



The State of New Hampshire

## Department of Environmental Services



Robert R. Scott, Commissioner

August 09, 2017

CITY OF PORTSMOUTH  
DEPT OF PUBLIC WORKS  
ATTN: ALBERT PRATT  
680 PEVERLY HILL RD  
PORTSMOUTH NH 03801

RE: NHDES Wetlands File #2017-01211, City of Portsmouth, Freshet Road, Madbury Tax Map/Lot # 10/12

Dear Mr. Pratt:

Attached please find Wetlands Permit # 2017-01211 to dredge and fill a total of 650 square feet of wetland and surface waters (40 linear feet) for the removal of an existing 16 foot x 12 foot temporary timber bridge and replace with 5.25 feet wide x 3.58 feet high x 38 feet long steel arch culvert within the same general footprint under an existing roadway to access municipal wells.

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

1. This is a minimum impact project per Env-Wt 903.01(e)(1), a new Tier 1 Stream Crossing that meets the criteria of Env-Wt 904.02(b).
2. The need for the proposed impacts has been demonstrated by the applicant per administrative rule Env-Wt 302.01. The applicant has demonstrated that the existing timber bridge is only a temporary structure and needs to be replaced with a permanent structure.
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 administrative rule Env-Wt 302.03. The proposed culvert will be constructed within the most narrow width of the intermittent stream and along the same alignment as the existing temporary timber bridge.
4. The applicant has demonstrated by plan and example that each factor listed in administrative rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Natural Heritage Bureau ("NHB") has record of a sensitive species within the vicinity of this project, but NHB does not expect impacts to the species.
6. This project qualifies as a Tier 1 Stream Crossing and the applicant has designed the stream crossing in accordance with Env-Wt 904.02 and Env-Wt 903.01(e)(3). The applicant has designed the proposed culvert to accommodate the 50-year frequency storm event, allows sediment transport, provides aquatic and animal passage, and is designed with 12 inches of natural stone and streambed materials within the culvert to mimic a natural stream channel.
7. The Madbury Conservation Commission signed the NHDES application and has no objection to permitting the work.

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.

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



Department of Environmental Services



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WETLANDS AND NON-SITE SPECIFIC PERMIT 2017-01211

**Permittee:** CITY OF PORTSMOUTH      **NOTE CONDITIONS**  
 DEPT OF PUBLIC WORKS  
 680 PEVERLY HILL RD  
 PORTSMOUTH NH 03801

**Project Location:** 60-62 FRESHET ROAD, MADBURY  
 TAX MAP/LOT NO: 10 / 12

**Waterbody:**

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

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:** Dredge and fill a total of 650 square feet of wetland and surface waters (40 linear feet) for the removal of an existing 16 foot x 12 foot temporary timber bridge and replace with 5.25 feet wide x 3.58 feet high x 38 feet long steel arch culvert within the same general footprint under an existing roadway to access municipal wells.

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

1. All work shall be in accordance with plans by Underwood Engineers dated March 2017 as received by the NH Department of Environmental Services (NHDES) on August 2, 2017.
2. This permit is contingent upon receipt and NHDES approval of stream diversion/dewatering plan for the project.
3. Any temporary work areas shall be restored to original condition upon completion of work.
4. Any further alteration of areas on these properties that are within the jurisdiction of the NHDES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. 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.
9. 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).
10. Erosion control products shall be installed per manufacturers recommended specifications.
11. Work shall be done during low flow.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with haybales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface