

Civil Engineers Structural Engineers Traffic Engineers Land Surveyors Landscape Architects Scientists

Project # 47099.01

NHDES Watershed Management Bureau

Section 401 Water Quality Certification Application

for

ADL Family Trust Company, LLC

For the Construction of a New Bridge and Tidal Area Restoration

325 Little Harbor Road, Portsmouth

Rockingham County

July 17, 2024

TFMoran, Inc.

170 Commerce Way – Suite #102 Portsmouth, NH 03801 (603) 431-2222

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SECTION 1



APPLICATION FOR WATER QUALITY CERTIFICATION Water Division Water Quality Certification Program



RSA: 485-A: 12, III and IV

Date of Request 7/17/2024

Date Request Received by NHDES _____

I. Applicant Information

Principal Place of Business of the Applicant TFMoran, Inc.

Mailing Address [Street, PO Box, RR, etc.] 170 Commerce Way, Suite 102

City/Town and ZIP Code Portsmouth - 03801

Telephone No. 603-431-2222

Email Address jaube@tfmoran.com

Name and Title of Signatory Official Responsible for the Activity for which Certification is Sought (e.g., President, Administrator) Jason Aube, Director of Environmental Permitting

II. Project Information

Name of Project Lady Isle Bridge Replacement and Tidal Area Restoration Project

Name of Town and County that contains the Project Portsmouth, Rockingham County

Name of Receiving Waterbody and Drainage Basin Back Channel of the Piscataqua River

Summary of Activity (e.g., construction, operation, or other practice or action) Construction of a new bridge on wooden piles that results in eliminating a major tidal restriction through the removal of two existing causeways within public waters.

III. Additional Submittal Information

PLEASE SUBMIT AS MUCH INFORMATION AS POSSIBLE IN ELECTRONIC FORMAT

Please provide an individual response to each bullet, below. If applicable information is contained in the application materials, please provide a reference to the specific section in the application materials that will represent the response to the individual bullets below.

- Type of activity (e.g., construction, operation, other action such as water withdrawal) and the start and end dates of the activity.
- The characteristics of the activity: Whether the activity is associated with a discharge and/or water withdrawal and whether the discharge and/or withdrawal is proposed or occurring.
- The characteristics of the discharge and/or withdrawal:
 - Flow rate (cfs).
 - Potential chemical, physical, biological constituents.
 - Frequency (e.g., daily, hourly).
 - Duration.
 - Temperature (Celsius).
 - Latitude and longitude (dd:mm:ss).
- The existing and designated use(s) that are potentially affected by the proposed activities. (Designated Uses are listed in the NHDES Consolidated Assessment and Listing Methodology.)
- The provision(s) of surface water quality standards (Env-Wq 1700) that are applicable to the designated uses affected by the proposed activities.
- A pollutant loading analysis to show the difference between predevelopment and postdevelopment pollutant loads for a typical year. The objective of the loading analysis is to show post-development pollutant loads do not exceed pre-development pollutant loads. Loading analysis guidance and a simple spreadsheet model will be provided by NHDES. The loading analysis will be used to determine appropriate stormwater management measures, which must be effectively designed, installed, and maintained to ensure compliance with surface water quality standards.
- A description of any other aspect of associated with construction and operation of the activity that would affect the chemical composition, temperature, flow, or physical aquatic habitat of the surface water.
- An original or color copy/reproduction of a United States Geological Survey Quadrangle Map that clearly shows the location of the activity and all potential discharge points.
- A copy of the final complete federal permit application or federal license application, including the federal permit, license, or project number.
- A copy of the NHDES wetlands permit (RSA 482-A:3), if necessary.
- A copy of the NHDES alteration of terrain permit (RSA 485-A:17), if necessary.
- A plan showing the proposed activities to scale including:
 - The location(s) and boundaries of the activities.
 - The location(s), dimension(s), and type(s) of any existing and/or proposed structures.
 - The location(s), name(s), identification number(s), and extent of all potentially affected surface water bodies, including wetlands.
- For projects that involve a new surface water withdrawal, provide the following:

- A copy of the water conservation plan (WCP) submitted to the NHDES Water Conservation Program and the status of NHDES approval.
- A copy of a waiver approved by the NHDES Water Conservation Program that waives the requirement to submit a WCP prior to or in conjunction with the application for water quality certification.
- Pursuant to Env-Wq 2101, and unless a waiver is applied for and granted by NHDES, all applicants
 for water quality certification are required to submit a water conservation plan (WCP) for
 projects that involve a new withdrawal from a surface water prior to or in conjunction with this
 application. Contact the NHDES Water Conservation Program for guidance related to drafting a
 WCP and the review and approval process. Information regarding the WCP, including contact
 information, may be found at the <u>NHDES Water Conservation website</u>.
- If the project is located within ¼ (one quarter) mile of a designated river, as defined under RSA 483 (the Rivers Management and Protection Act), provide documentation showing that the Local River Management Advisory Committee (LAC) has been provided with a copy of this complete application. A list and map of the designated rivers, as well as contact information, may be found at the <u>NHDES Rivers Management and Protection website</u>.

Signature – MUST BE SIGNED AND DATED BY APPLICANT

To the best of my knowledge, the data and information described above, which I have submitted to the New Hampshire Department of Environmental Services, is true and correct. I understand that an approval of the requested water quality certification based upon incorrect data may be subject to revocation of the certification. I have complied with all local regulations or ordinances relative to the proposed activity and have obtained or will obtain, prior to the commencement of any work, all other approvals that may be required.

Signed: <u>Jas</u>on Aube Date: <u>1/17</u>/2024

401 Water Quality Certification Application

Supplemental Information

Lady Isle Bridge Replacement and Tidal Area Restoration Project

Project Overview

Lady Isle, also known as Belle Isle, is a privately owned residential island accessed by a single bridge. The existing bridge has deteriorated and must be replaced. To ensure continued emergency vehicle access while a new home is constructed on the island, the existing bridge and causeways must remain in place while the new bridge is constructed. The most westerly new bridge approach requires greater than 1,000 square feet of impacts to a salt marsh, an area considered a Special Aquatic Site (SAS) under the Code of Federal Regulations 40 CFR part 230.41 and is disqualified from utilizing the NH General Permit as a mechanism to satisfy the wetlands permitting requirements of the U.S. Army Corps of Engineers.

The proposed bridge will be 332-feet long by 22-feet wide and it will be supported by wooden piles. 23,737 square feet of the proposed impacts jurisdictional under RSA 482-A, NH Wetlands Law, are occurring for the purpose of restoring the tidal riverbed through the removal of two causeways within public waters. This project also proposes 7,491 square feet of salt marsh restoration and 16,340 square feet of upland riparian buffer restoration.

This project has received oversight from Dr. David Burdick, Research Associate Professor of Coastal Ecology and Restoration in Department of Natural Resources at the University of New Hampshire. Additionally, this project has received guidance and approvals from the U.S. Coast Guard, EPA, NOAA Marine Fisheries, the Pease Development Authority, NH Natural Heritage Bureau, NH Division of Historical Resources, NH Fish and Game, and the City of Portsmouth.

Specific Required Supplemental Information:

- **1.)** <u>Type of Activity</u>: The proposed activity includes the construction of a new wooden bridge supported by wooden piles, the construction of a new bridge approach, removing two existing causeways from public waters and associated regrading, fringe salt marsh and upland riparian buffer restoration. The project contractors would like to start construction as soon as possible and it is estimated that it will take 6-months to complete.
- 2.) <u>Characteristics of the Activity</u>: While the entire project area will be surrounded by adequate levels of erosion and sediment controls, in this instance, the discharge materials include the proposed fill necessary for the construction of the most westerly bridge approach including, clean fill, rocks, crushed stone, and riprap. Dredged spoils associated with the removal of the existing causeways are also classified as a discharge. This project proposes no water withdrawals.

3.) <u>Characteristics of the Discharge</u>: The characteristics of the discharge include those components of the clean fill that have the propensity to elevate turbidity levels above 10 nephelometric turbidity units (NTU). More particularly, this includes the finer silts and sediments that have greater opportunity to remain suspended within the water column. The dredged spoils associated with the causeway removal are fine marine sediments and are more likely to elevate turbidity levels.

The frequency of the discharge associated with the proposed fill for the construction of the bridge approach may be no more than 4-days. Once the material is deposited and covered with riprap, this area will be stable. The frequency of the discharge associated with the dredged spoils connected with the causeway removal will occur twice a day for approximately 6-weeks. The discharge will coincide with the daily ebb and flow of tidal waters that reach and exceed the elevation of the causeway removal impact areas. The causeway removal work will only occur "within the dry" during low tides. The entire project area will be surrounded with turbidity curtains that will be inspected daily and adjusted as required.

4.) Existing and Designated Use(s) Potentially Affected by the Proposed Activities: The back channel of the Piscataqua River has the following existing and designated uses: Aquatic Life Integrity, Fish Consumption, Shellfish Consumption, Swimming and Other Recreation in and On the Water, and Wildlife.

Designated Use	NH Code of Administrative Rules (Env-Wq 1702.17) Description				
Aquatic Life Integrity	adaptive community	ce water can support aquatic life, including a balanced, integrated, and community of organisms having a species composition, diversity, and l organization comparable to that of similar natural habitats of the region. ce water can support a population of fish free from toxicants and s that could pose a human health risk to consumers.			
Fish Consumption					
Shellfish Consumption	The tidal surface wate pathogens that could		All tidal surface waters		
Potential Drinking Water Supply The surface water could be suitable drinking water requirements after a			uman intake and meet state and federal ate treatment.	All surface waters	
Swimming and Other Recreation In and On The	The surface water is suitable for swimming, wading,	Primary Contact Recreation (i.e. swimming)	NHDES Clarification Waters suitable for recreational uses that require or are likely to result in full body contact and/or incidental ingestion of water	All surface waters	
Water	boating of all types, fishing, surfing, and similar activities.	Secondary Contact Recreation (i.e. boating) Waters that support recreational uses that involve minor contact with the water.		waters	
Wildlife	The surface water car of undomesticated fa		pable of supporting any life stage or activity periodic basis.	All surface waters	

Table 3-4: Designated Uses for New Hamps	hire Surface Waters
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Table 1: Existing and Designated Uses within the 2020/2022 Section 305(b) and 303(d) Consolidated Assessment and Listing Methodology.

Aquatic Resource Functions and Values assessments were provided with the NHDES Wetlands Permit Application. These functional assessments concluded that while the proposed project *may* temporarily affect the functions and values of these resources, the net effect of eliminating this tidal restriction, coupled with the proposal to restore salt marsh and enhance the riparian buffer with native vegetation, would significantly improve the ecological integrity of these resources.

Additionally, while the construction of the proposed bridge may temporarily impede the passage of recreational boaters and anglers, the work does not completely impede accessing any area of the surface waters. All surface waters can be accessed by way of the most northerly portion of Lady Isle.

5.) <u>Applicable Surface Water Quality Standard Provisions (Env-Wq 1700)</u>: Under RSA 485-A:8, II, the Piscataqua River is considered Class B water. The *Surface Water Quality Standards* applicable to this classification, in this instance, are Turbidity, more specifically identified within Env-Wq 1703.11. The antidegradation provisions of Env-Wq 1708.01 are applicable as well.

Based on the pollutant loading analysis highlighted below and the aquatic resource functions and values analysis submitted with the DES Wetlands Permit application, this project will not adversely affect the *Existing and Designated Uses* of the Piscataqua River nor will it result in **post-development** pollutant loads that exceed **predevelopment** conditions.

6.) <u>Pollutant Loading Analysis</u>: This project proposes to increase the hydraulic capacity of this tidal crossing by more than 300%. The existing tidal restriction restricts water passage in a way that it accelerates water velocity and continually scours the bed of the tidal resource and this, in turn, creates unnatural turbidity. Through the elimination of the existing tidal restriction, the velocity of water passing through this area will substantially *decrease* allowing the area to return to a natural mud flat, and this, in turn, will eliminate the existing unnatural turbid conditions.

As part of the DES Wetlands Permit 2023-01406, the DES Wetlands Bureau waived Administrative Rule Env-Wt 904.10(c)(1)(c), to relieve the applicant from having to perform additional hydraulic analysis because it is readily apparent that the proposed project will significantly increase hydraulic capacity and decrease tidal water velocity. In summary, as a result of the aforementioned changes, the **post-development** pollutant loads in the form of turbidity will be *lower* than the **predevelopment** conditions and this project will not result in any water quality degradation that would violate the Code of Federal Regulations 40 CFR part 131.12.



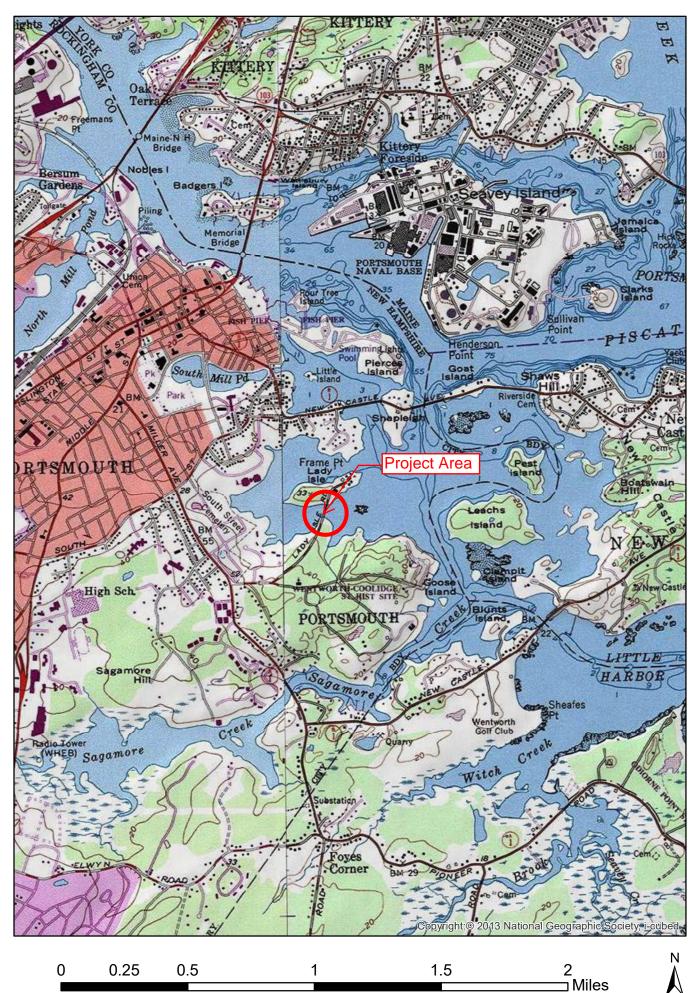
Figure 1: Scouring caused by existing tidal restriction – area to be restored.

- 7.) <u>Construction and Operation</u>: During construction of the project, the project will strictly adhere to the permit conditions within DES Alteration of Terrain Permit AoT-2104, DES Wetlands Permit 2023-01406, and DES Shoreland Permit 2024-00562. Each of these permits have strict permit conditions to ensure there are no violations of the NH Surface Water Quality Standards. Please see the Work Sequence Narratives within the DES Wetlands Permit Application. The island-based impacts associated with this project actively receive oversight from a Certified Professional in Erosion and Sediment Control (CPESC). These inspections are conducted weekly, and to date, 127 inspections have occurred. Please see *Construction Work Sequences* within **Section-7**.
- 8.) USGS Location Map: See Section-2.
- 9.) Copy of Final Complete Federal Permit Application: See Section-3.
- 10.) Copy of NHDES Shoreland Permit: See Section-4
- 11.) Copy of NHDES Wetlands Permit: See Section-4.

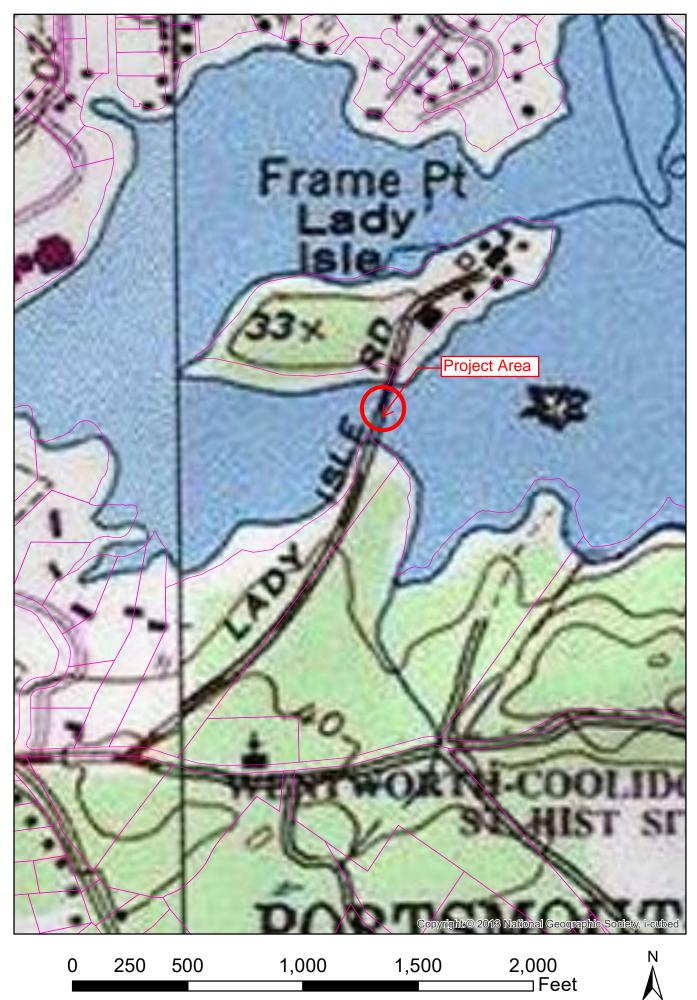
- 12.) Copy of NHDES Alteration of Terrain Permit: See Section-4.
- **13.)** <u>Abutter Information</u>: See Section-5.
- 14.) Project Plans: See Section-6.
- 15.) <u>New Surface Water Withdrawal Plans</u>: Not applicable
- 16.) NH Designated Rivers: Not applicable

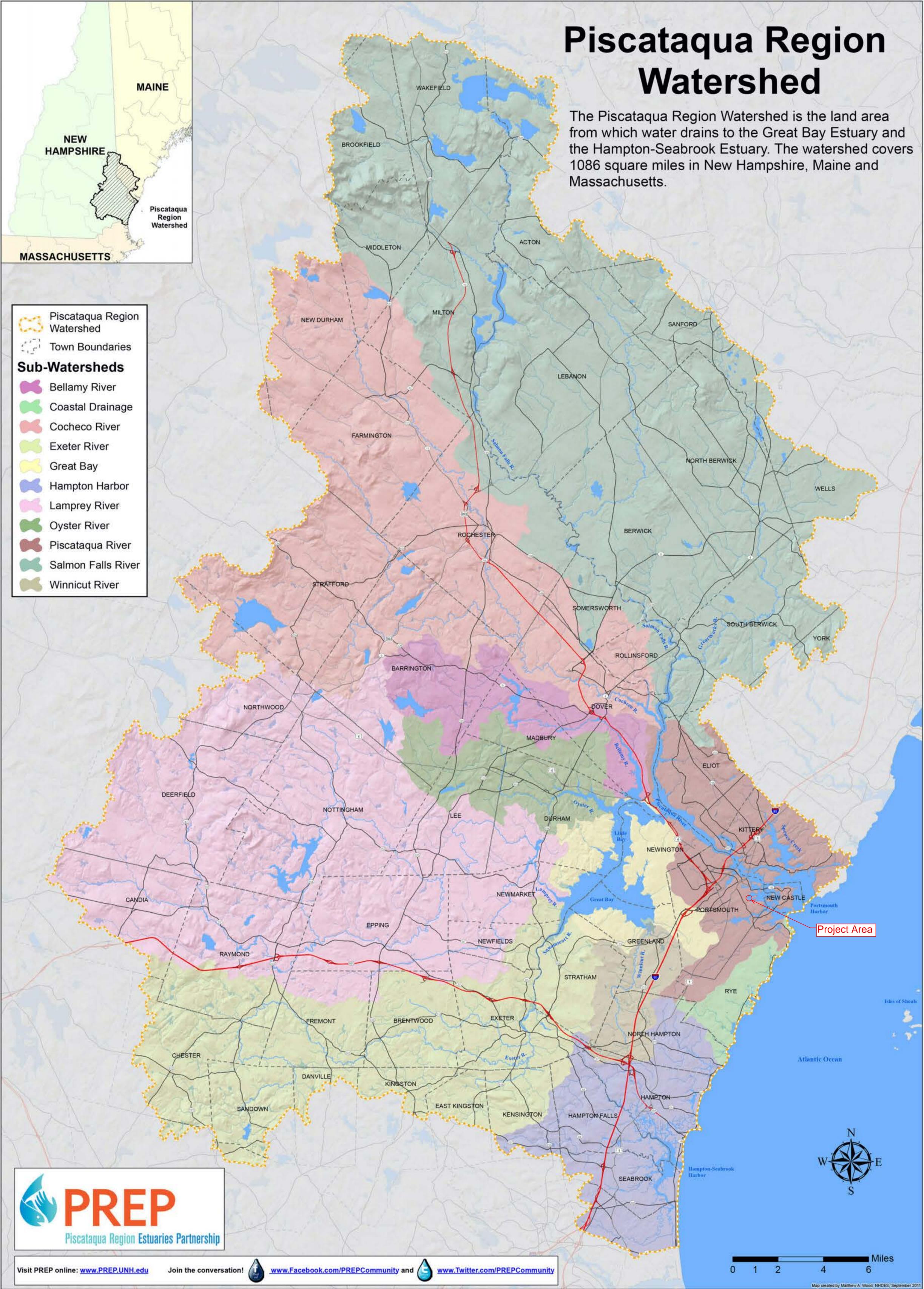
SECTION 2

USGS MAP Scale 1:24,000



USGS MAP Scale 1:5,000





SECTION 3

U.S. Army Corps of Engineers (USACE)

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

Form Approved -OMB No. 0710-0003 Expires: 2027-03-31

For use of this form, see 33 CFR 325. The proponent agency is CECW-CO-R.

