

DRAFT PERMIT CONDITIONS -- WETLANDS

PROJECT SPECIFIC CONDITIONS (DRAFT):

1. All work shall be in accordance with revised wetland impact plans by Normandeau Associates dated May 2016, as received by the NH Department of Environmental Services (DES) on May 10, 2016, and the revised and new plan sheets submitted by the Permittee in December 2016 and January 2017.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved –
3. This permit is not valid until the ~~applicant~~Permittee/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The P~~ermittee~~ shall submit a copy of each recorded easement or written permission to the DES Wetlands Program prior to construction.
4. Any further alteration of areas ~~on this property~~ that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
5. The P~~ermittee~~ shall develop and implement a water quality monitoring program in accordance with requirements established by the DES Watershed Management Bureau.
6. DES shall be notified of any additional laydown areas that are needed for construction purposes. Additional laydown areas must be reviewed and approved by DES prior to any such activity if DES permit requirements are triggered.
7. DES shall be notified of any additional work pads that are needed for construction purposes. Any additional work pads ~~needed for wire stringing equipment~~ shall be reviewed and approved by DES prior to any such activities; if DES permit requirements are triggered.
8. Prior to any in-stream activities, the P~~ermittee~~ or P~~ermittee's~~ project manager shall consult with a NHPG Fisheries Biologist to obtain approval on the timing of construction.
9. Authorized ~~in-~~stream work shall be carried out such that there are no discharges in or to fish spawning or nursery areas during spawning seasons. Impacts shall be avoided or minimized to the maximum extent practicable during all other times of the year.
10. All in-stream work shall be conducted during low flow conditions to the extent practicable and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.

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11. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be stabilized and revegetated with ~~like~~ native species within three days of the completion of the disturbance.
12. The contractor shall restore stream banks to their original grades and to a stable condition with plantings within three days of completion of construction. Angular rock shall not be used unless it is on the approved plans. Any planting of shrubs and other woody vegetation must be completed at the first seasonally appropriate opportunity following completion of construction.
13. Riverbank and stream bank stabilization areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established in a manner satisfactory to DES.
14. Boundaries of wetlands shall be clearly marked prior to equipment mobilization to prevent unauthorized vehicular encroachment into wetland areas.
15. All temporary access roads installed along the 192 mile project not otherwise authorized by DES shall be removed and areas shall be restored to their pre-construction condition upon completion.
16. Work within emergent marsh areas shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
17. Tree removal in wetland areas that are inaccessible by forestry equipment staged in upland areas shall be ~~removed~~ done in winter under frozen conditions or by hand.
18. All temporary crushed-stone fords and culverts installed along the ROW shall be removed immediately following completion of the project.
19. The contractor shall re-grade temporary wetland impacts to pre-construction conditions and ~~plant seed~~ native plant species similar to those within the wetland prior to impact. The permittee shall implement corrective measures if needed to ensure the plantings survive.
20. The ~~P~~permittee or ~~p~~Permittee's contractor shall properly ~~construct restore and landscape, and~~ monitor the temporary wetland impact areas. If monitoring reveals that restoration has failed, remedial measures shall be done to and shall take such remedial actions as may be necessary to create/reestablish wetlands functions at the site, functioning wetland areas similar to those of the wetlands impacted by the project. Remedial-Such remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland

surface, and changing the hydrologic regime.

21. 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.
22. The permittee shall notify the DES Wetlands Program in writing of the certified wetlands scientist or qualified professional, as applicable, who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the approved plans. The permittee shall re-notify the DES Wetlands Program if the identity of the individual changes during the project.
23. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization, in accordance with construction schedule phasing. A post construction report prepared by a certified wetland scientist or qualified professional documenting status of the project area and restored jurisdictional areas or buffers, including photographs, shall be submitted to the DES Wetlands Program. Similar inspections, reports and ~~remedial actions~~ restoration work shall be undertaken in at least the first and second ~~and third years~~ full growing seasons following the completion of each restoration site.
24. Restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Program.
25. Restoration of temporary impact areas shall not be considered successful if sites are invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to DES that proposes measures to eradicate nuisance species during this same period.
26. Work shall be done during frozen conditions whenever possible to minimize temporary impacts to wetland areas; otherwise timber matting or specialized low ground pressure equipment shall be used.
27. All weight distribution mats shall be removed from the wetland as soon as practicable, but no more than 7 days from when construction is complete in the location where the mats are used and the equipment that uses the mats is removed.
28. All seed mixes and plantings used for restoration activities shall be reviewed and approved by the NH Natural Heritage Bureau (NHB) prior to their use.

