



The State of New Hampshire

## Department of Environmental Services



Robert R. Scott, Commissioner

August 09, 2017

NORTHERN PASS TRANSMISSION LLC  
C/O JERRY P FORTIER  
780 COMMERCIAL ST  
MANCHESTER NH 03101

RE: Wetland File # 2017-01534  
Northern Pass Test Pits  
Deerfield Tax Map/Lot # 408 / 49

Dear Mr. Fortier:

Attached please find Wetlands Permit # 2017-01534 to temporarily impact 2,341 square feet of palustrine forested and scrub-shrub wetlands to complete two test pits and associated equipment access for determining the subsurface soil conditions regarding the seasonal high water table for the final stormwater design of the Northern Pass Project.

The decision to approve this application was based on the following findings:

1. This is a Minor Project per NH Administrative Rule Env-Wt 303.03(h), as the total temporary wetland impact, when considered in the aggregate from the previously approved file #2016-02471, is less than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. In an email dated June 14, 2017, the Deerfield Conservation Commission (DCC) submitted written concerns regarding the application.
6. In a letter dated August 8, 2017, the applicant's agent provided a written response to address the DCC concerns, and DES imposed several project specific permit conditions to address the DCC concerns.
7. Pursuant to Rule Env-Wt 302.03(d), compensatory mitigation is not required for this project as all of the proposed impacts are not intended to remain after the project is completed and the area is to be restored in accordance with the provisions shown in the approved project plans.

Any person aggrieved by this decision may appeal to the New Hampshire Wetlands Council (the Council) by filing an appeal that meets the requirements specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Council, Env-WtC 100-200. The appeal must be filed **directly with the Council within 30 days** of the date of this decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council.

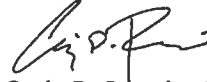
Information about the Council, including a link to the Council's rules, is available at <http://nhec.nh.gov> (or more directly at <http://nhec.nh.gov/wetlands/index.htm>). Copies of the rules also are available from the New Hampshire Department of Environmental Services (NHDES) Public Information Center at (603) 271-2975.

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

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095  
(603) 271-3503 • Fax: 271-7894 TDD Access: Relay NH 1-800-735-2964

Your permit must be signed, and a copy must be posted in a prominent location on site during construction. If you have any questions, please contact me directly at [craig.rennie@des.nh.gov](mailto:craig.rennie@des.nh.gov) or (603) 271-0676.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig D. Rennie".

Craig D. Rennie, CWS, CWB  
Inland Wetland Supervisor

cc: Deerfield Conservation Commission  
Deerfield Municipal Clerk



# Department of Environmental Services



**Robert R. Scott, Commissioner**

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**WETLANDS AND NON-SITE SPECIFIC PERMIT 2017-01534**

**Permittee:** NORTHERN PASS TRANSMISSION LLC  
C/O JERRY P FORTIER  
780 COMMERCIAL ST  
MANCHESTER NH 03101

**Project Location:** CATE ROAD, DEERFIELD  
TAX MAP/LOT NO: 408 / 49

**Waterbody:** UNNAMED WETLANDS

**NOTE CONDITIONS**

**APPROVAL DATE:** AUGUST 09, 2017      **EXPIRATION DATE:** AUGUST 09, 2022

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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. This permit shall not be considered valid unless signed as specified below.

**PERMIT DESCRIPTION:** Temporarily impact 2,341 square feet of palustrine forested and scrub-shrub wetlands to complete two test pits and associated equipment access for determining the subsurface soil conditions regarding the seasonal high water table for the final stormwater design of the Northern Pass Project.

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

1. All work shall be in accordance with plans by The Northern Pass dated May 11, 2017, as received by the NH Department of Environmental Services (DES) on June 1, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program, and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. The permittee shall schedule a pre-construction meeting with DES Wetlands Program staff to occur at least 48 hours prior to the start of any work authorized by this permit to review the conditions of this wetlands permit. The meeting may be held on-site or at the DES offices in Concord. The meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. A Certified Wetland Scientist or qualified professional, as applicable, shall monitor the project during construction and post construction to ensure compliance with the approved plans and narratives (i.e., erosion controls and delineated impacts). A follow-up report, including photographs, shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
5. Appropriate siltation, erosion and turbidity 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.
6. Erosion control products shall be installed per manufacturers recommended specifications.
7. 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.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be done during annual low flow or low groundwater conditions, or during frozen ground conditions.

10. 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.
11. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.
12. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
13. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
14. The permittee/permittee's contractor shall regrade and restore temporary wetland impacts to pre-construction conditions.
15. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
16. 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).
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. 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.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
20. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

**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 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:



Craig Rennie  
NHDES Wetlands Bureau

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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.**

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OWNER'S SIGNATURE (required)

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CONTRACTOR'S SIGNATURE (required)



The State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

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

Your permit was approved by the New Hampshire Wetlands Bureau as a minor impact project. 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 if they will require additional information, or an individual federal permit application.

If you do not hear from the Army Corps within thirty (30) days, and your project meets the conditions of the SPGP (attached), your project will automatically be approved under the SPGP. You should contact the Army Corps, at 1-800-343-4789 (ME, NH, VT, CT, RI), 1-800-362-4367 (MA), if your project does not meet the conditions of the SPGP.

**NO WORK SHOULD BE DONE WITHOUT AUTHORIZATION FROM THE  
ARMY CORPS UNLESS THIRTY (30) DAYS HAVE PASSED AFTER NH  
WETLANDS BUREAU APPROVAL AND ALL CONDITIONS OF THE SPGP  
ARE MET.**

**THESE APPROVALS DO NOT RELEIVE YOU FROM OBTAINING ANY  
NECESSARY LOCAL PERMITS THAT MAY BE REQUIRED BY YOUR TOWN.**

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO GIVE US A CALL AT 603-271-2147.

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cc: US Army Corps. of Engineers