/nhb_datacheck/</a>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3.	The NHB report identified a positive result for a species tracked as rare by NHB AND the required additional communication with the NH Fish and Game Department or the US Fish and Wildlife Service has confirmed that the project will impact identified species (Env-Wt 303.02 (k))? Link: <a href="https://www2.des.state.nh.us/nhb_datacheck/">https://www2.des.state.nh.us/nhb_datacheck/</a>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Freshwater Wetlands:		
4.	Involve temporary and/or permanent impacts of more than 3,000 square feet in a swamp or wet meadow (Env-Wt 303.04(f)), except for work that complies with rules: <ul style="list-style-type: none"> <li>a. Env-Wt 303.04(p), construction of a pond;</li> <li>b. Env-Wt 303.04(j), projects within a public road right-of-way;</li> <li>c. Env-Wt 303.04(k), maintenance dredging;</li> <li>d. Env-Wt 303.04(ae), installation of residential utility lines; or</li> <li>e. Env-Wt 303.04(t), state or federal agency supervised and supported restoration?</li> </ul> * See pgs. 4 – 9 for referenced Minimum Impact Rules.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5.	Involve ANY temporary and/or permanent impacts to wetland types other than swamps or wet meadows, except for work that complies with: <ul style="list-style-type: none"> <li>a. Env-Wt 303.04(t), state or federal agency supervised and supported restoration?</li> </ul> * See pgs. 4 – 9 for referenced Minimum Impact Rules.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Lakes and Ponds:		
6.	Involve removal of rock, gravel, sand, mud or other material from public waters (Env-Wt 303.03(g))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7.	Disturb 50 or more linear feet, as measured along the shoreline of a lake or pond or its bank (Env-Wt 303.03(k))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Shoreline Structures:		
8.	Involve construction or modification of a permanent dock that is not in-kind repair or replacement?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9.	Involve construction or modification of a docking system that provides more than 2 boat slips, including those previously existing and proposed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10.	Involve construction or modification of any dock adjacent or attached to a breakwater?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11.	Involve installation of new tie-off piles, ice clusters, or dolphins which do, by their presence, add boat slips to an existing docking system (Env-Wt 303.03(m))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
12.	Involve construction of a new breakwater in public waters (Env-Wt 303.02(j))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Tidal:		
13.	Involve ANY work within 50 feet of a salt marsh (Env-Wt 303.03(b))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
14.	Involve: <ol style="list-style-type: none"> <li>1. Work in sand dunes;</li> <li>2. Work in tidal wetlands (Env-Wt 303.02(a)); or</li> <li>3. Work within 100 feet of the highest observable tide line that will alter any bank, flat, wetlands, surface water, or undeveloped uplands (Env-Wt 303.02(b)).</li> </ol> Except for repair to existing structure that complies with: <ol style="list-style-type: none"> <li>a. Env-Wt 303.04(v), in-kind maintenance, repair or replacement; or</li> <li>b. Env-Wt 303.04(t), state or federal agency supervised and supported restoration?</li> </ol> * See pgs. 4 – 9 for referenced Minimum Impact Rules.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Non-Crossing Stream Impacts:		
15.	Impact greater than 50 linear feet of intermittent stream or perennial stream bed or bank NOT for installation of a crossing structure, such as a culvert or bridge (Env-Wt 303.03(l))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Stream Crossings:		
16.	Propose a new or replacement crossing on a stream: <ol style="list-style-type: none"> <li>a. Within a Designated River Corridor <a href="http://des.nh.gov/organization/divisions/water/wmb/rivers/designriv.htm">http://des.nh.gov/organization/divisions/water/wmb/rivers/designriv.htm</a>;</li> <li>b. On a watercourse that is listed on the surface water assessment 305(b) report in effect at the time of application as not attaining surface water quality standards for aquatic life based on one or more of the following: Benthic macroinvertebrate index of biological integrity; Fish assemblage index of biological integrity; Habitat assessment; or stream channel stability <a href="http://des.nh.gov/organization/divisions/water/wmb/swqa/2010/documents/all_impaired_waters_20100610.pdf">http://des.nh.gov/organization/divisions/water/wmb/swqa/2010/documents/all_impaired_waters_20100610.pdf</a> ; or</li> <li>c. Within a 100-year flood plain or fluvial erosion hazard zone <a href="http://www.fema.gov/hazard/map/firm.shtm?">http://www.fema.gov/hazard/map/firm.shtm?</a></li> </ol>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
17.	Propose a new or replacement Tier 3 stream crossing (Env-Wt 303.02(p))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
18.	Propose a new Tier 2 stream crossing that is NOT a stream crossing for access to a property for a single-family residential property or building lot, for noncommercial recreational purposes including conservation projects, or for normal agricultural operations, conducted in accordance with Env-Wt 303.04(z) * See pgs. 4 – 9 for referenced Minimum Impact Rules.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
19.	Propose a Tier 1 or Tier 2 stream crossing repair or replacement that: <ol style="list-style-type: none"> <li>a. Does not meet the General Criteria specified in Env-Wt 904.01 <a href="http://des.nh.gov/organization/commissioner/legal/rules/documents/env-wt100-900.pdf">http://des.nh.gov/organization/commissioner/legal/rules/documents/env-wt100-900.pdf</a>;</li> <li>b. Diminishes the hydraulic capacity of the crossing;</li> <li>c. Diminishes the accommodation of aquatic species passage; or</li> <li>d. Is not for Minimum impact stream crossings for access to a property for a single-family residential property or building lot, for noncommercial recreational purposes including conservation projects, or for normal agricultural operations, conducted in accordance with Env-Wt 303.04(z) or (ag)?</li> </ol> * See pgs. 4 – 9 for referenced Minimum Impact Rules.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
20.	Propose an Alternative Design per Env-Wt 904.04 for a new Tier 1 or Tier 2 stream crossing that is NOT a stream crossing for access to a property for a single-family residential property or building lot, for noncommercial recreational purposes including conservation projects, or for normal agricultural operations, conducted in accordance with Env-Wt 303.04(z) or (ag)? * See pgs. 4 – 9 for referenced Minimum Impact Rules.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## **SECTION 2: MINIMUM IMPACT PROJECT SPECIFICATIONS:**