29. Prior to restoration activities in areas that contain sensitive plant species, the ~~applicant~~Permittee- shall coordinate with the NH NHB.

~~A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization~~

30. Appropriate siltation/erosion/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.

31. 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.

32. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

33. 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 a surface water shall comply with RSA-483-B.

34. 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).

35. Erosion control products shall be installed per manufacturers recommended specifications.

36. Mulch used within the wetland restoration areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.

37. When driving over wetlands, c~~Construction equipment shall have specialized low-ground-pressure tracks that impact less than four (4) pounds per square inch when loaded, or the permittee shall use-place timber or plywood mats on wetlands prior to construction equipment driving over such wetlands beneath machines when driving over wetland areas.~~

38. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.

39. 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.
40. 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.
41. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only. When equipment cannot practicably be moved away from a wetland, refueling in a wetland can be allowed if secondary containment is provided in accordance with the guidance in DES Fact Sheet WD-DWGW 22-6, dated 2010, and all other practices described in that Fact Sheet are complied with.
42. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
43. Filter fabric shall be installed under the temporary wetland fill areas to isolate fill from the natural hydric soils.
44. 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~~ setback from wetlands and surface waters of at least 20 feet.
45. 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.
46. 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.
47. For the nine (9) development sites, where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
48. Precautions shall be taken to prevent import or transport of soil or seed stock

containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).

49. 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.
50. The permittee shall control invasive plant species such as Purple loosestrife (*Lythrum salicaria*) and Common reed (*Phragmites*) by measures agreed upon by the DES Wetlands Program if any such species is found in the stabilization areas during construction or during the early stages of vegetative establishment.

Mitigation:

51. The Permittee shall make a total payment of ~~\$3,070,336.34~~3,379,280.59 to the DES Aquatic Resource Mitigation (ARM) Fund, to be paid as follows:

- a. The ~~applicant~~ Permittee shall remit payment of \$844,820.15 to DES within 120 days of the issuance of the SEC certificate.
- b. The Permittee shall remit payment of \$1,689,640.30 to DES within 1 year of the first payment.
- ~~a-c.~~ The Permittee shall remit payment of \$844,820.15 to DES within 2 years of the first payment.

52. The Permittee shall convey the 9 areas identified in the Final Compensatory Mitigation Plan dated December 2016 in conservation easements, as follows:

- a. The effective date of the easement recordation for Preservation Sites A and B in Pittsburg and Site Z1 in Concord shall be before construction, but after approval of the project by the SEC.
- b. The effective date of the easement recordation for Preservation Sites C and E in Clarksville and Site Z3 in Pembroke shall be within 1 year of the start of construction.
- c. The effective date of the easement recordation for Preservation Sites K in Dixville and N in Stewartstown shall be within 2 years of the start of construction.
- ~~b-d.~~ If the preservation of land cannot be finalized ~~after~~ within 1 year of approval of the project by the SEC, an additional ARM Fund payment shall be required.

~~51-53.~~ Monuments or blazing of the preservation ~~parcel-site~~ boundaries will need to be completed within 120 days of acceptance of the easement by the ~~final~~ agreed upon grantee unless specifically noted.

~~52-54.~~ Draft management plans for the preservation sites shall be provided to DES that includes trail maintenance and construction, timber harvesting and agricultural goals and public access, pursuant to the terms of the easement deeds.