The public reporting burden for this collection of information, OMB Control Number 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at <u>whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil</u>. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE EMAIL.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: http://dpcld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO. 2. FIELD OFFICE CODE			3. DATE RECEIVED	4. DATE APPLICA	TION COMPLETE	
	(ITEMS BELOW TO BE FILLED BY APPLICANT)					
5. APPLICANT'S NAME			8. AUTHORIZ	ED AGENT'S NAME AN	ND TITLE (agent is n	ot required)
First - Anthony	Middle -	Last - DiLorenzo	First - Jason	Middle -	-R Last - A	ube
Company - ADL Famil	y Trust Company,	LLC	Company - TFMoran, Inc.			
E-mail Address - JScully	@KeyAuto.com		E-mail Addres	s - jaube@tfmoran.co	om	
6. APPLICANT'S ADDRE	ESS:		9. AGENT'S A	ADDRESS:		
Address- 549 US Rout	e 1 Bypass		Address- 170	Commerce Way, Su	uite 102	
City - Portsmouth	State - NH	Zip - Country - Rockingham	City - Portsm	nouth State - N	H Zip - 03801	Country - Rockingham
7. APPLICANT'S PHONE	E NOs. w/AREA COD	E	10. AGENTS	PHONE NOs. w/AREA	CODE	
a. Residence	b. Business	c. Fax	a. Residence	b. Busines	s c. Fa	ax
private	978-807-1999		private	603-431-22	22	
11. I hereby authorize, supplemental informa	11. I hereby authorize,			processing of this applic 2024-06-03 DATE	ation and to furnish,	upon request,
	NA	AME, LOCATION, AND DESCRI	PTION OF PRO	JECT OR ACTIVITY		
12. PROJECT NAME OF Lady Isle Bridge Repla	•	,				
13. NAME OF WATERB	ODY, IF KNOWN (if a	pplicable)	14. PROJECT	STREET ADDRESS (if	applicable)	
Piscataqua River - Back Channel			Address 32	5 Little Harb	or Road	
15. LOCATION OF PRO	JECT			(1 -		- 02001
Latitude: •N 43.065188	Longit	ude: °W 70.745992	City - Port	smouth s	tate- NH	Zip- 03801
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)						
State Tax Parcel ID $_{Tax Map}$	State Tax Parcel ID Tax Map 205, Lot 2 & Tax MAp 204, Lot: 5 Municipality Portsmouth					
Section -	Township -		Range) -		
ENG FORM 4345, M	AR 2024	PREVIOUS EDITIO	NS ARE OBSOL	ETE.		Page 1 of 3

Doc ID: 56102c83726d87896ce56c23cc145a0cee9486b7

17. DIRECTIONS TO THE SITE

Traveling south on Route 1A from the City of Portsmouth, NH, take a left on Little Harbor Road after the public cemetery. Travel approximately .1 miles and take a left into driveway. Address is well marked at the driveway entry point.

18. Nature of Activity (Description of project, include all features)

Impact 2,919 square feet of Tidal Marsh and 5,393 square feet of Tidal Waters for the purpose replacing an existing failing bridge with a new bridge on wooden piles that spans the tidal resource area. The existing causeways within public waters will be removed, salt marsh area will be restored, and the developed upland buffer will be enhanced with native vegetation. This project also proposes to connect Lady Isle to municipal sewer. This project results in the elimination of a major tidal restriction and only proposes a net increase of 280-square feet of fill below the Mean High-Water Line.

19. Project Purpose (Describe the reason or purpose of the project, see instructions) The existing bridge used to access Lady Isle is failing and a new bridge must be constructed.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

Discharge (fill) is required to construct the new most westerly bridge approach. The fill is also required to raise the height of the proposed bridge so that it is less susceptible to anticipated sea level rise. While some discharge is required, the project will result in eliminating a major tidal restriction. The bridge design on wooden piles significantly increases the hydraulic capacity of the tidal crossing.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards Amount in Cubic Yards

Type Amount in Cubic Yards

Clean fill and Riprap

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres .057 Acres

or

Linear Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

A copy of the avoidance and minimization measures provided with the initial NHDES Wetlands Permit Application are included with this application form. Per the recommendation of the Army Corps, we are proposing an in-lieu fee payment for Compensatory Mitigation.

24. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK						
25. Addresses of Adjoinin	g Property Owners, Lessees	s, Etc., Whose Property A	djoins the Waterbody (if m	ore than can be entered here, please att	ach a supplemental list).	
a. Address- An abutters	list is included with this	application form and t	he formal public notic	e process has already been	initiated by the Corps.	
City -		State -		Zip -		
b. Address-						
City -		State -		Zip -		
c. Address-						
c. Address-						
City -		State -		Zip -		
d. Address-						
City -		State -		Zip -		
e. Address-						
City -		State -		Zip -		
		in den sont to so Endorsel				
		IDENTIFICATION	_	for Work Described in This Ap		
AGENCY	TYPE APPROVAL*	NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED	
We have provided a supplemental list.						
* Would include but is not	restricted to zoning, building,	, and flood plain permits				
				certify that this information in n or am acting as the duly aut		
(1 ,	N	2024-06-03	Jason Aube	Digitally signed by Jason Aube DN: cn=Jason Aube, o, ou, email=aubejay@gmail.com, c=U	s 2024-05-31	
SIGNATURE	OF APPLICANT	DATE		Date: 2024.05.31 12:29:12 -04/00/	DATE	
The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.						
-		-				
	-	-	•	epartment or agency of the rial fact or makes any false		
statements or represent	tations or makes or uses	any false writing or doo	cument knowing same	to contain any false, fictitio		
statements or entry, sha	all be fined not more than	\$10,000 or imprisoned	d not more than five ye	ars or both.		

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🔀 Dropbox Sign

Title	Army Corps Signature
File name	01-ACOE-ENG-form-jay-signed.01.pdf
Document ID	56102c83726d87896ce56c23cc145a0cee9486b7
Audit trail date format	MM / DD / YYYY
Status	 Signed

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() Sent	06 / 04 / 2024 16:57:33 UTC	Sent for signature to Anthony DiLorenzo (adilorenzo@keyauto.com) from jscully@keyauto.com IP: 71.255.145.244
VIEWED	06 / 04 / 2024 18:35:07 UTC	Viewed by Anthony DiLorenzo (adilorenzo@keyauto.com) IP: 107.77.203.78
SIGNED	06 / 06 / 2024 00:44:34 UTC	Signed by Anthony DiLorenzo (adilorenzo@keyauto.com) IP: 146.75.253.248
COMPLETED	06 / 06 / 2024 00:44:34 UTC	The document has been completed.

SECTION 4



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



SHORELAND IMPACT PERMIT 2024-00562

NOTE CONDITIONS

PERMITTEE:	ADL 325 LITTLE HARBOR ROAD TRUST PATRICK COLLINS ESQ 900 ELM STREET MANCHESTER NH 03101	
PROJECT LOCATION:	325 LITTLE HARBOR RD, PORTSMOUTH TAX MAP #205, LOT #2	1
WATERBODY:	PISCATAQUA RIVER	
APPROVAL DATE:	APRIL 02, 2024	EXPIRATION DATE: APRIL 02, 2029

Shoreland Permit Application 2024-00562 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 10,841 square feet (SF) of the protected shoreland in order to upgrade an existing travel way/right of way (ROW) to better allow for emergency vehicle passage and connecting Lady Ilse to municipal sewer. Project will include restoration of the waterfront and woodland buffer with native vegetation.

Impervious Surface Percentage Approved: 0%

Natural Woodland Area Required per RSA 483-B:9, V, (b): 0 SF.

Temporary Waiver Granted: Temporarily reduce the area of the waterfront and natural woodland buffer in which vegetation remains in an unaltered state below that required per RSA 483-B:9, V, (a) and (b) purposes of upgrading a travel way/ROW. Post-construction restoration planting required.

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

- All work shall be in accordance with plans by TF Moran dated March 1, 2024 and planting plan by Matthew Cunningham Landscape Design, LLC dated February 23, 2024 and received by the New Hampshire Department of Environmental Services (NHDES) on March 5, 2024 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 tidal-buffer zone, and sand dunes. 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).

File # 2024-00562 April 2, 2024 Page 2 of 2

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.

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:

Conty

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)



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



July 05, 2024

ADL 325 LITTLE HARBOR ROAD TRUST C/O TIM PHOENIX ESQ 127 PARROTT AVE PORTSMOUTH NH 03801

Re: Approved Standard Dredge and Fill Wetlands Permit Application (RSA 482-A) NHDES File Number: 2023-01406 Subject Property: 325 Little Harbor Rd, Portsmouth, Tax Map/Block/Lot(s): 204/no block/5; 205/no block/2

Dear Owner:

On July 05, 2024, the New Hampshire Department of Environmental Services (NHDES) Wetlands Bureau approved the abovereferenced application to Impact 66,083 square feet (SF) within the bed, banks, and tidal buffer zone of the Piscataqua River (tier 4) and adjacent tidal wetlands, including 1,632 SF of impact to Portsmouth Prime Wetland 061B, "Little Harbor Cove," and 24,864 SF of impact within the duly designated 100-foot prime wetland buffer to replace an existing tidal crossing with a 332 foot long by 22 foot wide pile supported bridge to provide residential access to Lady Isle (formerly known as Belle Isle) and restore approximately 23,737 square feet of tidal riverbed.

Compensatory mitigation shall consist of 7,491 square feet of salt marsh restoration and 16,340 square feet of tidal buffer enhancement through plantings.

Waive Env-Wt 904.10(c)(1)(c), to relieve the applicant from the requirement to provide a hydraulic analysis as part of the alternative design request.

In accordance with RSA 482-A:10, RSA 21-O:14, and Rules Ec-Wet 100-200, **any person aggrieved by this decision may file a Notice of Appeal directly with the NH Wetlands Council (Council) within 30 days of the decision date, July 05, 2024**. Every ground claiming the decision is unlawful or unreasonable must be fully set forth in the Notice of Appeal. Only the grounds set forth in the Notice of Appeal are considered by the Council. Information about the Council, including Council Rules, is available at <u>https://www.nhec.nh.gov/wetlands-council/about</u>. For appeal related issues, contact the Council Appeals Clerk at (603) 271-3650.

In accordance with RSA 482-A:3, II(a) and Env-Wt 313.02(b), as your project is a major project located in a great pond or in public waters of the state, your application must also be approved by the Governor and the Executive Council. Upon expiration of the appeal period, a redacted copy of the file is submitted to the Governor and the Executive Council for their consideration. Information about the Governor and the Executive Council is available at https://www.nh.gov/council/.

Sincerely,

Philip Trowbridge, P.E., Manager Land Resources Management, Water Division

Enclosure: Copy of Decision Copied: Agent Municipal Clerk/Conservation Commission Abutters Assistant Administrator, Wetlands Bureau

> <u>www.des.nh.gov</u> 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

FILE #2023-01406 ADL 325 LITTLE HARBOR ROAD TRUST PORTSMOUTH

DECISION DATE: July 05, 2024

DECISION:

Impact 66,083 square feet (SF) within the bed, banks, and tidal buffer zone of the Piscataqua River (tier 4) and adjacent tidal wetlands, including 1,632 SF of impact to Portsmouth Prime Wetland 061B, "Little Harbor Cove," and 24,864 SF of impact within the duly designated 100-foot prime wetland buffer to replace an existing tidal crossing with a 332 foot long by 22 foot wide pile supported bridge to provide residential access to Lady Isle (formerly known as Belle Isle) and restore approximately 23,737 square feet of tidal riverbed.

Compensatory mitigation shall consist of 7,491 square feet of salt marsh restoration and 16,340 square feet of tidal buffer enhancement through plantings.

Waive Env-Wt 904.10(c)(1)(c), to relieve the applicant from the requirement to provide a hydraulic analysis as part of the alternative design request.

CONDITIONS:

- 1. All work shall be done in accordance with the approved plans dated February 7, 2024, and revised through July 3, 2024, by TFMoran, Inc., and the "Proposed Mitigation Planting Plan" dated June 5, 2024, by Matthew Cunningham Landscape Design, LLC. and received by the NH Department of Environmental Services (NHDES) on July 3, 2024, in accordance with Env-Wt 307.16
- 2. In accordance with Env-Wt 314.02(b) and (c), for projects in the coastal area, the permittee shall record the permit at the Rockingham County Registry of Deeds. Any limitations or conditions in the permit so recorded shall run with the land beyond the expiration of the permit. The permittee shall provide the department with a copy of the permit stamped by the registry with the book and page and date of receipt.
- 3. This permit is contingent on review and approval of a final mitigation monitoring plan that is commensurate with the complexity of the permittee-responsible restoration and enhancement mitigation project Per Rule Env-Wt 803.04(a).
- 4. In accordance with Env-Wt 307.07, all development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction.
- 5. Except as authorized in Conditions #6 and #7 below, in water work shall occur between November 15 and March 15, in order to protect anadromous fish, in accordance with Env-Wt 307.06(b) and Env-Wt 311.06(g).
- Pile Installation taking place outside of the federal dredge window between November 15 and March 15 shall be done in the dry at low tide, in order to protect anadromous fish in accordance with Env-Wt 307.06(b) and Env-Wt 311.06(g).
- 7. Work associated with the construction of the westerly bridge approach taking place outside of the federal dredge window between November 15 and March 15 shall be done in the dry at low tide, in order to protect anadromous fish in accordance with Env-Wt 307.06(b) and Env-Wt 311.06(g).
- 8. In accordance with Env-Wt 307.05(b), equipment to be used in surface waters shall be completely free of all aquatic and terrestrial invasive plants, seeds, and other propagules, and all exotic aquatic species of wildlife as defined in RSA 487:16, I-a.
- 9. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
- 10. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.
- 11. In accordance with Env-Wt 307.03(g)(2), the person in charge of construction equipment shall repair any leaks prior to using the equipment in an area where such fluids could reach groundwater, surface waters, or wetlands.

- 12. In accordance with Env-Wt 307.03(h), equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15.
- 13. In accordance with Env-Wt 307.15(b), mobile heavy equipment working in wetlands shall not be stored, maintained, or repaired in wetlands, except that repairing or refueling in a wetland is allowed if equipment cannot practicably be removed and secondary containment is provided
- 14. In accordance with Env-Wt 307.08(a), water quality and environmental minimization measures shall be in place to ensure that functions and values of designated prime wetlands and duly-established 100-foot buffers are protected. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards per Env-Wt 307.03(a).
- 15. All work including management of soil stockpiles, shall be conducted so as to minimize erosion, minimize sediment transfer to surface waters or wetlands, and minimize turbidity in surface waters and wetlands per Env-Wt 307.03(b).
- 16. In accordance with Env-Wt 307.03(f)(1), a cofferdam or other turbidity control shall be used to enclose a dredging project conducted in or along the shoreline of a bog, marsh, lake, pond, stream, river, creek, or any other surface water, provided that a coffer dam shall not be installed during periods of high flow.
- 17. In accordance with Env-Wt 307.10(c), turbidity controls shall be installed prior to construction and maintained during construction such that no turbidity escapes the immediate dredge area; and remain in place until suspended particles have settled and water at the work site has returned to normal clarity.
- 18. In accordance with Env-Wt 307.03(c)(3), water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications.
- 19. In accordance with Env-Wt 307.03(c)(1), water quality control measures shall be selected and implemented based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas.
- 20. In accordance with Env-Wt 307.03(c)(2), water quality control measures shall be comprised of wildlife-friendly erosion control materials if erosion control blankets are utilized.
- 21. In accordance with Env-Wt 307.03(c)(5), water quality control measures shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction.
- 22. In accordance with Env-Wt 307.03(c)(6), water quality control measures shall remain in place until all disturbed surfaces are stabilized to a condition in which soils on the site will not experience accelerated or unnatural erosion by achieving and maintaining a minimum of 85% vegetative cover using an erosion control seed mix, whether applied in a blanket or otherwise, that is certified by its manufacturer as not containing any invasive species; or placing and maintaining a minimum of 3 inches of non-erosive material such as stone.
- 23. In accordance with Env-Wt 307.03(c)(7), temporary water quality control methods shall be removed upon completion of work when compliance with Env-Wt 307.03(c)(6) is achieved.
- 24. In accordance with Env-Wt 307.10(f), dredged materials to be stockpiled in uplands shall be dewatered in sedimentation basins that are contained within turbidity controls that prevent turbid water from leaving the basins; and located outside of any jurisdictional area.
- 25. In accordance with Env-Wt 307.10(d), dredged materials shall be disposed of out of jurisdictional areas, unless other disposition is specifically permitted pursuant to Env-Wt 307.10(e).
- 26. In accordance with Env-Wt 307.11(b), limits of fill shall be clearly identified prior to commencement of work and controlled in accordance with Env-Wt 307.03 to ensure that fill does not spill over or erode into any area where filling is not authorized.
- 27. In accordance with Env-Wt 307.11(a), fill shall be clean sand, gravel, rock, or other material that meets the project's specifications for its use; and does not contain any material that could contaminate surface or groundwater or otherwise adversely affect the ecosystem in which it is used.
- 28. In accordance with Env-Wt 307.05(e), to prevent the use of soil or seed stock containing nuisance or invasive species, the contractor responsible for work shall follow Best Management Practices for the Control of Invasive and Noxious Plant Species (Invasive Plant BMPs).

FILE #2023-01406 ADL 325 LITTLE HARBOR ROAD TRUST PORTSMOUTH PAGE 3 OF 4

- 29. In accordance with Env-Wt 307.03(e), all exposed soils and other fills shall be permanently stabilized within 3 days following final grading.
- 30. In accordance with Env-Wt 307.11(c), slopes shall be immediately stabilized to prevent erosion into adjacent wetlands or surface waters.
- 31. In accordance with Env-Wt 307.12(i), wetland areas where permanent impacts are not authorized shall be restored to their pre-impact conditions and elevation by replacing the removed soil and vegetation in their pre-construction location and elevation such that post-construction soil layering and vegetation schemes are as close as practicable to pre-construction conditions.
- 32. In accordance with Env-Wt 307.12(e), wetland soils from areas vegetated with purple loosestrife, common reed, or other state-listed invasive plant species shall not be used in the area being restored.
- 33. In accordance with Env-Wt 307.12(g), a temporary impact area restored by seeding or plantings shall not be deemed successful if the area is invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction; and a remediation plan shall be submitted to the department that proposes measures to be taken to eradicate nuisance species during this same period.
- 34. In accordance with Env-Wt 307.12(f), if any temporary impact area that is stabilized with seeding or plantings does not have at least 75% successful establishment of wetlands vegetation after 2 growing seasons, the area shall be replanted or reseeded, as applicable.
- 35. In accordance with Env-Wt 807.03(b), within 60 days of completing a mitigation project that included restoration, enhancement, or creation of wetlands or the restoration or enhancement of a stream, or both, the applicant shall submit a post-construction monitoring report, documenting the conditions of the restored, enhanced, or constructed wetland or restored or enhanced stream.
- 36. In accordance with Env-Wt 807.03(a), within 60 days of completing a mitigation project that included restoration, enhancement, or creation of wetlands or the restoration or enhancement of a stream, or both, the applicant shall submit a signed letter specifying the date of completion and the anticipated dates of submittal of the annual monitoring reports.
- 37. In accordance with Env-Wt 807.04(a), the permittee responsible for a mitigation project shall submit monitoring reports to the department as specified in the mitigation monitoring plan required by Env-Wt 803.04.
- 38. In accordance with Env-Wt 803.04(b)(1), mitigation project monitoring shall span no fewer than 5 growing seasons for any mitigation project that includes plantings.
- 39. In accordance with Env-Wt 307.18(a), compensatory mitigation project monitoring reports shall be submitted to the department in accordance with Env-Wt 803.04.
- 40. In accordance with Env-Wt 807.04(b), the permittee shall submit a final monitoring report.

FINDINGS:

- This project is classified as a major impact project per Rule Env-Wt 903.01(g)(3)(b), for a project to replace tier 4 stream crossing, and per Rule Env-Wt 407.02(a), as the project impacts a priority resource area (PRA) and does not qualify for a project-type exception (PTE) under Env-Wt 407.04, regardless of the size of impact.
- 2. The impacts within the protected shoreland associated with this project are approved under NHDES Shoreland Permit 2024-00562.
- 3. On May 26, 2023, the department received correspondence from the Natural Heritage Bureau (NHB) dated May 11, 2023, stating that "Transplanting will be an acceptable approach for the [protected plant species]."
- 4. On November 6, 2023, NHDES received a copy of the "[Protected plant species] Transplant Report" indicating that the affected plants were transplanted to a new location on the property adjacent to an existing stand of the species.
- 5. On March 1, 2024 and May 22, 2023, the department received correspondence from the NHB, indicating that the coordination regarding the protected plant species was completed and that "there is no anticipated impact to [the exemplary natural community] for this project," respectively.

FILE #2023-01406 ADL 325 LITTLE HARBOR ROAD TRUST PORTSMOUTH PAGE 4 OF 4

- 6. On May 26, 2023, the department received correspondence from the NH Fish and Game Department (NHF&G) dated May 8, 2023, stating that "they do not anticipate impacts to [the protected anadromous fish species] from this project, however we would prefer that the work occur during the normal dredge window (Nov 15th-Mar 15th). If this will not be possible, please contact us for BMPs to avoid sedimentation."
- 7. On February 13, 2024, the department received correspondence from the NHF&G dated May 11, 2023, and February 5, 2024, authorizing work related to the pile installation and the construction of the westerly bridge abutment to take place outside of the normal dredge window (November 15th-March 15th), provided that proper BMPs and turbidity curtains are in place and that all work takes place in the dry during low tide.
- 8. On May 11, 2023, the applicant obtained a statement from the Pease Development Authority, Division of Ports and Harbors regarding the projects impact on navigation and passage stating, "[w]e examined the proposed site and found that the structure will have no negative effect on navigation in the channel," per Rule Env-Wt 603.09.
- 9. The crossing is deemed self-mitigating because 5,020 SF of existing fill below the mean high water line currently restricts tidal flows. This fill will be removed as part of the project. The replacement crossing will install new fill below the mean high water line, farther landward. There will be a net increase of fill of approximately 280 SF.
- 10. Per Rule Env-Wt 801.03(a)(2) and Env-Wt 704.03, for impacts in a prime wetland and prime wetland buffer, the department is accepting an on-site permittee-responsible mitigation proposal that uses wetland enhancement/establishment as compensatory mitigation for 26,496 SF of permanent impacts to the Prime Wetland and Duly-established Prime Wetland Buffer.
- 11. The applicant is providing 16,340 square feet of tidal buffer enhancement (plantings) and 7,491 square feet of salt marsh restoration and as permittee-responsible State of NH compensatory mitigation for permanent impacts to jurisdictional upland areas (prime wetland buffer and undeveloped tidal buffer zone) in accordance with Env-Wt 803.07.
- 12. Per Rule Env-Wt 803.09(a), the applicant has demonstrated that the alternative permittee-responsible compensatory mitigation proposal, will have greater benefit to water quality, wildlife, aquatic life, habitat(s) for wildlife or aquatic life, or other functions and values of wetlands and surface waters identified in RSA 482-A:1.
- 13. Per Rule Env-Wt 803.09(c), the alternative compensatory mitigation allowed under Env-Wt 803.09(a) or (b), has met all other applicable requirements of Env-Wt 800.
- 14. Per Rule Env-Wt 204.05(a), the department has granted a waivers to the requirement established in Rules Env-Wt 706.01(b) and Env-Wt 904.10(c)(1)(c). Granting the waivers will not result in an avoidable adverse impact on the environment or natural resources of the state, including but not limited to jurisdictional areas and protected species or habitat, an avoidable adverse impact on public health or public safety, an impact on abutting properties that is more significant than that which would result from complying with the rules, a statutory requirement being waived, and any benefit to the public or the environment from complying with the rules is outweighed by the operational or economic costs to the applicant.
- 15. Per Rule Env-Wt 706.05(b), the department has issued a waiver to perform work not addressed by Env-Wt 706.01(a) in a portion of a duly-established 100-foot buffer on the subject property, on grounds that the department has determined that there will be no significant net loss of wetland values as identified by the local conservation commission or local governing authority; and in RSA 482-A:1.
- 16. Per Rule Env-Wt 202.01(b) in accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the project will not have a significant environmental impact, as defined in Env-Wt 104.21, or adversely affect the values of the resources protected by RSA 482-A, or, is not of substantial public interest, as defined in Env-Wt 104.34, and the applicant obtained concurrence from the local conservation commission for the proposed mitigation plan for impacts to designated prime wetlands/buffer in accordance with Env-Wt 704.03(d).



The State of New Hampshire **Department of Environmental Services**

Robert R. Scott, Commissioner



March 14, 2022

Anthony DiLorenzo ALD 325 Little Harbor Road Trust 127 Parrot Ave Portsmouth, NH 03801 sent via email: (adilorenzo@keyauto.com)

Permit: AoT-2104

RE: Lady Isle Site Renovations Tax Map 205, Lot 2 Portsmouth, NH

Dear Applicant:

Based upon the plans and application, approved on March 14, 2022, we are hereby issuing RSA 485-A:17 Alteration of Terrain Permit AoT-2104. The permit is subject to the following conditions:

PROJECT SPECIFIC CONDITIONS:

- 1. The approved plans, latest revision dated February 18, 2022, and supporting documentation in the permit file are a part of this approval.
- 2. **This permit expires on March 14, 2027.** No earth moving activities shall occur on the project after this expiration date unless the permit has been extended by the Department. If requesting an extension, the request must be received by the department <u>before the permit expires</u>. The Amendment Request form is available at: https://www.des.nh.gov/land/land-development

GENERAL 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. You must submit revised plans for permit amendment prior to any changes in construction details or sequences. You must notify the Department in writing within ten days of a change in ownership.
- 3. You must notify the Department in writing prior to the start of construction and upon completion of construction. Forms can be submitted electronically at:. https://www.des.nh.gov/land/land-development Paper forms are available at that same web page.
- 4. All stormwater practices shall be inspected and maintained in accordance with Env-Wq 1507.07 and the project Inspection and Maintenance (I&M) Manual. All record keeping required by the I&M Manual shall be maintained by the identified responsible party, and be made available to the department upon request. Photographs of the site and BMPs must accompany the I&M submittals.

www.des.nh.gov 29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095 (603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

- This permit does not relieve the applicant 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: use https://www.epa.gov/npdes/epas-2017-construction-general-permit-cgp-and-related-documents.
- 6. In accordance with Env-Wq 1503.21 (c)(1), a written notice signed by the permit holder and a qualified engineer shall be submitted to DES stating that the project was completed in accordance with the approved plans and specifications. If deviations were made, the permit holder shall review the requirements in Env-Wq 1503.21(c)(2).
- 7. If applicable, no activity shall occur in wetland areas until a Wetlands Permit is obtained from the Department. Issuance of this permit does not obligate the Department to approve a Wetlands Permit for this project.
- 8. 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 have not been surveyed in detail, 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.

Sincerely,

As andrews

Gloria S. Andrews, PE Alteration of Terrain Bureau

ec: Portsmouth Planning Board (igilbo@cityofportsmouth.com and planning@cityofportsmouth.com)
 Meaghan Broderick, NHDES; (Meaghan.m.broderick@des.nh.gov)
 Hannah Giovannucci, PE, TF Moran (hgiovannucci@tfmoran.com)
 Kathleen Wadiak, NHFG (Kathleen.P.Wadiak@wildlife.nh.gov) NHB21-3751
 Jessica Bouchard, DNCR (jessica.r.bouchard@dncr.nh.gov)

SECTION 5



Civil Engineers Structural Engineers Traffic Engineers Land Surveyors Landscape Architects Scientists

Abutters List

Dilorenzo - Lady Isle Bridge Replacement Project 325 Little Harbor Road, Portsmouth, NH 03801

May 16, 2023 47099.01

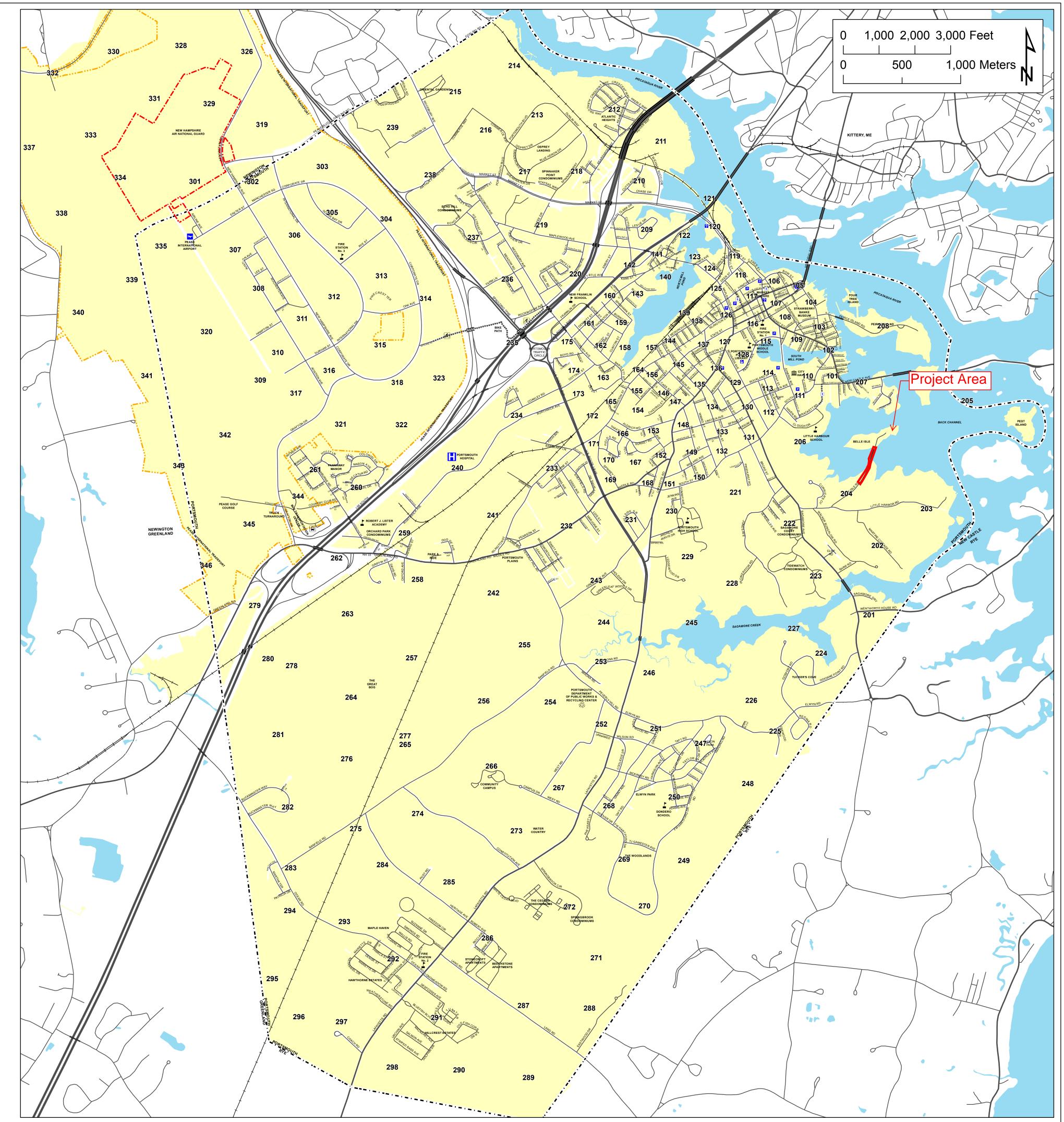
Assessors Map		Abutter Name	Mailing Address
Мар	Lot	Abutter Name	Mailing Address
204	4	LISA M. OAKES	315 LITTLE HARBOR ROAD
204	4	LISA MI. OARES	PORTSMOUTH, NH 03801
204	5		304 MAPLEWOOD AVE
204	5	LISA A. GRONDAHL REVOCABLE TRUST	PORTSMOUTH, NH 03801
204	7	CITY OF PORTSMOUTH CONSERVATION	1 JUNKINS AVE
204		COMMISSION	PORTSMOUTH, NH 03801
			170 Commerce Way - Suite 102
Civil Enginee	rs / Surveyor	TFMoran, Inc.	Portsmouth, NH 03801
Environment	tal / Wetlands		170 Commerce Way - Suite 102
Scientist Architect		Kyra Higgins	Portsmouth, NH 03801
		Vark Bridge Concents	3423 Brunello Trce
		York Bridge Concepts	Lutz, FL 33558

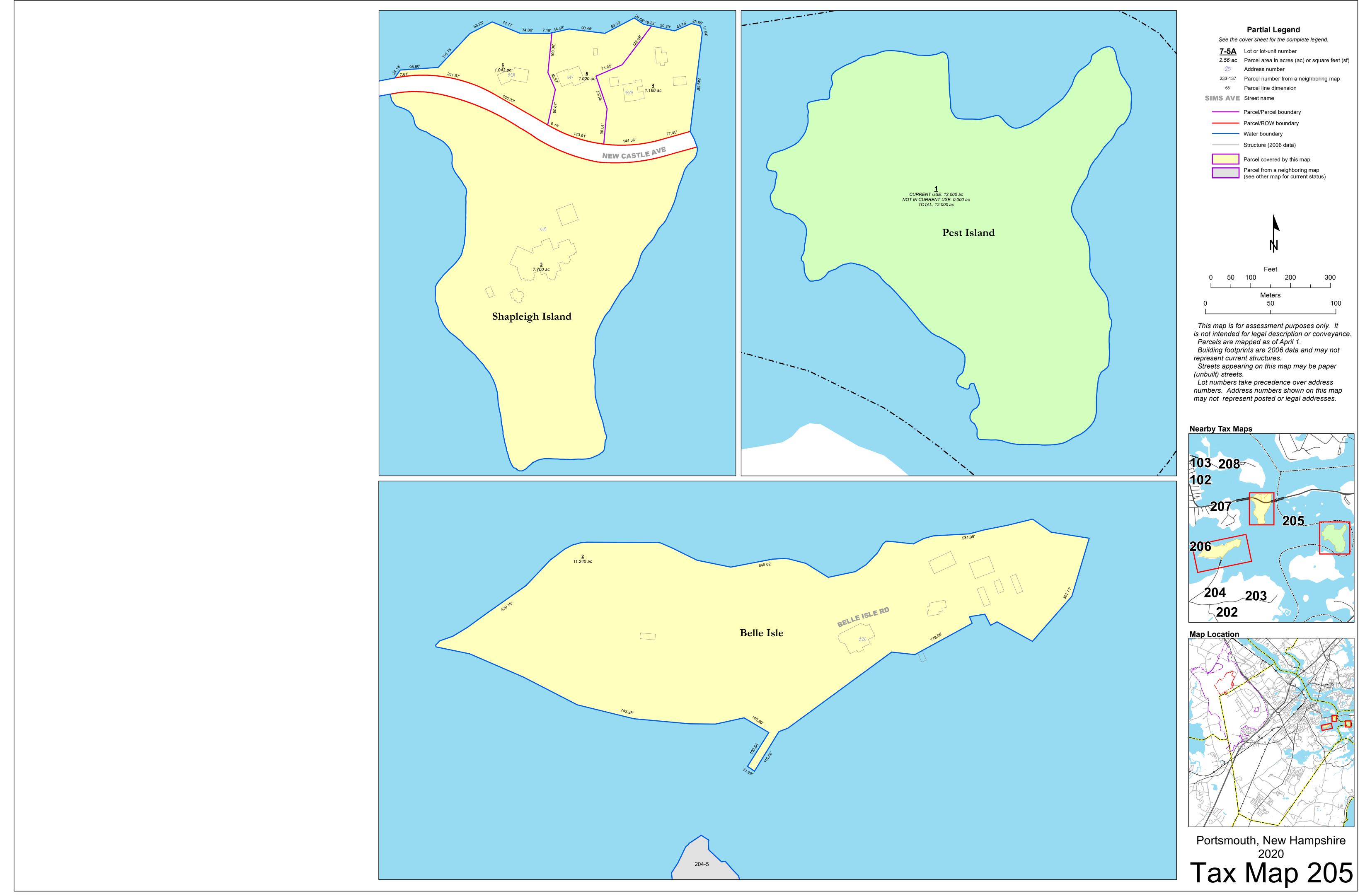


City of Portsmouth 2019 Rural Tax Maps

Maps 201-298

7-5ALot or Lot-Unit Number2.56 acParcel Area in Acres29Address Number23.137Parcel Number from a Neighboring MaparParcel Line DimensionSIMS AVEStreet NamePiscataqua RiverWater BodyftCemeteryParcel Assigned to the Current MapParcel from Another Map (please refer to the appropriate map)WaterWaterParcel in Current UseLine Between Parcel and Right of WayLine Between Parcel and Right of WayLine Between Parcel and Right of WayLine Between Parcel and Right of WayStructure (2006 data)Structure (2006 data)Railroad Track		Tax Map Legend
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 City Line New Hampshire Air National Guard (NHANG) Boundary Pease International Tradeport Boundary Structure (2006 data) Swimming Pool (2006 data) 		Line Between Parcel and Right of Way
 New Hampshire Air National Guard (NHANG) Boundary Pease International Tradeport Boundary Structure (2006 data) Swimming Pool (2006 data) 		Line Between Parcel and Water
 Pease International Tradeport Boundary Structure (2006 data) Swimming Pool (2006 data) 		City Line
 Structure (2006 data) Swimming Pool (2006 data) 		New Hampshire Air National Guard (NHANG) Boundary
Swimming Pool (2006 data)		Pease International Tradeport Boundary
		Structure (2006 data)
Railroad Track		Swimming Pool (2006 data)
	-+-+-	Railroad Track