### **SECTION 2 - INSTRUCTIONS:**

- Please find your project in the Minimum Impact project types below.
- If after finding and reviewing your project type below, your project **does not meet** the listed criteria for the applicable Minimum Impact Rule, your project is Minor or Major Impact and will be reviewed in the Standard 75 – 105 day review time. You do not need to complete the remaining Section 3: Review Time. Please complete the following:
  - a. Check Standard Review, Minor or Major Impact on page 1, number 1 of the application form;
  - b. Confirm all items listed in numbers 16, 17A, A-I and 17C, N-P on page 4 of the application form are addressed in your application submittal; and
  - c. Submit pages 2 and 3 of this attachment with your application.
- If after finding and reviewing your project type below, your project **does meet** the criteria listed for the applicable Minimum Impact Rule, your project is Minimum Impact. Please continue and complete Section 3: Review Time, to determine your review time.

### **SECTION 2 - MINIMUM IMPACT PROJECT REQUIREMENTS:**

#### **Projects with less than 3,000 square feet of swamp or wet meadow impact:**

Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows, provided that no previous department permit has placed restrictions on the property of the applicant.

#### **Projects located within the right-of-way of a public road:**

Env-Wt 303.04(j) Any project that is located within the right-of-way of a public highway, provided the project:

1. Does not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone;
2. Is not in or within 100 feet of prime wetlands, unless a waiver has been granted pursuant to RSA 482-A:11, IV(b);
3. Does not meet the criteria of Env-Wt 303.02(k);
4. Meets the following criteria
  - a. Drainage structures do not exceed 3,000 square feet of dredge or fill in area;
  - b. Stream crossings qualify as minimum impact under Env-Wt 903.01(e);
  - c. Only a single new Tier 1 stream crossing is proposed (Env-Wt 303.03(n));
  - d. Swamps or wet meadows crossed that have no standing water for 10 months of the year;
  - e. Fill for any single crossing shall not exceed 50 feet in length, measured along the roadway;
  - f. The fill width, measured at the base of the roadway side slopes, shall be minimized, and shall not exceed 50 feet; and
  - g. Shoulder widening shall not exceed 3 cubic yards of fill per linear foot in wetlands that have no standing water for 10 months of the year, and shall not exceed 10 feet of additional encroachment measured from base of slope.

#### **Dry Hydrant:**

Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.

#### **Cofferdam Installation:**

Env-Wt 303.04(l) Installation of temporary cofferdams (Temporary cofferdams means temporary watertight enclosures built in the water and pumped dry to expose the bottom so that construction may be undertaken) and other water control devices constructed in flowing water or adjacent to dams, provided:

1. Work occurs in conjunction with the repair or maintenance of existing structures;
2. All such work shall be designed and supervised by a professional engineer; and
3. Water control devices are removed upon completion of repair and/or maintenance.

### **Maintenance Dredging:**

Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways, provided that:

1. The work is done within the original bounds of a legally-constructed project;
2. The project is not located in or adjacent to prime wetlands;
3. The work does not exceed 20,000 square feet; and
4. For man-made ponds, the pond has not been abandoned as defined in Env-Wt 101.01.

### **Pond Construction:**

Env-Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact, provided:

1. None of the wetlands have very poorly drained soil as defined in Env-Ws 1002.84;
2. There are no streams into or out of the proposed pond site;
3. The project is not located in prime wetlands; and
4. The project does not meet the requirements of Env-Wt 303.02(k).