~~53-55.~~ Following permit issuance and prior to recording of the conservation easement deed, the natural resources existing on the conservation easement parcel shall not be removed, disturbed, or altered without prior written approval of DES and the easement holder, or as otherwise permitted.

~~54-56.~~ The conservation easements to be placed on the preservation areas/sites shall be written to run with the land, and both existing and all future property owners shall be subject to this easement.

~~55-57.~~ The plan noting the conservation easement with a copy of the final easement language shall be recorded with the applicable County Registry of Deeds for each lot that is subject to the easement. The permittee shall submit a copy of the recording from the Registry of Deeds to the DES Wetlands Program.

~~56.~~ The permittee shall prepare a baseline documentation report that describes current property conditions and includes photographs that have been taken in the absence of snow cover that clearly and accurately show the nature and condition of the conservation area. [Already completed.]

~~57.~~ The conservation easement areas shall be surveyed by a licensed surveyor, and marked by monuments prior to construction. If this survey determines the parcel is less than the size represented in the application, the permittee shall submit the completed survey to DES for review. As a result of this review DES may require additional mitigation adjustments after coordination with the appropriate Conservation Commission(s), and State and Federal Agencies. [Surveys are done; monuments covered by #54]

58. The permittee/permittee's contractor shall notify the DES Wetlands Program when the easement monuments are placed, and coordinate an on-site review of their location prior to construction.

~~59.~~ There shall be no placement of fill, construction of structures, or storage of vehicles or hazardous materials on the conservation parcel(s). [Covered by easement deeds.]

~~60.~~ Stewardship donations to final easement holders for all preservation parcels shall be reviewed by DES and the agreed upon amount provided to the grantee upon recordation of the easement deed(s). [Completed already.]

~~61-59.~~ Activities in contravention of the conservation easement shall be deemed to be a violation of RSA 482-A, and shall be subject to enforcement under RSA 482-A.

~~62-60.~~ Northern Pass ~~and Eversource~~ shall provide yearly reports for five years after construction is complete on the funds allocated to NFWF funding. The report shall include funds provided, organizations or municipalities receiving funds, and ~~five years of monitoring of restoration work included in a description of~~ the funded projects.

~~63-61.~~ The ~~applicant/Permittee~~ shall continue pursuing practicable minimization measures during final design and construction stages in an attempt to further avoid or minimize wetland impacts and sensitive areas.

~~64-62.~~ Final permanent and secondary impact amounts shall be provided to DES for any adjustments to the compensatory mitigation amounts.

~~65-63.~~ ~~Management~~ Any proposed management of existing or created ROW and portions of Preservation Sites A, C and E as grassland and shrubland Preservation Sites to benefit migratory songbirds, ~~and potential and~~ wood turtles, shall be coordinated with NHFG and NHB. DES shall be provided draft and final management plans for approval.

~~66-64.~~ ~~The shall provide additional measures to restrict ATV or off-road vehicle use that may negatively impact the preservation parcels and provide plans to reroute existing trails in aquatic resource areas or other sensitive habitats. These measures may include signage, contact with recreational users of impacts associated with use, and/or barriers to restrict use. Appropriate barriers and signage shall be placed at locations along the new ROW where it intersects with roads to discourage unauthorized ATV activity in jurisdictional areas. Such preventive steps will not be required for existing authorized trails and for any trails that may be permitted in the future.~~

~~67-65.~~ Low-canopy connections across the ROW on Preservation Sites B and C to enhance travel corridors for wildlife species shall be provided as part of the management plans for ~~the~~ Preservation Sites B and C as shown on Baseline Documentation Report plans, where not in conflict with safety requirements parcels.

~~68-66.~~ Failure to complete the restoration of temporarily impacted wetlands/stream and bank/vernal pool areas in accordance with plans constitutes a violation of RSA 482-A.