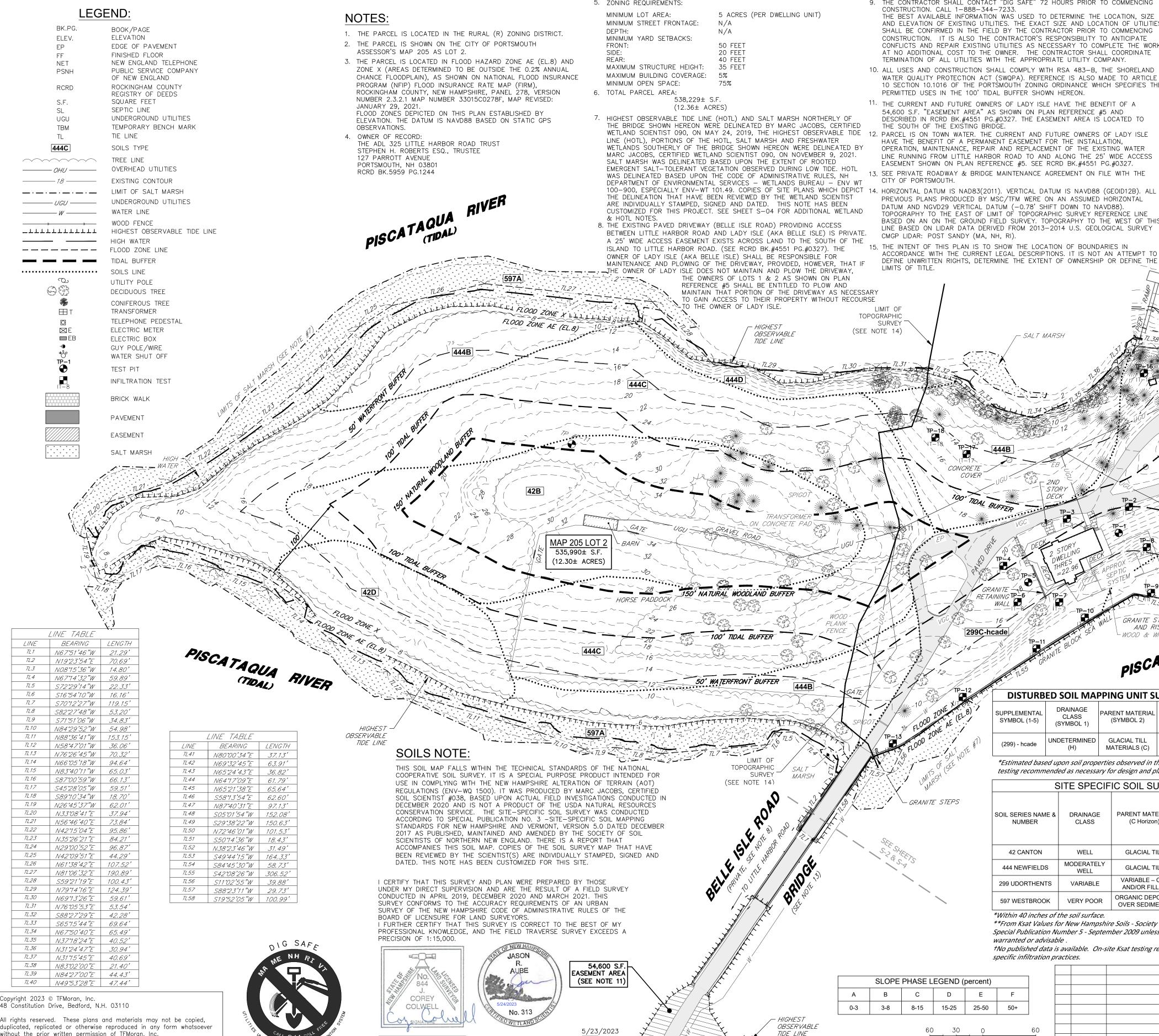




	Partial Legend						
	See the o	cover sh	neet for th	e comple	ete lege	end.	
	<u>7-5A</u>	Lot or	lot-unit n	umber			
	2.56 ac	Parce	l area in a	acres (ac)) or squ	uare feet (sf)	
	23	, laar 0	ss numbe				
			l number		eighbor	ing map	
	68'		l line dim	ension			
SIN	IS AVE	Street	name				
_		Parcel	/Parcel b	oundary			
_		Parcel	/ROW bc	undary			
_		Water	boundary	/			
		Structu	ure (2006	data)			
		Davaal					
			covered	-			
			from a n ther map			ıs)	
			Ŋ				
			Feet				
0	50	100		200		300	
	1						
0			Meters 50			100	
0			50			100 I	
This map is for assessment purposes only. It							
not intended for legal description or conveyance. Parcels are mapped as of April 1.							
Building footprints are 2006 data and may not							
present current structures.							
Streets appearing on this map may be paper							
inbuilt) streets.							
Lot numbers take precedence over address umbers. Address numbers shown on this map							
ay not represent posted or legal addresses.							
arby	Tax Ma	aps					
-		-					



SECTION 6

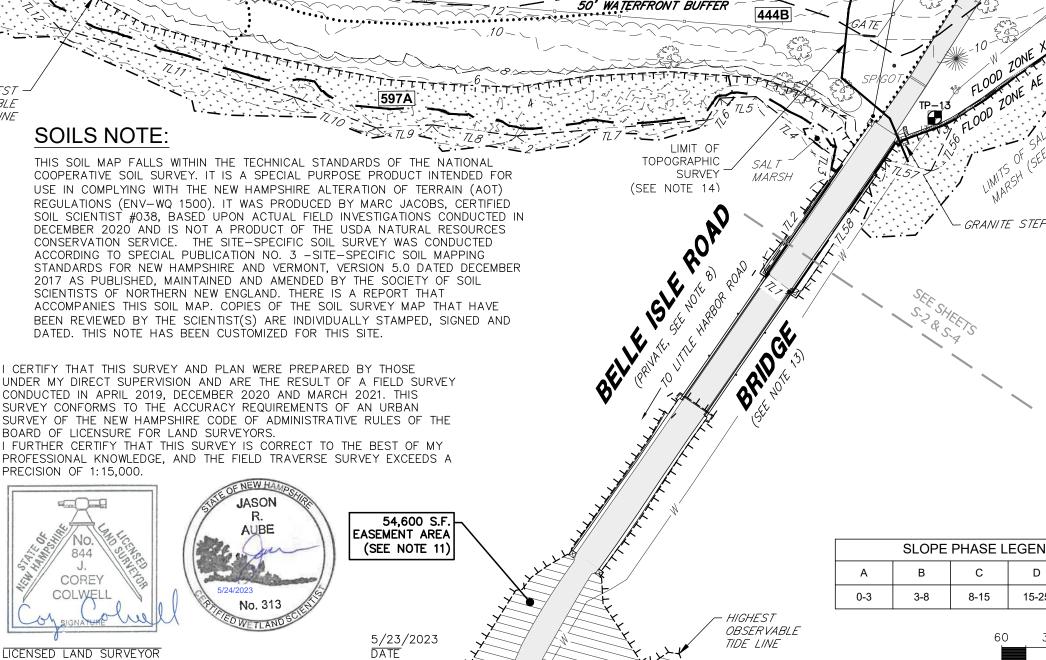


48 Constitution Drive, Bedford, N.H. 03110

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CONTACT DIG SAFE 72 BUSINESS HOURS PRIOR TO CONSTRUCTION



ZONING REQUIREMENTS:	
MINIMUM LOT AREA: MINIMUM STREET FRONTAGE: DEPTH:	5 ACRES (PER DWELLING UNIT) N/A N/A
MINIMUM YARD SETBACKS: FRONT: SIDE: REAR: MAXIMUM STRUCTURE HEIGHT:	50 FEET 20 FEET 40 FEET 35 FEET
MAXIMUM BUILDING COVERAGE: MINIMUM OPEN SPACE:	5% 75%
TOTAL PARCEL AREA: 538,229± S	.F.

- THE CONTRACTOR SHALL CONTACT "DIG SAFE" 72 HOURS PRIOR TO COMMENCING CONSTRUCTION. CALL 1-888-344-7233 THE BEST AVAILABLE INFORMATION WAS USED TO DETERMINE THE LOCATION, SIZE AND ELEVATION OF EXISTING UTILITIES. THE EXACT SIZE AND LOCATION OF UTILITIES 17. EXISTING USE OF THE PROPERTY IS RESIDENTIAL. SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR PRIOR TO COMMENCING CONSTRUCTION. IT IS ALSO THE CONTRACTOR'S RESPONSIBILITY TO ANTICIPATE
- CONFLICTS AND REPAIR EXISTING UTILITIES AS NECESSARY TO COMPLETE THE WORK AT NO ADDITIONAL COST TO THE OWNER. THE CONTRACTOR SHALL COORDINATE TERMINATION OF ALL UTILITIES WITH THE APPROPRIATE UTILITY COMPANY. 10. ALL USES AND CONSTRUCTION SHALL COMPLY WITH RSA 483-B, THE SHORELAND WATER QUALITY PROTECTION ACT (SWQPA). REFERENCE IS ALSO MADE TO ARTICLE
- 10 SECTION 10.1016 OF THE PORTSMOUTH ZONING ORDINANCE WHICH SPECIFIES THE PERMITTED USES IN THE 100' TIDAL BUFFER SHOWN HEREON. ^{11.} THE CURRENT AND FUTURE OWNERS OF LADY ISLE HAVE THE BENEFIT OF A 54,600 S.F. "EASEMENT AREA" AS SHOWN ON PLAN REFERENCE #5 AND
- DESCRIBED IN RCRD BK.#4551 PG.#0327. THE EASEMENT AREA IS LOCATED TO THE SOUTH OF THE EXISTING BRIDGE HAVE THE BENEFIT OF A PERMANENT EASEMENT FOR THE INSTALLATION,
- OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF THE EXISTING WATER LINE RUNNING FROM LITTLE HARBOR ROAD TO AND ALONG THE 25' WIDE ACCESS EASEMENT SHOWN ON PLAN REFERENCE #5. SEE RCRD BK.#4551 PG.#0327. 13. SEE PRIVATE ROADWAY & BRIDGE MAINTENANCE AGREEMENT ON FILE WITH THE CITY OF PORTSMOUTH.
- PREVIOUS PLANS PRODUCED BY MSC/TFM WERE ON AN ASSUMED HORIZONTAL DATUM AND NGVD29 VERTICAL DATUM (-0.78' SHIFT DOWN TO NAVD88). TOPOGRAPHY TO THE EAST OF LIMIT OF TOPOGRAPHIC SURVEY REFERENCE LINE BASED ON AN ON THE GROUND FIELD SURVEY. TOPOGRAPHY TO THE WEST OF THIS LINE BASED ON LIDAR DATA DERIVED FROM 2013-2014 U.S. GEOLOGICAL SURVEY CMGP LIDAR: POST SANDY (MA, NH, RI).

SALT MARSH

THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH THE CURRENT LEGAL DESCRIPTIONS. IT IS NOT AN ATTEMPT TO DEFINE UNWRITTEN RIGHTS, DETERMINE THE EXTENT OF OWNERSHIP OR DEFINE THE PLOA

GRAN

WALL

- SEAVEY ISLAND, ME. DATUM IS NAVD88.
- BE ON THE PROPERTY.
- PLAN REFERENCES: MILLETTE & ASSOCIATES.
- PLAN #D-10554. BY A.C. HOYT SURVEYOR. RCRD PLAN #0674.
- CIVIL ENGINEER. RCRD PLAN #0311

GRAN/T

SE'	- WOOD & WIRE FENCE
	PISCA TAQUA

AND RISERS

PIER

	1				
/	DISTURB	ED SOIL MAI	PPING UNIT S	UPPLEMEN [®]	TAL SYMBO
	SUPPLEMENTAL SYMBOL (1-5) DRAINAGE CLASS (SYMBOL 1)		PARENT MATERIAL (SYMBOL 2)	RESTRICTIVE / IMPERVIOUS LAYERS (SYMBOL 3)	ESTIMATED Ksat (SYMBOL 4)
	(299) - hcade UNDETERMINED GLACIAL TILL (H) MATERIALS (C) NONE (A) UNDETERMINE (D)				
	*Estimated based upon soil properties observed in the field. No published data avail				

mated based upon soil properties observed in the field. No published data available. On-site testing recommended as necessary for design and placement of specific infiltration practices.

testing recommended as necessary for design and placement of specific initiation				
SITE SPECIFIC SOIL SURVEY MAP LEGEND				
SOIL SERIES NAME & NUMBER	DRAINAGE CLASS	PARENT MATERIAL (C Horizon)	MINERAL RESTRICTIVE FEATURES*	SATUR HYDRA CONDUC (Ksa inches low to B & C ho
42 CANTON	WELL	GLACIAL TILL	NONE	2.0 TC 6.0 TO
444 NEWFIELDS	MODERATELY WELL	GLACIAL TILL	NONE	0.6 TC 0.6 TC
299 UDORTHENTS	VARIABLE	VARIABLE – CUT AND/OR FILLED	NONE†	NA
597 WESTBROOK	VERY POOR	ORGANIC DEPOSITS OVER SEDIMENTS	NONE	NA 0.0 TC

**Within 40 inches of the soil surface.*

E

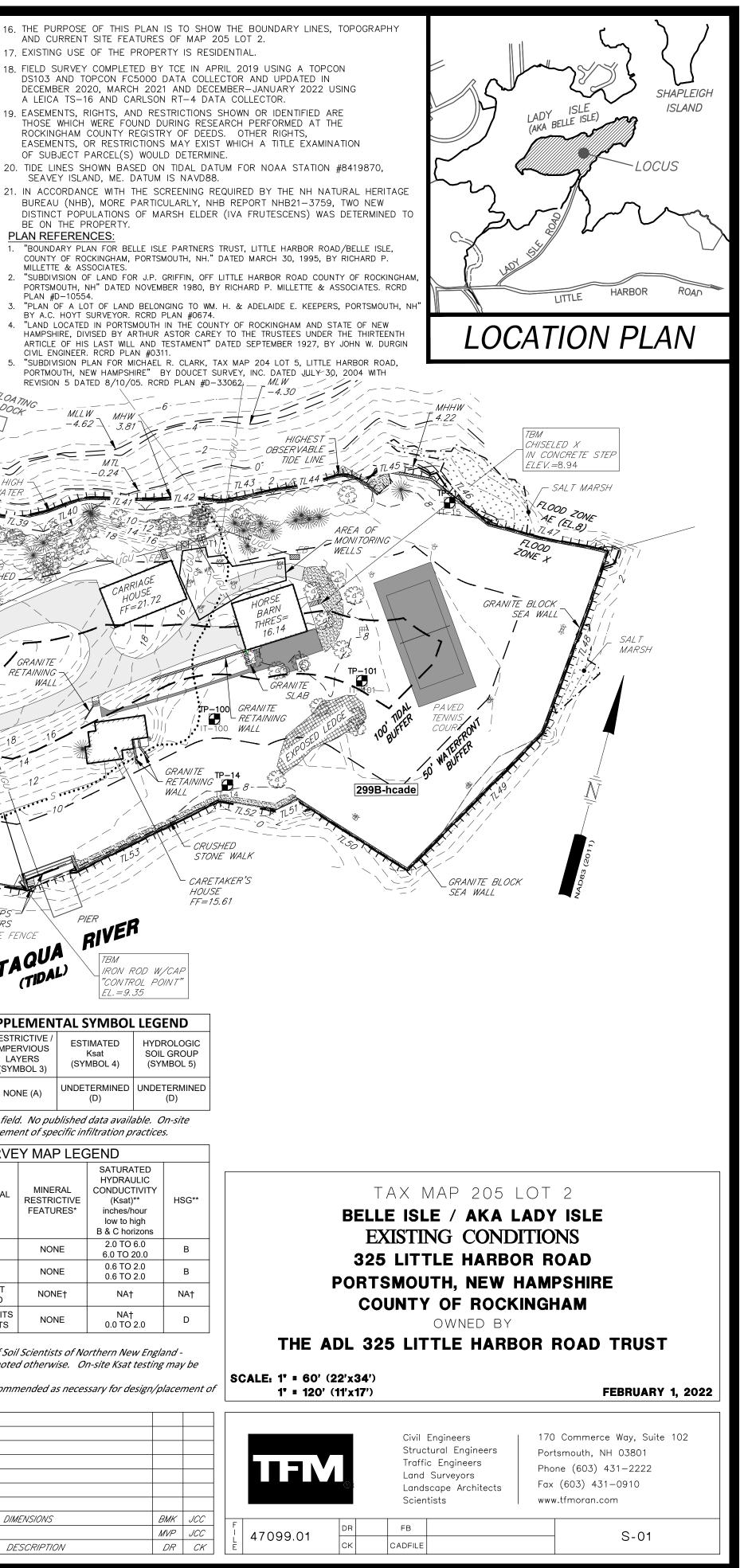
Graphic Scale in Feet

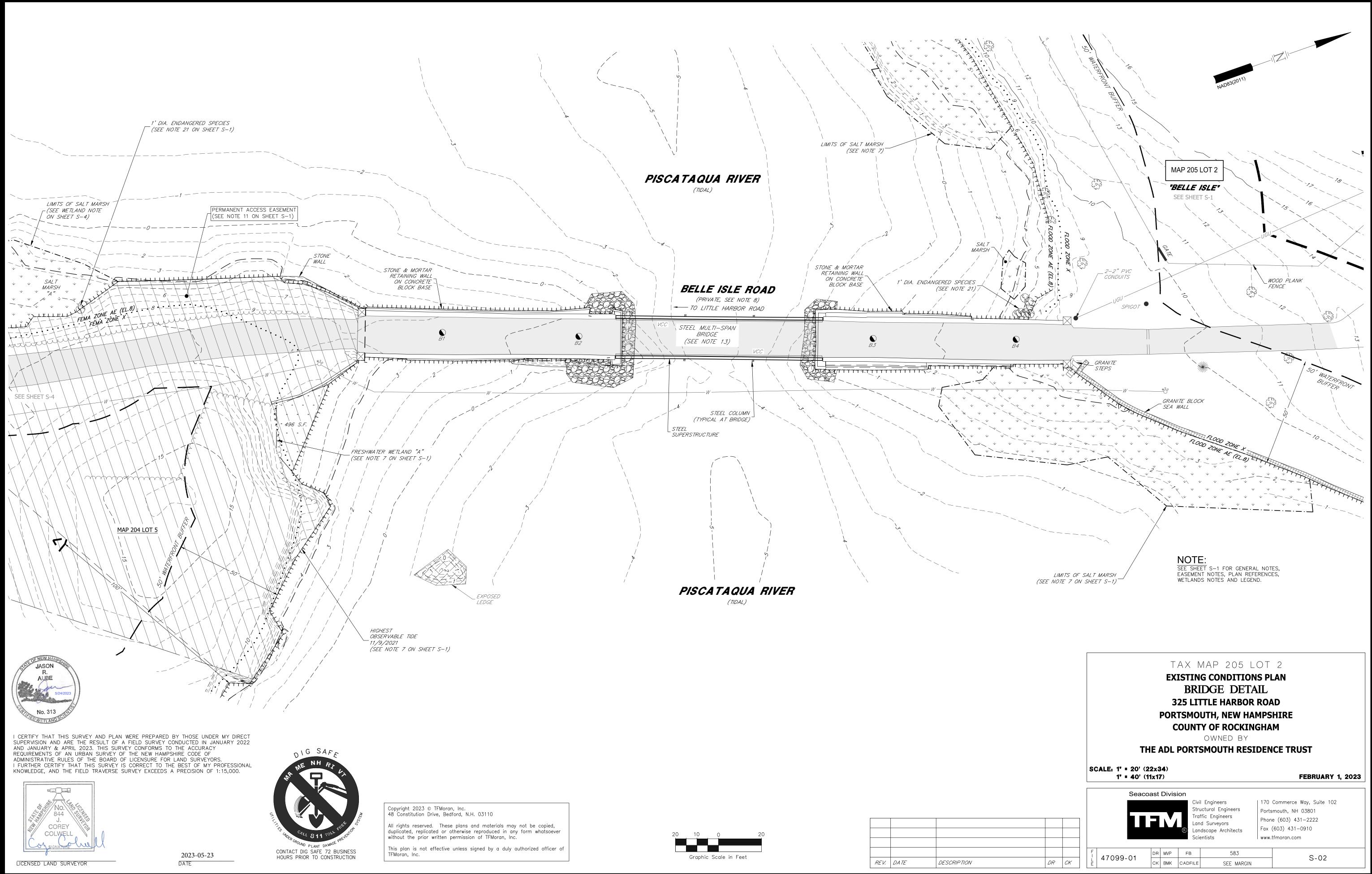
50+

**From Ksat Values for New Hampshire Soils - Society of Soil Scientists of Northern New England -Special Publication Number 5 - September 2009 unless noted otherwise. On-site Ksat testing may be warranted or advisable

tNo published data is available. On-site Ksat testing recommended as necessary for design/placement of specific infiltration practices.

