



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

SHORELAND IMPACT PERMIT 2023-03224

NOTE CONDITIONS

PERMITTEE: NH DEPT OF TRANSPORTATION
C/O WENDY JOHNSON
7 HAZEN DR
CONCORD NH 03302

PROJECT LOCATION: F.E. EVERETT TURNPIKE, NASHUA
TAX MAP #ROW, LOT #ROW

WATERBODY: BOWERS POND

APPROVAL DATE: JANUARY 12, 2024

EXPIRATION DATE: JANUARY 12, 2029

Shoreland Permit Application 2023-03224 has been found to meet or exceed the requirements of RSA 483-B as required per RSA 483-B:6, II. The New Hampshire Department of Environmental Services (NHDES) hereby issues this Shoreland Impact Permit with conditions pursuant to RSA 483-B:6, II.

PERMIT DESCRIPTION:

Impact 258,323 feet (SF) of the protected shoreland in order to widen the F. E. Everett Turnpike from two to three travel lanes in both the NB and SB directions, beginning in Nashua, north of the Tinker Road overpass at Exit 8, continuing north approximately 2.2 miles, terminating approximately 400 feet north of the Industrial Drive overpass in Merrimack. The project involves the replacement of the existing bridges that carry the turnpike over Bowers Pond (Pennichuck Brook) and stormwater/drainage improvements.

Impervious Surface Percentage Approved: 30.6%

Natural Woodland Area Required per RSA 483-B:9, V, (b): 52,849 SF

THE FOLLOWING PROJECT-SPECIFIC CONDITIONS HAVE BEEN APPLIED TO THE PERMIT PURSUANT TO ENV-WQ 1406.15(c):

1. All work shall be in accordance with plans by VHB dated November 17, 2023 and received by the New Hampshire Department of Environmental Services (NHDES) on December 13, 2023 pursuant to Env-Wq 1406.15(f).
2. 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 as required pursuant to RSA 483-B:9, V(d) Erosion and Siltation, (1).
3. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction as required pursuant to RSA 483-B:6, I(b).
4. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

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

THE FOLLOWING STANDARD PROJECT CONDITIONS SHALL BE MET PURSUANT TO ENV-WQ 1406.20:

1. 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.
2. 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.
3. 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-Wq 1700, and the requirements in Env-Wq 1404.01(a) and(b).
4. Any fill used shall be clean sand, gravel, rock, or other suitable material.
5. For any project where mechanized equipment will be used, orange construction fence shall be installed prior to the start of work at the limits of the temporary impact area as shown on the approved plans; be maintained throughout the project; and remain in place until all mechanized equipment has been removed from the site.

ANY INDIVIDUAL CONDUCTING WORK UNDER THIS PERMIT IS ADVISED OF THE FOLLOWING:

1. During construction, a copy of this permit should be posted on site 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. Pursuant to Env-Wq 1406.21, transfer of this permit to a new owner requires notification to, and approval of, NHDES.
4. This project has been screened for potential impact to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or only cursory surveys have been performed, 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. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.

APPROVED:



Craig W. Day
Shoreland/Shoreline Specialist, Shoreland Program
Wetlands Bureau, Land Resources Management
Water Division

THIS PERMIT IS NOT VALID UNTIL SIGNED BY THE PARTIES BELOW (Env-Wq 1406.21(c))

PERMITTEE SIGNATURE (required)

PRINCIPAL CONTRACTOR SIGNATURE (required, if any)