DRAFT CONDITIONS -- § 401 WATER QUALITY CERTIFICATION

1. **Change in Ownership:** Should there be a change in ownership, contact information for the new owner (including name, address, phone number and email) shall be provided to the NHDES Watershed Management Bureau within 30 days of the transfer.
2. **Prior Approval of Modifications:** This Certification is based on the plans and information filed by the Applicant/Permittee with the SEC on October 19, 2015 and accepted by the SEC on December 18, 2015 in support of NHDES 401 Certification, and NHDES Alteration of Terrain and Wetlands permits, as well as subsequent documentation submitted in response to NHDES requests for additional information. The Applicant/Permittee shall receive NHDES approval prior to implementing any proposed modifications to the Activity, including construction or operation, that may influence the quality or quantity of surface waters.
3. **Compliance with Surface Water Quality Standards:** The Activity shall not cause or contribute to a violation of New Hampshire surface water quality standards as provided in RSA 485-A:8 and Env-Wq 1700. The terms and conditions of this 401 Certification may be modified and additional terms and conditions added as necessary to ensure compliance with New Hampshire surface water quality standards.
4. **Outstanding Resource Waters (ORWs):** Surface waters of the national forests and surface waters designated as natural under RSA 483-A:7-a, I are considered Outstanding Resource Waters [Env-Wq 1708.05(a)]. In accordance with Env-Wq 1708.05(b), the Activity shall only result in temporary or short term changes in water quality in ORWs that are limited to the shortest possible time after all practicable means of minimizing degradation are implemented. The Activity shall not permanently degrade water quality or cause a violation of water quality standards in ORWs
5. **Inspection:** The Applicant/Permittee shall allow NHDES to inspect the Activity and its effects on affected surface waters at any time to monitor compliance with the conditions of this 401 Certification.
6. **Compliance with Alteration of Terrain And Wetland Bureau Permit Conditions:** The Applicant/Permittee shall comply with the permit conditions submitted to the New Hampshire Site Evaluation Committee (SEC) by the NHDES Alteration of Terrain Bureau and the NHDES Wetlands Bureau, including any amendments.
7. **Plan to Minimize Temperature Increases in Cold-Water Fisheries:** At least 90 days prior to construction (or within another time period acceptable to NHDES), the Applicant/Permittee shall develop and submit a plan to the New Hampshire Fish and Game Department and NHDES for approval, to minimize the potential for increases in stream temperature in cold-water fisheries due to clearing of vegetation associated with the Activity. Vegetated buffers adjacent to surface waters shall be maintained to the maximum extent practicable. The Applicant/Permittee shall then implement the approved plan.

8. **Permanent Stormwater Treatment Practices:** Should there be any proposed changes to the permanent stormwater treatment practices proposed at the six transition stations, the Franklin Converter Station or the two substations (Deerfield and Scobie Pond), the ~~Applicant~~Permittee shall consult with NHDES to determine if revisions to the pollutant loading analyses are necessary. If so, the ~~Applicant~~Permittee shall submit revised pollutant loading analyses to NHDES for approval prior to construction and, if necessary, make appropriate revisions to the proposed permanent stormwater treatment practices.
9. **Construction General Permit (CGP).** The ~~Applicant~~Permittee shall comply with the requirements of the U.S. Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP). If requested, the ~~Applicant~~Permittee shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) prepared for the CGP to NHDES within seven days of receiving request.
10. **Monitoring and Operations Plan for Installation of Underground Cable at Surface Water Crossings:** At least 90 days prior to construction of the underground ~~cable at surface water crossings~~segment (or within another time period acceptable to NHDES), the ~~Applicant~~Permittee shall submit a Monitoring and Operations Plan (MOP) to NHDES for approval that identifies the method that will be used to cross each surface water, measures that will be taken to ensure compliance with surface water quality standards (Env-Wq 1700) and the process for notifying the appropriate state agencies if situations occur that are adversely impacting surface water quality. For crossings employing Horizontal Directional Drilling (HDD), the MOP shall describe actions taken when operating under normal drilling conditions, when there is loss of circulation during drilling, and when there is a release of drilling fluids. If the circulation loss is a "fracout", the MOP shall describe the actions that will be taken to stop, contain and or control the size of the drilling mud loss to the environment.
11. **Construction BMP Inspection and Maintenance Plan** The ~~Applicant~~Permittee shall submit a Construction BMP Inspection and Maintenance Plan to NHDES for approval at least 90 days prior to construction (or within another time period acceptable to NHDES). ~~As-At~~ a minimum, the plan shall include the construction BMP inspection and maintenance requirements specified in the NHDES Alteration of Terrain project documents and in the NPDES CGP (see condition 9). If considered necessary by NHDES to assure compliance with surface water quality standards, NHDES may include additional requirements in the plan, including, but not limited to, some or all of the elements described in Appendix ~~A-~~ of this 401 Certification (items ~~A~~ through ~~I~~). The ~~Applicant~~Permittee shall then implement the approved plan.
12. **Turbidity Sampling and Sediment Deposition Inspection Plan:** The ~~Applicant~~Permittee shall prepare a turbidity sampling and sediment deposition inspection plan to confirm that measures to control erosion during construction are not causing or contributing to surface water quality violations. Unless otherwise authorized by NHDES, the turbidity sampling and sediment deposition inspection plan shall include the elements specified in the August 14, 2013 NHDES Inter-Department

Communication entitled "Guidance for SWPPPs, BMP Inspection and Maintenance, Turbidity, and Sediment Monitoring for NHDOT Projects with 401 Water Quality Certification" for sampling, inspecting and reporting results to NHDES. The plan shall be submitted to NHDES for approval at least 90 days prior to construction (or within another time period acceptable to NHDES). The ApplicantPermittee shall then implement the approved plan.

13. **Water Quality Monitoring Plan to Assess Operation:** Unless otherwise authorized by NHDES, the ApplicantPermittee shall develop and submit a Water Quality Monitoring Plan to NHDES for approval at least 90 days prior to construction (or within another time period acceptable to NHDES). The purpose of the plan is to confirm that operation of the Activity is not causing or contributing to violations of state surface water quality standards and, if determined necessary by NHDES, shall include pre- as well as post-construction monitoring. The plan shall include the parameters to be sampled, the location, timing and frequency of sampling, sampling and laboratory protocols, quality assurance / quality control provisions as well as when data will be submitted to NHDES. The applicantPermittee shall consult with NHDES and submit the monitoring data in a format that can be automatically uploaded into the NHDES Environmental Database. Once approved by NHDES, the ApplicantPermittee shall implement the sampling plan.
14. **Operation Spill Prevention, Control and Countermeasures Plan:** The ApplicantPermittee shall prepare and submit a Spill Prevention, Control, and Countermeasures plan (SPCC) for the Activity in accordance with federal regulations (40 CFR part 112). The plan shall include a certification by a Professional Engineer licensed in the State of New Hampshire. The ApplicantPermittee shall submit the plan to NHDES Watershed Management Bureau for review and approval at least 90 days prior to the construction (or within another time period acceptable to NHDES). The SPCC Plan shall include, but not be limited to, operating procedures to prevent oil spills, control measures installed to prevent oil from entering surface waters, countermeasures to contain, clean up and mitigate the effects of an oil spill, and facility inspections. The ApplicantPermittee shall then implement the approved plan and maintain records demonstrating compliance with the plan. Such records shall be made available to NHDES within 30 days of receiving a written request by NHDES.
15. **Concrete Wash Water Plan:** The ApplicantPermittee shall submit a plan to prevent water quality violations due to discharges of concrete wash water during construction. The ApplicantPermittee shall submit the plan to the NHDES Watershed Management Bureau for review and approval at least 90 days prior to placement of any concrete within the Activity area (or within another time period acceptable to NHDES). The ApplicantPermittee shall then implement the approved plan.
16. **Surface Water Withdrawals:** The Activity shall not result in any permanent withdrawals from surface waters. Prior to any temporary withdrawals from surface waters, the ApplicantPermittee shall receive NHDES approval and shall submit the purpose, location, timing, rate and total volume of each withdrawal as well as the estimated impact on source water quantity. The ApplicantPermittee shall also consult

with the NHDES Water Use Registration and Reporting Program staff to determine if the withdrawals require registration in accordance with Env-Wq 2102. If determined by NHDES to be necessary, the ~~Applicant~~Permittee shall register the withdrawals with the NHDES Water Use Registration Program.