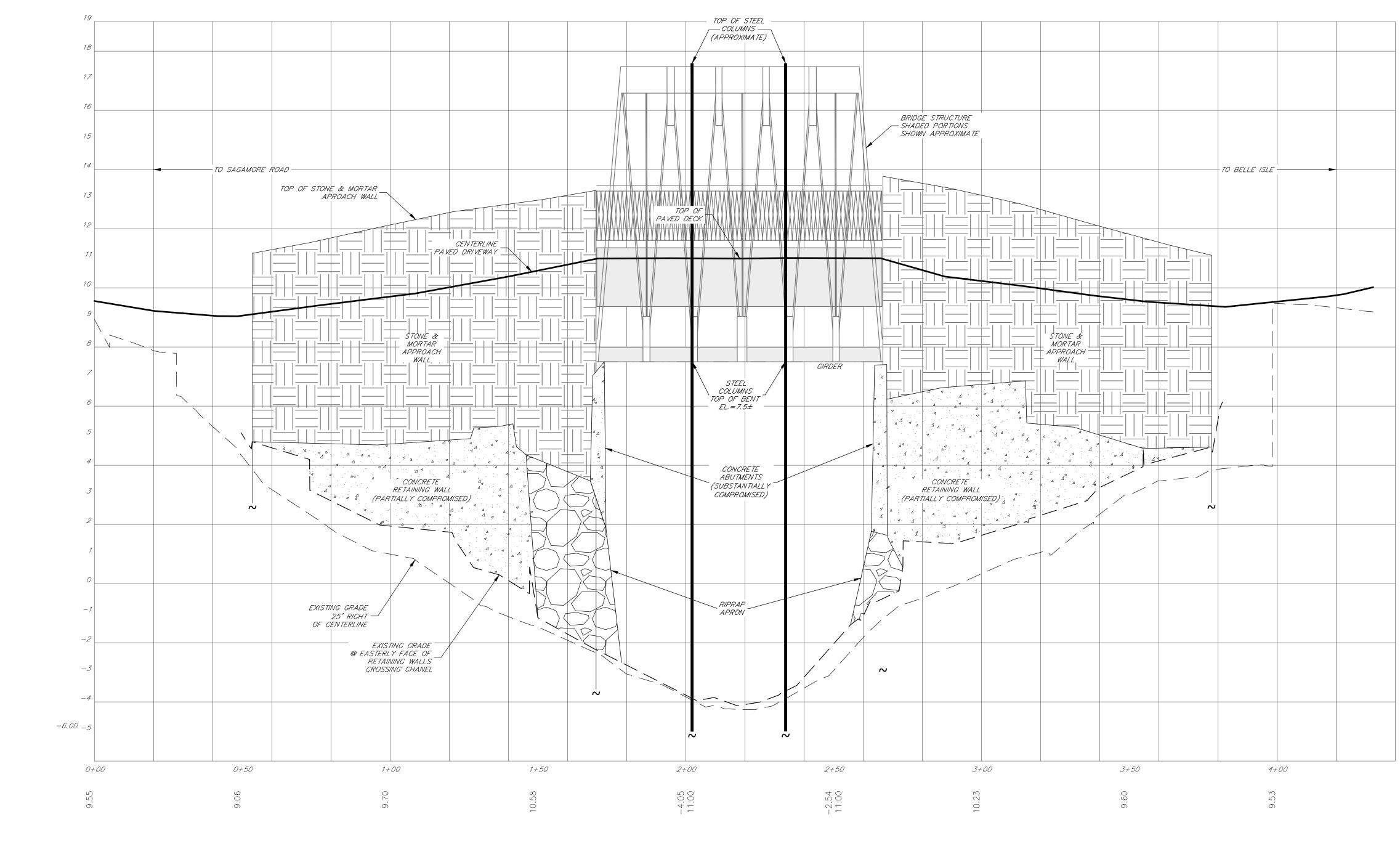
2	4/25/2023	ADDED DOCK/PIER DIMENSIONS
1	9/21/2022	ADDED TEST PITS
REV.	DATE	DESCRIPTION





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tive unless signed by a duly authorized officer of		
	Graphic Scale in Feet	
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REV.	DA TE	DESCRIPTION



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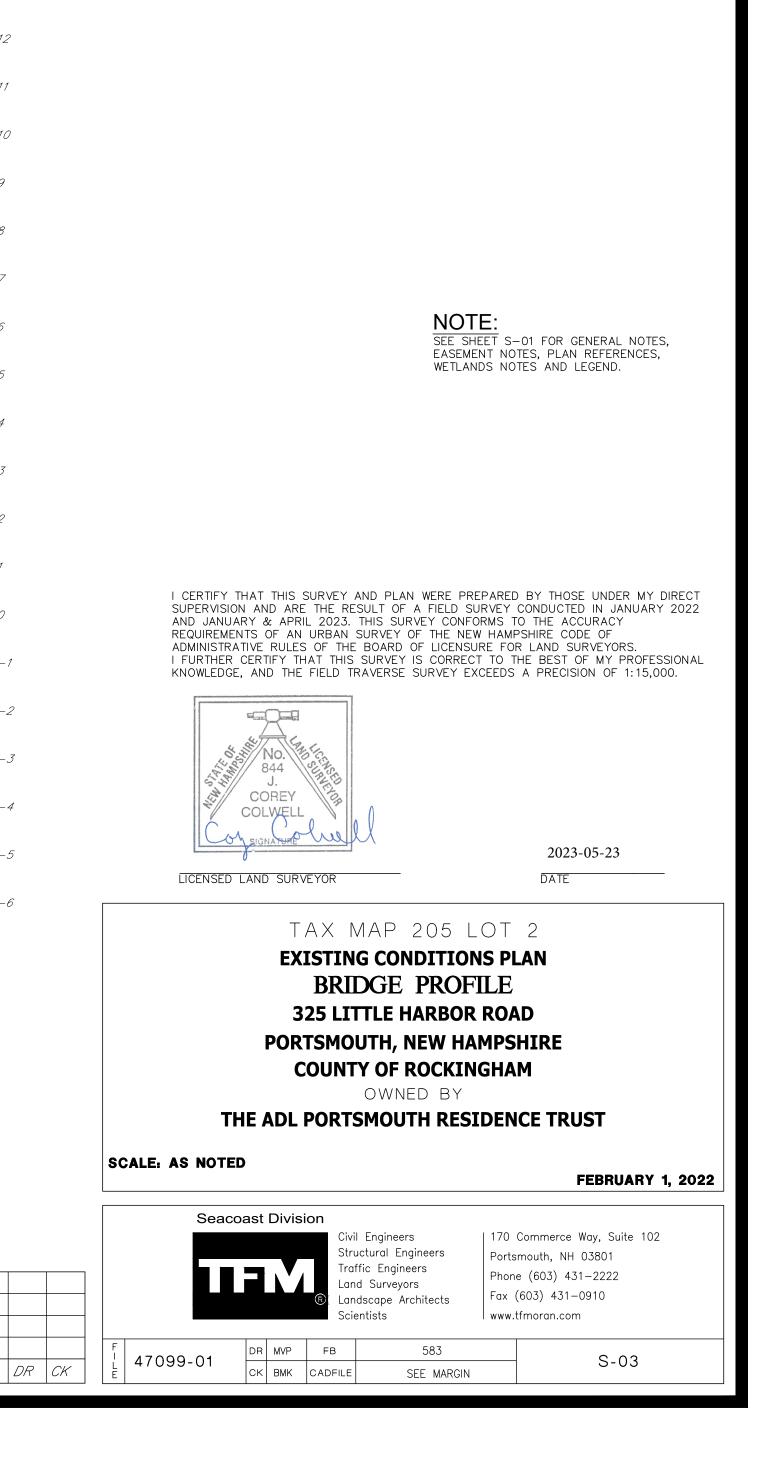
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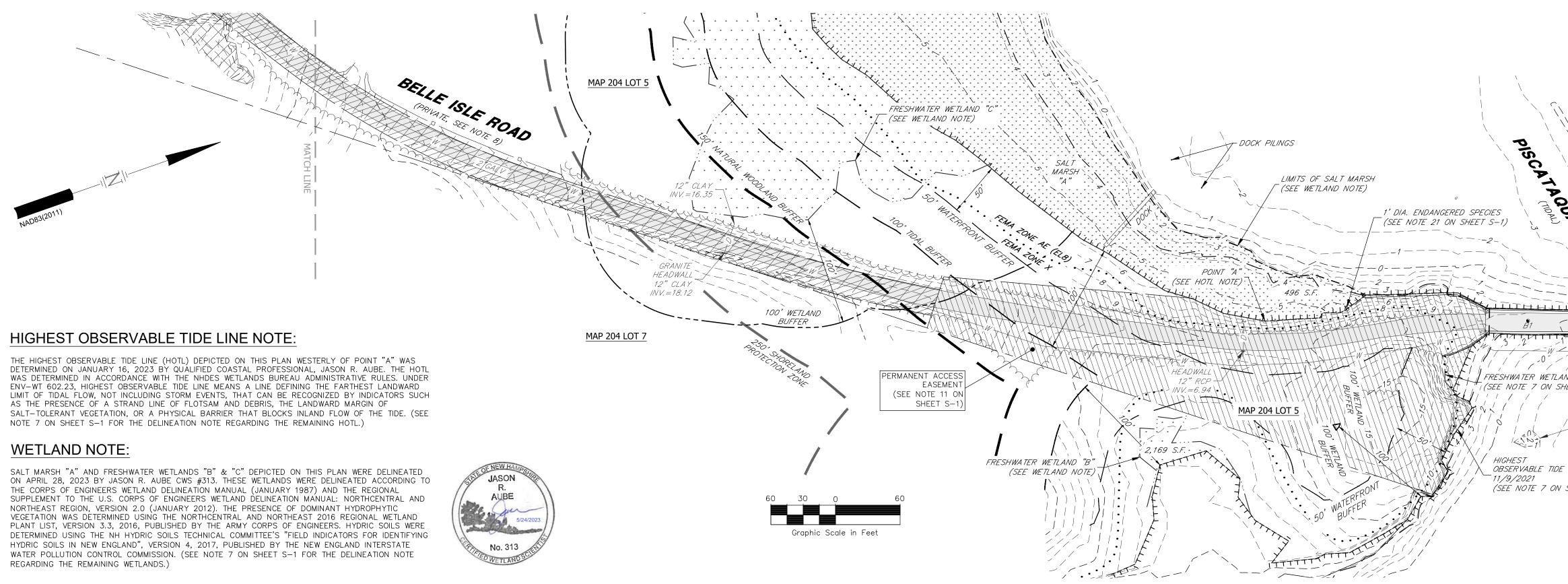
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BRIDGE PROFILE:

1" = 20' HORIZONTAL1" = 2' VERTICAL

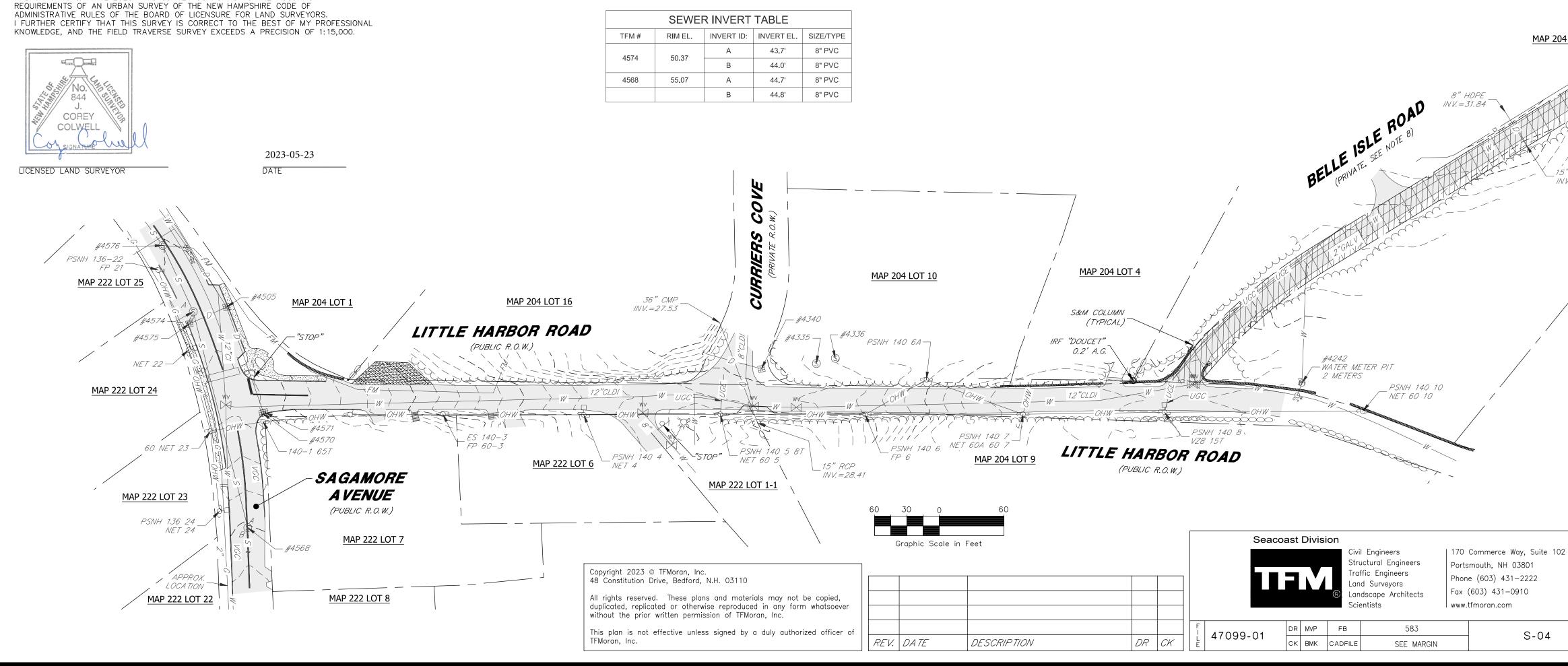
REV. DATE DESCRIPTION	

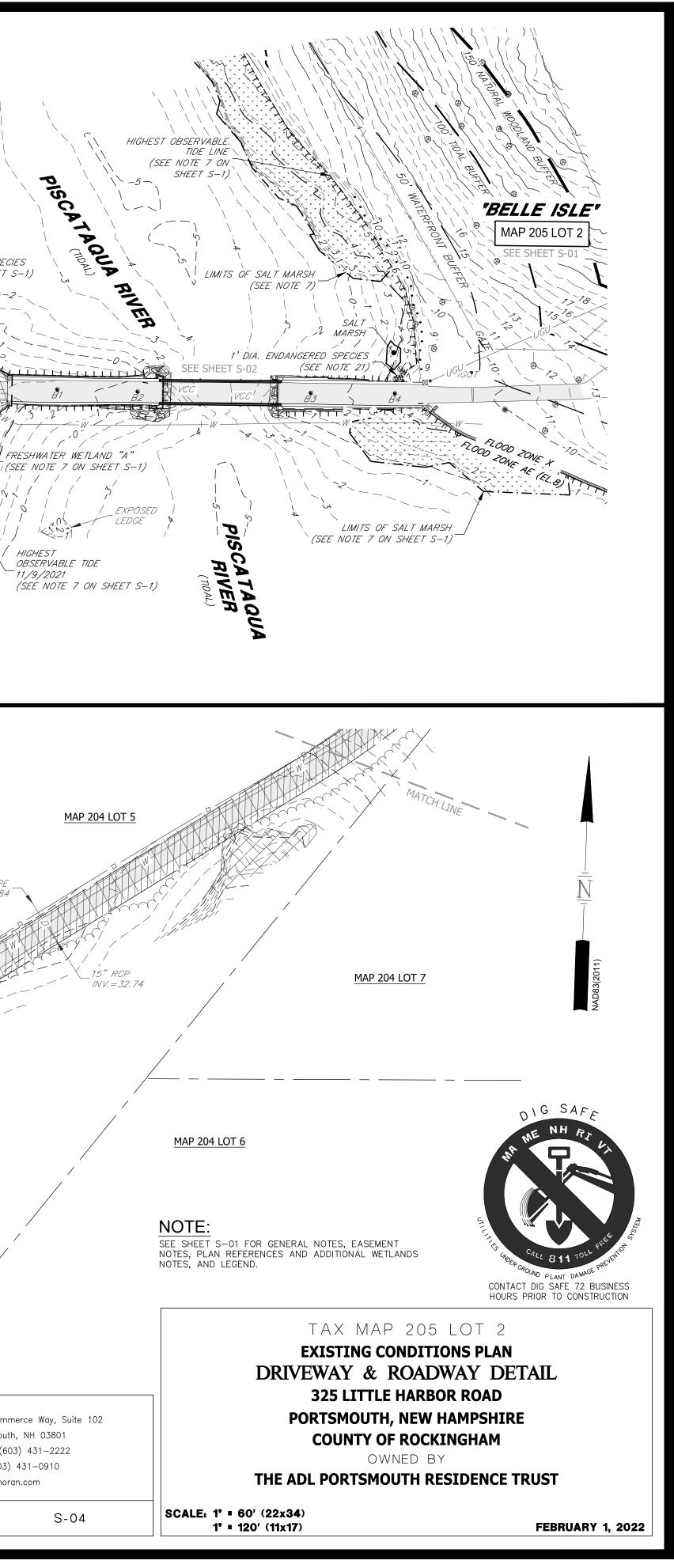






I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY THOSE UNDER MY DIRECT SUPERVISION AND ARE THE RESULT OF A FIELD SURVEY CONDUCTED IN JANUARY 2022 AND JANUARY & APRIL 2023. THIS SURVEY CONFORMS TO THE ACCURACY REQUIREMENTS OF AN URBAN SURVEY OF THE NEW HAMPSHIRE CODE OF







QUALIFIED COSTAL PROFESSIONAL, JASON R. AUBE (CWS #313), USING THE PUBLISHED DATA COMPLETED THE WETLAND FUNCTIONAL ASSESSMENT AND WETLAND CLASSIFICATION.

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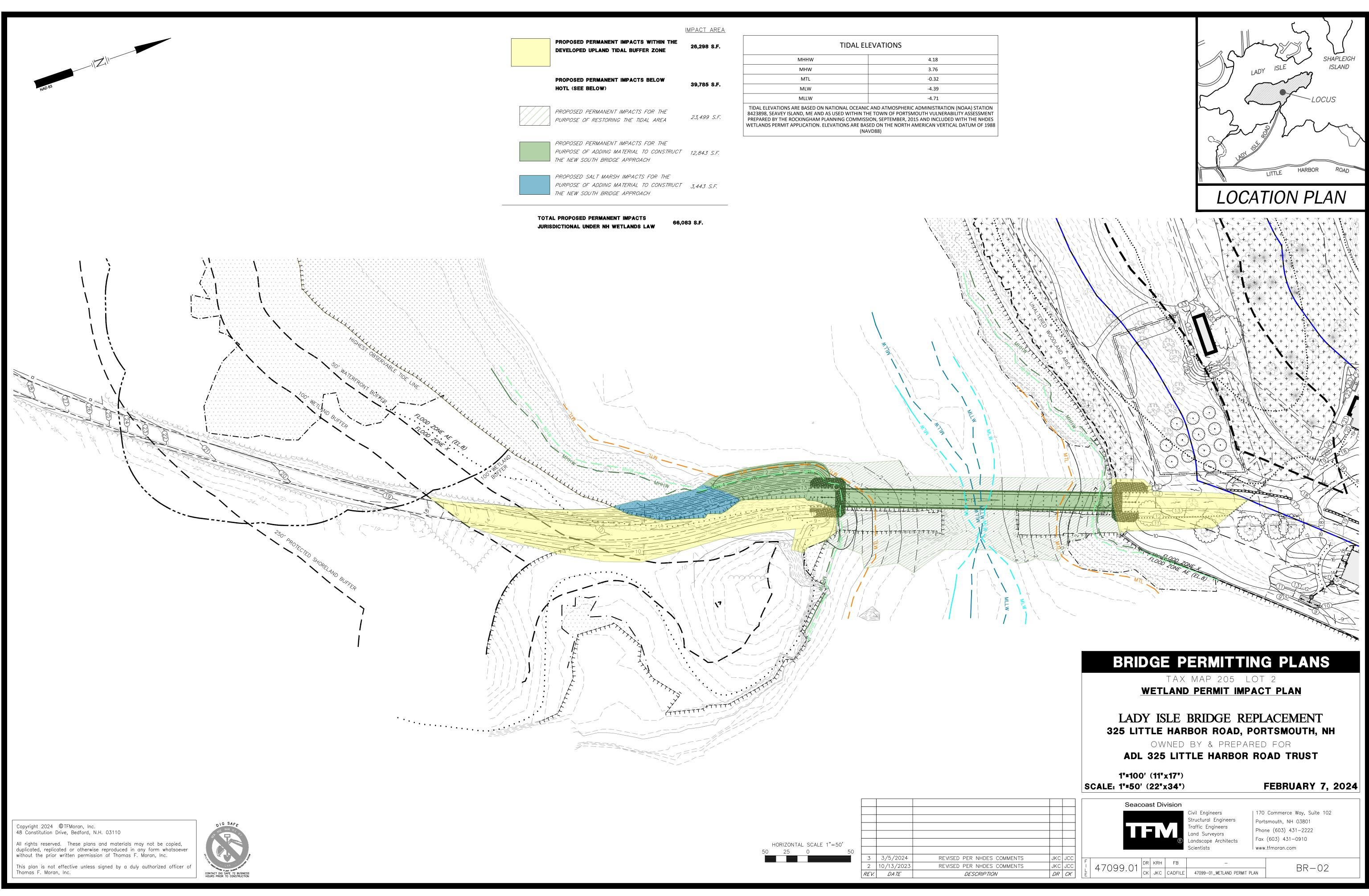
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PF01	PALUSTRINE FORESTED BROAD-LEAVED DECIDUOUS	E2US3M	ESTAURINE INTERTIDAL UNCONSOLIDATED SHORE MUD IRREGULARLY FLOODED
E2EM1P	ESTAURINE INTERTIDAL EMERGENT PERSISTENT IRREGULARLY FLOODED	E2RS1/2N	ESTAURINE INTERTIDAL ROCKY SHORE BEDROCK EUHALINE/EUSALINE REGULARLY FLOODED
E2US1 2N	ESTAURINE INTERTIDAL UNCONSOLIDATED SHORE COBBLE/GRAVEL/SAND REGULARLY FLOODED		