### **Wetland Restoration:**

Env-Wt 303.04(t) Restoration of altered or degraded wetlands provided the project:

1. Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service, or the US Fish and Wildlife Service;
2. Shall not be used to perform restoration in cases where the applicant is subject to a removal or restoration order;
3. Is not located in or adjacent to prime wetlands; and
4. Does not meet the criteria of Env-Wt 303.02(k).

### **Maintenance, repair, or replacement of a nondocking structure:**

Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet, provided:

1. No change in location, configuration, construction type, or dimensions is proposed;
2. Any stream crossing work qualifies as minimum impact under Env-Wt 903.01(e); or
3. The applicant certifies in writing that the structure, in its current location, configuration, construction type and dimensions:
  - a. Was previously permitted by the department and has not been abandoned; or
  - b. Would be considered grandfathered under Env-Wt 101.43 and has not been abandoned.

### **Non-crossing stream impact:**

Env-Wt 303.04(n) Any project not otherwise specified in this section that alters the course of or disturbs less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.

### **Residential utility line installation:**

Env-Wt 303.04(ae) Installation of residential utility lines and associated temporary impacts to bring utility services to a single family building lot, provided:

1. The total jurisdictional impact shall not exceed 3,000 square feet;
2. The impact width at the crossing shall not exceed 20 feet;
3. Such projects shall be limited to those that:
  - a. Do not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, or undisturbed tidal buffer zone;
  - b. Are not located in or within 100 feet of prime wetlands, unless a waiver has been granted pursuant to RSA 482-A:11, IV(b);
  - c. Do not meet the criteria of Env-Wt 303.02(k);
  - d. If crossing a stream, cross channels less than 8 feet wide measured bank to bank;
  - e. If crossing swamps or wet meadows, cross those that have no standing water for 10 months of the year; and
  - f. All disturbed areas are regraded to original contours and stabilized within 72 hours following completion of work.

### **Single family residential access that includes a wetland and/or a Tier 1 or Tier 2 stream crossing:**

Env-Wt 303.04(z) Installation of a stream crossing and associated fill to permit vehicular access to a piece of property for a single family building lot, for noncommercial recreational uses including conservation projects, or for normal agricultural operations, provided:

1. The lot is not a result of a recent subdivision and subdivision of the lot is not proposed;
2. The total jurisdictional impact shall not exceed 3,000 square feet;
3. The roadway width at the crossing shall not exceed 20 feet;
4. The fill width, measured at toe of roadway side slopes, shall be minimized, for example, by making the sideslopes steeper and constructing walls, and not exceed 50 feet;
5. Fill for any single wetland crossing shall not exceed 60 feet in length, measured along the centerline of the proposed access way; and
6. Such projects shall be limited to crossings that:
  - a. Do not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, or undisturbed tidal buffer zone;
  - b. Are not located in or within 100 feet of prime wetlands, unless a waiver has been granted pursuant to RSA 482-A:11, IV;
  - c. Do not meet the criteria of Env-Wt 303.02(k);
  - d. If crossing streams, the contributing watershed size of the streams are Tier 1 (less than 200 acres) or Tier 2 (greater than 200 acres and less than 640 acres); and
  - e. If crossing swamps or wet meadows, cross those that have no standing water for 10 months of the year.

### **Replacement stream crossing (25 acre or less watershed) for single family residential access NOT related to a subdivision:**

Env-Wt 303.04(ag) Replacement of an existing stream crossing to access a piece of property for a single family residence or building lot, for noncommercial recreational uses including conservation projects, or for normal agricultural operations, where the contributing watershed is 25 acres or less.

### **New Tier 1 Stream Crossing:**

Env-Wt 904.02 Tier 1 (less than 200 acres) stream crossings shall be:

1. A crossing located on a watercourse where the contributing watershed is less than or equal to 200 acres;
2. Meet the general design considerations specified in Env-Wt 904.01; and
3. Be sized so as to accommodate the greater of the 50-year frequency flood; or applicable federal, state, or local requirements.

### **Tier 1 or Tier 2 stream crossing repair or replacement:**

Env-Wt 904.06 & 904.07 Propose a Tier 1 (less than 200 acres) or Tier 2 (greater than 200 acres and less than 640 acres) stream crossing repair or replacement that:

1. Does not have a history of causing or contributing to flooding that damages the crossing or other human infrastructure;
2. Meets the general criteria specified in Env-Wt 904.01;  
<http://des.nh.gov/organization/commissioner/legal/rules/documents/env-wt100-900.pdf>
3. Does not diminish the hydraulic capacity of the crossing; and
4. Does not diminish the capacity of the crossing to accommodate aquatic life passage.

### **Shoreline:**

Env-Wt 303.04(m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.

### **Retaining Walls:**

Env-Wt 303.04(c) Repair or replacement of existing retaining walls provided:

1. That work is performed entirely "in the dry" during drawdown of waters;
2. That results in no change in height, length, location, or configuration;
3. If a wall is to be refaced such additional width shall not exceed 6 inches.