17. **Pesticides (Herbicides and Insecticides):** Pesticides (including herbicides and insecticides) shall not be used during construction or operation of the Activity unless otherwise authorized by NHDES. If authorized by NHDES, use of pesticides shall be minimized to the maximum extent possible and shall only be allowed on a limited, as-needed basis, and shall be applied in accordance with the manufacturer's recommendations and all applicable laws and regulations.
18. **Road Salt (Chloride):** Unless otherwise authorized by NHDES, de-icing materials containing chloride (such as road salt) shall not be used during construction or operation of any portion of the Activity. If application of road salt containing chloride is authorized by NHDES, all applicators shall, as minimum, be certified in accordance with RSA 489-c and shall, for each impacted surface water, annually track and record the amount of salt used and the area (in square feet or acres) on which it was applied within the limits of the Activity (see <http://des.nh.gov/organization/division/water/wmb/was/salt-reduction-initiative/salt-applicator-certification.htm>). Evidence of certification and tracking reports shall be provided to NHDES within 15 days of receiving a request from NHDES.
19. **Fertilizer:** Unless otherwise authorized by NHDES, fertilizers shall only be applied on soils disturbed during construction to support the initial establishment of vegetation. Prior to fertilizer application, soils shall be tested to determine the minimum amounts of lime, nitrogen (N), phosphorus (P) and potassium (K) needed to support vegetation. Lime application rates, fertilizer selection (in terms of N, P and K content) and fertilizer application rates shall be consistent with the soil test results. Fertilizers shall not contain any pesticides. Where possible, fertilizer with slow release nitrogen shall be used. Soil test results, the name, brand and nutrient content (N, P and K) of fertilizer and application rates for lime and fertilizer shall be provided to NHDES within 15 days of receiving a request from NHDES.

ALTERATION OF TERRAIN -- DRAFT PROJECT SPECIFIC CONDITIONS

1. Activities shall not cause or contribute to any violations of the surface water quality standards established in Administrative Rule Env-Wq 1700.
2. Revised plans shall be submitted for an amendment approval prior to any changes in construction details or sequences. The NHDES must be notified in writing within ten days of a change in ownership.
3. The NHDES must be notified in writing prior to the start of construction and upon completion of construction. Forms are available at:
<http://des.nh.gov/organization/divisions/water/aot/categories/formsJitm>.
4. All activities shall comply with the plans and information provided with the Alteration of Terrain application submitted as part of the application to the New Hampshire Site Evaluation Committee on October 19, 2015, and with the revised and new plan sheets submitted by the Permittee in December 2016 and January 2017, and the conditions provided herein. Any proposed modifications which may affect surface water quality or quantity, shall receive NHDES approval prior to implementation.
5. All activities shall comply with Best Management Practices (BMP) identified in the application, and subsequently incorporated in any DES approvals.
6. No construction activities shall occur on the project after expiration of the approval unless the approval has been extended by the New Hampshire Energy Facility Site Evaluation Committee (SEC).
7. The ~~Applicant~~Permittee shall identify to NHDES all laydown areas, and off-right-of-way access roads not currently identified for review prior to their construction, if DES permit requirements are triggered.
8. The ~~Applicant~~Permittee shall comply with requirements of the EPA NPDES Construction General Permit (CGP) including, but not limited to, preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and inspection, maintenance and reporting of construction activity. A copy of the SWPPP and/or construction inspection and maintenance logs shall be provided to NHDES within seven days (or other timeframe acceptable to NHDES) of receiving a request from NHDES.
9. Removal of vegetation within 50 feet of all surface waters (including wetlands) shall be minimized to the maximum extent practicable to reduce the potential for erosion and deposition of material into the surface waters, to protect rare, threatened and endangered species and habitats and to minimize the potential for increases in water temperature increases that could be harmful to aquatic

life. Limits of clearing will be clearly marked in the field prior to construction to prevent inadvertent excursion of clearing beyond what is necessary.