WETLAND CLASSIFICATION

				TAX MAP 205 Wetland Classific	LOT 2
		HORIZON	TAL SCALE 1"=60'	LADY ISLE BRIDGE I 325 LITTLE HARBOR ROAD OWNED BY & PREF ADL 325 LITTLE HARBO 1"=120' (11"x17")	, portsmouth, nh Pared for
		60 30	0 60	SCALE: 1"=60' (22"x34")	FEBRUARY 7, 2024
				Seacoast Division Civil Engineers Structural Engineers Traffic Engineers Land Surveyors Landscape Architects Scientists	170 Commerce Way, Suite 102 Portsmouth, NH 03801 Phone (603) 431-2222 Fax (603) 431-0910 www.tfmoran.com
2 1 <i>REV</i> .	10/13/2023 6/14/2023 DATE	NO REVISIONS THIS SHE ADDITION OF E2US 2N WET <i>DESCRIPTION</i>		F 47099.01 DR KRH FB -	BR-01

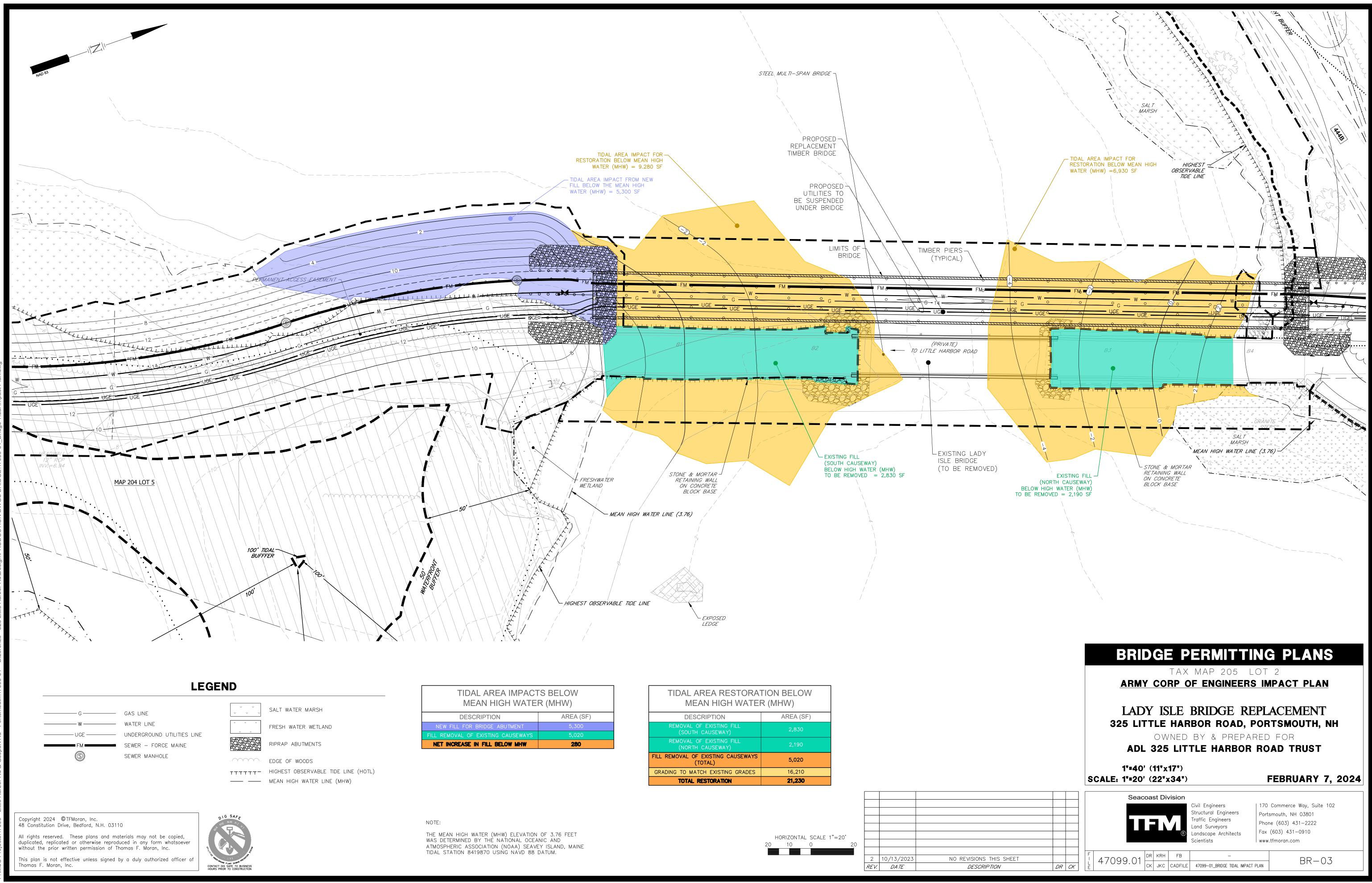


PROPOSED PERMANENT IMPACTS WITHIN THE Developed upland tidal buffer zone	26,298 S.F.
PROPOSED PERMANENT IMPACTS BELOW Hotl (See Below)	39,785 S.F.
PROPOSED PERMANENT IMPACTS FOR THE PURPOSE OF RESTORING THE TIDAL AREA	23,499 S.F.



TIDAL ELEVATIONS			
МННЖ	4.18		
MHW	3.76		
MTL	-0.32		
MLW -4.39			
MLLW -4.71			
TIDAL ELEVATIONS ARE BASED ON NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) STATION			

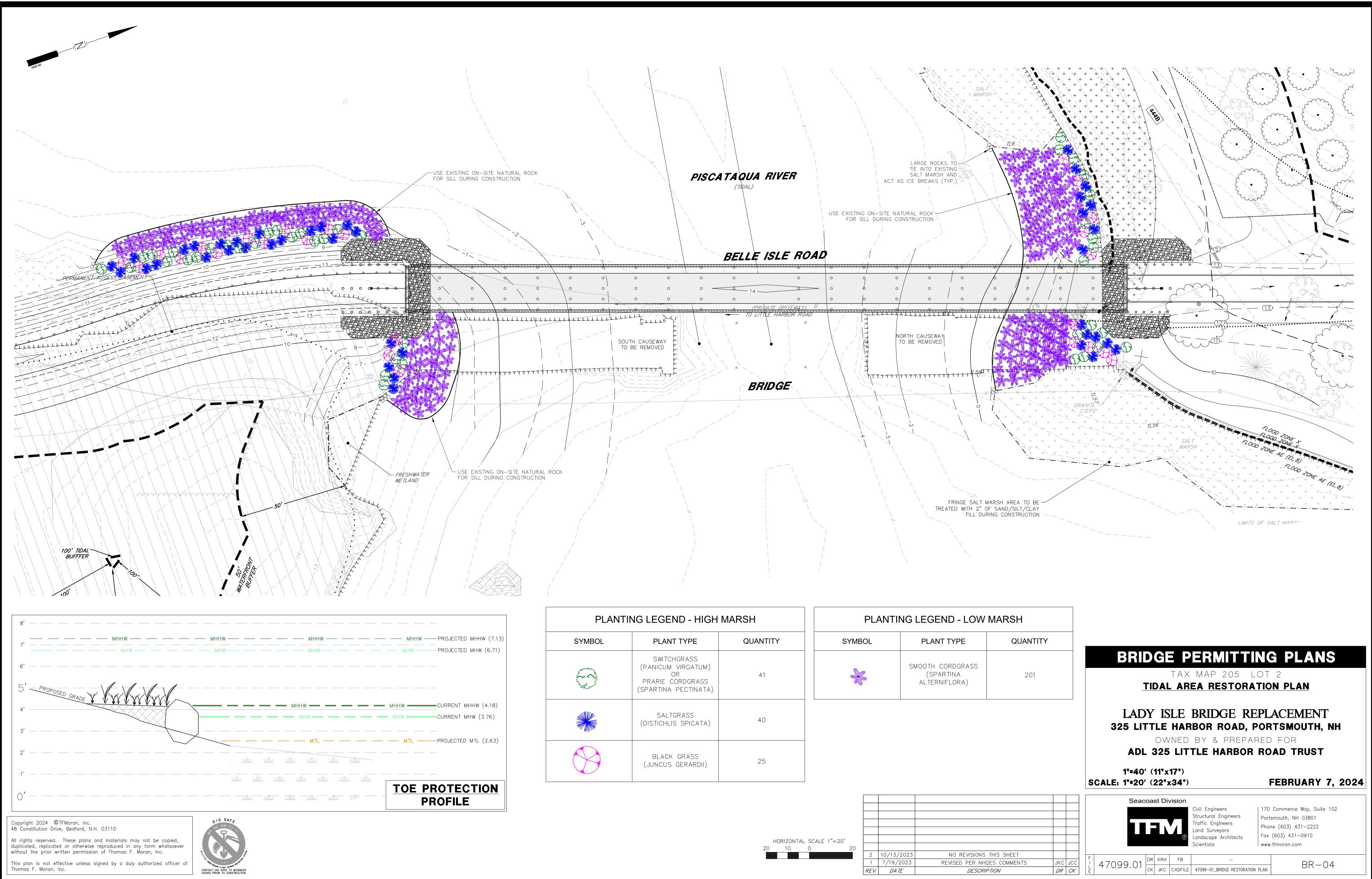
50'				
	50			
		3	3/5/2024	REVISED PER NHDES COMME
		2	10/13/2023	REVISED PER NHDES COMME
		REV.	DA TE	DESCRIPTION



AREA IMPACTS BELOW I HIGH WATER (MHW) PTION AREA (SF)		
DGE ABUTMENT	5,300	
STING CAUSEWAYS	5,020	
ILL BELOW MHW	280	

TIDAL AREA RESTORA MEAN HIGH WATER	
DESCRIPTION	AREA (SF)
REMOVAL OF EXISTING FILL (SOUTH CAUSEWAY)	2,830
REMOVAL OF EXISTING FILL (NORTH CAUSEWAY)	2,190
FILL REMOVAL OF EXISTING CAUSEWAYS (TOTAL)	5,020
GRADING TO MATCH EXISTING GRADES	16,210
TOTAL RESTORATION	21,230

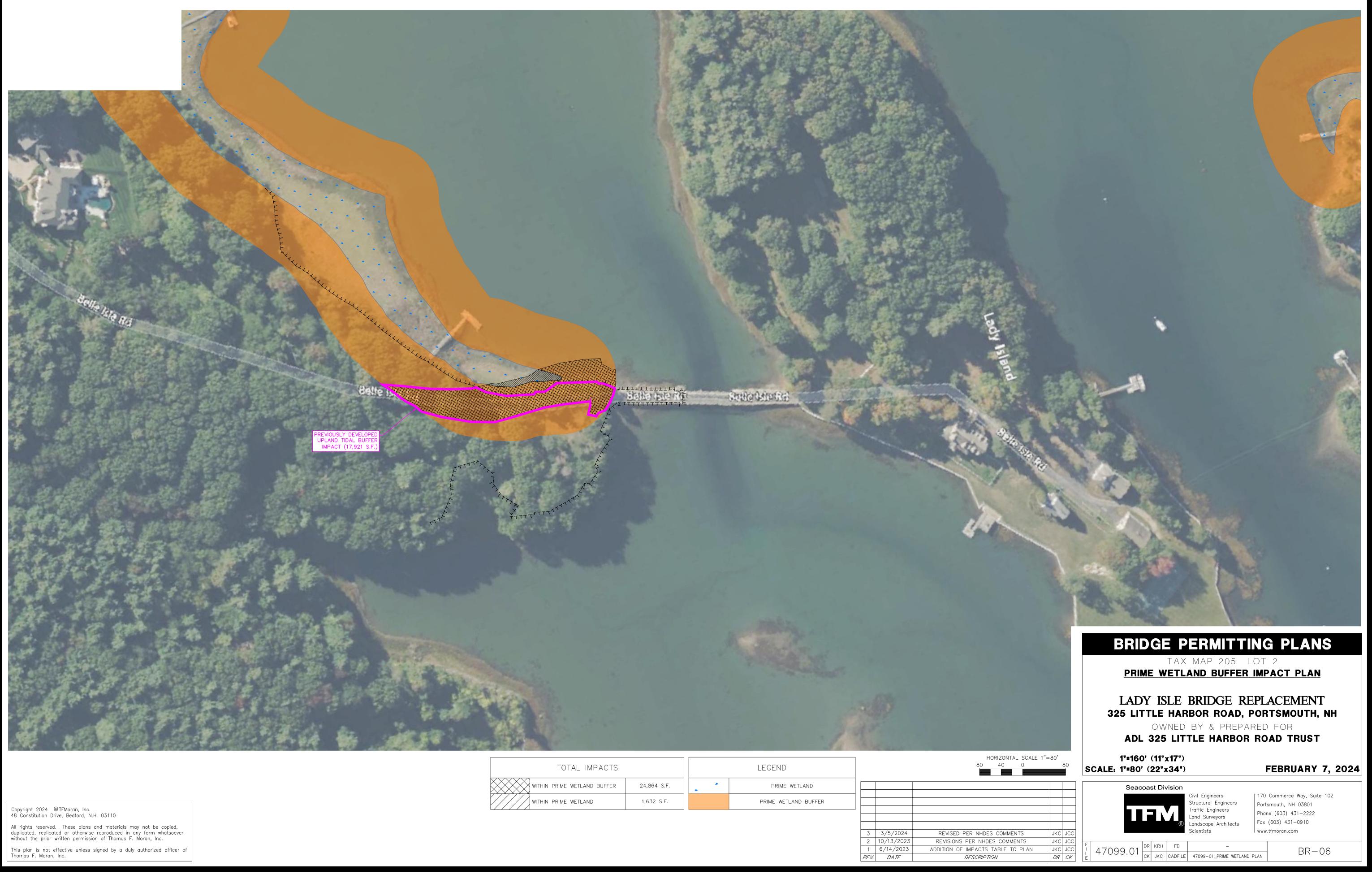
2	10/13/2023 <i>DATE</i>	NO REVISIONS THIS SHEET
REV.	DA TE	DESCRIPTION



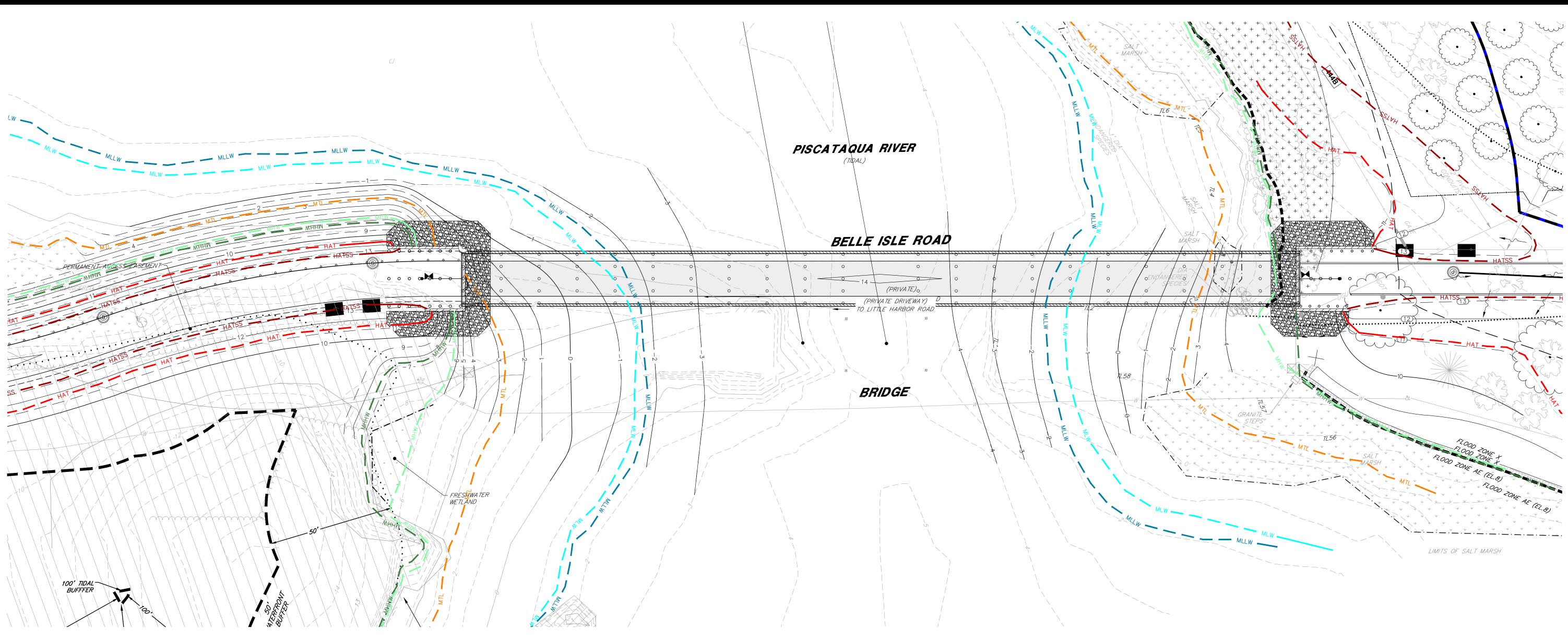
PLAN	PLANTING LEGEND - HIGH MARSH		
SYMBOL	PLANT TYPE	QUANTITY	
	SWITCHGRASS (PANICUM VIRGATUM) OR PRARIE CORDGRASS (SPARTINA PECTINATA)	41	
	SALTGRASS (DISTICHLIS SPICATA)	40	
	BLACK GRASS (JUNCUS GERARDII)	25	

PLANTI	NG LEGEND - LOW	MAR5H
SYMBOL	PLANT TYPE	QUA
	SMOOTH CORDGRASS (SPARTINA ALTERNIFLORA)	

20			
	2	10/13/2023	NO REVISIONS THIS SHEET
	1	7/19/2023	REVISED PER NHDES COMMEN
	REV.	DA TE	DESCRIP TION

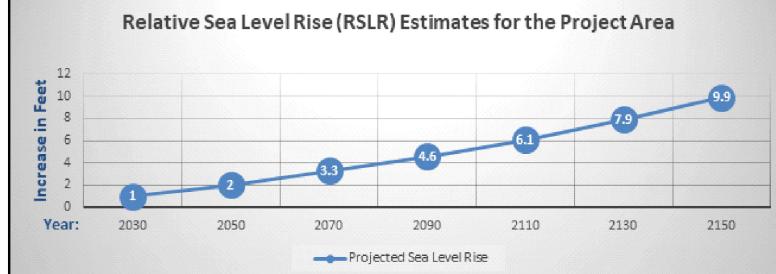


TOTAL IMPACTS			LEGEND			
WITHIN PRIME WETLAND BUFFER	24,864 S.F.	لو لو	PRIME WETLAND			
WITHIN PRIME WETLAND	1,632 S.F.		PRIME WETLAND BUFFER			
				3	3/5/2024	REVISED PER NHDES COMMEN
				2	10/13/2023	REVISIONS PER NHDES COMME
				1	6/14/2023	ADDITION OF IMPACTS TABLE TO



TIDAL ELEVATIONS						
	2022	2100(PROJECTED)				
HAT	5.87	11.22	HAT			
HAT + SS	7.87	13.22	HATSS			
MHHW	4.18	7.13	MHW			
MHW	3.76	6.71	——————————————————————————————————————			
MTL	-0.32	2.63	мл мл			
MLW	-4.39	-1.44				
MLLW	-4.71	-1.76	MLLW			
TIDAL ELEVATIONS ARE BASED ON	I NATIONAL OCEANIC AN	D ATMOSPHERIC ADMIN	IISTRATION (NOAA) STATION			

^{8423898,} SEAVEY ISLAND, ME AND AS USED WITHIN THE CITY OF PORTSMOUTH VULNERABILITY ASSESSMENT PREPARED BY THE ROCKINGHAM PLANNING COMMISSION, SEPTEMBER, 2015 AND INCLUDED WITH THE NHDES WETLANDS PERMIT APPLICATION. ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)



(RCP) 4.5 AND A LOW TOLERANCE FOR FLOOD RISK

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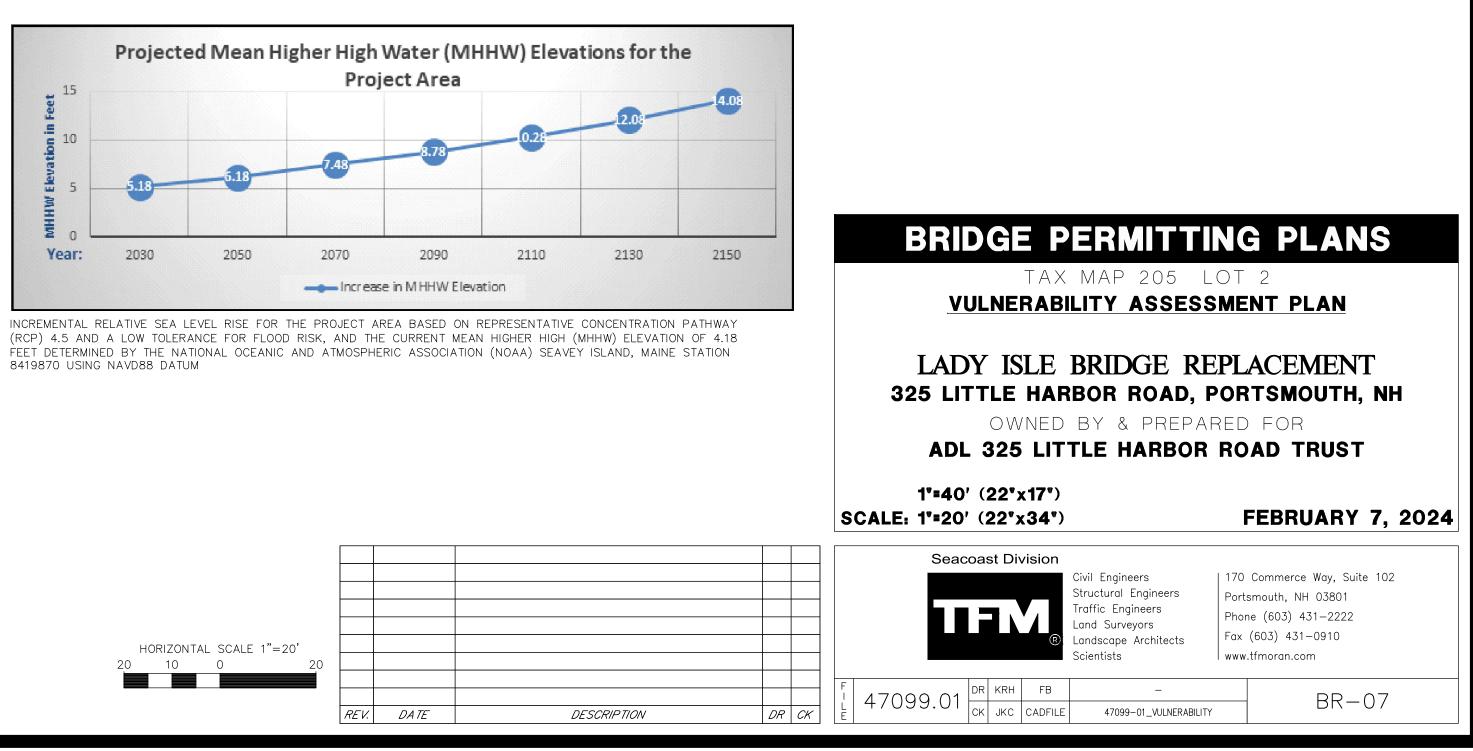
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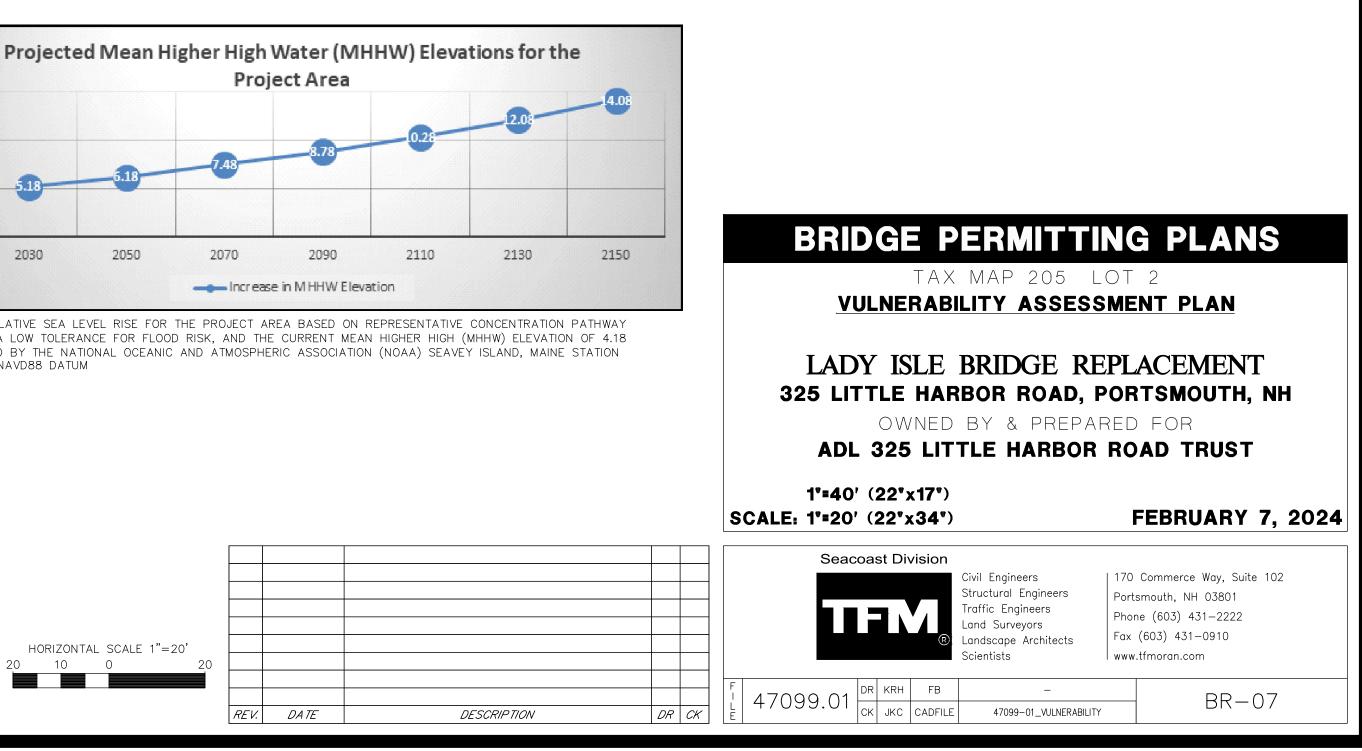
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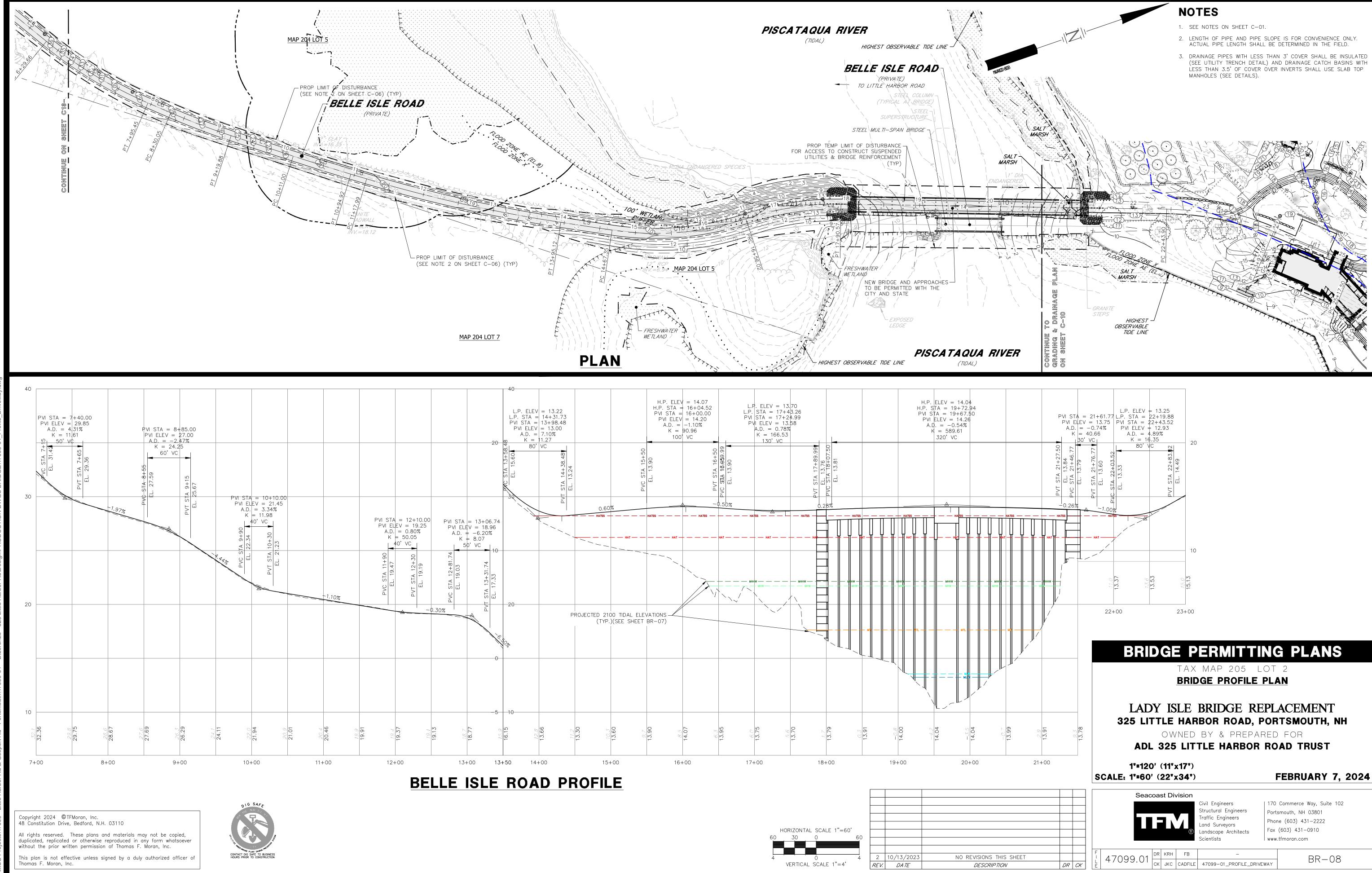


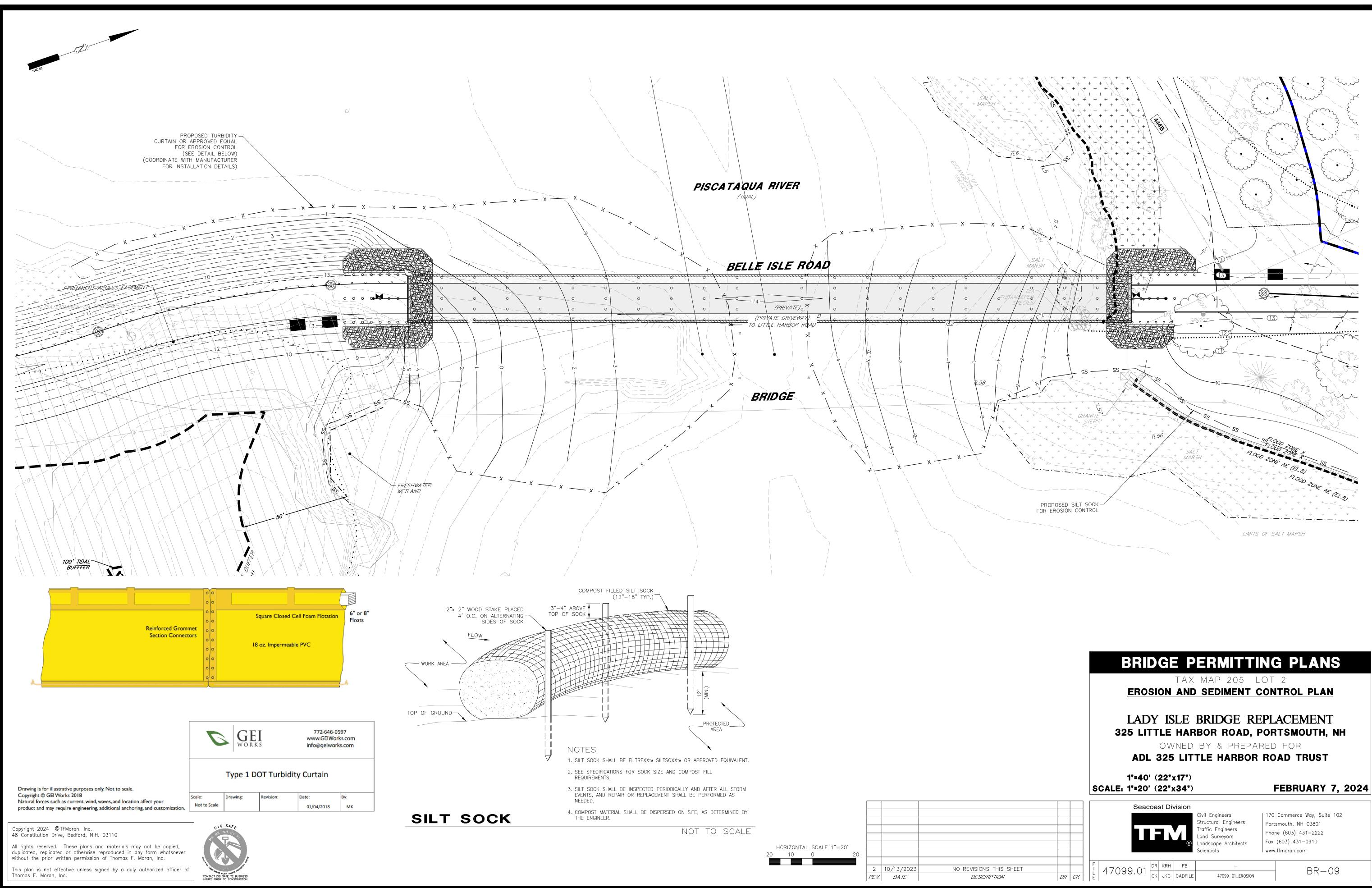
INCREMENTAL RELATIVE SEA LEVEL RISE FOR THE PROJECT AREA BASED ON REPRESENTATIVE CONCENTRATION PATHWAY

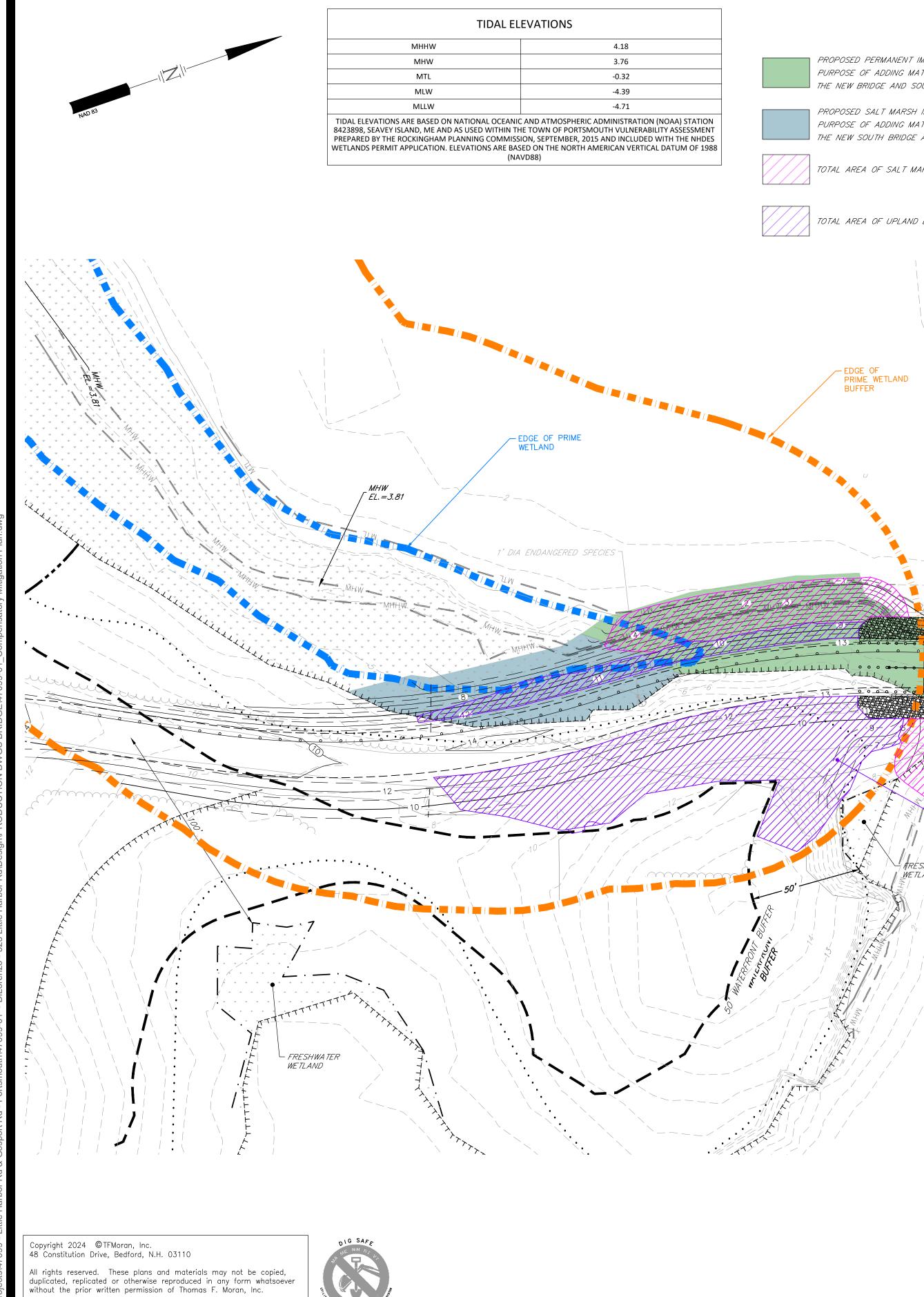


8419870 USING NAVD88 DATUM









CONTACT DIG SAFE 72 BUSINESS HOURS PRIOR TO CONSTRUCTION

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Thomas F. Moran, Inc.

	IMPACT	AREA
--	--------	------

TOTAL IMPAC	TS*
WITHIN PRIME WETLAND BUFFER	24,864 S.F.
WITHIN PRIME WETLAND	1,632 S.F.
*SEE PRIME WETLAND BLIEFER IMPA	CT PLAN FOR MORE

THE NEW BRIDGE AND SOUTH BRIDGE APPROACH

PURPOSE OF ADDING MATERIAL TO CONSTRUCT 12,605 S.F.

PROPOSED SALT MARSH IMPACTS FOR THE

TOTAL AREA OF SALT MARSH RESTORATION 7,491 S.F.

TOTAL AREA OF UPLAND BUFFER RESTORATION ~21,000 S.F.

THE NEW SOUTH BRIDGE APPROACH

PURPOSE OF ADDING MATERIAL TO CONSTRUCT 3,443 S.F.

SEE PRIME WETLAND BUFFER IMPACT PLAN FOR MORE INFORMATION (BR-08)

EDGE OF PRIME WETLAND AREA OF SALT MARSH RESTORATION (TYP.) -(SEE SHEET BR-04 FOR MORE DETAILS) 0 0 0 00 <u>₩</u> ┊╫┰╤┍╷╽┍┯╤┯┯┼┲┲

HORIZONTAL SCALE 1"=20'				
10 0	20			
		3	7/3/2024	REVISED PER DES COMMENT
		2	10/13/2023	PLAN ADDED TO PERMITTING
		REV.	DA TE	DESCRIPTION

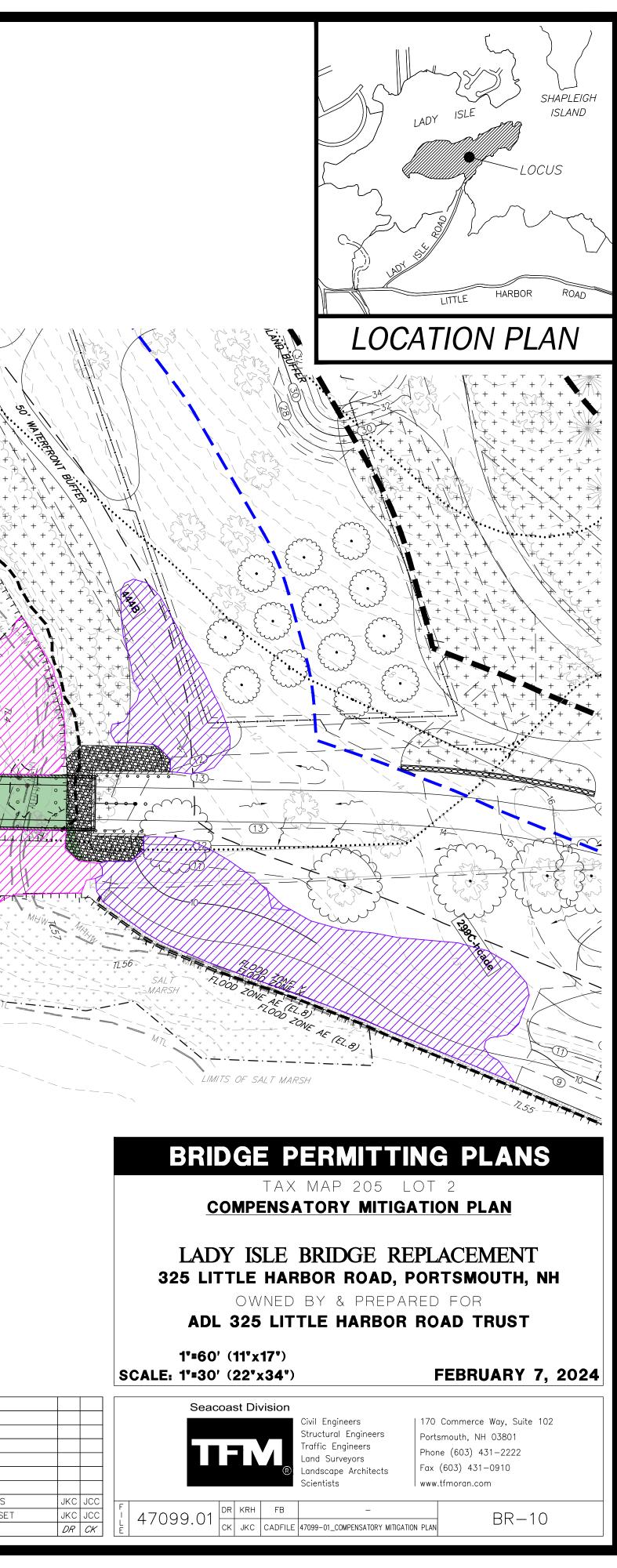
- AREA OF UPLAND BUFFER RESTORATION (TYP.) (SEE SHEET L1.0 FOR MORE DETAILS)

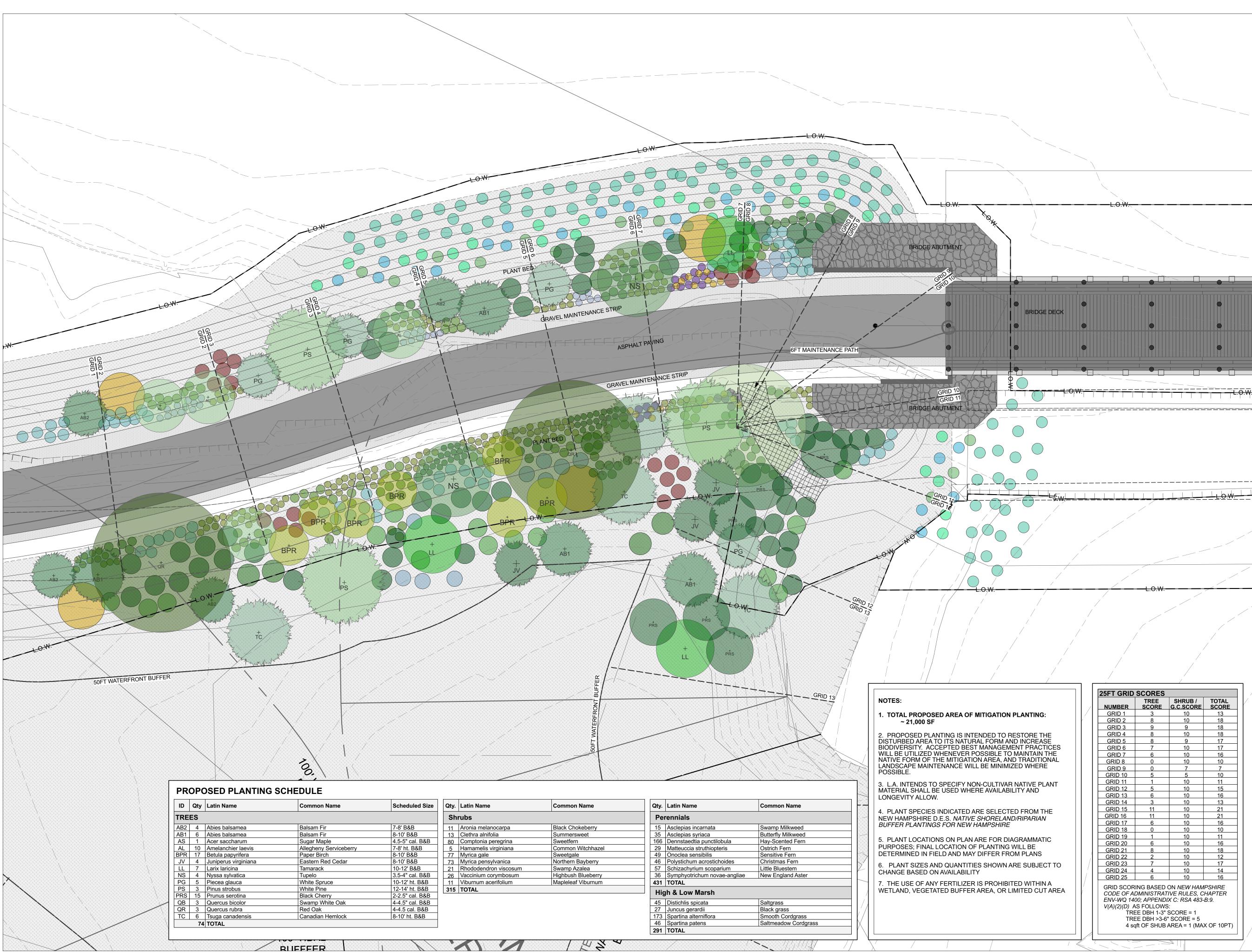
EXPOSEL LEDGE

PROPOSED PERMANENT IMPACTS FOR THE

FRESHWATER

WETLAND





5	
nia melanocarpa	Black Chokeberry
thra alnifolia	Summersweet
nptonia peregrina	Sweetfern
namelis virginiana	Common Witchhazel
ica gale	Sweetgale
ica pensylvanica	Northern Bayberry
ododendron viscosum	Swamp Azalea
cinium corymbosum	Highbush Blueberry
urnum acerifolium	Mapleleaf Viburnum
ΓAL.	

Qty.	Latin Name	Common Name
Pe	rennials	
15	Asclepias incarnata	Swamp Milkweed
35	Asclepias syriaca	Butterfly Milkweed
166	Dennstaedtia punctilobula	Hay-Scented Fern
29	Matteuccia struthiopteris	Ostrich Fern
49	Onoclea sensibilis	Sensitive Fern
46	Polystichum acrostichoides	Christmas Fern
57	Schizachyrium scoparium	Little Bluestem
36	Symphyotrichum novae-angliae	New England Aster
431	TOTAL	
Hig	gh & Low Marsh	
45	Distichlis spicata	Saltgrass
27	Juncus gerardii	Black grass
173	Spartina alterniflora	Smooth Cordgrass
46	Spartina patens	Saltmeadow Cordgrass
291	TOTAL	

Lady Isle

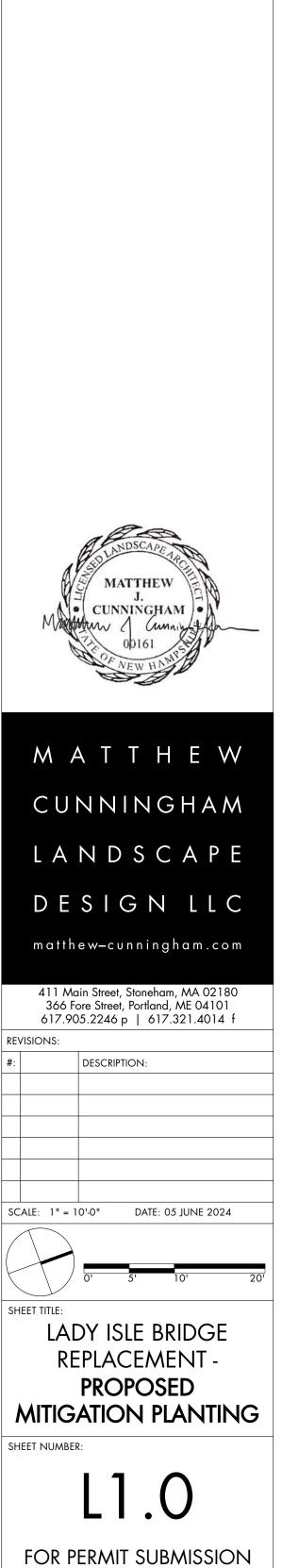
325 Little Harbor Road, Portsmouth NH

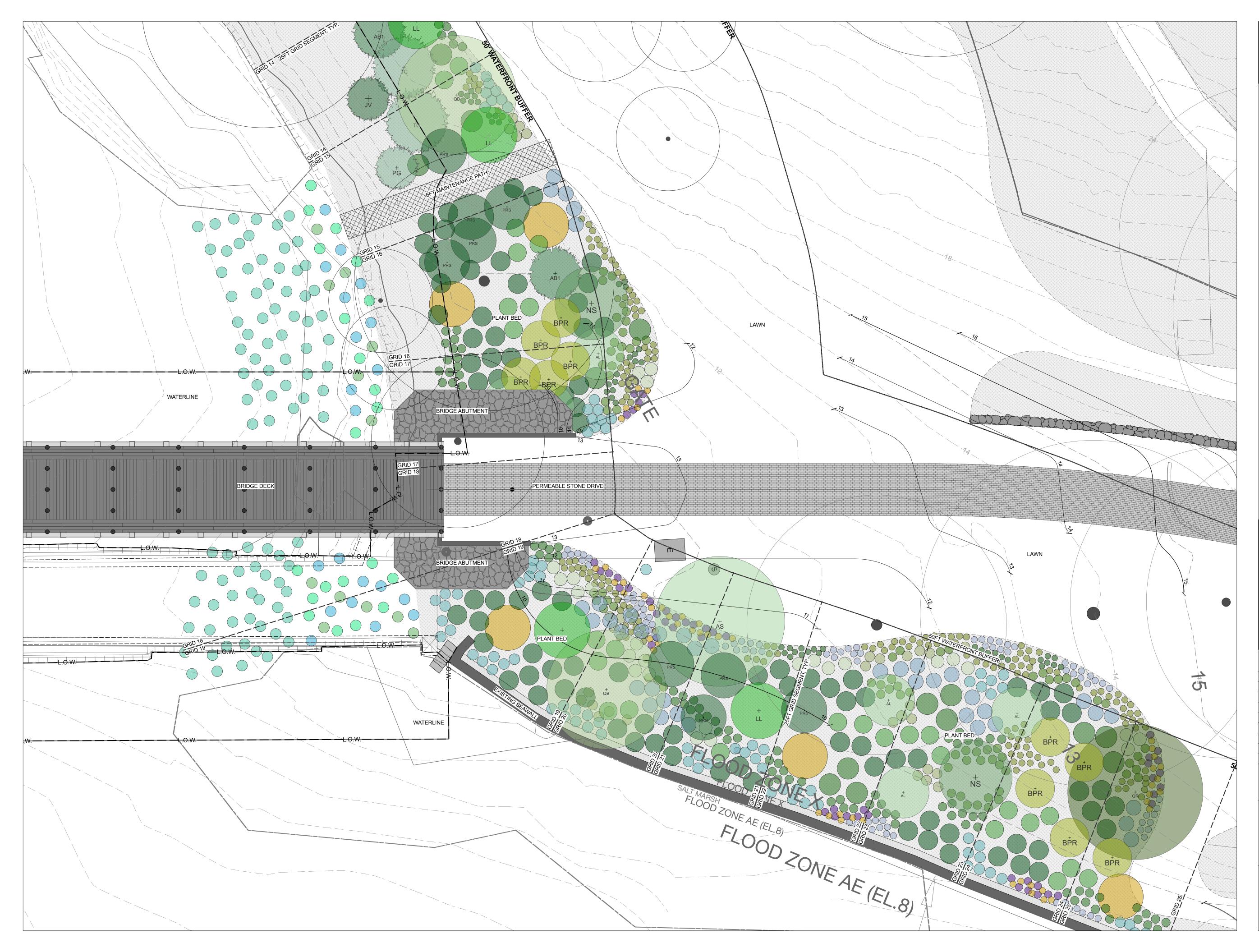
General Notes:

1. Existing conditions and topographic data are from a site plan of land dated March 2, 2021; prepared by: Thomas F. Moran Inc., 170 Commerce Way, Suite 102, Portsmouth, NH, 03801 - Tel: (603) 431.2222

2. Existing conditions supplemented from data collected by: Matthew Cunningham Landscape Design LLC, 411 Main Street, Stoneham, MA 02180 - Tel: (617) 905.2246

3. Do not scale drawings.





Lady Isle

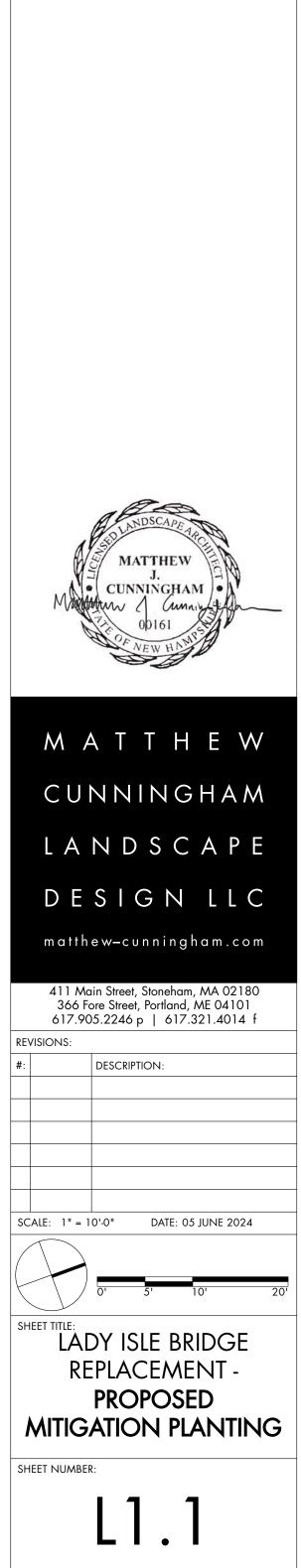
325 Little Harbor Road, Portsmouth NH

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2. Existing conditions supplemented from data collected by: Matthew Cunningham Landscape Design LLC, 411 Main Street, Stoneham, MA 02180 - Tel: (617) 905.2246

3. Do not scale drawings.



FOR PERMIT SUBMISSION

SECTION 7



Civil Engineers Structural Engineers Traffic Engineers Land Surveyors Landscape Architects Scientists



WORK SEQUENCE NARRATIVE FOR LAND-BASED IMPACTS Env-Wt 311.06 (d)

1.) At least 48-hours prior to commencing the construction activities, the property owner will notify NHDES via the *Initiation of Construction Notification Form*.

2.) Prior to construction, silt socks barrier will be installed at the limits of the approved impact area.

3.) Once installed, a *Certified Professional in Erosion and Sediment Controls* (CPESC) will inspect the erosion and siltation control devices.

4.) The erosion and siltation control devices will be monitored, inspected, and adjusted as required throughout the duration of the project as required.

5.) Construction equipment will be inspected daily for leaking fuel, oil, and hydraulic fluid, and, if necessary, repairs will be made immediately.

6.) Contractors responsible for operating construction equipment will have adequate oil spill kits on site and readily accessible during construction and they will be trained in deploying this equipment should it be required.

7.) Construction activities will occur as described within the construction details on the approved plans and as conditioned by NHDES.

8.) Upon project completion, exposed soils will be seeded and watered as needed.

9.) Upon completing the project, the property owner, or their agent, will notify NHDES via the *Completion of Construction Notice and Certificate of Compliance Form*.

10.) Once the site is stable, the erosion and siltation control devices will be removed.





Civil Engineers Structural Engineers Traffic Engineers Land Surveyors Landscape Architects Scientists



WORK SEQUENCE NARRATIVE FOR PROPOSED BRIDGE Env-Wt 311.06 (d)

1.) At least 48-hours prior to commencing the construction activities, the property owner will notify NHDES via the *Initiation of Construction Notification Form*.

2.) Prior to construction, silt sock barriers will be installed at the limits of the approved impact areas.

3.) Turbidity curtains will be installed around the perimeter of the proposed new bridge approach impact areas.

4.) Once installed, a *Certified Professional in Erosion and Sediment Controls* (CPESC) will inspect the erosion and siltation control devices.

5.) The erosion and siltation control devices will be monitored, inspected, and adjusted as required throughout the duration of the project as required.

6.) To the greatest extent possible, bridge approach construction will be conducted during low tide.

7.) Construction equipment will be inspected daily for leaking fuel, oil, and hydraulic fluid, and, if necessary, repairs will be made immediately.

8.) Contractors responsible for operating construction equipment will have adequate oil spill kits on site and readily accessible during construction and they will be trained in deploying this equipment should it be required.

9.) Construction activities will occur as described within the construction details on the approved plans, as conditioned by NHDES, and those provided by the bridge designer, York Bridge Concepts (YBC), included with this work sequence narrative.

10.) Upon project completion, exposed soil adjacent to the new bridge approaches will be seeded and watered as needed.

11.) Upon completing the project, the property owner, or their agent, will notify NHDES via the *Completion of Construction Notice and Certificate of Compliance Form*.

12.) Once the site is stable, the erosion and siltation control devices will be removed.





Civil Engineers Structural Engineers Traffic Engineers Land Surveyors Landscape Architects Scientists



SALT MARSH RESTORATION WORK SEQUENCE NARRATIVE

- 1. Upon completing the causeway removal and intertidal area regrading, and after 6-months of natural sediment migration and tidal exposure, the salt marsh restoration will commence provided the natural tidal hydrodynamics have returned and the site is sufficiently stable. If more time is required to achieve hydrodynamic stability, the salt marsh restoration will commence at the beginning of the next growing season.
- 2. The fringe salt marsh areas on the northeast, northwest, southeast, and southwest sides of the bridge will be restored. Each salt marsh area to be restored includes *Low Marsh* and *High Marsh* zones. Low Marsh exists between Mean Low Water (MLW) and Mean High Water (MHW). High Marsh exists between Mean High Water (MHW) and the landward limit of extreme high tides. These areas will be planted according to inundation frequency and soil saturation, structure, and chemistry requirements.
- 3. Prior to the initial causeway removal process, the small population of Glasswort (*Salicornia europaea*) that currently exists on the northwestern side of the bridge will be transplanted to another location on site with similar inundation frequency, soil structure, and chemistry. Small portions of soil surrounding the roots of the plants will also be transported to better preserve the roots. The Glasswort will remain in the transplanted location until construction is complete and salt marsh restoration activities commence. Once restoration activities commence, the Glasswort will be moved back to the original location and incorporated with the new plantings.
- 4. During the causeway removal process, materials and soil will be distributed to the restoration areas. To the greatest extent possible, the soil's organic content and grain size will match that of the neighboring fringe salt marsh areas. Fill in Low Marsh zones will be predominantly sand-silt-clay and fill in High Marsh zones will be silt-clay-organic matter.
- 5. The fringe salt marsh area that borders the sea wall on the northeast side of the bridge will not be planted, but 1-2 inches of fill (sand-silt-clay) will be applied to encourage future growth.
- 6. The natural rocks on-site will be utilized to construct sills around the areas to be planted on the northwest, southeast, and southwest sides of the bridge. These areas will also be sculpted to accommodate future salt marsh migration.



- 7. Hardy grasses that are well-adapted to sandy, low nutrient soils were chosen for the plantings.
- 8. Prior to planting activities, any tree limbs that overhang the salt marsh areas to be restored will be removed.
- 9. Restoration activities will commence at low tide. Low Marsh zones will be planted with Smooth Cordgrass (*Spartina alterniflora*) in accordance with the restoration plan. Individual plugs of Smooth Cordgrass will be planted with 8-inch centers.
- 10. High Marsh zones will be planted with Saltgrass (*Distichlis spicata*), Black Grass (*Juncus gerardii*), Switchgrass (*Panicum virgatum*) and Prairie Cordgrass (*Spartina pectinata*). The same planting density will be applied to the High Marsh zone.
- 11. After the planting process is complete, the previously-constructed sills may be fortified with additional natural rocks if deemed necessary.
- 12. The Upland Tidal Buffer zone will also be replanted but predominantly with shrubs. The chosen shrubs will not shade out the salt marsh grasses.
- 13. Within 1-week of completing the salt marsh restoration, a monitoring report will be submitted to NHDES. Annually, for **five** years, subsequent monitoring reports will be submitted to NHDES to document the success of the restoration efforts.
- 14. The restoration areas will be closely monitored for seed predation by Canada Geese as well as encroachment by the invasive Common Reed (*Phragmites Australis*). A dense stand of Common Reed currently exists on the southwest side of the bridge. If necessary, fencing will be utilized to keep Canada Geese out of restoration areas. Further, the proper removal and disposal of Common Reed will occur if necessary.
- 15. If, after 5-growing seasons, a planting success rate of at least 75% is not achieved, additional plantings will occur until this planting success rate is achieved.