10. This permit does not relieve the ~~Applicant~~Permittee from the obligation to obtain other local, state or federal permits that may be required (e.g., from US EPA, US Army Corps of Engineers, etc.). Projects disturbing over 1 acre may require a federal stormwater permit from EPA. Information regarding this permitting process can be obtained at:
<http://des.nh.gov/organization/divisions/water/stormwater/construction.htm>.
11. The smallest practicablele area shall be disturbed during construction activities.
12. Unless otherwise authorized by NHDES, the ~~Applicant~~Permittee shall keep a ~~sufficient quantity of~~ erosion control supplies on the site at all times during construction to facilitate an immediate response to any construction related erosion issues on the site.

SHORELAND – DRAFT PERMIT CONDITIONS APPLICABLE TO ALL PROJECTS

1. There shall be no unnecessary removal of vegetation from the waterfront buffer.
2. Ground cover as defined per RSA 483-B:4, VII within at least 25% of the area of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. 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 tack or netting and pinning on slopes steeper than 3:1.

DRAFT PROJECT-SPECIFIC PERMIT CONDITIONS:

2015-02828 Pemigewasset River, Ashland

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated October 8, 2015 and September 14, 2015, as received by the NH Department of Environmental Services (DES) on October 20, 2015.

- ii. No more than 0.04% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02829 Ammonoosuc River, Bethlehem

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated October 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES

2015-02830 Miller Pond, Bethlehem

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 14, 2015 and September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 22.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- iii. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.

2015-02831 Pemigewasset River, Bridgewater

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated October 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.15% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02832 Pemigewasset River, Bristol

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated October 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.

- ii. No more than 0.09% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02833 Pemigewasset River, Campton

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015, and as updated on May 6, 2016.
- ii. No more than ~~24.725.14~~% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02834 Connecticut River, Clarksville

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 8.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02835 Soucook River, Concord

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 14, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.05% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES

2015-02836 Turtle Pond, Concord

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 14, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.

- ii. No more than 1.08% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02837 John's River, Dalton

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 14, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.01% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02838 Lamprey River, Deerfield

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated October 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 4.87% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02839 Nathan Pond, Dixville

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No portion of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02839 Nathan Pond, Dixville

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No portion of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02841 Merrimack River, Franklin

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 14, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.05% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02842 Pemigewasset River, Hill

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated October 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.02% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02843 Israel River, Lancaster

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.07% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02844 Otter Brook, Lancaster

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.09% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02845 Squam River, New Hampton

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 14, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02846 Pemigewasset River, New Hampton

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015, October 8, 2015, and October 12, 2015, as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.03% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02847 Merrimack River, Northfield

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 14, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.04% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02848 Soucook River, Pembroke

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.05% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02849 Suncook River, Pembroke

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated October 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 10.37% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02850 Connecticut River, Pittsburg

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 12.24% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02851 Pemigewasset River, Plymouth

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 30.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02852 Upper Ammonoosuc River, Stark

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.08% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02853 Coffin Pond, Sugar Hill

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 34.09% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02854 Gale River, Sugar Hill

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 21.86% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02855 Beaver Pond, Woodstock

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 22.79% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02856 Moosilauke Brook, Woodstock

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 19.83% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02857 Pemigewasset River, Woodstock

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015, and as updated on May 6, 2016.
- ii. No more than 25.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

2015-02858 Walker Brook, Woodstock

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 8, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 25.62% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES

2015-02859 Squam River, Ashland

A. PROJECT SPECIFIC CONDITIONS (DRAFT)

- i. All work shall be in accordance with plans by Normandeau Associates, Inc. dated September 14, 2015 as received by the NH Department of Environmental Services (DES) on October 20, 2015.
- ii. No more than 0.03% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES