Civil Engineers
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NEW HAMPSHIRE 200

November 14, 2025

NHDES Wetlands Bureau, Land Resources Management
P.O. Box 95
Concord, NH 03302-0095

RE: NHDES Wetlands Dredge and Fill Permit Application
Marcy Street, Portsmouth, NH – Map 104 / Lot 3-3

Dear Reviewer:

On behalf of the City of Portsmouth, TFMoran, Inc. is submitting the enclosed Wetlands Dredge and Fill Permit Application for improvements to the existing public pier located at Prescott Park in Portsmouth. The project proposes the in-kind replacement of an existing riprap area, replacement of seven (7) fender piles, cross and lateral braces, and installation of two (2) new support piles within the footprint of the existing pier structure.

All abutting properties are also owned by the applicant, the City of Portsmouth; therefore, abutter notification was not required.

In accordance with Env-Wt 603.09, the project does not propose to extend the existing structure seaward, and therefore, oversite from the Harbor Master is not required. All other work involves in-kind replacement and maintenance activities. The proposed work is necessary to ensure the continued safe use and structural integrity of this public facility.

Should you have any questions regarding this matter or require additional information, please do not hesitate to contact me directly at 603-431-2222, weekdays, 8:00 AM to 5:00 PM. Thank you for your consideration in this matter.

Sincerely,
TFMoran, Inc.

Vincent Brigagliano, Environmental Scientist

TFMoran, Inc.
48 Constitution Drive, Bedford, NH 03110
T(603) 472-4488 www.tfmoran.com

TFMoran, Inc. Seacoast Division
170 Commerce Way–Suite 102, Portsmouth, NH 03801
T(603) 431-2222

Civil Engineers
Structural Engineers
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Scientists

Project # 47671.00

NHDES Wetlands Bureau

Standard Dredge & Fill Wetlands Permit Application

for the

City of Portsmouth

Riprap Repair/ Replacement and Existing Pier Maintenance

Marcy, Street, NH

Rockingham County

November 6, 2025

TF Moran, Inc.

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

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SECTION 1

STANDARD DREDGE AND FILL WETLANDS PERMIT APPLICATION

Water Division / Land Resources Management

Check the Status of your Application

RSA/Rule: RSA 482-A/Env-Wt 100-900

APPLICANT'S NAME: City of Portsmouth **TOWN NAME: Portsmouth**

Administrative Use Only	Administrative Use Only	Administrative Use Only	File No.:
			Check No.:
			Amount:
			Initials:

A person may request a waiver of the requirements in Rules Env-Wt 100-900 to accommodate situations where strict adherence to the requirements would not be in the best interest of the public or the environment but is still in compliance with RSA 482-A. A person may also request a waiver of the standards for existing dwellings over water pursuant to RSA 482-A:26, III(b). For more information, please consult the Waiver Request Form.

SECTION 1 - REQUIRED PLANNING FOR ALL PROJECTS (Env-Wt 306.05; RSA 482-A:3, I(d)(2))

Please use the Wetland Permit Planning Tool (WPPT), the Natural Heritage Bureau (NHB) DataCheck Tool, the Aquatic Restoration Mapper, or other sources to assist in identifying key features such as: Priority Resource Areas (PRAs), protected species or habitats, coastal areas, designated rivers, or designated prime wetlands.

Has the required planning been completed?	☒ Yes ☐ No
Does the property contain a PRA? If yes, provide the following information:	☒ Yes ☐ No
• Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHFG) and NHB agreement for a classification downgrade) or a Project-Type Exception (e.g. Maintenance or Statutory Permit-by-Notification (SPN) project)? See Env-Wt 407.02 and Env-Wt 407.04.	☐ Yes ☒ No
• Protected species or habitat? ○ If yes, species or habitat name(s): Marsh Elder, Peregrine Falcon, Atlantic Sturgeon, and Shortnose Sturgeon ○ NHB Project ID #: DCT25-2437	☒ Yes ☐ No
• Bog?	☐ Yes ☒ No
• Floodplain wetland contiguous to a tier 3 or higher watercourse?	☐ Yes ☒ No
• Designated prime wetland or duly-established 100-foot buffer?	☐ Yes ☒ No
• Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?	☒ Yes ☐ No
Is the property within a Designated River corridor? If yes, provide the following information: • Name of Local River Management Advisory Committee (LAC): • A copy of the application was sent to the LAC on Month: Day: Year:	☐ Yes ☒ No

For dredging projects, is the subject property contaminated? • If yes, list contaminant:	☐ Yes ☒ No
Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	☒ Yes ☐ No
For stream crossing projects, provide watershed size (see WPPT or Stream Stats): N/A	

SECTION 2 - PROJECT DESCRIPTION (Env-Wt 311.04(i))

Provide a description of the project and the purpose of the project, the need for the proposed impacts to jurisdictional areas, an outline of the scope of work to be performed, and whether impacts are temporary or permanent.

Permanently impact 6 square feet and temporarily impact 283 square feet of Tidal Surface Waters and temporarily impact 4,457 square feet of the Previously Developed Upland Tidal Buffer Zone for the purpose of repairing an existing public pier.

SECTION 3 - PROJECT LOCATION

Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

ADDRESS: Marcy Street

TOWN/CITY: Portsmouth

TAX MAP/BLOCK/LOT/UNIT: Tax Map: 104 Lot: 3-3

US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: Piscataqua River
☐ N/A

(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places): 43.07723 ° North

-70.75115 ° West

SECTION 4 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 311.04(a)) If the applicant is a trust or a company, then complete with the trust or company information.		
NAME: City of Portsmouth		
MAILING ADDRESS: PO Box 628		
TOWN/CITY: Portsmouth	STATE: NH	ZIP CODE: 03802
EMAIL ADDRESS: Private		
FAX: Private	PHONE: Private	
ELECTRONIC COMMUNICATION: By initialing here, I hereby authorize NHDES to communicate all matters relative to this application electronically.		
SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c)) ☐ N/A		
LAST NAME, FIRST NAME, M.I.: Brigagliano, Vincent, P.		
COMPANY NAME: TFMoran, INC.		
MAILING ADDRESS: 170 Commerce Way, Suite #102		
TOWN/CITY: Portsmouth	STATE: NH	ZIP CODE: 03801
EMAIL ADDRESS: vbrigagliano@tfmoran.com		
FAX: N/A	PHONE: 603-431-2222	
ELECTRONIC COMMUNICATION: By initialing here, I hereby authorize NHDES to communicate all matters relative to this application electronically.		
SECTION 6 - PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT) (Env-Wt 311.04(b)) If the owner is a trust or a company, then complete with the trust or company information. ☒ Same as applicant		
NAME:		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP CODE:
EMAIL ADDRESS:		
FAX:	PHONE:	
ELECTRONIC COMMUNICATION: By initialing here, I hereby authorize NHDES to communicate all matters relative to this application electronically.		

SECTION 7 - RESOURCE-SPECIFIC CRITERIA ESTABLISHED IN Env-Wt 400, Env-Wt 500, Env-Wt 600, Env-Wt 700, OR Env-Wt 900 HAVE BEEN MET (Env-Wt 313.01(a)(3))

Describe how the resource-specific criteria have been met for each chapter listed above (please attach information about stream crossings, coastal resources, prime wetlands, or non-tidal wetlands and surface waters):

Please see the attached supplemental document entitled, "SECTION 7 – Resource Specific Criteria."

SECTION 8 - AVOIDANCE AND MINIMIZATION

Impacts within wetland jurisdiction must be avoided to the maximum extent practicable (Env-Wt 313.03(a)).* Any project with unavoidable jurisdictional impacts must then be minimized as described in the Wetlands Best Management Practice Techniques For Avoidance and Minimization and the Wetlands Permitting: Avoidance, Minimization and Mitigation fact sheet. For minor or major projects, a functional assessment of all wetlands on the project site is required (Env-Wt 311.03(b)(10)).*

Please refer to the application checklist to ensure you have attached all documents related to avoidance and minimization, as well as functional assessment (where applicable). Use the Avoidance and Minimization Checklist, the Avoidance and Minimization Narrative, or your own avoidance and minimization narrative.

**See Env-Wt 311.03(b)(6) and Env-Wt 311.03(b)(10) for shoreline structure exemptions.*

SECTION 9 - MITIGATION REQUIREMENT (Env-Wt 311.02)

If unavoidable jurisdictional impacts require mitigation, a mitigation pre-application meeting must occur at least 30 days but not more than 90 days prior to submitting this Standard Dredge and Fill Permit Application.

Mitigation Pre-Application Meeting Date: Month: Day: Year:

(☐ N/A - Mitigation is not required)

SECTION 10 - THE PROJECT MEETS COMPENSATORY MITIGATION REQUIREMENTS (Env-Wt 313.01(a)(1)c)

Confirm that you have submitted a compensatory mitigation proposal that meets the requirements of Env-Wt 800 for all permanent unavoidable impacts that will remain after avoidance and minimization techniques have been exercised to the maximum extent practicable: ☐ I confirm submittal.

(☐ N/A – Compensatory mitigation is not required)

SECTION 11 - IMPACT AREA (Env-Wt 311.04(g))

For each jurisdictional area that will be/has been impacted, provide square feet (SF) and, if applicable, linear feet (LF) of impact, and note whether the impact is after-the-fact (ATF; i.e., work was started or completed without a permit).

For intermittent and ephemeral streams, the linear footage of impact is measured along the thread of the channel. *Please note, installation of a stream crossing in an ephemeral stream may be undertaken without a permit per Rule Env-Wt 309.02(d), however other dredge or fill impacts should be included below.*

For perennial streams/rivers, the linear footage of impact is calculated by summing the lengths of disturbances to the channel and banks.

Permanent impacts are impacts that will remain after the project is complete (e.g., changes in grade or surface materials).

Temporary impacts are impacts not intended to remain (and will be restored to pre-construction conditions) after the project is completed.

JURISDICTIONAL AREA		PERMANENT			TEMPORARY		
		SF	LF	ATF	SF	LF	ATF
Wetlands	Forested Wetland			☐			☐
	Scrub-shrub Wetland			☐			☐
	Emergent Wetland			☐			☐
	Wet Meadow			☐			☐
	Vernal Pool			☐			☐
	Designated Prime Wetland			☐			☐
	Duly-established 100-foot Prime Wetland Buffer			☐			☐
Surface	Intermittent / Ephemeral Stream			☐			☐
	Perennial Stream or River			☐			☐
	Lake / Pond			☐			☐
	Docking - Lake / Pond			☐			☐
	Docking - River			☐			☐
Banks	Bank - Intermittent Stream			☐			☐
	Bank - Perennial Stream / River			☐			☐
	Bank / Shoreline - Lake / Pond			☐			☐
Tidal	Tidal Waters	6		☐	283		☐
	Tidal Marsh			☐			☐
	Sand Dune			☐			☐
	Undeveloped Tidal Buffer Zone (TBZ)			☐			☐
	Previously-developed TBZ			☐	4,457		☐
	Docking - Tidal Water			☐			☐
TOTAL		6			4,740		

SECTION 12 - APPLICATION FEE (RSA 482-A:3, I)

☐ **MINIMUM IMPACT FEE**: Flat fee of $400.

☐ **NON-ENFORCEMENT RELATED, PUBLICLY-FUNDED AND SUPERVISED RESTORATION PROJECTS, REGARDLESS OF IMPACT CLASSIFICATION:** Flat fee of $400 (refer to RSA 482-A:3, 1(c) for restrictions).

☒ **MINOR OR MAJOR IMPACT FEE:** Calculate using the table below:

Permanent and temporary (non-docking):	SF 4,718	×	$0.60 =	$2,830.8
Seasonal docking structure:	SF N/A	×	$3.00 =	$
Permanent docking structure:	SF 28	×	$6.00 =	$ 168.0
Projects proposing shoreline structures (including docks) add $400 =				$
Total =				$
The application fee for minor or major impact is the above calculated total or $400, whichever is greater =				*$ 2,998.8*

SECTION 13 - PROJECT CLASSIFICATION (Env-Wt 306.05) Indicate the project classification.		
☐ Minimum Impact Project	☐ Minor Project	☒ Major Project

SECTION 14 - REQUIRED CERTIFICATIONS (Env-Wt 311.11) **Initial each box below to certify:**	
Initials: VB	To the best of the signer's knowledge and belief, all required notifications have been provided.
Initials: VB	The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.
Initials: VB	The signer understands that: • The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: 1. Deny the application. 2. Revoke any approval that is granted based on the information. 3. If the signer is a certified wetland scientist, licensed surveyor, or professional engineer licensed to practice in New Hampshire, refer the matter to the joint board of licensure and certification established by RSA 310-A:1.
Initials: VB	If the applicant is not the owner of the property, each property owner signature shall constitute certification by the signer that he or she is aware of the application being filed and does not object to the filing.

SECTION 15 - REQUIRED SIGNATURES (Env-Wt 311.04(d); Env-Wt 311.11)		
SIGNATURE (OWNER):	PRINT NAME LEGIBLY: Peter R. Rice	DATE: 11/14/25
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (AGENT, IF APPLICABLE):	PRINT NAME LEGIBLY: Vincent Brigagliano	DATE: 10/28/2025

SECTION 16 - TOWN / CITY CLERK SIGNATURE (Env-Wt 311.04(f))	
As required by RSA 482-A:3, I(a)(1), I hereby certify that the applicant has filed four application forms, four detailed plans, and four USGS location maps with the town/city indicated below.	
TOWN/CITY CLERK SIGNATURE: Kelli L Barnaby	PRINT NAME LEGIBLY: Kelli L. Barnaby
TOWN/CITY: Portsmouth	DATE: 11-17-25

SECTION 7 – Resource Specific Criteria

Env-Wt 313.01(a)(3)

Env-Wt 300 – Permits and Other Authorizations – Conditions Applicable to All Work in Jurisdictional Areas

Env-Wt 307.07 – All project activities will be conducted in compliance with the applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction.

Env-Wt 311.05 (a)(13) – The location of all jurisdictional areas delineated can be found in the design plans, specifically within the Wetlands and Deepwater Habitats Classification Plan.

Env-Wt 311.05 (a)(14) – The name of the individual responsible for the delineation of the Highest Observable Tide Line can be found on the Existing Conditions Plan.

Env-Wt 311.05 (b)(3) – The design plans associated with this *Wetland Permit Application* are accompanied by an Existing Conditions Plan that has been prepared and stamped by a Licensed Land Surveyor and the Highest Observable Tide Line completed by a qualified coastal professional.

Env-Wt 311.05 (b)(5) – The date, means and methods of the delineation can be found in the "Coastal Functional Assessment" (CFA) and the "Narrative on Coastal Functional Assessment" located within Section-2 of this permit application.

Env-Wt 311.05 (c)(16) – The location of the 100-year floodplain within 100-feet of the subject property is in the design plans.

Env-Wt 311.10 (d) – As mentioned above, a wetland evaluation narrative has been submitted along with the Coastal Functional Assessment (CFA), demonstrating the relative functions and values of the tidal resource evaluated.

Env-Wt 400 – Delineating, Classifying Jurisdictional Areas, and Project Classification

This project will impact the Previously *Developed Upland Tidal Buffer Zone* as well as *Tidal Surface Waters* for the purpose of constructing repair existing rip rap in-kind and replace 7 fender pilings, cross braces, lateral bracing, and 2 new support piles. Accordingly, the *Highest Observable Tide Line* (HOTL) was delineated, and it is depicted in the design plans attached to this permit application. Due to the 2 new support piles proposed within Tidal Surface Waters a *Priority Resource Area* (PRA), this project is classified as a *"Major Impact"* project.

Env-Wt 500 – Project-Specific Requirements

Env-Wt 513.03 (a)(1)(a) – The proposed pier repair will not impact the ability of abutting owners to use and enjoy their properties. All abutting properties is owned by the client (City of Portsmouth).

Env-Wt 513.11 (b)(3) – No dimensions of the pier are changing; the only new impact is for 2 new support piles.

Env-Wt 513.22 (b)(2) – No seasonal components are proposed.

Env-Wt 513.22 (b)(3) – No changes to the existing pier footprint is proposed and it will not impact or obstruct navigation.

Env-Wt 600 – Project-Specific Requirements – Coastal Lands and Tidal Waters/ Wetlands

Env-Wt 603.02 (a) – Within Tidal Surface Waters, 6 square feet of permanent impacts and 283 square feet of temporary impacts are proposed to repair the existing public pier. Within the Previously Developed Upland Tidal Buffer Zone 4,457 square feet of temporary impacts are proposed to repair/ replace existing riprap and for area access/staging, and pier improvements.

Env-Wt 603.02 (b) – The natural resource assets proposed to be impacted by this project are the Previously Developed Upland Tidal Buffer Zone and Tidal Surface Waters. On-site observations and the NHDES *Wetlands Permit Planning Tool* (WPPT) were used to determine the presence of these natural resource assets. Supplemental GIS data screening maps using NH GRANIT GIS data layers are included with this permit application.

Env-Wt 603.02 (c)(1) – The "Coastal Functional Assessment" (CFA) is attached to this permit application. In accordance with Env-Wt 602.07, the Coastal Functional Assessment is an evaluation of the jurisdictional resource proposed to be impacted by this project.

Env-Wt 603.02 (c)(2) – The "Coastal Vulnerability Assessment" (CVA) is attached to this permit application.

Env-Wt 603.02 (d) – The "Avoidance and Minimization Written Narrative" is attached to this permit application.

Env-Wt 603.02 (e)(1) – This project meets all relevant standard conditions of Env-Wt 307. This is demonstrated within the "Standard Conditions Narrative" located within Section-1 of the "Coastal Resource Worksheet."

Env-Wt 603.02 (e)(2) – This project meets all approval criteria under Env-Wt 313.01, and this is demonstrated within the "Approval Criteria Narrative" located within Section-1 of the "Coastal Resource Worksheet."

Env-Wt 603.02 (f)(1) – As required by Env-Wt 603.06, the "Project Design Narrative" is provided within Section-1 of the "Coastal Resource Worksheet."

Env-Wt 603.02 (f)(2) – The design plans associated with this project meet all the requirements of Env-Wt 603.07.

Env-Wt 603.02 (f)(3) – The *Water Depth Supporting Information* is depicted within the attached design plans.

Env-Wt 603.02 (f)(4) – A statement from the *Pease Development Authority Division of Ports and Harbors* ("DP&H") Chief Harbormaster Tracy Shattuck relative to how the proposed docking structure will not become a navigational hazard is not required as the footprint of the existing pier is not changing.

Env-Wt 603.03 (a)(1) – The jurisdictional resources present were determined through data screening using GIS data layers from the NHDES *Wetlands Permit Planning Tool* (WPPT) as well as those available at NH GRANIT. GIS data screening maps are included with this permit application.

Env-Wt 603.03 (a)(2) – Pile installation will be a low-impact process, as it will utilize a mechanical vibratory technique that minimizes sedimentation and turbidity. Pile installation will have no impact on shellfish sites, eelgrass beds, or tidal marsh migration pathways / corridors. The GIS data screening maps attached to this permit application indicate the location of eelgrass beds and tidal marsh areas relative to the project area.

Env-Wt 603.03 (a)(3) – We have coordinated with the *National Oceanic and Atmospheric Administration* (NOAA) Marine Fisheries Section and concluded this project may temporarily affect, but is not likely to adversely affect (NLAA), any fish species listed as threatened or endangered by the National Marine Fisheries Service (NMFS) under the Endangered Species Act (ESA) of 1973, as amended.

Env-Wt 603.03 (a)(4) – On-site assessments of the subject property and project area were conducted on August 6th, 2025.

Env-Wt 603.03 (a)(5) – The projected *Relative Sea-Level Rise* (RSLR) for the project area, relative to the extent of the 100-year floodplain, is depicted in the attached "Coastal Vulnerability Assessment" (CVA) as well as the Vulnerability Assessment Plan.

Env-Wt 603.04 – The "Coastal Functional Assessment" (CFA) attached to this permit application was utilized to ensure that the chosen project location will have the least impact to jurisdictional resources.

Env-Wt 603.05 – The "Coastal Vulnerability Assessment" (CVA) is attached to this permit application.

Env-Wt 603.06 (a) – The "Project Design Narrative" is provided within Section-1 of the "Coastal Resource Worksheet."

Env-Wt 603.06 (b) – The construction sequence as well as erosion and sedimentation control methods are detailed within the attached *Work Sequence Narrative*.

Env-Wt 603.06 (c) – Once construction is complete, any exposed or otherwise disturbed soils on the shoreline or within the *Previously Developed Upland Tidal Buffer Zone* will be reseeded and stabilized with grass seed.

Env-Wt 603.07 – The attached design plans meet all criteria relative to this design plan rule.

Env-Wt 603.08 – The *Water Depth Supporting Information* depicted within the design plans was obtained using current predicted tidal data from the *National Oceanic and Atmospheric Administration* (NOAA).

Env-Wt 603.09 – A statement from the *Pease Development Authority Division of Ports and Harbors* ("DP&H") Chief Harbormaster is not required for this application as the existing pier footprint will not be changed.

Env-Wt 604.01 – This project meets all General Criteria for *Tidal Beaches* and *Tidal Shoreline* and has been evaluated for the standard conditions of Env-Wt 307, the Avoidance and Minimization requirements of Env-Wt 311.07 and Env-Wt 313.03, the approval criteria of Env-Wt 313.01, the evaluation criteria in Env-Wt 313.05, the project-specific criteria of Env-Wt 600, the CFA required by Env-Wt 603.04, and the CVA required by Env-Wt 603.05 above.

Env-Wt 604.02 – This project meets all of the General Criteria for *Tidal Buffer Zones* and has been evaluated for the standard conditions of Env-Wt 307, the Avoidance and Minimization requirements of Env-Wt 311.07 and Env-Wt 313.03, the approval criteria of Env-Wt 313.01, the evaluation criteria in Env-Wt 313.05, the project-specific criteria of Env-Wt 600, the CFA required by Env-Wt 603.04, and the CVA required by Env-Wt 603.05 above.

Env-Wt 604.03 – This project meets all approval criteria under Env-Wt 313.01, and this is demonstrated within the "Approval Criteria Narrative" located within Section-1 of the "Coastal Resource Worksheet."

Env-Wt 605.01 – This project will not adversely affect finfish, shellfish, crustaceans, or wildlife. Coordination with the National Oceanic and Atmospheric Administration (NOAA) Marine Fisheries Section determined that no Essential Fish Habitat (EFH) or vulnerable, threatened, or endangered fish species are likely to be adversely affected. Additional coordination with the New Hampshire Natural Heritage Bureau (NHB) and the New Hampshire Fish and Game Department (NHFG) confirmed that the project will avoid impacts to species such as Atlantic and Shortnose Sturgeon, which may migrate through the area to reach spawning sites. Any disturbed or exposed shoreline soils will be stabilized and reseeded with grass seed. The project will not increase shoreline erosion or alter prevailing currents.

Env-Wt 605.02 – The pier and riprap improvements will have no adverse impacts to *Tidal Beach* or *Floodplain Wetland* sediment movement or replenishment. It will not impact the ability of the tidal resource present to dissipate wave energy and storm surge. This project will not disrupt existing salinity or thermal levels.

Env-Wt 605.03 – This project proposes only 6 square feet of permanent impact to Tidal Surface Waters associated with the installation of one new support pile. According to the Aquatic Resource Mitigation (ARM) Fund In-Lieu Fee (ILF) Payment Calculator, compensatory mitigation for this impact amounts to **$97.70**, which will be paid in full upon issuance of this permit

Env-Wt 605.04 – As mentioned above, compensatory mitigation for this project amounts to **$97.70**, which will be paid in full upon issuance of this permit.

Env-Wt 606.02 (a) – The proposed repairs to the existing pier will not result in any expansion of the existing footprint or height. No adverse impacts are will to the principal functions or values of the tidal resource (identified within the "Coastal Functional Assessment" [CFA]).

Env-Wt 606.02 (b) – The project area *does not* propose any expansion of the existing pier structure.

Env-Wt 606.03 (a)(1) – The pier is existing, and only structural improvements are proposed. The abutting properties are all owned by the client (City of Portsmouth)

Env-Wt 606.03 (a)(2) – This project will not impede the passage of non-motorized watercraft or channel navigation to a degree that a reasonable person would find objectionable.

Env-Wt 606.03 (b) – No new piers are proposed.

Env-Wt 606.03 (c) – No new piers are proposed and no specialized design features are proposed.

Env-Wt 606.03 (d)(1) – No floats and floating structures are proposed.

Env-Wt 606.03 (d)(2) – No floats and floating structures are proposed.

Env-Wt 606.03 (d)(3) – No floats and floating structures are proposed.

Env-Wt 606.03 (e) – Marine-grade treatment applied to the pilings and cross braces will be non-toxic.

Env-Wt 606.03 (f) – The proposed repairs to the existing pier will not result in any expansion of the existing footprint or height.

Env-Wt 606.03 (g) – The only new pile proposed is to be placed directly next to an existing support pile that cannot be removed as it is a part of a main joist.

Env-Wt 606.03 (h) – The proposed supporting piles will occupy 5% or less of the total volume of water under the docking structure at *Mean High Water* (MHW).

Env-Wt 606.04 – The attached design plans meet all *Plan Requirements for Overwater Structures*.

Env-Wt 606.05 – This project will be constructed in accordance with all *Docking Construction Requirements and Conditions*.

Env-Wt 606.08 – The proposed docking structure is for residential use only and is not a *Commercial Tidal Dock*.

Env-Wt 800 – Compensatory Mitigation

This project only proposes to permanently impact 6 square feet of *Tidal Surface Waters*. Compensatory mitigation for this project amounts to **$97.70**, which will be paid in full upon issuance of the permit.

Env-Wt 900 – Stream Crossings

This project proposes no stream crossings, and therefore, these administrative rules are not applicable.

STANDARD DREDGE AND FILL WETLANDS PERMIT APPLICATION ATTACHMENT A: MINOR AND MAJOR PROJECTS

Water Division/Land Resources Management
Wetlands Bureau
Check the Status of your Application

RSA/ Rule: RSA 482-A/ Env-Wt 311.10; Env-Wt 313.01(a)(1); Env-Wt 313.03

APPLICANT'S NAME: **City of Portsmouth** **TOWN NAME:** Portsmouth

Attachment A is required for *all minor and major projects*, and must be completed *in addition* to the Avoidance and Minimization Narrative or Checklist that is required by Env-Wt 307.11.

For projects involving construction or modification of non-tidal shoreline structures over areas of surface waters having an absence of wetland vegetation, only Sections I.X through I.XV are required to be completed.

PART I: AVOIDANCE AND MINIMIZATION

In accordance with Env-Wt 313.03(a), the Department shall not approve any alteration of any jurisdictional area unless the applicant demonstrates that the potential impacts to jurisdictional areas have been avoided to the maximum extent practicable and that any unavoidable impacts have been minimized, as described in the Wetlands Best Management Practice Techniques For Avoidance and Minimization.

SECTION I.I - ALTERNATIVES (Env-Wt 313.03(b)(1))

Describe how there is no practicable alternative that would have a less adverse impact on the area and environments under the Department's jurisdiction.

There is no practicable alternative that would result in less impacts to jurisdictional areas. This project simply proposes to provide maintenance to an existing public water access area.

SECTION I.II - MARSHES (Env-Wt 313.03(b)(2))

Describe how the project avoids and minimizes impacts to tidal marshes and non-tidal marshes where documented to provide sources of nutrients for finfish, crustacean, shellfish, and wildlife of significant value.

N/A - This project proposes no impacts to marshes.

SECTION I.III - HYDROLOGIC CONNECTION (Env-Wt 313.03(b)(3))

Describe how the project maintains hydrologic connections between adjacent wetland or stream systems.

N/A - This project proposes no impacts to hydrologic connections between wetlands or wetlands and stream systems. This project will occur within tidal surface waters, and it will maintain natural tidal flows.

SECTION I.IV - JURISDICTIONAL IMPACTS (Env-Wt 313.03(b)(4))

Describe how the project avoids and minimizes impacts to wetlands and other areas of jurisdiction under RSA 482-A, especially those in which there are exemplary natural communities, vernal pools, protected species and habitat, documented fisheries, and habitat and reproduction areas for species of concern, or any combination thereof.

There are no vernal pools located within the project area. There will be no loss of protected species or communities (including fisheries) or their habitat/reproduction areas as a result of this project. We have coordinated with the NOAA Marine Fisheries Section and determined that, although the project area overlaps Essential Fish Habitat (EFH) for various fish and shellfish species, the project is not likely to adversely affect (NLAA) any fish or shellfish species listed as threatened or endangered by the National Marine Fisheries Service (NMFS) under the Endangered Species Act (ESA) of 1973. We have also coordinated with NHB as well as NHF&G. Through this coordination, we have ensured that this project will not impact sensitive fish species such as the Atlantic Sturgeon (Acipenser oxyrinchus) and Shortnose Sturgeon (Acipenser brevirostrum) that may be moving through the area to reach spawning sites.

SECTION I.V - PUBLIC COMMERCE, NAVIGATION, OR RECREATION (Env-Wt 313.03(b)(5))

Describe how the project avoids and minimizes impacts that eliminate, depreciate or obstruct public commerce, navigation, or recreation.

This project proposes no impacts to public navigation, recreation, or commerce. The overall footprint of the existing pier structure will not be changed. No seasonal components are associated with this tidal pier.

SECTION I.VI - FLOODPLAIN WETLANDS (Env-Wt 313.03(b)(6))

Describe how the project avoids and minimizes impacts to floodplain wetlands that provide flood storage.

N/A - This project will not impact floodplain wetlands.

SECTION I.VII - RIVERINE FORESTED WETLAND SYSTEMS AND SCRUB-SHRUB – MARSH COMPLEXES (Env-Wt 313.03(b)(7))

Describe how the project avoids and minimizes impacts to natural riverine forested wetland systems and scrub-shrub – marsh complexes of high ecological integrity.

N/A - This project will not impact forested wetland systems or scrub-shrub marsh complexes.

SECTION I.VIII - DRINKING WATER SUPPLY AND GROUNDWATER AQUIFER LEVELS (Env-Wt 313.03(b)(8))

Describe how the project avoids and minimizes impacts to wetlands that would be detrimental to adjacent drinking water supply and groundwater aquifer levels.

N/A - This project will occur solely within tidal surface waters and the adjacent previously developed upland tidal buffer zone and will have no impact on groundwater resources or drinking water supplies.

SECTION I.IX - STREAM CHANNELS (Env-Wt 313.03(b)(9))

Describe how the project avoids and minimizes adverse impacts to stream channels and the ability of such channels to handle runoff of waters.

N/A - This project proposes no impacts to stream channels.

SECTION I.X - SHORELINE STRUCTURES - CONSTRUCTION SURFACE AREA (Env-Wt 313.03(c)(1))

Describe how the project has been designed to use the minimum construction surface area over surface waters necessary to meet the stated purpose of the structures.

As highlighted within the attached narrative entitled "Section 7 - Resource Specific Criteria," this project has been designed to meet all NHDES Administrative Rules relative to "Overwater Structures in Coastal Areas," more particularly, the rules specified in Env-Wt 606.

SECTION I.XI - SHORELINE STRUCTURES - LEAST INTRUSIVE UPON PUBLIC TRUST (Env-Wt 313.03(c)(2))

Describe how the type of construction proposed is the least intrusive upon the public trust that will ensure safe docking on the frontage.

The proposed pier improvments and riprap repair will adhere to the required setbacks from abutting properties, and it will not impede the ability of abutting property owners to use and enjoy their properties. All abutting properties are owned by the applicant (The City of Portsmouth).

SECTION I.XII - SHORELINE STRUCTURES – ABUTTING PROPERTIES (Env-Wt 313.03(c)(3))

Describe how the structures have been designed to avoid and minimize impacts on ability of abutting owners to use and enjoy their properties.

All abutting properties are owned by the applicant (The City of Portsmouth).

SECTION I.XIII - SHORELINE STRUCTURES – COMMERCE AND RECREATION (Env-Wt 313.03(c)(4))

Describe how the structures have been designed to avoid and minimize impacts to the public's right to navigation, passage, and use of the resource for commerce and recreation.

The proposed improvements will not change the overall length of the pier structures and will not impede public passage, navigation, recreation, or commerce.

SECTION I.XIV - SHORELINE STRUCTURES – WATER QUALITY, AQUATIC VEGETATION, WILDLIFE AND FINFISH HABITAT (Env-Wt 313.03(c)(5))

Describe how the structures have been designed, located, and configured to avoid impacts to water quality, aquatic vegetation, and wildlife and finfish habitat.

This project simply proposes maintenance to existing, grandfathered shoreline structures.

SECTION I.XV - SHORELINE STRUCTURES – VEGETATION REMOVAL, ACCESS POINTS, AND SHORELINE STABILITY (Env-Wt 313.03(c)(6))

Describe how the structures have been designed to avoid and minimize the removal of vegetation, the number of access points through wetlands or over the bank, and activities that may have an adverse effect on shoreline stability.

As mentioned above, the crane barge containing construction equipment and materials will be located well beyond the limits of any emergent vegetation. The access and storage for the riprap repair in-kind will be limited to the Previosuly Develoepd Tidal Buffer Zone

This project does not require access through wetlands -- the project area will be accessed by barge, and, through adjacent upland areas.

This project will not lead to increased erosion of the shoreline. After construction activities conclude, any exposed or otherwise disturbed soils will be stabilized and reseeded with grass seed.

PART II: FUNCTIONAL ASSESSMENT
REQUIREMENTS Ensure that project meets the requirements of Env-Wt 311.10 regarding functional assessment (Env-Wt 311.04(j); Env-Wt 311.10).
FUNCTIONAL ASSESSMENT METHOD USED: This project is considered a "Major Impact" project, and therefore, in accordance with Env-Wt 311.03 (b)(10), we have provided a Functional Assessment of the "wetland" on the property. In this instance, the "wetland" is the tidal resource adjacent to the proposed project area. The Army Corps of Engineers Highway Methodology Manual (Sept. 1999) was used to perform the Functional Assessment of this resource.
NAME OF CERTIFIED WETLAND SCIENTIST (FOR NON-TIDAL PROJECTS) OR QUALIFIED COASTAL PROFESSIONAL (FOR TIDAL PROJECTS) WHO COMPLETED THE ASSESSMENT: VINCENT BRIGAGLIANO
DATE OF ASSESSMENT: OCTOBER 12, 2025
Check this box to confirm that the application includes a NARRATIVE ON FUNCTIONAL ASSESSMENT: ☒
For minor or major projects requiring a standard permit without mitigation, the applicant shall submit a wetland evaluation report that includes completed checklists and information demonstrating the RELATIVE FUNCTIONS AND VALUES OF EACH WETLAND EVALUATED. Check this box to confirm that the application includes this information, if applicable: ☒ Note: The Wetlands Functional Assessment worksheet can be used to compile the information needed to meet functional assessment requirements.

PROTECTED TIDAL ZONE
PROJECT-SPECIFIC WORKSHEET
FOR STANDARD APPLICATION

Water Division/Land Resources Management
Wetlands Bureau

Check the Status of your Application

RSA/Rule: RSA 482-A/ Env-Wt 610

This worksheet summarizes the criteria and requirements for a Standard Permit for impact in the "Protected Tidal Zone", one of the six specific project types in tidal area described in Chapter Env-Wt 600. In addition to the project-specific criteria and requirements on this worksheet, all Standard Applications must meet the criteria and requirements listed in the Standard Application form (NHDES-W-06-012) and the Coastal Resource Worksheet.

SECTION 1 - APPLICATION REQUIREMENTS FOR PROTECTED TIDAL ZONE AND REQUIRED ATTACHMENTS (Env-Wt 610.04)

The following plans and other information shall be submitted with applications for work within the protected tidal zone:

- ☒ Existing and proposed contours at 2-foot intervals measured from the Highest Observable Tide Line (HOTL);
- ☒ If any portion of the subject parcel is located in a regulatory floodplain, the location of the 100-year flood boundary zone, and water elevation as shown on the applicable Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map;
- ☒ All of applicable local and state setbacks;
- ☒ The dimensions and locations of all:
  - ☒ Existing and proposed structures;
  - ☒ Existing and proposed impervious areas;
  - ☒ Existing and proposed disturbed areas;
  - ☒ Areas to remain in an unaltered state;
  - ☒ Existing cleared areas, such as gardens, lawns, and paths; and
  - ☒ Proposed temporary impacts associated with the completion of the project;
- ☒ Proposed methods of erosions and siltation controls, identified graphically and labeled on a plan, or otherwise annotated as needed for clarity;
- ☐ A plan of any planting(s) proposed in the waterfront buffer, showing the proposed locations(s) and Latin names or common names of proposed species;
- ☐ If applicable, the location of an existing or proposed 6-foot wide foot path to the waterbody or a temporary access path;
- ☐ For any project proposing that the impervious area be at least 15% but not more than 20% within the protected tidal zone, a statement signed by the applicant certifying that the impervious area is not more than 20%
- ☐ For any project proposing that impervious area be greater than 20% within the protected tidal zone, plans for a stormwater management system that will infiltrate increased stormwater from development provided that if impervious area is or is proposed to be greater than 30%, the stormwater management systems shall be designed by a professional engineer;
- ☐ For any project involving pervious surfaces, a plan with specifications of how those surfaces will be maintained; and
- ☒ All other relevant features necessary to clearly define both existing conditions and the proposed project.

SECTION 2 - APPROVAL CRITERIA (Env-Wt 313.01)

☒ An application for structure construction within the protected tidal zone shall comply with Env-Wt 313.01.

SECTION 3 - DESIGN & CONSTRUCTION REQUIREMENTS (Env-Wt 610.03)

The construction of structures within the protected tidal zone shall comply with:

☒ The standards described in FEMA P-55, Coastal Construction Manual: Principles and Practices of Planning, Siting, Designing, Constructing and Maintaining Residential Buildings in Coastal Areas, 4th edition (2011); and

☒ Local resiliency planning ordinances.

SECTION 4 - PROTECTED TIDAL ZONE RESTRICTIONS (Env-Wt 610.05- 610.13)

☒ The restrictions identified in RSA 483-B:9, II shall apply to the protected tidal zone;

☒ The provisions of RSA 483-B:9, V(a) related to the maintenance of a waterfront buffer shall apply to the protected tidal zone within 50 feet of the HOTL;

☒ Accessory structures in the waterfront buffer shall comply with the applicable provisions of Env-Wq 1400;

☒ The provisions of RSA 483-B:9, V(b) related to the maintenance of a woodland buffer shall apply to the protected tidal zone within 150 feet of the HOTL;

☒ The provisions of RSA 483-B:9, V(c) related to individual sewage disposal systems shall apply to the protected tidal zone;

☒ The provisions of RSA 483-B:9, V(d) related to erosion and siltation shall apply to the protected tidal zone;

☒ The provisions of RSA 483-B:9, V(e) related to minimum lots and residential development shall apply to the protected tidal zone;

☒ The provisions of RSA 483-B:9, V(f) related to minimum lots and non-residential development shall apply to the protected tidal zone; and

☒ The provisions of RSA 483-B:9 V(g) related to impervious surfaces shall apply to the protected tidal zone.

SECTION 5 - PROJECT CLASSIFICATION (Env-Wt 610.17)

(a) A major project shall be:

(1) Any dredging, filling, or construction activity, or any combination thereof, that is proposed to:

a. Occur within 100 feet of the HOTL; and

b. Alter any tidal shoreline bank, tidal flat, wetlands, surface water, or undeveloped uplands; or

(2) A project that would be major based on an aggregation of projects under Env-Wt 400.

(b) A minor project shall be any dredging, filling, or construction activity, or any combination thereof, that:

(1) Involves work within 75 feet of a saltmarsh in the developed upland tidal buffer;

(2) Is not a major project; and

(3) Will disturb 3,000 square feet (SF) or more but less than 10,000 SF in the developed upland tidal buffer.

(c) A minimum impact project shall be any dredging, filling, or construction activity, or any combination thereof, that:

(1) Is in a previously developed upland area;

(2) Is within 100 feet of the HOTL; and

(3) Will disturb less than 3,000 SF.

OVERWATER STRUCTURES IN TIDAL AREAS
PROJECT-SPECIFIC WORKSHEET
FOR STANDARD APPLICATION

Water Division/Land Resources Management
Wetlands Bureau

Check the Status of your Application

RSA/Rule: RSA 482-A/ Env-Wt 606

This worksheet summarizes the criteria and requirements for a Standard Permit for "Overwater Structure" projects, as outlined in Chapter Env-Wt 600. In addition to the project-specific criteria and requirements on this worksheet, all Standard Applications must meet the criteria and requirements listed in the Standard Dredge and Fill Wetlands Permit Application Form (NHDES-W-06-012) and the Coastal Resource Worksheet (NHDES-W-06-079).

SECTION 1 - APPLICATION REQUIREMENTS (Env-Wt 606.04)

An application for an overwater structure shall include the following details:

A plan showing:

- ☒ The location of the landward boundary of the Federal Navigation Project (FNP) or, if no FNP is present, the landward boundary of the navigational channel.
- ☒ The location and dimensions of all existing shoreline structures on the subject property.
- ☒ The location and dimensions of all proposed structures.
- ☐ For commercial tidal docks, public docks, and industrial docks, certification by a professional engineer that the dock has been designed for its intended use.
- ☒ The location of any proposed impacts, crossings, construction areas, and clearings.

An elevational view, depicting:

- ☒ The location and dimensions of all proposed structures, including permanent piers, pilings, float stop structures, ramps, floats, and dolphins.
- ☒ The location of the landward boundary of the FNP or, if no FNP is present, the landward boundary of the navigational channel.

For dock maintenance projects that are classified as minimum impact projects under Env-Wt 606.17, the applicant shall provide the following information:

- ☒ A plan showing the location and dimensions of all existing structures.
- ☒ An identification of those pilings and structures to be repaired or replaced.
- ☒ Photographs showing the repair project from the docking structures looking waterward and the end of the dock looking towards the shoreland attachment.

For minor impact dock maintenance projects under Env-Wt 606.04(c), the applicant shall provide:

- ☒ Plans and photographs.
- ☒ A coastal functional assessment (CFA).

SECTION 2 - APPROVAL CRITERIA (Env-Wt 606.08; Env-Wt 606.09)

Residential Tidal Docks:

An application for residential tidal docks shall meet the following criteria:

☒ Residential docks shall be for private recreational use associated with one or more private residences.

☐ Residential docks shall be designed as specified in this part, which might not result in all-tide access.

☐ Ramp and float portions of residential tidal docks shall be seasonal and removed from the water during the non-boating season.

☐ Preference shall be given to residential tidal docks designed to serve multiple properties.

☐ The subject property shall not already be served by an existing residential tidal dock at the property.

☒ The location, design, and method of construction for a proposed residential tidal dock shall:

- Be based on the results of the CFA required by Env-Wt 603.04 so as to avoid negative impacts to valuable and sensitive coastal wetlands and resources identified in the CFA report, and to minimize any impacts that cannot be avoided.
- Be the least environmentally-impacting practicable alternative.
- Be certified by a professional engineer as having sufficient structural integrity, based on the results of the vulnerability assessment required by Env-Wt 603.05, to not break free as a result of tidal forces encountered during winter ice and significant storm surges up to and including one percent annual chance event.
- Not impede the passage of non-motorized watercraft.

☒ Pile-supported structures and floats shall not be located within 25 feet of currently-existing or previously-known vegetated shallows.

☒ No structure shall extend across 25% or more of the waterway width at mean low water.

☒ No structure shall be located within the buffer zone of the horizontal limits of a FNP, which is three times the authorized depth of a constructed FNP as measured on a horizontal plane.

☒ No structure shall be constructed that obstructs the rights of passage of foot traffic within the inter-tidal zone, near shore watercraft users, or obstruct navigation in the channel.

Commercial/Industrial Docks:

An application for commercial/industrial docks shall meet the following criteria:

☐ Department approval of a new commercial tidal dock or an expansion of an existing commercial tidal dock shall be in addition to any approvals required under applicable lawfully-enacted local land use requirements.

☐ Transient public use access point structures shall not be approved unless they provide a benefit to the public, such as a docking facility that is open to the general public for transient use.

☐ The configuration and dimensions for commercial structures shall conform to the standards in Env-Wt 606.02 and Env-Wt 606.03.

SECTION 3 - DESIGN & CONSTRUCTION REQUIREMENTS (Env-Wt 606.03; Env-Wt 606.07)

An overwater structure shall be designed and constructed as follows:

☒ Overwater structures shall meet the 20-foot property line setback specified in RSA 482-A:3, XIII(a).

☒ A residential tidal dock shall have one of the following configurations:

- A pile-supported fixed pier perpendicular to the shore, that connects to a ramp, that connects to a float,
- A ramp that connects the shore to a float, or
- A pile-supported fixed pier parallel to shore.

- ☒ An applicant may propose a fabricated wooden or metal stairway at the landward end of the dock for access to and from a residential tidal dock, which the department shall approve as part of the dock permitting process provided the width of the stairway does not exceed six feet; construction over the bank does not require regrading or recontouring; and the bottom of the stairs lands above mean high tide.
- ☒ The maximum overall structure length including pier, ramp, and float, measured seaward from the highest observable tide line (HOTL), shall not exceed the greater of 200 feet or the length needed to reach water of sufficient depth to allow the terminal section of the dock to be floating at mean low water.
- ☒ The maximum overall footprint of the entire structure of a residential tidal dock serving a single residence shall not exceed 1,500 square feet (SF) seaward of the HOTL, provided that a residential tidal dock proposed to serve a group of residences may be larger so long as compensatory mitigation is provided for structures exceeding 2,000 SF.
- ☒ The maximum width shall not exceed six feet.
- ☒ The maximum length shall not exceed 200 feet.
- ☒ The height-to-width ratio above the substrate shall be 1:1 or greater.
- ☐ Floats may be of any configuration so long as the total square footage does not exceed 400 SF, provided that an additional 200 SF shall be allowed for a float serving a group of residences. Applicants for a residential tidal dock serving more than four residences may request a waiver of the 600 SF limit in accordance with Env-Wt 200.
- ☐ All floats shall be designed and installed so as to prevent substantial changes in their positions from tides and storm events that are less than hurricane force.
- ☐ To prevent mechanical damage or hydraulic damage, or both, to the substrate from the float(s) during low tides in cases where mean lower low water is seaward of the terminal float(s) at low tide, or if it is impracticable or impossible to place floating docks in water deep enough to avoid contact with the bottom, the design shall include float stops or other means of suspending the float with two feet or more of clearance between the bottom of the float and substrate, with greater clearances required in higher energy environments that experience strong wave action.
- ☐ Float stops shall be marked with buoys to avoid being hazards to navigation when ramps and floats are removed for the season.
- ☐ Float anchor chains shall be secured to the substrate by helical screw anchors where practicable. If helical screw anchors cannot be installed due to rocky bottom conditions, the applicant shall propose an alternate means of anchoring the floating portion of the dock and show such means on the plans. If block anchors are proposed, the anchors shall be identified in the application as fill.
- ☒ The spacing between decking components shall be not less than ¾-inch.
- ☒ Minimum spacing between pile bents shall be 12 feet center to center.
- ☒ The substrate shall not be shaded by any other structural components not addressed herein.
- ☒ Aquaculture structures associated with residential tidal docks shall be installed within existing legal boat slips.
- ☒ Aquaculture structures associated with residential tidal docks that extend outside the footprint of the originally permitted docking structure and associated boat slip(s) constitute a modification of the approved docking structure and shall meet the requirements of Env-Wt 603.02.

SECTION 4 - PROJECT CLASSIFICATION (Env-Wt 606.17)

Refer to Env-Wt 606.17 for project classification.

AVOIDANCE AND MINIMIZATION WRITTEN NARRATIVE

Water Division/Land Resources Management

Wetlands Bureau

Check the Status of your Application

RSA/ Rule: RSA 482-A/ Env-Wt 311.04(j); Env-Wt 311.07; Env-Wt 313.01(a)(1)b; Env-Wt 313.01(c)

APPLICANT'S NAME: **City of Portsmouth** **TOWN NAME:** **Portsmouth**

An applicant for a standard permit shall submit with the permit application a written narrative that explains how all impacts to functions and values of all jurisdictional areas have been avoided and minimized to the maximum extent practicable. This attachment can be used to guide the narrative (attach additional pages if needed). Alternatively, the applicant may attach a completed Avoidance and Minimization Checklist (NHDES-W-06-050) to the permit application.

SECTION 1 - WATER ACCESS STRUCTURES (Env-Wt 311.07(b)(1))

Is the primary purpose of the proposed project to construct a water access structure?

No, the primary purpose of this project is to conduct routine maintenance on an existing public tidal pier and the neighboring rip rap areas.

SECTION 2 - BUILDABLE LOT (Env-Wt 311.07(b)(1))

Does the proposed project require access through wetlands to reach a buildable lot or portion thereof?

N/A - This project does not require access through a wetland.

SECTION 3 - AVAILABLE PROPERTY (Env-Wt 311.07(b)(2))*

For any project that proposes permanent impacts of more than one acre, or that proposes permanent impacts to a PRA, or both, are any other properties reasonably available to the applicant, whether already owned or controlled by the applicant or not, that could be used to achieve the project's purpose without altering the functions and values of any jurisdictional area, in particular wetlands, streams, and PRAs?

**Except as provided in any project-specific criteria and except for NH Department of Transportation projects that qualify for a categorical exclusion under the National Environmental Policy Act.*

N/A - No permanent impacts of more than one acre are proposed.

SECTION 4 - ALTERNATIVES (Env-Wt 311.07(b)(3))

Could alternative designs or techniques, such as different layouts, different construction sequencing, or alternative technologies be used to avoid impacts to jurisdictional areas or their functions and values as described in the Wetlands Best Management Practice Techniques For Avoidance and Minimization?

There are no feasible alternative designs, techniques, or layouts that would further minimize impacts to jurisdictional areas. All pier and riprap improvements will occurr within the existing grandfathered footprints.

SECTION 5 - CONFORMANCE WITH Env-Wt 311.10(c) (Env-Wt 311.07(b)(4))**

How does the project conform to Env-Wt 311.10(c)?

***Except for projects solely limited to construction or modification of non-tidal shoreline structures only need to complete relevant sections of Attachment A*.

A Coastal Functional Assessment (CFA) was performed to assess the tidal resource within the vicinity of the proposed shoreline riprap and pier improvements . The Coastal Functional Assessment concluded the wetlands are exceptional resources that had qualifiers for a significant number of wetlands key functions and values. This project will occur in a manner that poses the least impact to these resources. We have coordinated with the NH Natural Heritage Bureau (NHB) and NH Fish & Game (NHFG) and determined no impacts to sensitive resources or species will occur.

WORK SEQUENCE NARRATIVE

Env-Wt 311.06 (d)

1.) The property owner, or their agent, will notify NHDES via the *Initiation of Construction Notification Form* no more than 7 days prior to commencing the construction activities.

2.) Prior to commencing construction activities, proper erosion and sedimentation controls will be implemented. To minimize sedimentation and turbidity during installation of the piles and during the repair of the riprap, a turbidity curtain and turbidity sleeve will be utilized.

3.) Pollution prevention controls will also be implemented. Construction equipment will be inspected daily for leaking fuel, oil, and hydraulic fluid, and repairs or removal will occur as necessary. Oil spill kits will be kept readily accessible during construction, and contractors will be trained in deploying this equipment, should it be required.

4.) A crane barge, push boat, and work skiff will be mobilized to the site. All construction equipment and materials for the pier improvements will be kept on the crane barge or properly stored in upland areas. Prefabricated components, including the seasonal gangway and float, will be transferred to the project area.

5.) The barge will be positioned adjacent to the project area and beyond the limits of any emergent vegetation.

6.) Pile driving activities for the pier improvements will occur in the dry during periods of low tide or within the limits of a temporary turbidity sleeve (see the attached "Details Sheet") to minimize sedimentation and turbidity. Further, a low-impact mechanical vibratory technique will be utilized to install piles until refusal. All piles will be located as depicted in the design plans attached to this permit application. Once all piles are driven, they will be cut, and beam caps will be installed.

7.) All access, staging, and storage areas associated with the in-kind riprap repair will be limited to the upland area identified on the attached Proposed Conditions Plan. Existing riprap will be temporarily removed to allow for the installation of geotextile fabric and placement of erosion control stone, after which the riprap will be replaced within the existing footprint. All construction activities are anticipated to take approximately 2 to 4 weeks to complete, depending on contractor scheduling and material availability.

8.) Once construction activities are complete, all exposed or otherwise disturbed shoreline soils will be stabilized and reseeded with grass seed.

9.) All equipment, materials, and construction debris will be removed and properly disposed of.

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

SECTION 2

COASTAL RESOURCE WORKSHEET

Water Division/Land Resources Management
Wetlands Bureau

Check the Status of your Application

RSA/Rule: RSA 482-A/ Env-Wt 600

APPLICANT LAST NAME, FIRST NAME, M.I.: **City of Portsmouth**

This worksheet may be used to present the information required for projects in coastal areas, in addition to the information required for Lower-Scrutiny Approvals, Expedited Permits, and Standard Permits under Env-Wt 603.01.

Please refer to Env-Wt 605.03 for impacts requiring compensatory mitigation.

SECTION 1 - REQUIRED INFORMATION (Env-Wt 603.02; Env-Wt 603.06; Env-Wt 603.09)

The following information is required for projects in coastal areas.

Describe the purpose of the proposed project, including the overall goal of the project, the core project purpose consisting of a concise description of the facilities and work that could impact jurisdictional areas, and the intended project outcome. Specifically identify all natural resource assets in the area proposed to be impacted and include maps created through a data screening in accordance with Env-Wt 603.03 (refer to Section 2) and Env-Wt 603.04 (refer to Section 3) as attachments.

The purpose of this project is to repair an existing riprap area in-kind, and pier improvements.

This project proposes to impact Tidal Surface Waters and the Previosuly Developed Upland Tidal Buffer Zone. No direct impacts are proposed to any salt marsh, eel grass beds,sand dunes, or prime wetlands. This project proposes no impacts to sensitive resources, species, and communities - GIS screening maps and coordination with NH Natural Heritage Bureau (NHB) are included with this permit application. All work will be in accordance with the "Wetlands Best Management Practice Techniques for Avoidance and Minimization" Manual prepared by the New England Interstate Water Pollution Control Commision (NEIWPCC).

We anticipate the start date of the project to be during the late Winter or early Spring of 2026, and we expect this will take approximately 2-4 weeks to complete.

For standard permit projects, provide:

☒ A Coastal Functional Assessment (CFA) report in accordance with Env-Wt 603.04 (refer to Section 3).

☒ A vulnerability assessment in accordance with Env-Wt 603.05 (refer to Section 4).

Explain all recommended methods and other considerations to protect the natural resource assets during and as a result of project construction in accordance with Env-Wt 311.07, Env-Wt 313, and Env-Wt 603.04.

To avoid impact to wildlife that utilize the tidal resource, this phase of the project is slated to start during the Winter season.

Details relative to Avoidance and Minimization, as required by Env-Wt 311.07, are provided within the attached, "Avoidance and Minimization Narrative."

This project meets all criteria established within Env-Wt 313 relative to Approving Standard Applications and is demonstrated further below.

As required by Env-Wt 603.04, we have included a Wetlands Functional Assessment Worksheet with this permit application to demonstrate the functions and values of the neighboring tidal resource.

Provide a narrative showing how the project meets the standard conditions in Env-Wt 307 and the approval criteria in Env-Wt 313.01.

Relevant Standard Conditions Narrative: This project proposal meets all relevant standards conditions of Env-Wt 307. To ensure this project is compliant with all federal requirements, U.S. Army Corp of Engineers Appendix B is included for NH ACOE review so a State General Permit may be issued. Construction equipment will be inspected for leaks daily. This project proposal meets all relevant minimum standards of RSA 483-B as no increases in impervious area or tree cutting is proposed.

Approval Criteria Narrative: This project proposal meets all relevant criteria for approving standard permit applications. This is demonstrated through following attached documents: Coastal Functional Assessment, Avoidance and Minimization Narrative, Coastal Resource Worksheet, and the supplemental document entitled, "Section 7- Resource Specific Criteria."

Provide a project design narrative that includes the following:

☒ A discussion of how the proposed project:

- Uses best management practices and standard conditions in Env-Wt 307;
- Meets all avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;
- Meets approval criteria in Env-Wt 313.01;
- Meets evaluation criteria in Env-Wt 313.01(c);
- Meets CFA requirements in Env-Wt 603.04; and
- Considers sea-level rise and potential flooding evaluated pursuant to Env-Wt 603.05;

☒ A construction sequence, erosion/siltation control methods to be used, and a dewatering plan; and

☒ A discussion of how the completed project will be maintained and managed.

☒ Provide design plans that meet the requirements of Env-Wt 603.07 (refer to Section 5);

☒ Provide water depth supporting information required by Env-Wt 603.08 (refer to Section 6); and

☒ For any major project that proposes to construct a structure in tidal waters/wetlands or to extend an existing structure seaward, provide a statement from the Pease Development Authority Division of Ports and Harbors (DP&H) chief harbormaster, or designee, for the subject location relative to the proposed structure's impact on navigation. If the proposed structure might impede existing public passage along the subject shoreline on foot or by non-motorized watercraft, the applicant shall explain how the impediments have been minimized to the greatest extent practicable.

A statement from the Pease Development Authority Division of Ports and Harbors chief harbormaster is not required as no change to overall footprint of the existing pier is proposed

SECTION 2 - DATA SCREENING (Env-Wt 603.03, in addition to Env-Wt 306.05)

Please use the Wetland Permit Planning Tool, or any other database or source, to indicate the presence of:

☒ Existing salt marsh and salt marsh migration pathways;

☒ Eelgrass beds;

☒ Documented shellfish sites;

☒ Projected sea-level rise; and

☒ 100-year floodplain.

Conduct data screening as described to identify documented essential fish habitat, and tides and currents that may be impacted by the proposed project, by using the following links:

☒ National Oceanic and Atmospheric Administration (NOAA) Tides & Currents; and

☒ NOAA Essential Fish Habitat Mapper.

☒ Verify or correct the information collected from the data screenings by conducting an on-site assessment of the subject property in accordance with Env-Wt 406 and Env-Wt 603.04.

SECTION 3 - COASTAL FUNCTIONAL ASSESSMENT/ AVOIDANCE AND MINIMIZATION (Env-Wt 603.04; Env-Wt 605.01; Env-Wt 605.02; Env-Wt 605.03)

Projects in coastal areas shall:

☒ Not impair the navigation, recreation, or commerce of the general public; and

☒ Minimize alterations in prevailing currents.

An applicant for a permit for work in or adjacent to tidal waters/wetlands or the tidal buffer zone shall demonstrate that the following have been avoided or minimized as required by Env-Wt 313.04:

☒ Adverse impacts to beach or tidal flat sediment replenishment;

☒ Adverse impacts to the movement of sediments along a shore;

☒ Adverse impacts on a tidal wetland's ability to dissipate wave energy and storm surge; and

☒ Adverse impacts of project runoff on salinity levels in tidal environments.

For standard permit applications submitted for minor or major projects:

☒ Attach a CFA based on the data screening information and on-site evaluation required by Env-Wt 603.03. The CFA for tidal wetlands or tidal waters shall be:

- Performed by a qualified coastal professional; and
- Completed using one of the following methods:

  a. The US Army Corps of Engineers (USACE) Highway Methodology Workbook, dated 1993, together with the USACE New England District *Highway Methodology Workbook Supplement*, dated 1999; or

  b. An alternative scientifically-supported method with cited reference and the reasons for the alternative method substantiated.

For any project that would impact tidal wetlands, tidal waters, or associated sand dunes, the applicant shall:

☒ Use the results of the CFA to select the location of the proposed project having the least impact to tidal wetlands, tidal waters, or associated sand dunes;

☒ Design the proposed project to have the least impact to tidal wetlands, tidal waters, or associated sand dunes;

☒ Where impact to wetland and other coastal resource functions is unavoidable, limit the project impacts to the least valuable functions, avoiding and minimizing impact to the highest and most valuable functions; and

☒ Include on-site minimization measures and construction management practices to protect coastal resource areas.

Projects in coastal areas shall use results of this CFA to:

☒ Minimize adverse impacts to finfish, shellfish, crustacean, and wildlife;

☒ Minimize disturbances to groundwater and surface water flow;

☒ Avoid impacts that could adversely affect fish habitat, wildlife habitat, or both; and

☒ Avoid impacts that might cause erosion to shoreline properties.

SECTION 4 - VULNERABILITY ASSESSMENT (Env-Wt 603.05)

Refer to the New Hampshire Coastal Flood Risk Summary Part 1: Science and New Hampshire Coastal Flood Risk Summary Part II: Guidance for Using Scientific Projections or other best available science to:

Determine the time period over which the project is designed to serve.

Please see the attached Coastal Vulnerability Assessment Narrative

Identify the project's relative risk tolerance to flooding and potential damage or loss likely to result from flooding to buildings, infrastructure, salt marshes, sand dunes and other valuable coastal resource areas.

Please see the attached Coastal Vulnerability Assessment Narrative

Reference the projected sea-level rise (SLR) scenario that most closely matches the end of the project design life and the project's tolerance to risk or loss.

Please see the attached Coastal Vulnerability Assessment Narrative

Identify areas of the proposed project site subject to flooding from SLR.

Please see the attached Coastal Vulnerability Assessment Narrative

Identify areas currently located within the 100-year floodplain and subject to coastal flood risk.

Please see the attached Coastal Vulnerability Assessment Narrative

Describe how the project design will consider and address the selected SLR scenario within the project design life, including in the design plans.

Please see the attached Coastal Vulnerability Assessment Narrative

Where there are conflicts between the project's purpose and the vulnerability assessment results, schedule a pre-application meeting with the department to evaluate design alternatives, engineering approaches, and use of the best available science.

☐ Pre-application meeting date held: **no conflicts exist**

SECTION 5 - DESIGN PLANS (Env-Wt 603.07, in addition to Env-Wt 311)

Submit design plans for the project in both plan and elevation views that clearly depict and identify all required elements.

The plan view shall depict the following:

☒ The engineering scale used, which shall be no larger than one inch equals 50 feet;

☒ The location of tidal datum lines depicted as lines with the associated elevation noted, based on North American Vertical Datum of 1988 (NAVD 88), derived from https://tidesandcurrents.noaa.gov/datum_options.html, as described in Section 6.

☒ An imaginary extension of property boundary lines into the waterbody and a 20-foot setback from those property line extensions;

☒ The location of all special aquatic sites at or within 100 feet of the subject property;

☒ Existing bank contours;

☒ The name and license number, if applicable, of each individual responsible for the plan, including:

a. The agent for tidal docking structures who determined elevations represented on plans; and

b. The qualified coastal professional who completed the CFA report and located the identified resources on the plan;

☒ The location and dimensions of all existing and proposed structures and landscape features on the property;

☒ Tidal datum(s) with associated elevations noted, based on NAVD 88; and

☒ Location of all special aquatic sites within 100-feet of the property.

The elevation view shall depict the following:

☒ The nature and slope of the shoreline;

☒ The location and dimensions of all proposed structures, including permanent piers, pilings, float stop structures, ramps, floats, and dolphins; and

☒ Water depths depicted as a line with associated elevation at highest observable tide, mean high tide, and mean low tide, and the date and tide height when the depths were measured. Refer to Section 6 for more instructions regarding water depth supporting information.

See specific design and plan requirements for certain types of coastal projects:

- Overwater structures (Env-Wt 606).
- Dredging activities (Env-Wt 607).
- Tidal beach maintenance (Env-Wt 608).
- Tidal shoreline stabilization (Env-Wt 609).
- Protected tidal zone (Env-Wt 610).
- Sand Dunes (Env-Wt 611).

SECTION 6 - WATER DEPTH SUPPORTING INFORMATION REQUIRED (Env-Wt 603.08)

Using current predicted NOAA tidal datum for the location, and tying field measurements to NAVD 88, field observations of at least three tide events, including at least one minus tide event, shall be located to document the range of the tide in the proposed location showing the following levels:

☒ Mean lower low water;

☒ Mean low water;

☒ Mean high water;

☒ Mean tide level;

☒ Mean higher high water;

☒ Highest observable tide line; and

☒ Predicted sea-level rise as identified in the vulnerability assessment in Env-Wt 603.05.

The following data shall be presented in the application project narrative to support how water depths were determined:

☒ The date, time of day, and weather conditions when water depths were recorded; and

☒ The name and license number of the licensed land surveyor who conducted the field measurements.

For tidal stream crossing projects, provide:

☐ Water depth information to show how the tier 4 stream crossing is designed to meet Env-Wt 904.07(c) and (d).

For repair, rehabilitation or replacement of tier 4 stream crossings:

☐ Demonstrate how the requirements of Env-Wt 904.09 are met.

SECTION 7 - GENERAL CRITERIA FOR TIDAL BEACHES, TIDAL SHORELINE, AND SAND DUNES (Env-Wt 604.01)

Any person proposing a project in or on a tidal beach, tidal shoreline, or sand dune, or any combination thereof, shall evaluate the proposed project based on:

☒ The standard conditions in Env-Wt 307;

☒ The avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;

☒ The approval criteria in Env-Wt 313.01;

☒ The evaluation criteria in Env-Wt 313.05;

☒ The project specific criteria in Env-Wt 600;

☒ The CFA required by Env-Wt 603.04; and

☒ The vulnerability assessment required by Env-Wt 603.05.

New permanent impacts to sand dunes that provide coastal storm surge protection for protected species or habitat shall not be allowed except:

☐ To protect public safety; and

☐ Only if constructed by a state agency, coastal resiliency project, or for a federal homeland security project.

Projects in or on a tidal beach, tidal shoreline, or sand dune shall support integrated shoreline management that:

☒ Optimizes the natural function of the shoreline, including protection or restoration of habitat, water quality, and self-sustaining stability to flooding and storm surge; and

☒ Protects upland infrastructure from coastal hazards with a preference for living shorelines over hardened shoreline practices.

SECTION 8 - GENERAL CRITERIA FOR TIDAL BUFFER ZONES (Env-Wt 604.02)

The 100-foot statutory limit on the extent of the tidal buffer zone shall be measured horizontally. Any person proposing a project in or on an undeveloped tidal buffer zone shall evaluate the proposed project based on:

☒ The standard conditions in Env-Wt 307;

☒ The avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;

☒ The approval criteria in Env-Wt 313.01;

☒ The evaluation criteria in Env-Wt 313.05;

☒ The project specific criteria in Env-Wt 600;

☒ The CFA required by Env-Wt 603.04; and

☒ The vulnerability assessment required by Env-Wt 603.05.

Projects in or on a tidal buffer zone shall preserve the self-sustaining ability of the buffer area to:

☒ Provide habitat values;

☒ Protect tidal environments from potential sources of pollution;

☒ Provide stability of the coastal shoreline; and

☒ Maintain existing buffers intact where the lot has disturbed area defined under RSA 483-B:4, IV.

SECTION 9 - GENERAL CRITERIA FOR TIDAL WATERS/WETLANDS (Env-Wt 604.03)

Except as allowed under Env-Wt 606, permanent new impacts to tidal wetlands shall be allowed only to protect public safety or homeland security. Evaluation of impacts to tidal wetlands and tidal waters shall be based on:

☒ The standard conditions in Env-Wt 307;

☒ The avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;

☒ The approval criteria in Env-Wt 313.01;

☒ The evaluation criteria in Env-Wt 313.05;

☒ The project specific criteria in Env-Wt 600;

☒ The CFA required by Env-Wt 603.04; and

☒ The vulnerability assessment required by Env-Wt 603.05.

Projects in tidal surface waters or tidal wetlands shall:

☒ Optimize the natural function of the tidal wetland, including protection or restoration of habitat, water quality, and self-sustaining stability to storm surge;

☒ Be designed with a preference for living shorelines over hardened stabilization practices; and

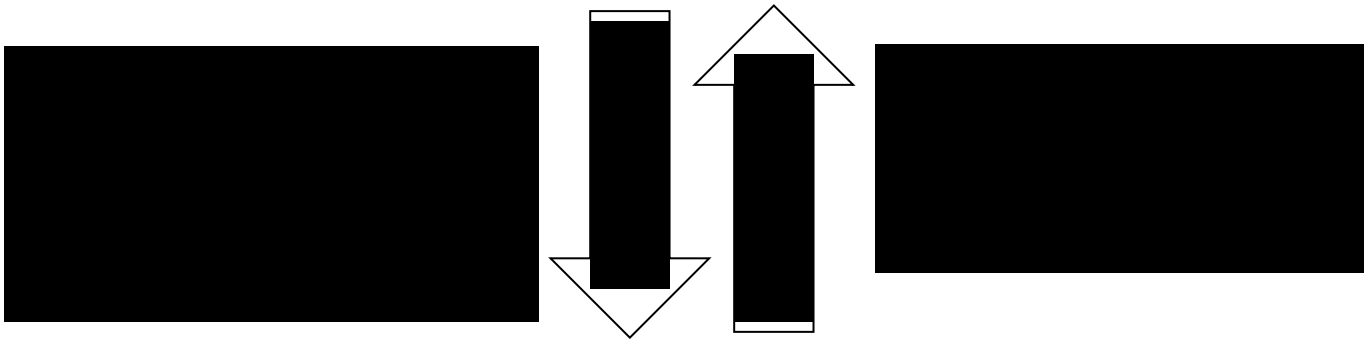
☒ Be limited to public infrastructure or restoration projects that are in the interest of the general public, including a road, a bridge, energy infrastructure, or a project that addresses predicted sea-level rise and coastal flood risk.

SECTION 10 – GUIDANCE

Your application must follow the New Hampshire Coastal Risk and Hazards Commission's Guiding Principles or other best available science. Below are some of these guidance principles:

- Incorporate science-based coastal flood risk projections into planning;
- Apply risk tolerance* to assessment, planning, design, and construction;
- Protect natural resources and public access;
- Create a bold vision, start immediately, and respond incrementally and opportunistically as projected coastal flood risks increase over time; and
- Consider the full suite of actions including effectiveness and consequences of actions.

*Risk tolerance is a project's willingness to accept a higher or lower probability of flooding impacts. The diagram below gives examples of project with lower and higher risk tolerance:



Wetland Function-Value Evaluation Form

Total area of wetland >100 Acres Human made? No Is wetland part of a wildlife corridor? No or a "habitat island"? No

Adjacent land use Public Park Distance to nearest roadway or other development 50-feet

Dominant wetland systems present E1UBLE & E2US3N Contiguous undeveloped buffer zone present No

Is the wetland a separate hydraulic system? No If not, where does the wetland lie in the drainage basin? Lowest reach

How many tributaries contribute to the wetland? 0 Wildlife & vegetation diversity/abundance (see attached list)

Wetland I.D. Prescott Park- Piscataqua River

Latitude 43.00773 Longitude -70.75182

Prepared by: Vincent Brigagliano Date 10/16/2025

Wetland Impact:
Type Riprap Impacts Area 4,718 S.F.
Pier Impacts 28 S.F.

Evaluation based on:
Office yes Field yes

Corps manual wetland delineation completed? Y x N

Function/Value	Suitability Y / N	Rationale (Reference #)*	Principal Function(s)/Value(s)	Comments
Groundwater Recharge/Discharge	N	5,15	N	No aquifer interface, tidal waters.
Floodflow Alteration	Y	1,3,4,6,7,8,9,12,13	N	Capable of retaining flood waters from neighboring residential area.
Fish and Shellfish Habitat	Y	1,3,4,5,6,7,9,10,12,16,	Y	Shellfish and recreational fish species present.
Sediment/Toxicant Retention	Y	1,2,3,4,5,6,7,8,9	N	Lacks aquatic vegetation in project area
Nutrient Removal	Y	1,2,3,5,6,7,10	N	Not a wetland. Lacks aquatic vegetation species able to remove and transform compounds.
Production Export	Y	1,2,3,4,5,6,7,9,13	N	Estuarine environment, highly productive.
Sediment/Shoreline Stabilization	Y	1,3,5,8,10,11	N	Landscaped lawn and walkways lacks a naturalized bank
Wildlife Habitat	Y	7,8,9,10,12,16,17,18,19,21,	Y	Evidence of wildlife present. T & E species utilize this area.
Recreation	Y	1,2,5,7,8,9,11,12	Y	Public Park & Pier, Boats and kayaks can utilize tidal resource.
Educational/Scientific Value	Y	3,5,8,9,13,15,16	Y	Public Access. Site is used for educational purposes
Uniqueness/Heritage	Y	2,4,6,,8,9,10,12,14,17,19,20,23,24,25,26,27	Y	valuable resource to the public.
Visual Quality/Aesthetics	Y	1,2,8,9,12	Y	Public park and pier that provides open views of the tidal resource
ES Endangered Species Habitat	Y	1,2	Y	Near the project location T & E species could at times be present according to NHB.
Other Ecological Integrity	Y		Y	Tidal resource not heavily altered.

Notes: Ecological Integrity Score = .65

* Refer to backup list of numbered considerations.

Ecological Integrity of the Tidal Resource

Methods

Tidal resources are among the most productive and most disturbed ecosystems. Undeveloped, undisturbed natural buffers are critical to supporting the health of aquatic ecosystems. Natural buffers protect tidal resources by anchoring and stabilizing the shoreline, reducing erosion, and absorbing nutrients and contaminants found in stormwater. *Ecological Integrity* is a measure of the extent to which natural ecosystems and their buffers have been altered.

The ecological integrity of the wetlands was assessed using the *Method for Evaluation and Inventory of Vegetated Tidal Marshes in New Hampshire (June 1993)* and data from the NH Fish and Game Wildlife Action Plan (WAP).

Figure 1: Overview of project area and zone of influence.

Ecological Integrity of the Tidal Waters

EU= Evaluation Unit (the Tidal Resource)

Percent of marsh plant community dominated by invasive plant species	Score
Less than 5% of EU dominated by invasive species	**1.0**
5% to 20% of EU dominated by invasive species	**.5**
More than 20% of the EU dominated by invasive species	**.1**
Number of Tidal Restrictions	
No Tidal Restrictions	**1.0**
One Tidal Restriction between the EU and free tidal flow	**.5**
More than one Tidal Restriction between the EU and free tidal flow	**.1**
Type of Tidal Restriction	
No restriction affecting tidal flow	**1.0**
Flow through bridge appears adequate	**.5**
Flow through bridge appears inadequate and/ or flow restricted by culvert(s)	**.1**
Ditching on the Surface of the EU	
No ditching within the EU	**1.0**
Ditches present in linear pattern	**.5**
Ditches present in grid pattern	**.1**
Dominant Land Use in the 500-Foot Zone of Influence Surrounding the EU	
Forested, Fields, Open Water or Open Space	**1.0**
Agriculture or Rural Residential	**.5**

Commercial, Industrial, High Density Residential or Heavily used Highways	**.1**
Ratio of the Number of Occupied Buildings within the EU or within the Zone of Influence Surrounding the EU	
Less than 0.1 Buildings/ acre.	**1.0**
From 0.1 to 0.5 Buildings/ acre.	**.5**
More than 0.5 Buildings/ acre.	**.1**
Percent of the EU/ Upland Border which has a buffer of woodland or idle land at least 500-feet in width.	
More than 70%	**1.0**
From 30% to 70%	**.5**
Less than 30%	**.1**
Square footage of roads, driveways and parking lots within 150-feet of the EU.	
Ratio less than 1,500 square feet/ acre	**1.0**
Ration between 1,500 square feet to 6,000 square feet/ acre	**.5**
Ratio greater than 6,000 square feet/ acre	**.1**
SCORE = 1.0+.5+1.0+1.0+.5+1.0+.1+.1= 5.2 5.2 /8 = .65	**.65**

Summary:

The project site is located adjacent to a public park maintained by the City of Portsmouth and the tidal waters of the Piscataqua River. Less than 5% of the zone of influence is dominated by invasive species. Within the zone of influence, a tidal restriction exists due to a seawall that remains within tidal waters at all stages of the tide, separating the water from the adjacent public walkway. There are no signs of previous ditching within the area.

The dominant land use within the 500-foot zone of influence surrounding the ecological unit (EU) is a public park, with fewer than 0.1 occupied buildings per acre. Less than 30% of the buffer is woodland or idle land, as much of the surrounding area consists of managed public parkland. Roads and driveways within 150 feet of the EU account for a ratio greater than 6,000 square feet per acre.

Overall, this tidal resource has experienced significant degradation from anthropogenic impacts. Portions of the surrounding buffer, or zone of influence, have been developed and contain impervious

surfaces that likely contribute untreated runoff to the resource. The project site is also located adjacent to a public road that receives frequent daily use by nearby residents.

References

Ammann, A.P. and A.L. Stone. 1993. *Method for Evaluation and Inventory of Vegetated Tidal Marshes in New Hampshire.*

Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists

Narrative on Coastal Functional Assessment

Introduction

This *Coastal Functional Assessment* (CFA) was conducted to support a NHDES Wetlands Permit Application to repair existing riprap area in-kind and pier improvements.

The tidal resource adjacent to the proposed project site consists of two wetland classes. These classes include: Estuarine, Intertidal, Unconsolidated Shore, Mud, Regularly Flooded (E2US3N); and Estuarine, Subtidal, Unconsolidated Bottom, Subtidal (E1UBLE). This Tidal Resource is a relatively high value high functioning resource, as it serves as habitat for various aquatic and wildlife species, production export, recreational and educational value. This project proposes to impact the tidal resource in order to repair the existing riprap area in-kind and improve the overall structural integrity of the existing public pier.

According to the *NH Fish and Game Wildlife Action Plan* (WAP), the upland area adjacent to these resources is predominantly *Developed / Impervious* and *Developed/Barren*. The WAP indicates that no portion of the tidal or upland area is *Highest-Ranked Habitat* in New Hampshire.

Methods

The *Highest Observable Tide Line* (HOTL) were delineated using the methods prescribed by NHDES Administrative Rule Env-Wt 602.23. These boundaries, along with the limits of the 100-foot *Tidal Buffer Zone*, are depicted in the design plans attached to this permit application. The tidal resource were classified based on the *Classification of Wetlands and Deepwater Habitats of the United States* system adapted from Cowardin, Carter, Golet and LaRoe (1979, FGDC-STD-004-2013).

This Coastal Functional Assessment (CFA) was conducted by performing a field visit on August 6, 2025. The forested wetland and tidal resource were assessed using the *Army Corps of Engineers Highway Methodology* (September 1999, NAEEP-360-1-30a).

The *Ecological Integrity* of the forested wetland and tidal resource was assessed using data from the NH Fish and Game Wildlife Action Plan (WAP) as well as GIS data available on NHGRANIT.

Results:

Groundwater Recharge / Discharge

This function considers the potential for a wetland to serve as a groundwater recharge and/or discharge site. More particularly, this function refers to the interaction between wetlands and aquifers. There are

no aquifers in this area of the coast, and the dominant wetland classes on site (E2US3N, E1UBLE) are estuarine and tidally influenced. For these reasons, **Groundwater Recharge / Discharge is not a principal function of this resource.**

Floodflow Alteration

This function analyzes the effectiveness of the wetland in reducing flood damage by retaining flood waters for prolonged periods of time. During coastal storm events and tidal surges, this tidal resource inundates the adjacent upland areas of Prescott Park but does not effectively store floodwaters for a prolonged period of time. Therefore, **Floodflow Alteration is not considered a principal function of this resource.**

Fish / Shellfish Habitat

This function considers a wetland's ability to provide embayments, tidal flats, vegetated shallows, and other environments in support of fish, shellfish, and marine mammals. Consultation was completed with the *National Oceanic and Atmospheric Administration* (NOAA) for this project, and this consultation revealed that this resource contains *Essential Fish Habitat* (EFH) for a variety of fish and shellfish species. For this reason, **Fish / Shellfish Habitat is a principal function of this resource.**

Sediment / Toxicant Retention

This function considers the effectiveness of a wetland in acting as a trap for sediments, toxicants, and pathogens within runoff from surrounding upland areas. The nearby public roadways are certainly a contributor of excess sediments and toxicants. The upland buffer of this resource is manicured lawn and the tidal waters in the project area lacks aquatic vegetation. For these reasons, **Sediment / Toxicant Retention is not a principal function of this resource.**

Nutrient Removal / Retention / Transformation

This function recognizes a wetland's ability to serve as a trap for nutrients in runoff from surrounding uplands or contiguous wetlands. Due to the strong tidal currents of the Piscataqua River and the absence of deep organic or sediment deposits, this resource does not adequately absorb or retain excess nutrients, nor does it effectively transfer them between trophic levels. Therefore, **Nutrient Removal / Retention / Transformation is not a principal function of this resource.**

Production Export

This function recognizes a wetland's ability to export organic material, nutrients, and energy to adjacent ecosystems. The tidal waters of the Piscataqua River in front of Prescott Park are highly productive and support multiple trophic levels, including forage fish such as silversides that serve as prey for Roseate Terns (*Sterna dougallii*) and other marine species. Energy and nutrients are readily transported off-site through tidal exchange and biological movement therefore, **Production Export is a principal function of this resource.**

Sediment / Shoreline Stabilization

This function relates to a wetland's effectiveness in stabilizing shorelines and preventing erosion. The shoreline of this resource is a landscaped public park and lacks deep rooted vegetation directly along the shoreline therefore, **Sediment / Shoreline stabilization is not a principal function of this resource.**

Wildlife Habitat

This function considers a wetland's ability to provide wildlife habitat. As mentioned above, multiple trophic levels utilize this tidal resource. **Wildlife Habitat is a principal function of this resource.**

Recreation

This function considers the effectiveness of the wetland in providing recreational opportunities such as canoeing, boating, fishing, and kayaking, among other passive recreational activities. This resource (specifically, the project area) can be publicly accessed from other boat launches within the vicinity, but it cannot be directly accessed by the public. For this reason, **Recreation is not a principal function of this resource.**

Education / Scientific Value

This value considers the effectiveness of the wetland in serving as an outdoor classroom or research site. Prescott Park and the adjacent tidal waters are commonly used for field trips, public educational programs, and scientific observation related to the tidal resource. Therefore, **Education / Scientific value is a principal function of this resource.**

Uniqueness / Heritage

This value relates to the effectiveness of a wetland in producing certain *special values* such as archaeological sites, historical sites, unusual aesthetic qualities, and unique plant communities, among other values. Given NH has a relatively small coastal shoreline, this area is certainly unique to NH. The project area is easily accessed by the public, and therefore **Uniqueness / Heritage is a principal function of this resource.**

Visual Quality / Aesthetics

This value considers the wetland's overall visual quality and aesthetics. This resource is associated with a landscaped public park and provides open views of tidal waters, **Visual Quality / Aesthetics is considered a principal function of this resource.**

Endangered Species Habitat

Endangered species habitat relates to the effectiveness of the wetland in supporting endangered species and their habitat needs. Consultation with the New Hampshire DES Data Check Tool (DCT) revealed that the State Threatened Atlantic and State Endangered Shortnose Sturgeon utilize this area, likely for passage to spawning sites. It also revealed that the State Threatened Peregrine Falcon utilizes this area, likely for foraging. For these reasons, **Endangered Species Habitat is considered a principal function of this resource.**

Ecological Integrity

Ecological Integrity is a measure of the extent to which natural ecosystems and their buffers remain unaltered. Much of the Zone of Influence consists of landscaped public park areas and piers, and public roadways beyond the 500-foot zone likely contribute untreated stormwater containing sediments, nutrients, and other contaminants to the resource. However, the shoreline is well maintained, and the active management of upland areas minimizes the establishment of invasive species. Based on these conditions, the resource achieved an Ecological Integrity score of 0.65 out of a possible 1.0. Therefore, **Ecological Integrity is a principal function of this resource.**

Summary

This tidal resource serves many functions, including *Fish and Shellfish Habitat, Production Export, Wildlife Habitat, Recreation, Education/Scientific Value, Uniqueness/Heritage, Visual Qualities/ Aesthetics, Endangered Species Habitat, and Ecological Integrity*. This resource is considered a high value, high-functioning resource of the State of New Hampshire.

Sediment and turbidity controls will be implemented throughout the duration of all pile installation activities when in-water work cannot be conducted under dry conditions (see the Turbidity Sleeve Detail Sheet attached to the Proposed Conditions Plan Set for additional information on this technique). All work associated with the pier improvements will be accessed by water via a crane barge. Riprap repair work will occur only within the upland area designated on the Proposed Conditions Plan. If any shoreline soils are exposed or otherwise disturbed during construction, they will be stabilized and reseeded as necessary to prevent erosion.

In summary, as a result of incorporating the aforementioned avoidance and minimization techniques, this project is unlikely to affect the principal functions and values of this tidal resource.

References

ACOE. *Army Corps of Engineers Highway Methodology.* (September 1999, NAEEP-360-1-30a).

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. *Classification of Wetlands and Deep-Water Habitats of the United States*. (1979, USFWS/OBS-79/31).

Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists

Coastal Vulnerability Assessment

Env-Wt 603.05

Introduction

TFMoran recognizes rising seas pose a significant threat to New Hampshire's coastal communities, ecosystems, and cultural resources (STAP, 2014). This *Coastal Vulnerability Assessment* (CVA) was prepared to accompany the associated NHDES Wetlands Permit Application seeking approval to repair an existing riprap area in-kind, and pier improvements.

Methodology

This Coastal Vulnerability Assessment (CVA) was conducted using the *NH Coastal Flood Risk Science and Technical Advisory Panel (STAP) Report, Sea-Level Rise, Storm Surges, and Extreme Precipitation in Coastal New Hampshire: Analysis of Past and Projected Future Trends* as prescribed by NHDES Wetlands Administrative Rule Env-Wt 603.05. Additionally, the *New Hampshire Coastal Flood Risk Summary, Part II: Guidance for Using Scientific Projections (NHCFRSTAP, 2020)* prepared by the New Hampshire Coastal Flood Risk Science and Technical Advisory Panel was referenced to demonstrate this site's vulnerability to sea level rise. Moreover, the Rockingham Planning Commission (RPC) *Tides to Storms - Preparing for New Hampshire's Future Coast, City of Rye Vulnerability Assessment (RPC, 2015)* was consulted. We also referenced the *FEMA Coastal Construction Manual – Principles and Practices of Planning, Siting, Designing, Constructing, and Maintaining Residential Building in Coastal Areas – Fourth Edition (FEMA, 2011).* Site visits and field observations were performed by Coastal Professional Vincent Brigagliano on, May 2, 2025, and August 6, 2025

Step 1.1 – Project Goal and Project Type

The goal of this project is to repair existing riprap area in-kind and pier improvements. This project will allow for the continued safe use of the public park space and piers.

Step 1.2 – Project Area

The project area is located at Marcy Street, Portsmouth, NH – Tax Map: 104, Lot: 3-3.

Step 1.3 – Time Period Over Which the Project is Designed to Serve

The proposed site improvements are designed for long-term durability. The riprap is expected to remain effective through at least the year 2080, while the pier improvements are designed to provide structural integrity through at least the year 2150.

Step 2.1 – Risk Tolerance to Flooding and Potential Damage or Loss

This project proposes to repair existing riprap and replace fender pilings (one new), cross and lateral bracings, and two new support piles. that is designed to withstand the daily ebb and flow of tidal waters, and therefore, it has a relatively low sensitivity to inundation. Additionally, this area of the coast is not exposed to highly erosive tidal energy forces. The riprap repair and pier improvements are relatively low cost, easy to modify and, if damaged, has no implications on public/ function and safety, and therefore, this project is classified as having a **high tolerance for flood risk**.

Risk Tolerance	High	Medium	Low	Very Low
Description	A project that is able to tolerate a high level of flood risk	A project that is able to tolerate a medium level of flood risk	A project that is only able to tolerate a low level of flood risk	A project that is only able to tolerate a very low level of flood risk
Possible Project Characteristics	Low value or cost	Medium value or cost	High value or cost	Extremely high value or cost
Risk tolerance depends on the combination and importance of the project characteristics	Easy to modify	Moderately modifiable	Difficult to Modify	Extremely difficult to modify
	Little to no implications on public function and/ or safety	Moderate implications for public function and/ or safety	Critical to public function and/ or safety	High risk of public harm if project fails
	Low sensitivity to inundation	Moderate sensitivity to inundation	High Sensitivity to inundation	Extremely high sensitivity to inundation

Table 1: Framework for determining projected tolerance for flood risk.

Step 2.2 – Project Specific Considerations

This project poses no threat to public access or important services. The project area is located on public land owned by the City of Portsmouth. Prescott Park is frequently used by the public for foot traffic, and the maintenance of the pier and shoreline areas is intended to ensure continued safety and accessibility, which is the primary purpose of this project.

Step 3.1 Relative Sea Level Rise (RSLR) Estimates for the Project

When considering projected relative sea level rise (RSLR) for this project, four different global greenhouse gas scenarios (Representative Concentration Pathways [RCPs]) were considered. We elected to use the recommended intermediate RCP 4.5 scenario because this scenario represents an optimistic perspective that allows for mitigation. Using this RCP also allows us to project sea level rise beyond the year 2100, which our project life is expected to exceed.

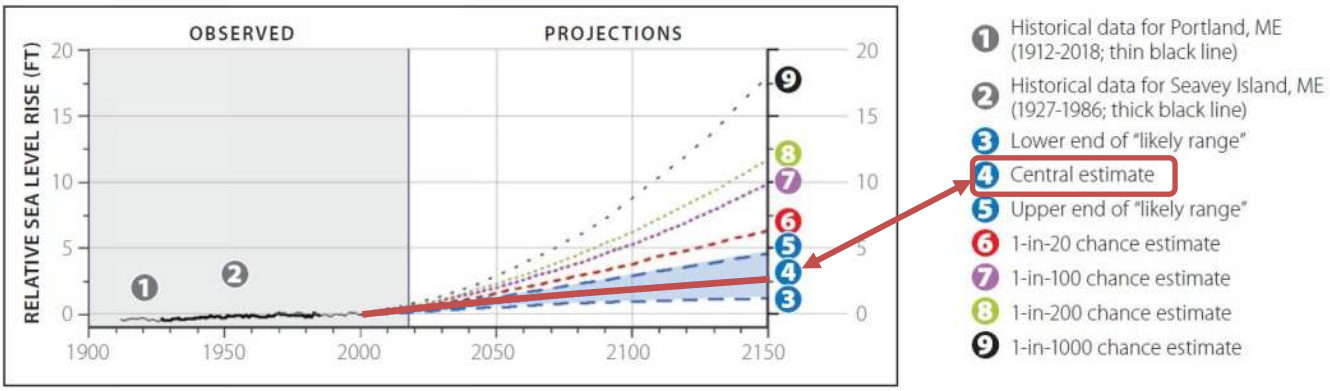


Figure 1: Greenhouse gas concentration scenario RCP 4.5 used for RSLR estimates.

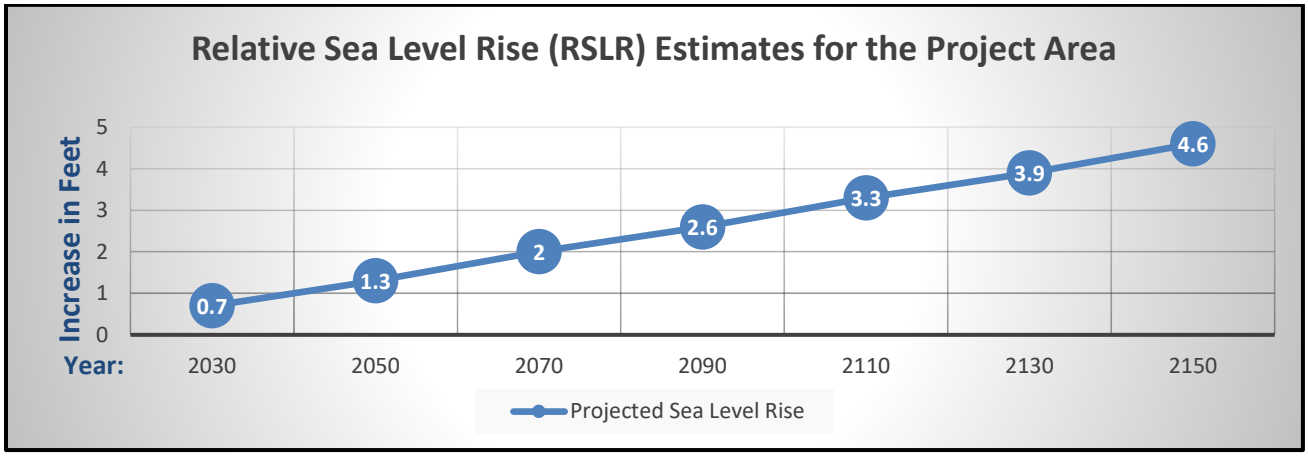


Figure 2: Incremental Relative Sea Level Rise Estimates for the project area based on representative concentration pathway (RCP) 4.5, a HIGH tolerance for flood risk, and a project timeframe that extends until the year 2150.

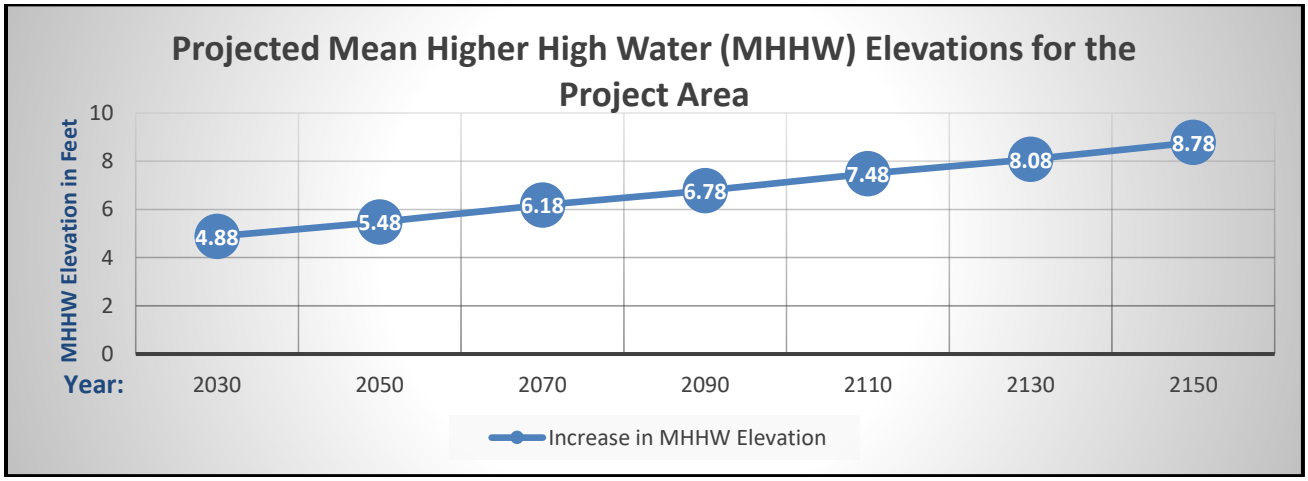


Figure 3: Incremental Relative Sea Level Rise (RSLR) for the project area based on representative concentration pathway (RCP) 4.5, a HIGH tolerance for flood risk, and the current Mean Higher High Water (MHHW) elevation of 4.18 feet determined by the National Oceanic and Atmospheric Association (NOAA) for Seavey Island, NH Station 8419870 using NAVD 88 datum.

1 Foot Sea Level Rise (SLR) Projection - Year: 2040
Mean High High Water Elevation (MHHW)

2 Foot Sea Level Rise (SLR) Projection - Year: 2070
Mean High High Water Elevation (MHHW)

4 Foot Sea Level Rise (SLR) Projection - Year: 2130
Mean High High Water Elevation (MHHW)

2 Foot Sea Level Rise with 100 Year Storm Projection - Year: 2070
Mean High High Water Elevation (MHHW)

Step 3.2 Assess Relative Sea Level Rise (RSLR) Impacts to the Project

The existing riprap has been displaced, and the property has experienced occasional water intrusion during storm events. With proper repair, the proposed riprap restoration is expected to provide effective and durable shoreline protection through at least the year 2080. To ensure the continued safe use of the public pier, six fender piles, cross braces, and lateral braces will be replaced, along with two new support piles and one new fender pile installed. The proposed pier improvements are designed to withstand inundation. Future increases in current velocities, erosive forces, and sediment deposition could impact the long-term performance of these stabilization efforts. No surrounding infrastructure will affect the project area.

Step 4.1 Identify and Assess Relative Sea Level Rise (RSLR) Adjusted for Coastal Storms/ Design Flood Elevation (DFE)

This section of the Vulnerability Assessment is not applicable because Design Flood Elevation is not applicable to pier and riprap areas.

<table>
<tr><th></th><th>HIGH
TOLERANCE FOR FLOOD RISK</th><th>MEDIUM
TOLERANCE FOR FLOOD RISK</th><th>LOW
TOLERANCE FOR FLOOD RISK</th><th>VERY LOW
TOLERANCE FOR FLOOD RISK</th></tr>
<tr><td>IF PROJECT AREA IS LOCATED IN:</td><td colspan="4">RSLR-ADJUSTED DESIGN FLOOD ELEVATION (DFE) =</td></tr>
<tr><td>A, AO, OR AE ZONE* NOT IDENTIFIED AS COASTAL A ZONE**</td><td rowspan="2">[BFE] + RSLR</td><td rowspan="2">[BFE + (required freeboard ≥ 1 ft)] + RSLR</td><td>[BFE + (required freeboard ≥ 1 ft)] + RSLR</td><td rowspan="2">Whichever is greater:
[BFE + (required freeboard ≥ 2ft)] + RSLR
OR
0.2% annual chance flood elevation + RSLR</td></tr>
<tr><td>VE ZONE*** AND COASTAL A ZONE</td><td>[BFE + (required freeboard ≥ 2 ft)] + RSLR</td></tr>
</table>

Figure 4: Recommended approach to determining *Design Flood Elevation* (DFE) based on risk tolerance.

Step 4.2 Assess Relative Sea Level Rise-Adjusted Coastal Storm Impacts to the Project

The cumulative impacts of storm events and projected sea level rise will not adversely impact the proposed riprap repair and pier improvements. This project has a high degree of tolerance for flood risk.

Step 5.1 Identify Relative Sea Level Rise Induced Groundwater Rise

Mean groundwater rise is projected to be 66% of relative sea level rise (RSLR) between 0 to 0.6 miles from coastal areas (Knot, Jacobs, et al.) Relative Sea Level Rise Induced Groundwater Rise will not adversely impact the proposed riprap repair or pier improvements. The pilings are designed to be submerged within water and saturated marine soils until at least the year 2100.

	PREFERRED APPROACH (MAPPED COASTAL COMMUNITY)	ALTERNATE APPROACH (UNMAPPED COASTAL COMMUNITY)
	IF PROJECT AREA IS LOCATED IN A MAPPED COASTAL COMMUNITY:	IF PROJECT AREA IS LOCATED WITHIN 3 MILES OF TIDAL SHORELINE IN AN UNMAPPED COASTAL COMMUNITY:
RSLR-INDUCED GROUNDWATER RISE =	Refer to Sea-Level Rise Mapper[38] to estimate RSLR-induced groundwater rise	Commit to manage = (RSLR) x (0.33) Be prepared to manage = (RSLR) x (0.66)
DEPTH TO RSLR-ADJUSTED GROUNDWATER =	(Present-day depth to groundwater) - (RSLR-induced groundwater rise)	

Figure 5: The approach selected for determining sea level rise induced groundwater rise at the project site.

Step 5.2 and 5.3 Future Groundwater for the Project Area and Groundwater Rise Impacts This project proposes components that are unlikely to be adversely impacted by sea level rise induced groundwater rise. The proposed riprap repair and pier improvements is designed to handle inundation, this assessment is not applicable to this project.

Step 6.1 Account for Projected Increases in Extreme Precipitation

Under representative concentration pathway (RCP) 4.5, by the end of the century, the amount of precipitation falling on the wettest day of the year is projected to increase by 8-15% (NHCFRSTAP, 2020). This project has a high degree of tolerance for flood risk, and therefore, we have elected to account for a 15% increase in extreme precipitation estimates.

	HIGH TOLERANCE FOR FLOOD RISK	MEDIUM TOLERANCE FOR FLOOD RISK	LOW TOLERANCE FOR FLOOD RISK	VERY LOW TOLERANCE FOR FLOOD RISK
PROJECTED EXTREME PRECIPITATION ESTIMATE =	(Best available precipitation data) x (1.15)		(Best available precipitation data) x (>1.15)	

Figure 6: The approach for calculating projected extreme precipitation estimates based on the project's tolerance for flood risk.

Extreme Precipitation Tables

Northeast Regional Climate Center

Data represents point estimates calculated from partial duration series. All precipitation amounts are displayed in inches.

Metadata for Point

Smoothing	Yes
State	
Location	
Latitude	43.076 degrees North
Longitude	70.752 degrees West
Elevation	0 feet
Date/Time	Sat Oct 11 2025 15:57:27 GMT-0400 (Eastern Daylight Time)

Extreme Precipitation Estimates

	5min	10min	15min	30min	60min	120min		1hr	2hr	3hr	6hr	12hr	24hr	48hr		1day	2day	4day	7day	10day	
1yr	0.26	0.40	0.50	0.65	0.81	1.04	**1yr**	0.70	0.98	1.21	1.56	2.03	2.65	2.92	**1yr**	2.35	2.81	3.22	3.94	4.54	**1yr**
2yr	0.32	0.50	0.62	0.81	1.02	1.30	**2yr**	0.88	1.18	1.52	1.94	2.49	3.20	3.57	**2yr**	2.84	3.43	3.93	4.67	5.32	**2yr**
5yr	0.37	0.58	0.73	0.98	1.25	1.61	**5yr**	1.08	1.47	1.89	2.43	3.14	4.06	4.57	**5yr**	3.59	4.40	5.03	5.93	6.69	**5yr**
10yr	0.41	0.65	0.82	1.11	1.45	1.89	**10yr**	1.25	1.73	2.23	2.89	3.74	4.86	5.52	**10yr**	4.30	5.31	6.07	7.09	7.96	**10yr**
25yr	0.48	0.76	0.97	1.34	1.77	2.34	**25yr**	1.53	2.14	2.78	3.63	4.73	6.16	7.09	**25yr**	5.45	6.81	7.79	9.00	10.03	**25yr**
50yr	0.54	0.86	1.10	1.54	2.07	2.76	**50yr**	1.79	2.53	3.29	4.32	5.65	7.37	8.57	**50yr**	6.52	8.24	9.40	10.79	11.95	**50yr**
100yr	0.60	0.97	1.25	1.77	2.42	3.26	**100yr**	2.09	2.98	3.90	5.15	6.76	8.83	10.36	**100yr**	7.81	9.96	11.35	12.93	14.24	**100yr**
200yr	0.67	1.10	1.43	2.05	2.82	3.83	**200yr**	2.44	3.51	4.61	6.12	8.07	10.58	12.52	**200yr**	9.36	12.04	13.72	15.50	16.97	**200yr**
500yr	0.80	1.31	1.71	2.49	3.48	4.76	**500yr**	3.00	4.38	5.76	7.70	10.20	13.44	16.10	**500yr**	11.90	15.48	17.62	19.72	21.43	**500yr**

Figure 7: Extreme precipitation data from the Northeast Regional Climate Center for the project area.

Increase in extreme precipitation estimates by 15%			
Storm Event	**24-hour precipitation total**	**Increase *x* 15%**	**Projected 24-hour precipitation**
1 Year	2.65 inches	*x* 1.15	3.047 inches
2 Year	3.20 inches	*x* 1.15	3.680 inches
10 Year	4.86 inches	*x* 1.15	5.589 inches
50 Year	7.37 inches	*x* 1.15	8.475 inches

Table 2: Increase in precipitation during predicted 24-hour storm events.

Step 6.2 Assess Projected Extreme Precipitation Impacts to the Project

Extreme precipitation events will not have an impact on this project.

Step 7.1 Assess Cumulative Risk and Evaluate Adaption Options

Collectively, the compounded impacts of relative sea level rise, coastal storms, relative sea level rise induced groundwater rise and extreme precipitation will not adversely impact this project.

Step 7.2 Identify and Evaluate Adaptation Options to Mitigate Coastal Flood Risk

This project has a very high degree of tolerance for flood risk and offers no action.

	NO ACTION	AVOID	ACCOMMODATE	RESIST	RELOCATE
IN OTHER WORDS, RECOGNIZE RISK AND...	*Don't change anything**	*Prioritize investment out of the water's way*	*Live with the water*	*Keep the water out*	*Move assets or facilitate migration*
COASTAL FLOOD RISK IS:	**Very Low to Low**	**Very Low**	**Moderate**	**High**	**High**
TOLERANCE FOR FLOOD RISK IS:	**High**	**Medium to Very Low**	**Medium**	**Low to Very Low**	**Low to Very Low**

Figure 8: Adaption adoptions available to manage coastal flood risk.

References

Extreme Precipitation in New York & New England, Version 2.0. Managed by the Northeast Regional Climate Center. https://precip.eas.cornell.edu/#/

Knott, J.F., Jacobs, J., Daniel, J.S., & Kirshen, P. Journal of Coastal Research. Modeling Groundwater Rise Caused by Sea-Level Rise in Coastal New Hampshire. 2018.

NHCFRSTAP (NH Coastal Flood Risk Science and Technical Advisory Panel). New Hampshire Coastal Flood Risk Summary, Part II: Guidance four Using Scientific Projections. Report Published by the University of New Hampshire, Durham. March, 2020.

NOAA (National Oceanic Atmospheric Association). NOAA Tides and Currents – Datums for Seavey Island, Maine – Site# 8419870. Site viewed on February 10, 2020. https://tidesandcurrents.noaa.gov/datums.html?datum=NAVD88&units=0&epoch=0&id=8419870&name=Seavey+Island&state=ME

RPC (Rockingham Planning Commission). Tides to Storms, Preparing for New Hampshire's Future Coast, City of Rye Vulnerability Assessment. September, 2015.

SLRM (Sea Level Rise Mapping New Hampshire Open Coast, Piscataqua River, and Great Bay for the University of New Hampshire – Submitted by AECOM). December, 2013.

STAP (Science and Technical Advisory Panel, NH Coastal Risks and Hazards Commission). Sea-Level Rise, Storm Surges, and Extreme Precipitation in Coastal New Hampshire: Analysis of Past and Project Future Trends). August, 2014.

Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists

GIS Data Screening

Env-Wt 603.03

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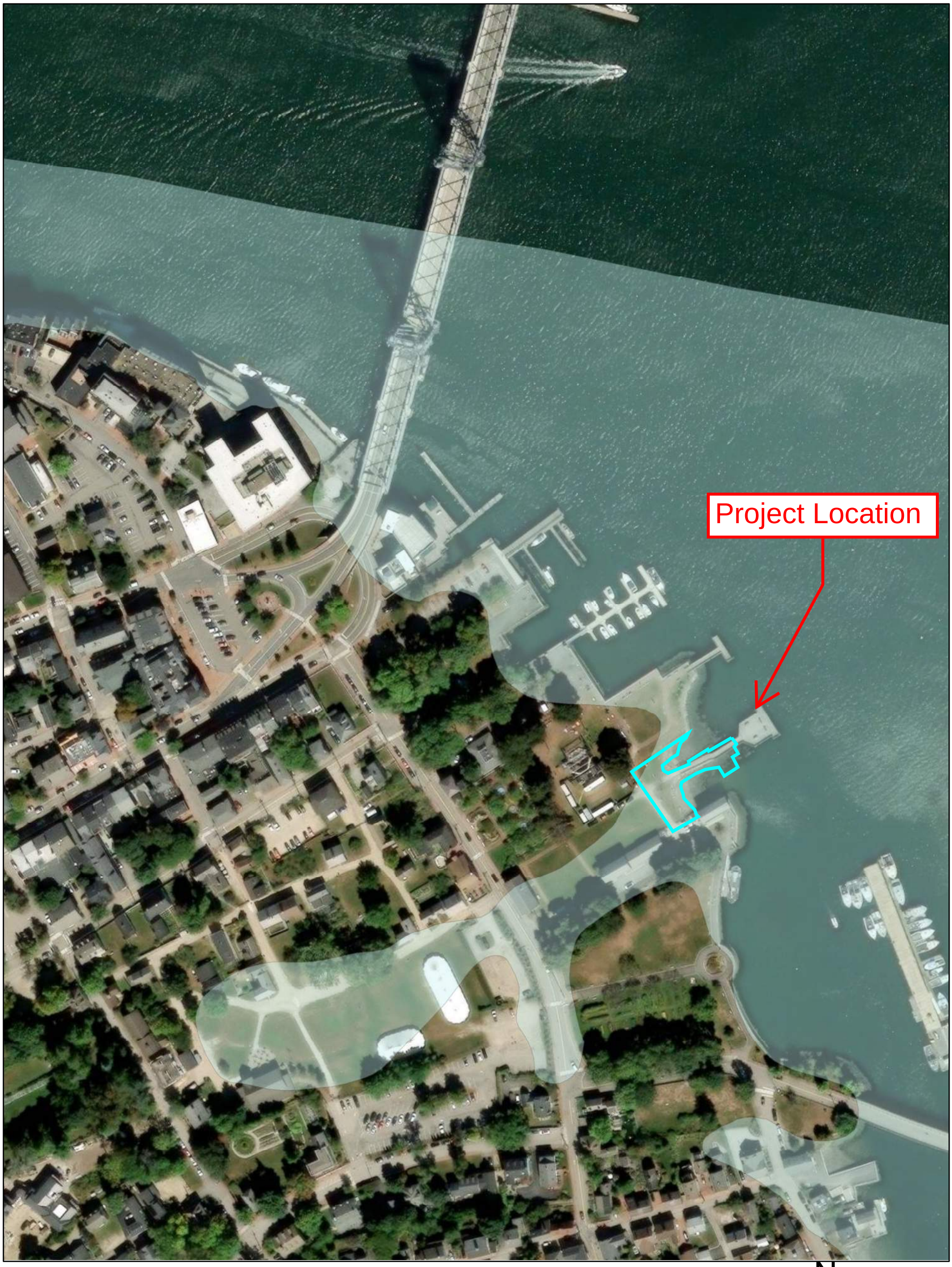
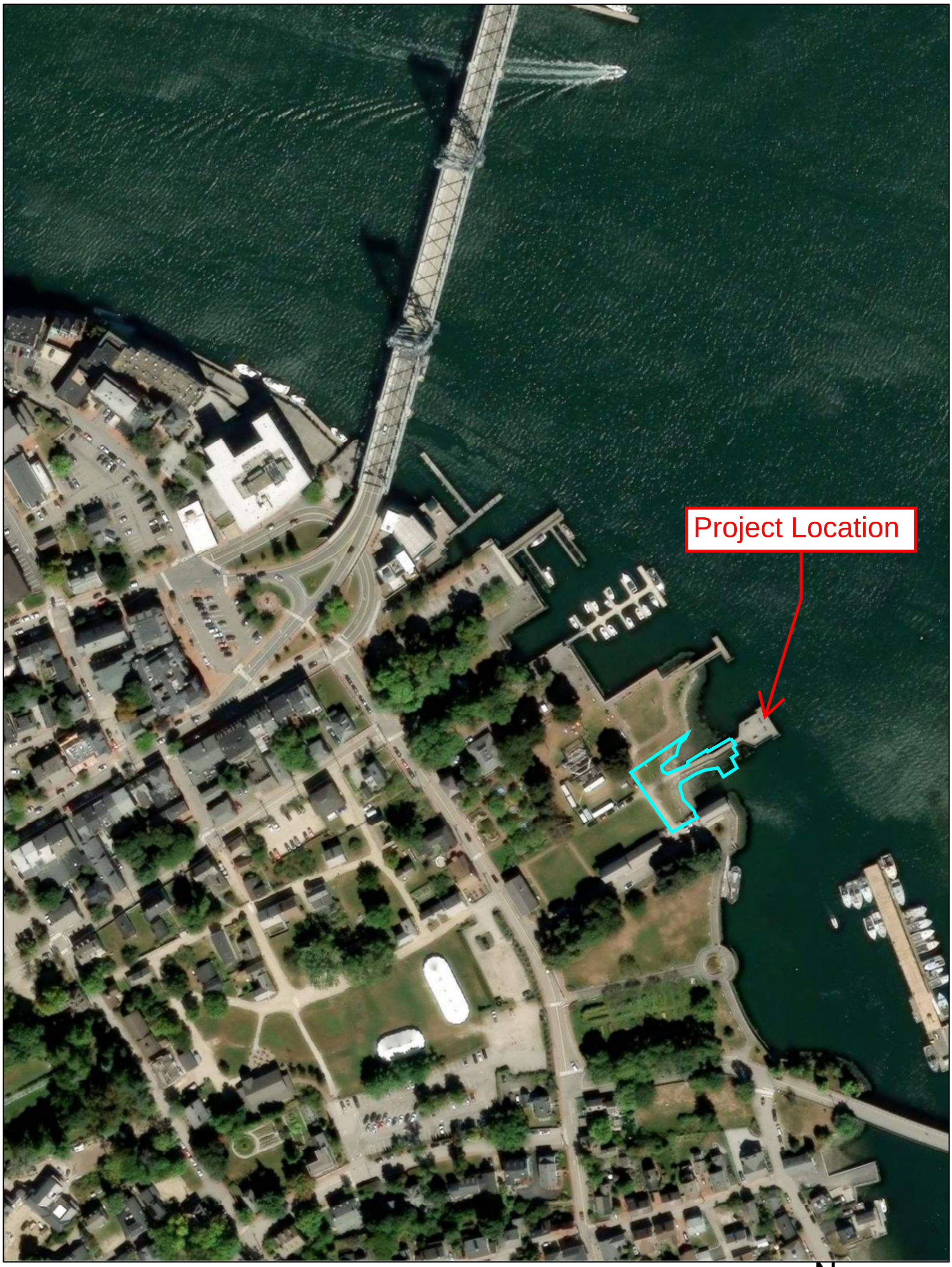
48 Constitution Drive, Bedford, NH 03110
T(603) 472-4488 www.tfmoran.com

TFMoran, Inc. Seacoast Division
170 Commerce Way–Suite 102, Portsmouth, NH 03801
T(603) 431-2222

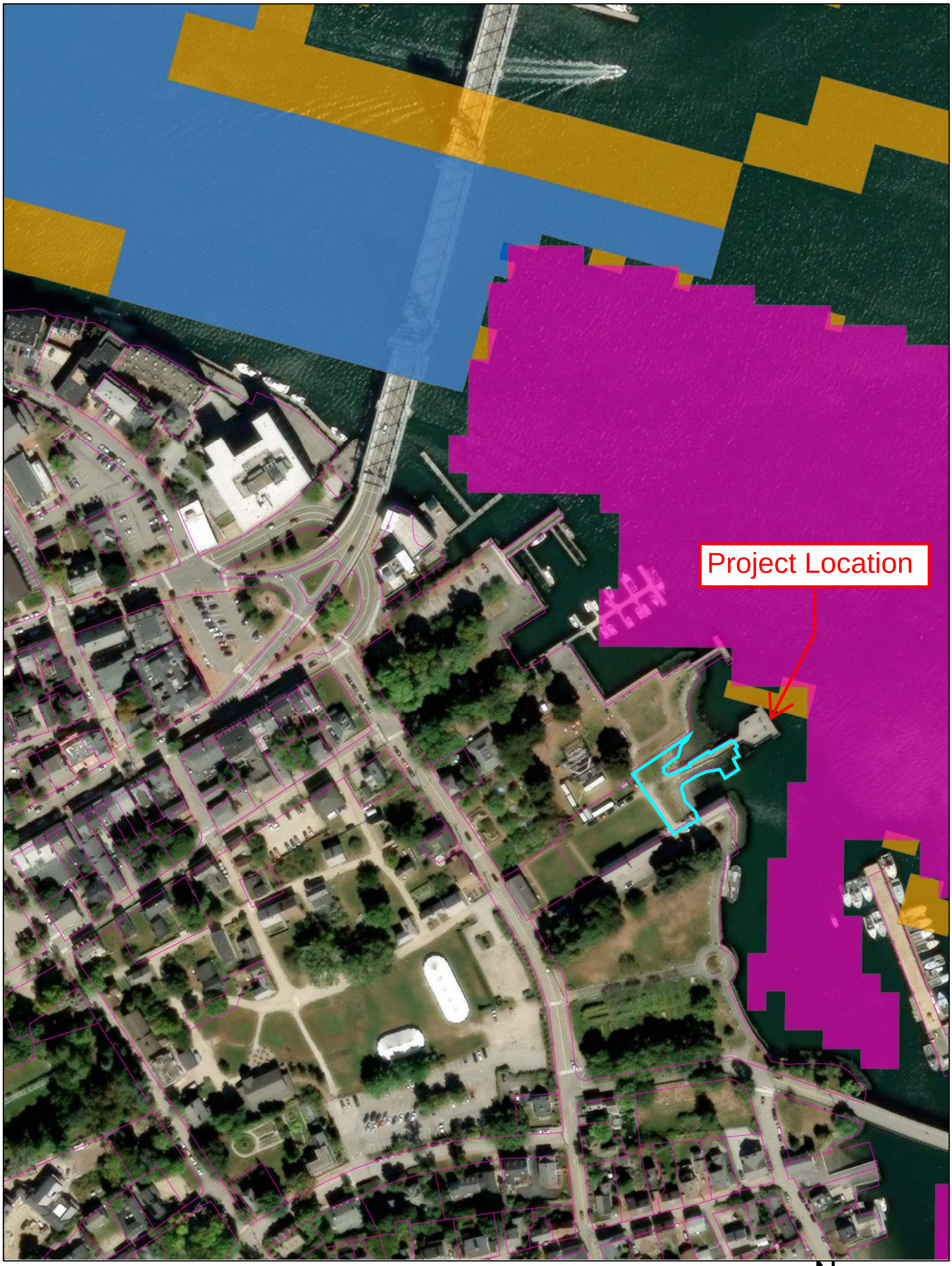
100 Year Flood Plain



2020 Aquaculture sites

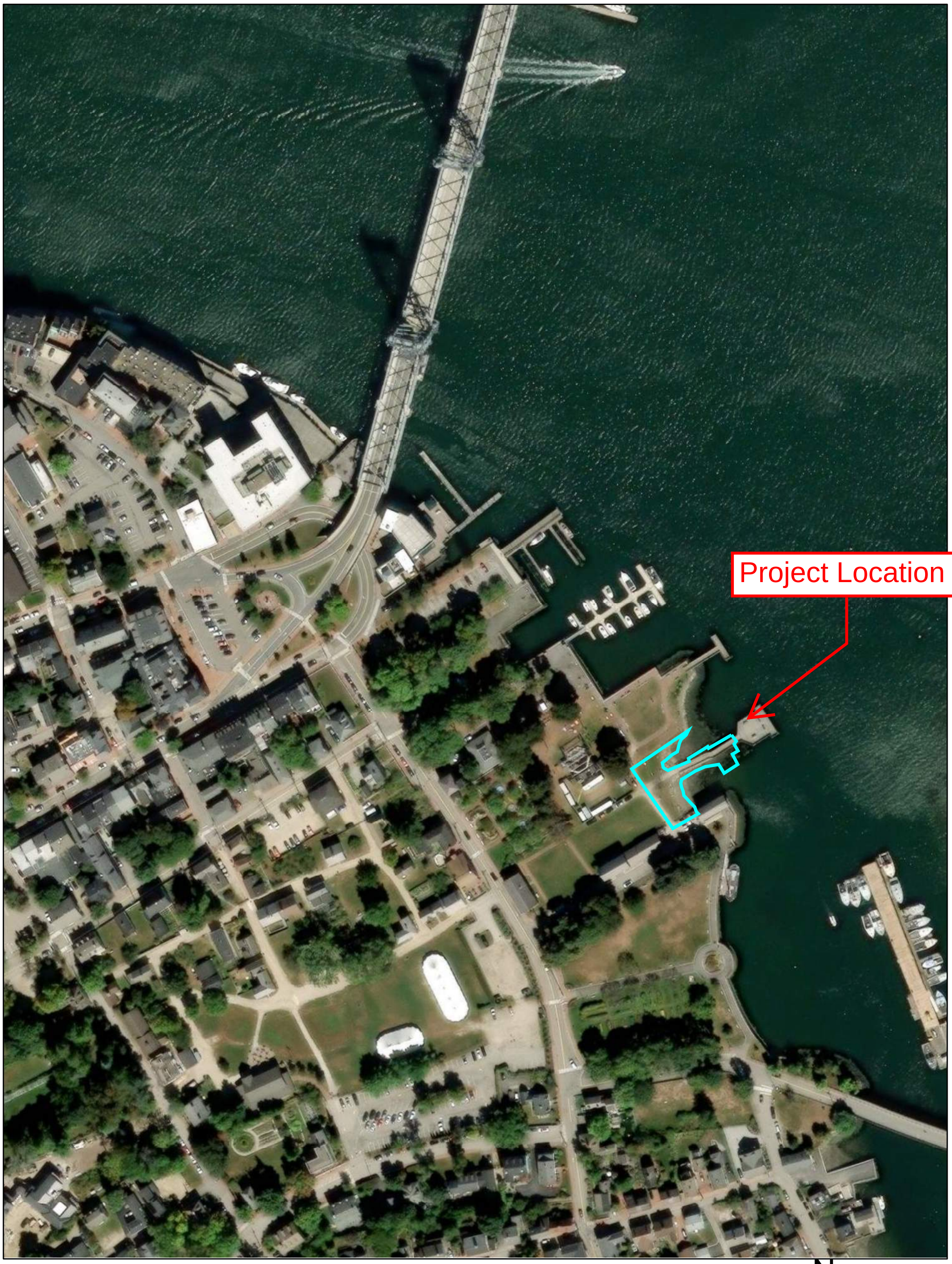


Prioritized Habitat Blocks, Wildlife Corridors, Secondary Wildlife Corridors



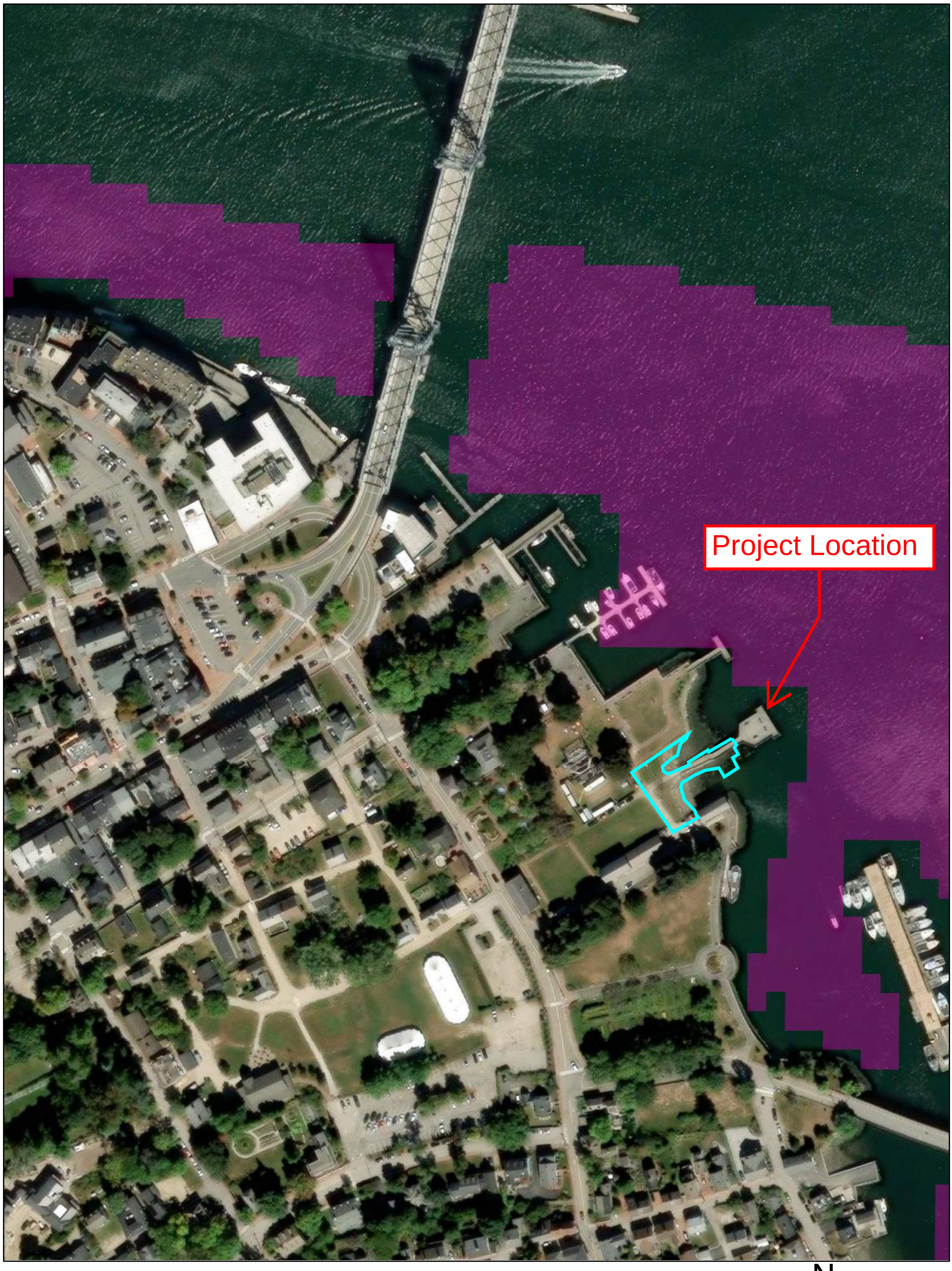
Connect the Coast (CTC) Wildlife Corridors

Eelgrass



Impaired Waterbodies

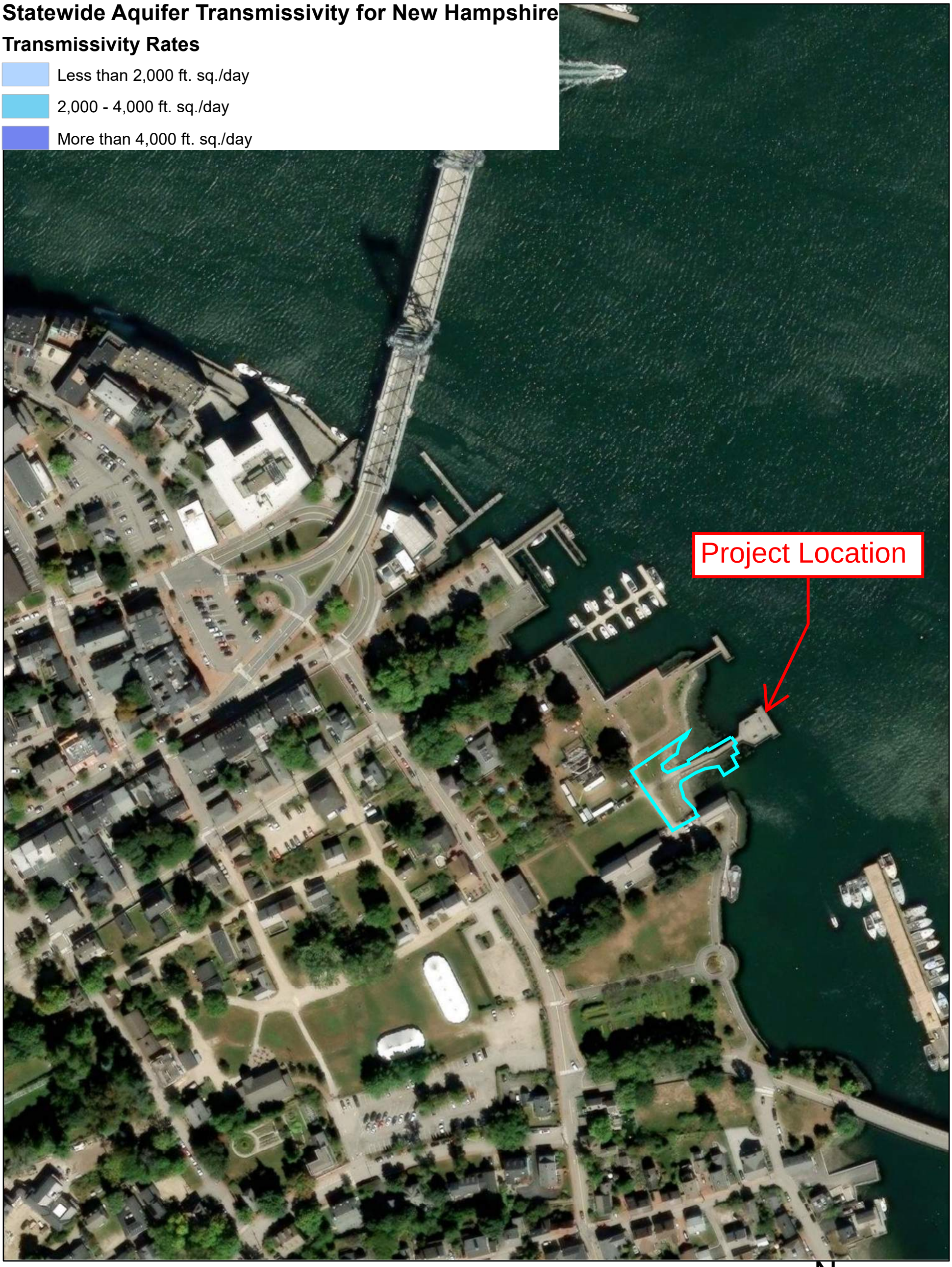
NH Fish and Game
Wildlife Action Plan (WAP) Tiers



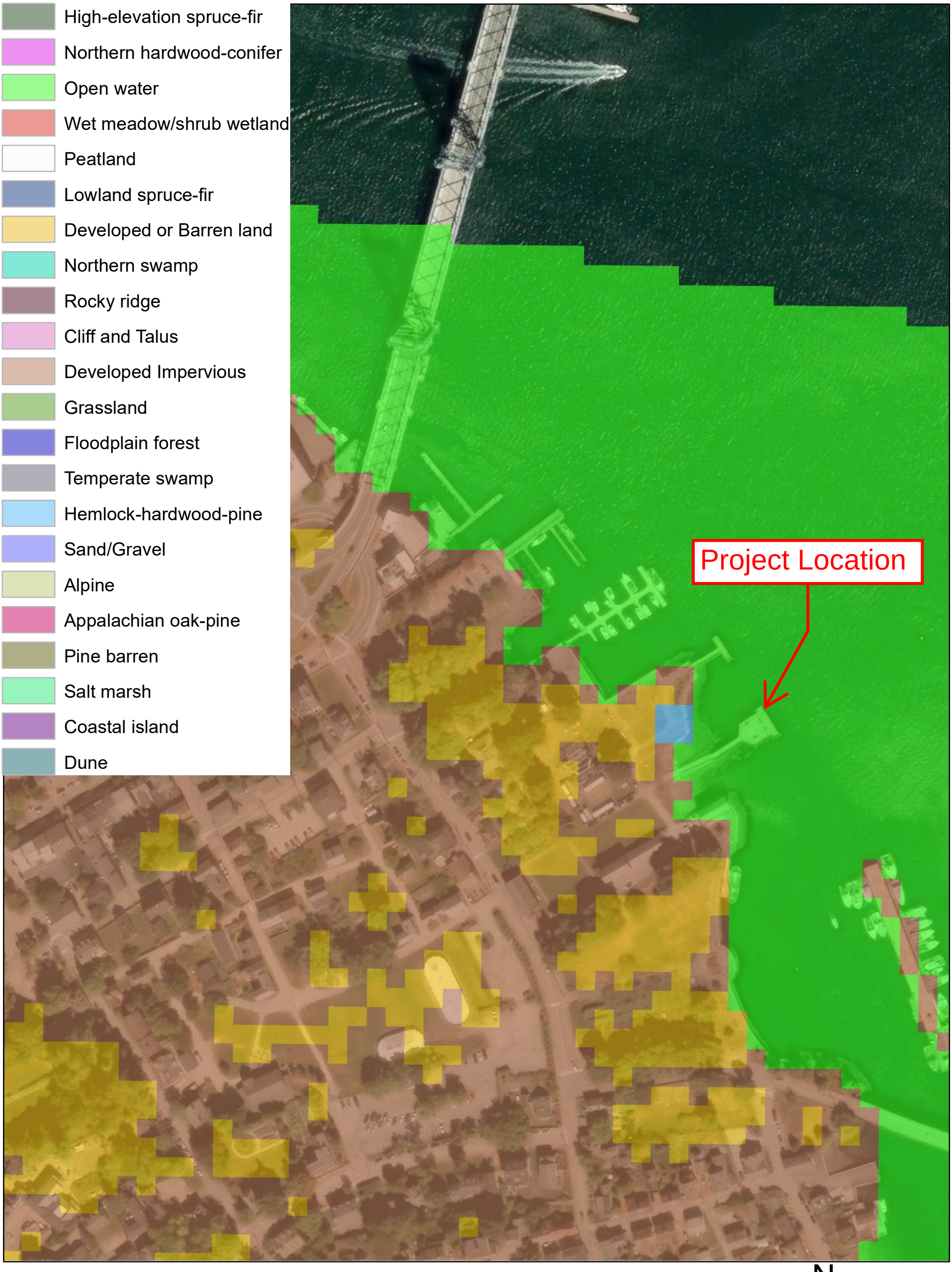
Statewide Aquifer Transmissivity for New Hampshire

Transmissivity Rates

- Less than 2,000 ft. sq./day
- 2,000 - 4,000 ft. sq./day
- More than 4,000 ft. sq./day



NH Fish and Game
Habitat Types



SECTION 3

US Army Corps of Engineers®
New England District

Appendix B

Regional General Permits (GPs)
Required Information and Corps Secondary Impacts Checklist

In order for the Corps of Engineers to properly evaluate your application, applicants must submit the following information along with the New Hampshire DES Wetlands Bureau application or permit notification forms. Some projects may require more information. For a more comprehensive checklist, go to www.nae.usace.army.mil/regulatory, "Forms/Publications" and then "Application and Plan Guideline Checklist." Check with the Corps at (978) 318-8832 for project-specific requirements. For your convenience, this Appendix B is also attached to the State of New Hampshire DES Wetlands Bureau application and Permit by Notification forms.

All Projects:

- Corps application form (ENG Form 4345) as appropriate.
- Photographs of wetland/waterway to be impacted.
- Purpose of the project.
- Legible, reproducible black and white (no color) plans no larger than 11"x17" with bar scale. Provide locus map and plan views of the entire property.
- Typical cross-section views of all wetland and waterway fill areas and wetland replication areas.
- In navigable waters, show mean low water (MLW) and mean high water (MHW) elevations. Show the high tide line (HTL) elevations when fill is involved. In other waters, show ordinary high water (OHW) elevation.
- On each plan, show the following for the project:
- Vertical datum and the NAVD 1988 equivalent with the vertical units as U.S. feet. Don't use local datum. In coastal waters this may be mean higher high water (MHHW), mean high water (MHW), mean low water (MLW), mean lower low water (MLLW) or other tidal datum with the vertical units as U.S. feet. MLLW and MHHW are preferred. Provide the correction factor detailing how the vertical datum (e.g., MLLW) was derived using the latest National Tidal Datum Epoch for that area, typically 1983-2001.
- Horizontal state plane coordinates in U.S. survey feet based on the Traverse Mercator Grid system for the State of New Hampshire (Zone 2800) NAD 83.
- Show project limits with existing and proposed conditions.
- Limits of any Federal Navigation Project in the vicinity of the project area and horizontal State Plane Coordinates in U.S. survey feet for the limits of the proposed work closest to the Federal Navigation Project;
- Volume, type, and source of fill material to be discharged into waters and wetlands, including the area(s) (in square feet or acres) of fill in wetlands, below the ordinary high water in inland waters and below the high tide line in coastal waters.
- Delineation of all waterways and wetlands on the project site,:
- Use Federal delineation methods and include Corps wetland delineation data sheets. See GC 2 and www.nero.noaa.gov/hcd for eelgrass survey guidance.
- GP 3, Moorings, contains eelgrass survey requirements for the placement of moorings.
- For activities involving discharges of dredged or fill material into waters of the U.S., include a statement describing how impacts to waters of the U.S. are to be avoided and minimized, and either a statement describing how impacts to waters of the U.S. are to be compensated for (or a conceptual or detailed mitigation plan) or a statement explaining why compensatory mitigation should not be required for the proposed impacts. Please contact the Corps for guidance.

US Army Corps of Engineers ®
New England District

New Hampshire General Permits (GPs)
Appendix B - Corps Secondary Impacts Checklist
(for inland wetland/waterway fill projects in New Hampshire)

1. Attach any explanations to this checklist. Lack of information could delay a Corps permit determination.
2. All references to "work" include all work associated with the project construction and operation. Work includes filling, clearing, flooding, draining, excavation, dozing, stumping, etc.
3. See GC 5, regarding single and complete projects.
4. Contact the Corps at (978) 318-8832 with any questions.

1. Impaired Waters	Yes	No
1.1 Will any work occur within 1 mile upstream in the watershed of an impaired water? See http://des.nh.gov/organization/divisions/water/wmb/section401/impaired_waters.htm to determine if there is an impaired water in the vicinity of your work area.*	X	
2. Wetlands	Yes	No
2.1 Are there are streams, brooks, rivers, ponds, or lakes within 200 feet of any proposed work?	X	
2.2 Are there proposed impacts to SAS, special wetlands. Applicants may obtain information from the NH Department of Resources and Economic Development Natural Heritage Bureau (NHB) DataCheck Tool for information about resources located on the property at https://www2.des.state.nh.us/nhb_datacheck/. The book Natural Community Systems of New Hampshire also contains specific information about the natural communities found in NH.		X
2.3 If wetland crossings are proposed, are they adequately designed to maintain hydrology, sediment transport & wildlife passage?		N/A
2.4 Would the project remove part or all of a riparian buffer? (Riparian buffers are lands adjacent to streams where vegetation is strongly influenced by the presence of water. They are often thin lines of vegetation containing native grasses, flowers, shrubs and/or trees that line the stream banks. They are also called vegetated buffer zones.)		N/A
2.5 The overall project site is more than 40 acres?		X
2.6 What is the area of the previously filled wetlands?	N/A	
2.7 What is the area of the proposed fill in wetlands?	N/A	
2.8 What is the % of previously and proposed fill in wetlands to the overall project site?	N/A	
3. Wildlife	Yes	No
3.1 Has the NHB & USFWS determined that there are known occurrences of rare species, exemplary natural communities, Federal and State threatened and endangered species and habitat, in the vicinity of the proposed project? (All projects require an NHB ID number & a USFWS IPAC determination.) NHB DataCheck Tool: https://www2.des.state.nh.us/nhb_datacheck/ USFWS IPAC website: https://ecos.fws.gov/ipac/location/index	X	

3.2 Would work occur in any area identified as either "Highest Ranked Habitat in N.H." or "Highest Ranked Habitat in Ecological Region"? (These areas are colored magenta and green, respectively, on NH Fish and Game's map, "2010 Highest Ranked Wildlife Habitat by Ecological Condition.") Map information can be found at: • PDF: www.wildlife.state.nh.us/Wildlife/Wildlife_Plan/highest_ranking_habitat.htm. • Data Mapper: www.granit.unh.edu. • GIS: www.granit.unh.edu/data/downloadfreedata/category/databycategory.html.		X
3.3 Would the project impact more than 20 acres of an undeveloped land block (upland, wetland/waterway) on the entire project site and/or on an adjoining property(s)?		X
3.4 Does the project propose more than a 10-lot residential subdivision, or a commercial or industrial development?		X
3.5 Are stream crossings designed in accordance with the GC 21?		N/A
4. Flooding/Floodplain Values	Yes	No
4.1 Is the proposed project within the 100-year floodplain of an adjacent river or stream?		X
4.2 If 4.1 is yes, will compensatory flood storage be provided if the project results in a loss of flood storage?		N/A
5. Historic/Archaeological Resources		
For a minimum, minor or major impact project - a copy of the Request for Project Review (RPR) Form (www.nh.gov/nhdhr/review**)** with your DES file number shall be sent to the NH Division of Historical Resources as required on Page 11 GC 8(d) of the GP document**		X

*Although this checklist utilizes state information, its submittal to the Corps is a Federal requirement.
** If your project is not within Federal jurisdiction, coordination with NH DHR is not required under Federal law.
`

EFH Mapper Report

EFH Data Notice

Essential Fish Habitat (EFH) is defined by textual descriptions contained in the fishery management plans developed by the regional fishery management councils. In most cases mapping data can not fully represent the complexity of the habitats that make up EFH. This report should be used for general interest queries only and should not be interpreted as a definitive evaluation of EFH at this location. A location-specific evaluation of EFH for any official purposes must be performed by a regional expert. Please refer to the following links for the appropriate regional resources.

Greater Atlantic Regional Office
Atlantic Highly Migratory Species Management Division

Query Results

Degrees, Minutes, Seconds: Latitude = 43° 4' 35" N, Longitude = 71° 14' 57" W
Decimal Degrees: Latitude = 43.076, Longitude = -70.751

The query location intersects with spatial data representing EFH and/or HAPCs for the following species/management units.

***** W A R N I N G *****

Please note under "Life Stage(s) Found at Location" the category "ALL" indicates that all life stages of that species share the same map and are designated at the queried location.

EFH

Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
		Atlantic Butterfish	Adult	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish Amendment 11
		Atlantic Cod	Adult, Eggs, Larvae	New England	Amendment 14 to the Northeast Multispecies FMP
		Atlantic Herring	Adult, Juvenile, Larvae	New England	Amendment 3 to the Atlantic Herring FMP
		Atlantic Mackerel	Eggs, Juvenile, Larvae	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish Amendment 11

Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
		Atlantic Sea Scallop	ALL	New England	Amendment 14 to the Atlantic Sea Scallop FMP
		Atlantic Wolffish	ALL	New England	Amendment 14 to the Northeast Multispecies FMP
		Bluefin Tuna	Adult	Secretarial	Amendment 10 to the 2006 Consolidated HMS FMP: EFH
		Bluefish	Adult, Juvenile	Mid-Atlantic	Bluefish
		Little Skate	Adult, Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
		Pollock	Eggs, Juvenile, Larvae	New England	Amendment 14 to the Northeast Multispecies FMP
		Red Hake	Adult, Eggs/Larvae/Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP
		Smooth Skate	Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
		Thorny Skate	Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
		White Hake	Adult, Eggs, Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP
		Windowpane Flounder	Adult, Eggs, Juvenile, Larvae	New England	Amendment 14 to the Northeast Multispecies FMP

Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
		Winter Flounder	Eggs, Juvenile, Larvae/Adult	New England	Amendment 14 to the Northeast Multispecies FMP
		Winter Skate	Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP

Pacific Salmon EFH

No Pacific Salmon Essential Fish Habitat (EFH) were identified at the report location.

Atlantic Salmon

No Atlantic Salmon were identified at the report location.

HAPCs

No Habitat Areas of Particular Concern (HAPC) were identified at the report location.

EFH Areas Protected from Fishing

No EFH Areas Protected from Fishing (EFHA) were identified at the report location.

Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data.
****For links to all EFH text descriptions see the complete data inventory: open data inventory -->**

All EFH species have been mapped for the Greater Atlantic region,
Atlantic Highly Migratory Species EFH,
Bigeye Sand Tiger Shark,
Bigeye Sixgill Shark,
Caribbean Sharpnose Shark,
Galapagos Shark,
Narrowtooth Shark,
Sevengill Shark,
Sixgill Shark,
Smooth Hammerhead Shark,
Smalltail Shark

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 3301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104

In Reply Refer To: 10/22/2025 16:03:31 UTC
Project Code: 2026-0005946
Project Name: Prescott Park

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Updated 4/12/2023 - Please review this letter each time you request an Official Species List, we will continue to update it with additional information and links to websites may change.

About Official Species Lists

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Federal and non-Federal project proponents have responsibilities under the Act to consider effects on listed species.

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested by returning to an existing project's page in IPaC.

Endangered Species Act Project Review

Please visit the "**New England Field Office Endangered Species Project Review and Consultation**" website for step-by-step instructions on how to consider effects on listed

species and prepare and submit a project review package if necessary:

https://www.fws.gov/office/new-england-ecological-services/endangered-species-project-review

NOTE Please do not use the **Consultation Package Builder** tool in IPaC except in specific situations following coordination with our office. Please follow the project review guidance on our website instead and reference your **Project Code** in all correspondence.

Northern Long-eared Bat - (**Updated 4/12/2023**) The Service published a final rule to reclassify the northern long-eared bat (NLEB) as endangered on November 30, 2022. The final rule went into effect on March 31, 2023. You may utilize the **Northern Long-eared Bat Rangewide Determination Key** available in IPaC. More information about this Determination Key and the Interim Consultation Framework are available on the northern long-eared bat species page:

https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis

For projects that previously utilized the 4(d) Determination Key, the change in the species' status may trigger the need to re-initiate consultation for any actions that are not completed and for which the Federal action agency retains discretion once the new listing determination becomes effective. If your project was not completed by March 31, 2023, and may result in incidental take of NLEB, please reach out to our office at newengland@fws.gov to see if reinitiation is necessary.

Additional Info About Section 7 of the Act
Under section 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to determine whether projects may affect threatened and endangered species and/or designated critical habitat. If a Federal agency, or its non-Federal representative, determines that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Federal agency also may need to consider proposed species and proposed critical habitat in the consultation. 50 CFR 402.14(c)(1) specifies the information required for consultation under the Act regardless of the format of the evaluation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/service/section-7-consultations

In addition to consultation requirements under Section 7(a)(2) of the ESA, please note that under sections 7(a)(1) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species. Please contact NEFO if you would like more information.

Candidate species that appear on the enclosed species list have no current protections under the ESA. The species' occurrence on an official species list does not convey a requirement to

consider impacts to this species as you would a proposed, threatened, or endangered species. The ESA does not provide for interagency consultations on candidate species under section 7, however, the Service recommends that all project proponents incorporate measures into projects to benefit candidate species and their habitats wherever possible.

Migratory Birds

In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see:

https://www.fws.gov/program/migratory-bird-permit

https://www.fws.gov/library/collections/bald-and-golden-eagle-management

Please feel free to contact us at **newengland@fws.gov** with your **Project Code** in the subject line if you need more information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat.

Attachment(s): Official Species List

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 3301-5094
(603) 223-2541

PROJECT SUMMARY

Project Code: 2026-0005946
Project Name: Prescott Park
Project Type: Boatlift/Boathouse/Dock/Pier/Piles - Maintenance/Modificaton
Project Description: Repair existing riprap area, and replace select vertical and fender pilings, and cross braces.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@43.07708745,-70.75110806394693,14z

Counties: Rockingham County, New Hampshire

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat *Perimyotis subflavus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Roseate Tern *Sterna dougallii dougallii* Population: Northeast U.S. nesting population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2083	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: TFMoran inc.
Name: Vincent Brigagliano
Address: 170 Commerce way, suite 102
City: Portsmouth
State: NH
Zip: 03801
Email vbrigagliano@tfmoran.com
Phone: 6034312222

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 3301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104

In Reply Refer To: 10/17/2025 15:17:08 UTC
Project code: 2026-0005946
Project Name: Prescott Park

Federal Nexus: yes
Federal Action Agency (if applicable):

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for 'Prescott Park'

Dear Vincent Brigagliano:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on October 17, 2025, for “Prescott Park” (here forward, Project). This project has been assigned Project Code 2026-0005946 and all future correspondence should clearly reference this number.

The Service developed the IPaC system and associated species’ determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into the IPaC must accurately represent the full scope and details of the Project. Failure to accurately represent or implement the Project as detailed in IPaC or the Northeast Determination Key (DKey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative effect(s)), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17). Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no further consultation with, or concurrence from, the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical

habitat, formal consultation is required (except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13]).

The IPaC results indicated the following species is (are) potentially present in your project area and, based on your responses to the Service's Northeast DKey, you determined the proposed Project will have the following effect determinations:

Species	Listing Status	Determination
Roseate Tern (*Sterna dougallii dougallii*)	Endangered	No effect

Conclusion If there are no updates on listed species, no further consultation/coordination for this project is required for the species identified above. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project implements any changes which are final or commits additional resources.

Other Species and Critical Habitat that May be Present in the Action Area

In addition to the species listed above, the following species and/or critical habitats may also occur in your project area and are not covered by this conclusion:

- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

To complete consultation for species that have reached a "May Affect" determination and/or species may occur in your project area and are not covered by this conclusion, please visit the "New England Field Office Endangered Species Project Review and Consultation" website for step-by-step instructions on how to consider effects on these listed species and/or critical habitats, avoid and minimize potential adverse effects, and prepare and submit a project review package if necessary: https://www.fws.gov/office/new-england-ecological-services/endangered-species-project-review

Please Note: If the Action may impact bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act (BGEPA) (54 Stat. 250, as amended, 16 U.S.C. 668a-d) by the prospective permittee may be required. Please contact the Migratory Birds Permit Office, (413) 253-8643, or PermitsR5MB@fws.gov, with any questions regarding potential impacts to Eagles.

If you have any questions regarding this letter or need further assistance, please contact the New England Ecological Services Field Office and reference the Project Code associated with this Project.

Action Description
You provided to IPaC the following name and description for the subject Action.

1. Name

Prescott Park

2. Description

The following description was provided for the project 'Prescott Park':

> Repair existing riprap area, and replace select vertical and fender pilings, and cross braces.

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@43.0770798,-70.75111800765104,14z

QUALIFICATION INTERVIEW

1. As a representative of this project, do you agree that all items submitted represent the complete scope of the project details and you will answer questions truthfully?

   Yes

2. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed species?

   Note: This question could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered, or proposed species.

   No

3. Is the action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

   Note: for projects in Pennsylvania: Projects requiring authorization under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act would be considered as having a federal nexus. Since the U.S. Army Corps of Engineers (Corps) has issued the Pennsylvania State Programmatic General Permit (PASPGP), which may be verified by the PA Department of Environmental Protection or certain Conservation Districts, the need to receive a Corps authorization to perform the work under the PASPGP serves as a federal nexus. As such, if proposing to use the PASPGP, you would answer ‘yes’ to this question.

   Yes

4. Are you including in this analysis all impacts to federally listed species that may result from the entirety of the project (not just the activities under federal jurisdiction)?

   Note: If there are project activities that will impact listed species that are considered to be outside of the jurisdiction of the federal action agency submitting this key, contact your local Ecological Services Field Office to determine whether it is appropriate to use this key. If your Ecological Services Field Office agrees that impacts to listed species that are outside the federal action agency's jurisdiction will be addressed through a separate process, you can answer yes to this question and continue through the key.

   Yes

5. Are you the lead federal action agency or designated non-federal representative requesting concurrence on behalf of the lead Federal Action Agency?

   No

6. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)?

   No

7. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

   No

8. Is the lead federal action agency the Natural Resources Conservation Service?

   No

9. Will the proposed project involve the use or storage of herbicide?

   No

10. Will the proposed project involve herbaceous native vegetation removal (including prescribed fire that would result in burning of plants) or mowing?

    No

11. Will all activities occur within an area that is currently paved, graveled, routinely maintained lawn, and/or inside a structure?

    No

12. Will the proposed project involve demolition, rehabilitation, property elevation, renovation, and/or rebuilding of one or more existing buildings (e.g., residential, commercial and industrial buildings, or utilities)? Note: if project activities include modification of bridges and/or culverts, answer this question "No".

    No

13. Does the project area intersect the boundary of VAFO?

    Automatically answered
    No

14. Does any component of the project associated with this action include activities or structures that may pose a collision risk to **birds** (e.g., plane-based surveys, land-based or offshore wind turbines, new or enlarged communication towers or broadcast towers, high voltage transmission lines, any type of towers with or without guy wires)?

    No

15. Will the proposed project involve earth moving or other ground disturbance that could cause erosion and sedimentation, and/or contamination within 300 feet of a freshwater wetland or along a stream?

    Note: Answer "Yes" to this question if erosion and sediment control measures will be used.

    No

16. Will the proposed project impact streams or tributaries of streams where listed species may be present through activities such as, but not limited to, valley fills, large-scale vegetation removal that could result in ground destabilization, and/or change in site topography?

    No

17. Will the proposed project involve vegetation removal within 300 feet of a perennial stream bank where aquatic listed species may be present?

    No

18. Will erosion and sedimentation control Best Management Practices (BMPs) associated with applicable state and/or Federal permits, be applied to the project?

    Note: If BMPs have been provided by and/or coordinated with and approved by the appropriate Ecological Services Field Office, answer "Yes" to this question.

    Yes

19. Is the project being funded, lead, or managed in whole or in part by U.S Fish and Wildlife Restoration and Recovery Program (e.g., Partners, Coastal, Fisheries, Wildlife and Sport Fish Restoration, Refuges)?

    No

20. Will the proposed project result in changes to beach dynamics that may modify formation of habitat over time? **Note:** Examples of projects that result in changes to beach dynamics include 1) construction of offshore breakwaters, bulkheads, revetments, and groins; 2) mining of sand from an updrift ebb tidal delta; 3) removing or adding beach sands; and 4) projects that stabilize dunes (including placement of sand fences or planting vegetation).

    No

21. Will the proposed project involve dredging within 0.5 mile of the Mean Lower Low Water line?

    No

22. Will the proposed project involve oil, gas and other energy development, production, or large-scale transport or storage of petroleum products and/or spill response planning?

    No

23. [Hidden Semantic] Is the project area located within the roseate tern species list area?

    Automatically answered
    Yes

24. Does the project include activity in or within 500 feet of an open beach, coastal inlet, river mouth, sand spit, tidal flat, or rocky structure (e.g., jetty)?

    No

25. Do you have any other documents that you want to include with this submission?

    No

PROJECT QUESTIONNAIRE

1. Approximately how many acres of trees would the proposed project remove?

   0.00

2. Approximately how many total acres of disturbance are within the disturbance/ construction limits of the proposed project?

   .025

3. Briefly describe the habitat within the construction/disturbance limits of the project site.

   The riprap area to be repaired is located within the previously developed upland tidal buffer zone. The proposed pier improvements, which include the replacement of select vertical and fender pilings and cross braces, will occur entirely within the existing pier footprint.

IPAC USER CONTACT INFORMATION

Agency: TFMoran inc.
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Address: 170 Commerce way, suite 102
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State: NH
Zip: 03801
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Phone: 6034312222

United States Department of the Interior

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In Reply Refer To: 10/22/2025 16:15:41 UTC
Project code: 2026-0005946
Project Name: Prescott Park

Federal Nexus: no
Federal Action Agency (if applicable):

Subject: Record of project representative's no effect determination for 'Prescott Park'

Dear Vincent Brigagliano:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on October 22, 2025, for 'Prescott Park' (here forward, Project). This project has been assigned Project Code 2026-0005946 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the **Northern Long-eared Bat and Tricolored Bat Range-wide Determination Key (Dkey)**, invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat and/or Tricolored Bat

Based upon your IPaC submission and a standing analysis, your project has reached the following effect determinations:

Species	Listing Status	Determination
Northern Long-eared Bat (*Myotis septentrionalis*)	Endangered	No effect

Tricolored Bat (*Perimyotis subflavus*)	Proposed Endangered	No effect

Federal agencies must consult with U.S. Fish and Wildlife Service under section 7(a)(2) of the Endangered Species Act (ESA) when an action *may affect* a listed species. Tricolored bat is proposed for listing as endangered under the ESA, but not yet listed. For actions that may affect a proposed species, agencies cannot consult, but they can *confer* under the authority of section 7(a)(4) of the ESA. Such conferences can follow the procedures for a consultation and be adopted as such if and when the proposed species is listed. Should the tricolored bat be listed, agencies must review projects that are not yet complete, or projects with ongoing effects within the tricolored bat range that previously received a NE or NLAA determination from the key to confirm that the determination is still accurate.

To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination key for the northern long-eared bat and tricolored bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Roseate Tern *Sterna dougallii dougallii* Endangered

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

Next Steps

If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the species covered by this key. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals

the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the New England Ecological Services Field Office and reference Project Code 2026-0005946 associated with this Project.

Action Description
You provided to IPaC the following name and description for the subject Action.

1. Name

Prescott Park

2. Description

The following description was provided for the project 'Prescott Park':

> Repair existing riprap area, and replace select vertical and fender pilings, and cross braces.

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@43.07708745,-70.75110806394693,14z

DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the species covered by this determination key. Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed bats or any other listed species?

   Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

   No

2. Is the action area wholly within Zone 2 of the year-round active area for northern long-eared bat and/or tricolored bat?

   Automatically answered
   No

3. Does the action area intersect Zone 1 of the year-round active area for northern long-eared bat and/or tricolored bat?

   Automatically answered
   No

4. Does any component of the action involve leasing, construction or operation of wind turbines? Answer 'yes' if the activities considered are conducted with the intention of gathering survey information to inform the leasing, construction, or operation of wind turbines.

   No

5. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

   Note for projects in Pennsylvania: Projects requiring authorization under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act would be considered as having a federal nexus. Since the U.S. Army Corps of Engineers (Corps) has issued the Pennsylvania State Programmatic General Permit (PASPGP), which may be verified by the PA Department of Environmental Protection or certain Conservation Districts, the need to receive a Corps authorization to perform the work under the PASPGP serves as a federal nexus. As such, if proposing to use the PASPGP, you would answer ‘yes’ to this question.

   No

6. [Semantic] Is the action area located within 0.5 miles of a known bat hibernaculum or winter roost? Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your state wildlife agency.

   Automatically answered
   No

7. Does the action area contain any winter roosts or caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating bats?

   No

8. Does the action area contain (1) talus or (2) anthropogenic or naturally formed rock shelters or crevices in rocky outcrops, rock faces or cliffs?

   No

9. Will the action cause effects to a covered bridge?

   No

10. Are trees present within 1000 feet of the action area?

    Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines.

    Yes

11. Does the action include the intentional exclusion of bats from a building or building-like structure? **Note:** Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats or tricolored bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local Ecological Services Field Office to help assess whether northern long-eared bats or tricolored bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures.

    No

12. Does the action involve removal, modification, or maintenance of a human-made building-like structure (barn, house, or other building) **known or suspected to contain roosting bats?**

    No

13. Will the action cause construction of one or more new roads open to the public?

    For federal actions, answer ‘yes’ when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

    No

14. Will the action include or cause any construction or other activity that is reasonably certain to increase average night-time traffic permanently or temporarily on one or more existing roads? **Note:** For federal actions, answer ‘yes’ when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.). .

    No

15. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

    For federal actions, answer ‘yes’ when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

    No

16. Will the proposed Action involve the creation of a new water-borne contaminant source (e.g., leachate pond, pits containing chemicals that are not NSF/ANSI 60 compliant)?

    Note: For information regarding NSF/ANSI 60 please visit https://www.nsf.org/knowledge-library/nsf-ansi-standard-60-drinking-water-treatment-chemicals-health-effects

    No

17. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

    No

18. Will the action include drilling or blasting?

    No

19. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use at night)?

    No

20. Will the proposed action involve the use of herbicides or pesticides (e.g., fungicides, insecticides, or rodenticides)?

    No

21. Will the action include or cause activities that are reasonably certain to cause chronic or intense nighttime noise (above current levels of ambient noise in the area) in suitable summer habitat for the northern long-eared bat or tricolored bat during the active season?

    Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time. Sources of chronic or intense noise that could cause adverse effects to bats may include, but are not limited to: road traffic; trains; aircraft; industrial activities; gas compressor stations; loud music; crowds; oil and gas extraction; construction; and mining.

    Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines.

    No

22. Does the action include, or is it reasonably certain to cause, the use of permanent or temporary artificial lighting within 1000 feet of suitable northern long-eared bat or tricolored bat roosting habitat?

    Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines.

    No

23. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

    No

24. Will the proposed action result in the use of prescribed fire?

    Note: If the prescribed fire action includes other activities than application of fire (e.g., tree cutting, fire line preparation) please consider impacts from those activities within the previous representative questions in the key. This set of questions only considers impacts from flame and smoke.

    No

25. Does the action area intersect the northern long-eared bat species list area?

    Automatically answered
    Yes

26. [Semantic] Is the action area located within 0.5 miles of radius of an entrance/opening to any known NLEB hibernacula or winter roost? Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

    Automatically answered
    No

27. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats? **Note:** The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

    Automatically answered
    No

28. [Semantic] Is the action area located within 150 feet of a documented northern long-eared bat roost site?

    Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.Have you contacted the appropriate agency to determine if your action is within 150 feet of any documented northern long-eared bat roosts?

    Note: A document with links to Natural Heritage Inventory databases and other state-specific sources of information on the locations of northern long-eared bat roosts is available here. Location information for northern long-eared bat roosts is generally kept in state natural heritage inventory databases – the availability of this data varies by state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited.

    Automatically answered
    No

29. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?
    If unsure, answer "Yes."

    Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines.

    No

30. Does the action area intersect the tricolored bat species list area?

    Automatically answered
    Yes

31. Is the action area located within 0.5-mile of radius of an entrance/opening to any known tricolored bat hibernacula or winter roost?

    Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your state wildlife agency.

    Automatically answered
    No

32. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats? **Note:** The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

    Automatically answered
    No

33. Has a presence/probable absence bat survey targeting the tricolored bat and following the Service's Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines been conducted within the project area?

    No

34. Is suitable summer habitat for the tricolored bat present within 1000 feet of project activities?
    (If unsure, answer ""Yes."")

    Note: If there are trees within the action area that may provide potential roosts for tricolored bats (e.g., clusters of leaves in live and dead deciduous trees, Spanish moss (Tillandsia usneoides), clusters of dead pine needles of large live pines) answer ""Yes."" For a complete definition of suitable summer habitat for the tricolored bat, please see Appendix A in the Service's Range-wide Indiana Bat and Northern long-eared Bat Survey Guidelines.

    No

35. Do you have any documents that you want to include with this submission?

    No

PROJECT QUESTIONNAIRE

IPAC USER CONTACT INFORMATION

Agency: TFMoran inc.
Name: Vincent Brigagliano
Address: 170 Commerce way, suite 102
City: Portsmouth
State: NH
Zip: 03801
Email vbrigagliano@tfmoran.com
Phone: 6034312222

DataCheck Results Letter
For NHDES Ecological Review

To: Vincent Brigagliano, TFMoran
170 Commerce Way
Portsmouth, NH 03801
vbrigagliano@tfmoran.com

From: Ecological Review Section
NH Department of Environmental Services
Main Contact: Maddie Severance - EcologicalReviews@des.nh.gov

cc: NHFG Review, David Simmons

Date: 09/04/2025 (valid until 09/04/2026)
Re: DataCheck Review by NHDES Ecological Review Section and NH Fish & Game
Permits: NHDES - Wetlands Standard Dredge & Fill

DCT ID: DCT25-2437

Town: Portsmouth
Location: 105 Marcy Street

Project Description: Repair existing riprap in-kind between the southern and middle piers.

At the southern pier, remove one support piling and replace it with two new vertical support pilings, replace seven fender piles, and replace sixteen rotted cross-bracings.

At the middle pier, replace two rotted cross-bracings.

Next Steps for Applicant:

NHDES's Ecological Review Section has searched the Natural Heritage Bureau's (NHB) database of rare species and exemplary natural communities. Please carefully read the comments below and the consultation requirements on the following page.

Plant and Natural Community Comments: Please send photos during the growing season of the shoreline proposed to be impacted.

Wildlife Comments: Please refer to NHFG consultation requirements below.

Plant and Natural Community Consultation

If this DataCheck letter includes records of rare plants and/or natural communities/systems, please contact the Ecological Review Section and provide any requested supplementary materials by emailing EcologicalReviews@des.nh.gov.

If this DataCheck letter DOES NOT include any records of rare plants and/or natural communities/systems, no further consultation with the Ecological Review Section regarding rare plants and/or natural communities/systems is required.

Wildlife Consultation

If this DataCheck letter DOES NOT include ANY wildlife species records, then, based on the information submitted, no further consultation with the NH Fish and Game Department (NHFG) pursuant to Fis 1004 is required.

If this DataCheck letter includes a record for a threatened (T) or endangered (E) wildlife species, consultation with the New Hampshire Fish and Game Department under Fis 1004 may be required. To review the Fis 1000 rules (effective February 3, 2022), please go to https://www.wildlife.nh.gov/wildlife-and-habitat/nongame-and-endangered-species/environmental-review. All requests for consultation and submittals should be sent via email to NHFGreview@wildlife.nh.gov or can be sent by mail, and must include the DataCheck results letter number and "Fis 1004 consultation request" in the subject line.

If the DataCheck response letter does not include a threatened or endangered wildlife species but includes other wildlife species (e.g., Species of Special Concern), consultation under Fis 1004 is not required; however, some species are protected under other state laws or rules, so coordination with NH Fish & Game is highly recommended or may be required for certain permits. While some permitting processes are exempt from required consultation under Fis 1004 (e.g., *statutory permit by notification, permit by rule, permit by notification, routine roadway registration, docking structure registration, or conditional authorization by rule*), coordination with NH Fish & Game may still be required under the rules governing those specific permitting processes, and it is recommended you contact the applicable permitting agency. For projects not requiring consultation under Fis 1004, but where additional coordination with NH Fish and Game is requested, please email NHFGreview@wildlife.nh.gov, and include the DataCheck results letter number and "review request" in the email subject line.
Contact NH Fish & Game at (603) 271-0467 with questions.

Federal ESA Compliance

This letter does not constitute compliance with the federal Endangered Species Act (ESA). There may be occurrences of federally listed species in New Hampshire that are not included on the NH DataCheck Letter. For compliance with the federal Endangered Species Act (ESA), please visit the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation website (https://ipac.ecosphere.fws.gov/; IPaC) for an official list of federally listed species that may be present in your project area. If a federal agency is involved in your project through funding, permit, or other authorization, coordinate your IPaC results with your point of contact at the agency for further ESA review. If there is no federal agency nexus to your project, and you determine through IPaC, habitat evaluations, etc. that a project may cause take of a federally listed species, we recommend coordinating with the USFWS' New England Field Office (newengland@fws.gov; 603-223-2541).

NHB Database Records:
The following record(s) have been documented in the vicinity of the proposed project. Please refer to this list when coordinating.

Plant species	**State[1]**	**Federal**	**Notes**
marsh elder (*Iva frutescens*)	T	--	Threats are primarily alterations to the hydrology of the wetland, such as ditching or tidal restrictions that might affect the sheet flow of tidal waters across the intertidal flat, activities that eliminate plants, and increased input of nutrients and pollutants in storm runoff.

Vertebrate species	**State[1]**	**Federal**	**Notes**
Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*)*	T	T	Contact the NH Fish & Game Dept and the US Fish & Wildlife Service (see above).
Peregrine Falcon (*Falco peregrinus anatum*)*	T	--	Contact the NH Fish & Game Dept (see above).
Shortnose Sturgeon (*Acipenser brevirostrum*)*	E	E	Contact the NH Fish & Game Dept and the US Fish & Wildlife Service (see above).

[1]Codes: "E" = Endangered, "T" = Threatened, "SC" = Special Concern, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list.
An asterisk (*) indicates that the most recent report for that occurrence was 20 or more years ago.

For all animal reviews, refer to 'Wildlife Consultation' section above. For all federally-listed species, refer to the 'Federal ESA Compliance' section above.

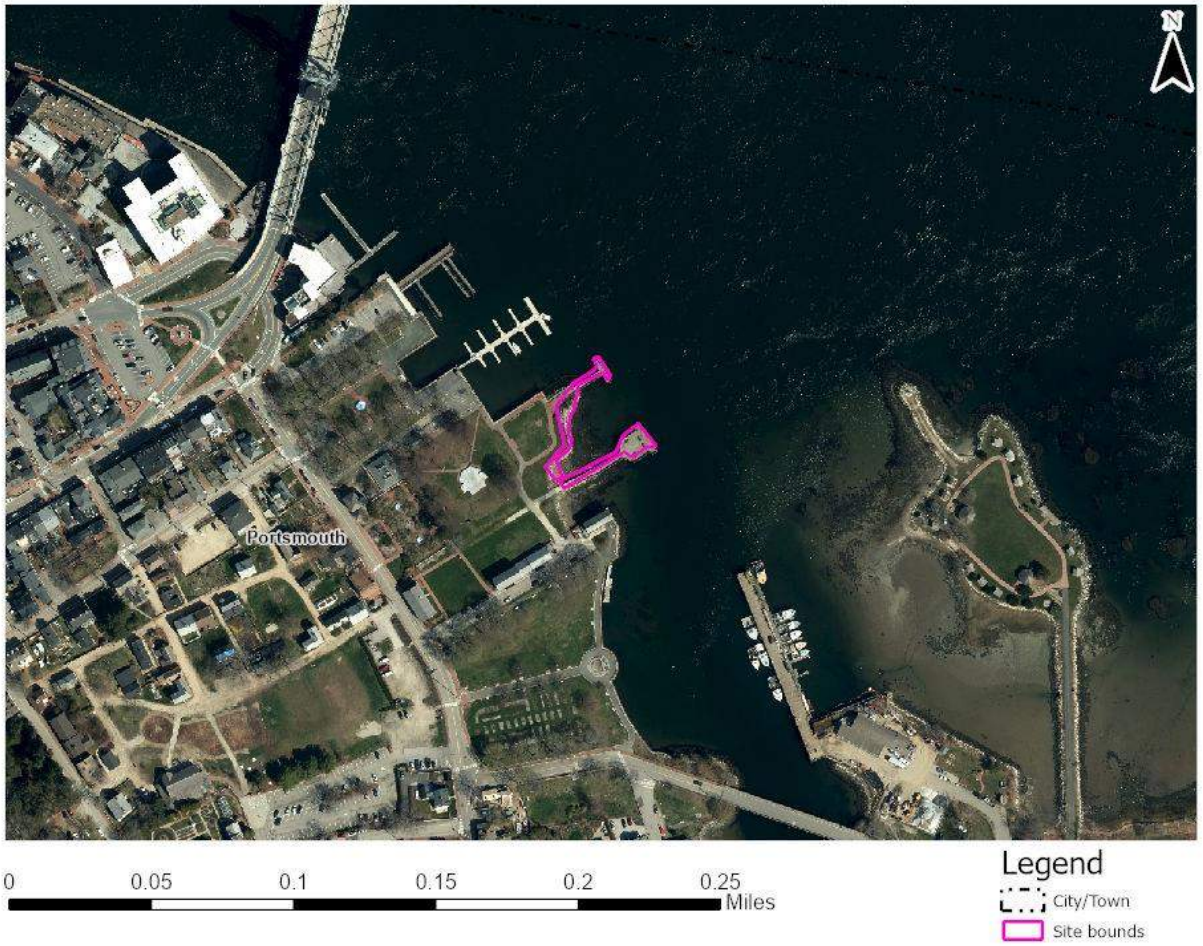
Disclaimer: NHB's database can only tell you of known occurrences that have been reported to NHFG/NHB. Known occurrences are based on information gathered by qualified biologists or members of the public, reported to our offices, and verified by NHB/NHFG.
However, many areas have never been surveyed, or have only been surveyed for certain species.
Surveys are recommended to determine what species/natural communities are present onsite.

DataCheck Results Letter
For NHDES Ecological Review

Please note: Effective June 10th, 2025, DataCheck letters will no longer include specific locations of rare species and exemplary natural communities. Changes to the map have been made to reflect this update.

Important: The list of rare species and exemplary natural communities that may be impacted by the project is included. Please refer to that list when coordinating.

DCT25-2437



Vincent Brigagliano

From: DES: Ecological Reviews <EcologicalReviews@des.nh.gov>
Sent: Thursday, October 23, 2025 2:23 PM
To: Vincent Brigagliano
Subject: RE: DCT25-2437 - Consultation Request

Hi Vincent,

Thank you for providing plans and photos for the proposed project.

Based on the provided information I would not expect marsh elder (*Iva frutescens*) to be present within the proposed project area. This species occurs at the area of the highest observable tideline which is clearly covered in riprap making it unlikely for this species to be present in the project area. The staging of equipment above the highest observable tide line will also help avoid and minimize any impacts to the habitat in this area.

Because of this, I have no further concerns regarding impacts to rare plants under DCT25-2437.

Best,

Madeline (Maddie) Severance (*she/her/hers*)
Environmental Reviewer
Ecological Review Section
Land Resources Management Program
Water Division, NH Department of Environmental Services
P.O. Box 95
Concord, NH 03302-0095
(603)-271-6261 (note the new number)
EcologicalReviews@des.nh.gov
DataCheck Tool

NHDES would greatly appreciate your feedback and wants to hear from you. Please take a moment to fill out our short (5-question) NHDES Customer Service Satisfaction Survey.

Please note as of July 29, 2025, the email ecologicalreviews@des.nh.gov is the primary contact for DataCheck Tool questions and rare plant and exemplary natural community coordination. Please do not email nhbreview@dncr.nh.gov going forward, NHDES Ecological Review staff will not be monitoring this inbox and if you email this inbox your review may be delayed.

Please note as of July 1, 2025, processing DataCheck Tool requests and conducting ecological reviews for threatened and endangered species is the responsibility of the NH Department of Environmental Services. Existing rare species consultation processes and contacts will remain the same. The DataCheck Fee has also increased to $50 for all users. Payment is only required if given a notice of "potential impacts" when submitting a project, or if you choose to send maps by email or mail rather than using the mapping tool. These changes are part of the state budget for FY2026-27 passed by the Legislature. Our goal is to keep you informed and supported through this change and we welcome any questions or feedback.

From: Vincent Brigagliano <vbrigagliano@tfmoran.com>
Sent: Wednesday, October 22, 2025 10:08 AM
To: DES: Ecological Reviews <ecologicalreviews@des.nh.gov>
Subject: RE: DCT25-2437 - Consultation Request

The photo orientation key attached in the previous email had the #2 and #4 keys out of place. Please refer to the corrected photo orientation key attached to this email.

Best,
Vincent Brigagliano
Environmental Scientist

From: Vincent Brigagliano
Sent: Wednesday, October 22, 2025 8:31 AM
To: ecologicalreviews@des.nh.gov
Subject: DCT25-2437 - Consultation Request

Good morning,

To assist with the Ecological Review Consultation, please see the attached document containing, the DCT Report, USGS Maps, GIS Screening Map, Existing Conditions Plan, Draft Proposed Conditions Plan, Photo Exhibit, and a Photo Orientation Key.

If you require any additional information, please do not hesitate to reach out.

My apologies if this request was sent twice my computer said the first was undelivered due to file size.

Best,
Vincent Brigagliano
Environmental Scientist

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www.tfmoran.com | Bedford & Portsmouth, NH

Vincent Brigagliano

From: Sullivan, Kevin <Kevin.M.Sullivan@wildlife.nh.gov>
Sent: Monday, October 27, 2025 11:11 AM
To: Vincent Brigagliano; FGC: NHFG review
Subject: 105 Marcy Street_Portsmouth_DCT25-2437_NHDES Wetlands Not Yet Filed - NHFG Recommendations

Hello Mr. Brigagliano,

On October 27, 2025 New Hampshire Fish and Game (NHFG) Nongame & Endangered Wildlife Program completed review of materials submitted for consultation for DCT25-2437 on October 23, 2025 (site plans dated October 21, 2025) prepared by TFMoran, Inc. The project proposes to temporarily impact 4,742 square feet and permanently impact 5 square feet for the purpose of repairing an existing riprap area within the same footprint, the replacement of 16 cross braces, 7 lower lateral bracing boards, 8 fender piles, and 1 new support pile. The site is located at 105 Marcy Street in Portsmouth, NH (Tax Map 104, Lots 1 & 3-3). Please update NHFG with NHDES Permit File# once applications/notifications are submitted.

Permit applications associated with this project:

NHDES WETLANDS STANDARD DREDGE & FILL– FILE# NOT YET FILED

Note: if you apply for other permits not listed above, you must notify NHFG and request a response to see if recommendations provided below can be applied to other permit applications.

Based on the DataCheck results letter and the information provided in the submission as well as in communications and materials provided during our consultation review, we request the following recommended permit conditions. THESE RECOMMENDED PERMIT CONDITIONS ARE APPLICABLE ONLY TO STATE PERMITS LISTED ABOVE.

- **For consideration in the AoT permit review process, please incorporate recommendations along with associated materials as detailed, into the final sheet plans as written below (update highlighted text as applicable) and provide to NHDES for final review and copy NHFG.**
- **For all other permits, please include recommended permit conditions in final plan sheets plans as written below (update highlighted text as applicable) and provide to NHDES for final review and copy NHFG. Permit reviewers will adopt/include NHFG permit conditions in the permit if approved.**

DCT25-2437 New Hampshire Fish and Game Recommended Conservation Measures:

The following species have been identified through the DataCheck Tool screening as being potentially affected by activities at this location: Atlantic Sturgeon (State Threatened), Shortnose Sturgeon (State Endangered), and Peregrine Falcon (State Threatened). Upon further review, NHFG does not anticipate adverse impacts to Peregrine Falcon based on the activities associated with this project as described by the applicant; and no further consultation is required for this species unless proposed activities change.

NHFG has determined that Atlantic Sturgeon and Shortnose Sturgeon will potentially be affected by proposed activities, and provides the following conservation measures:

1. All operators and personnel working on or entering the site should be made aware of the potential presence of these species along with NHFG contact information. Protected species information (e.g. identification, observation and reporting of observations, when to contact NHFG immediately) should be communicated during meetings prior to work commencement throughout the construction phase of the project. See Plan Sheet xxxxxx

2. All work should be done in the dry at low tide or from a work barge and appropriate erosion and sediment control measures (e.g., turbidity curtains) should be installed.

3. Piles, if proposed, should be installed in the dry at low tide. NHFG recommends using vibratory hammering. If unable to drive the piles in the dry, piles should be driven during the dredge window of November 15th – March 15th.

4. All manufactured erosion and sediment control products, with the exception of turf reinforcement mats, utilized for, but not limited to, slope protection, runoff diversion, slope interruption, perimeter control, inlet protection, check dams, and sediment traps should not contain plastic, or multifilament or monofilament polypropylene netting or mesh with an opening size of greater than 1/8 inches. Plan sheet(s) XXXXX.

5. All observations of threatened or endangered species on the project site should be reported immediately to the NHFG nongame and endangered wildlife environmental review program by phone at 603-271-2461 and by email at NHFGreview@wildlife.nh.gov, with the email subject line containing the NHB DataCheck tool results letter assigned number, the project name, and the term Wildlife Species Observation. Photographs of the observed species and nearby elements of habitat or areas of land disturbance should be provided to NHFG in digital format at the above email address for verification, as feasible.

6. In the event a threatened or endangered species is observed on the project site during the term of the permit, the species should not be disturbed, handled, or harmed in any way prior to consultation with NHFG and implementation of corrective actions recommended by NHFG.

7. These Conservation Measures do not constitute compliance with the federal Endangered Species Act (ESA). There may be occurrences of federally listed species in New Hampshire that are not included on the DataCheck Letter. Please visit the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation website (IPaC; https://ipac.ecosphere.fws.gov/) for an official list of federally listed species that may be present in your project area. If a federal agency is involved in your project through funding, permit, or other authorization, coordinate your IPaC results with your point of contact at the agency for further ESA review. If there is no federal agency nexus to your project, and you determine through IPaC, habitat evaluations, etc. that a project may cause take of a federally listed species, we recommend coordinating with the USFWS' New England Field Office (newengland@fws.gov; 603-223-2541).

8. NHFG, including its employees and authorized agents, should have access to the property during the term of the permit.

Additional Wildlife Protection Recommendations (not required to be incorporated into plans, but NHFG recommends):

- Native species should be used for reseeding or landscaping disturbed areas.
- Avoid or minimize the use of fertilizers in upland areas and transition zones. If fertilizers are used, NHFG recommends organic instead of synthetic fertilizer options. If synthetic is used NHFG recommends the use of controlled-release/slow-release and at low strengths to maintain water quality.

NHFG has completed our review of materials submitted for consultation under FIS 1004. No further coordination with NHFG is requested at this time. Please note that additional or a new consultation may be required in accordance with Fis 1004.08(b)4 if there are changes in project design that is referenced above which might result in potential impacts to threatened and endangered species, whether suggested to avoid harm to the species, or which could serve to increase the potential of adverse impacts to species.

These recommendations have been transmitted to the applicable permitting agency. Questions or concerns on NHFG recommendations provided in this communication must follow FIS 1004.12 that requires a written request for further consultation provided within 10 days of receipt of this communication. Note that NHFG recommendations may be withdrawn pursuant to FIS 1004.13.

Respectfully,

Kevin

Kevin Sullivan
Environmental Review Supervisor

Wildlife Division
New Hampshire Fish and Game Department
11 Hazen Drive, Concord, NH 03301
p. 603-271-2605 | **c.**
e. kevin.m.sullivan@wildlife.nh.gov
wildlife.nh.gov

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Did you know? New Hampshire Fish and Game works to conserve thousands of species of wildlife, including 51 species on the state's threatened and endangered wildlife list. The Nongame & Endangered Wildlife Program depends on your generous donations to accomplish this work, and to raise matching funds required for state and federal grants. Learn more at www.wildnh.com/nongame

---

From: Vincent Brigagliano <vbrigagliano@tfmoran.com>
Sent: Thursday, October 23, 2025 4:58 PM
To: FGC: NHFG review <nhfgreview@wildlife.nh.gov>
Subject: DCT25-2437 - Consultation Request

Good morning,

To assist with the Ecological Review Consultation for DCT25-2437, please see the attached document containing, the DCT Report, USGS Maps, GIS Screening Map, Existing Conditions Plan, Draft Proposed Conditions Plan, Photo Exhibit, and a Photo Orientation Key.

If you require any additional information, please do not hesitate to reach out.

Best,
Vincent Brigagliano
Environmental Scientist

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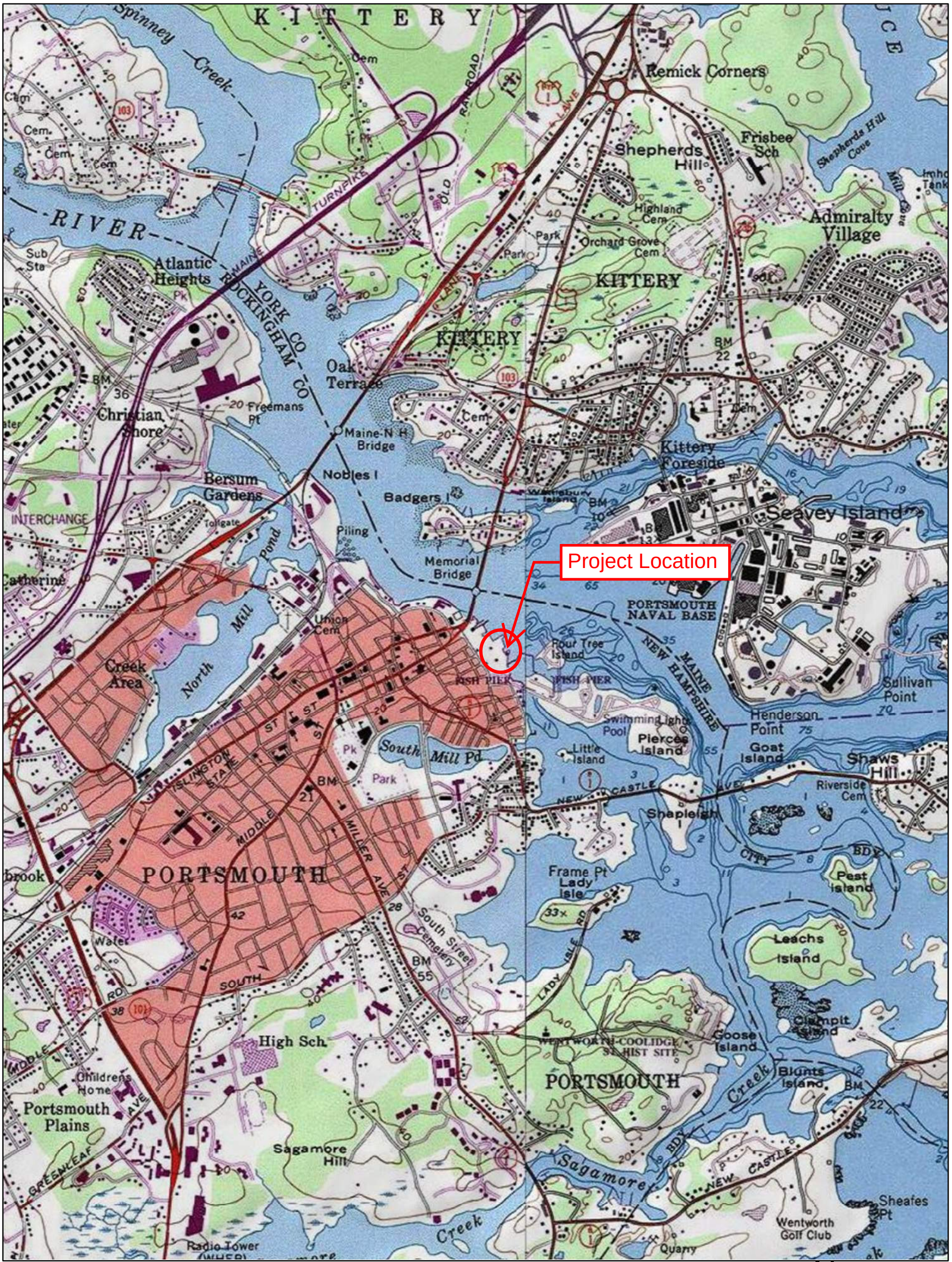
170 Commerce Way - Suite 102 Portsmouth, NH 03801
www.tfmoran.com | Bedford & Portsmouth, NH

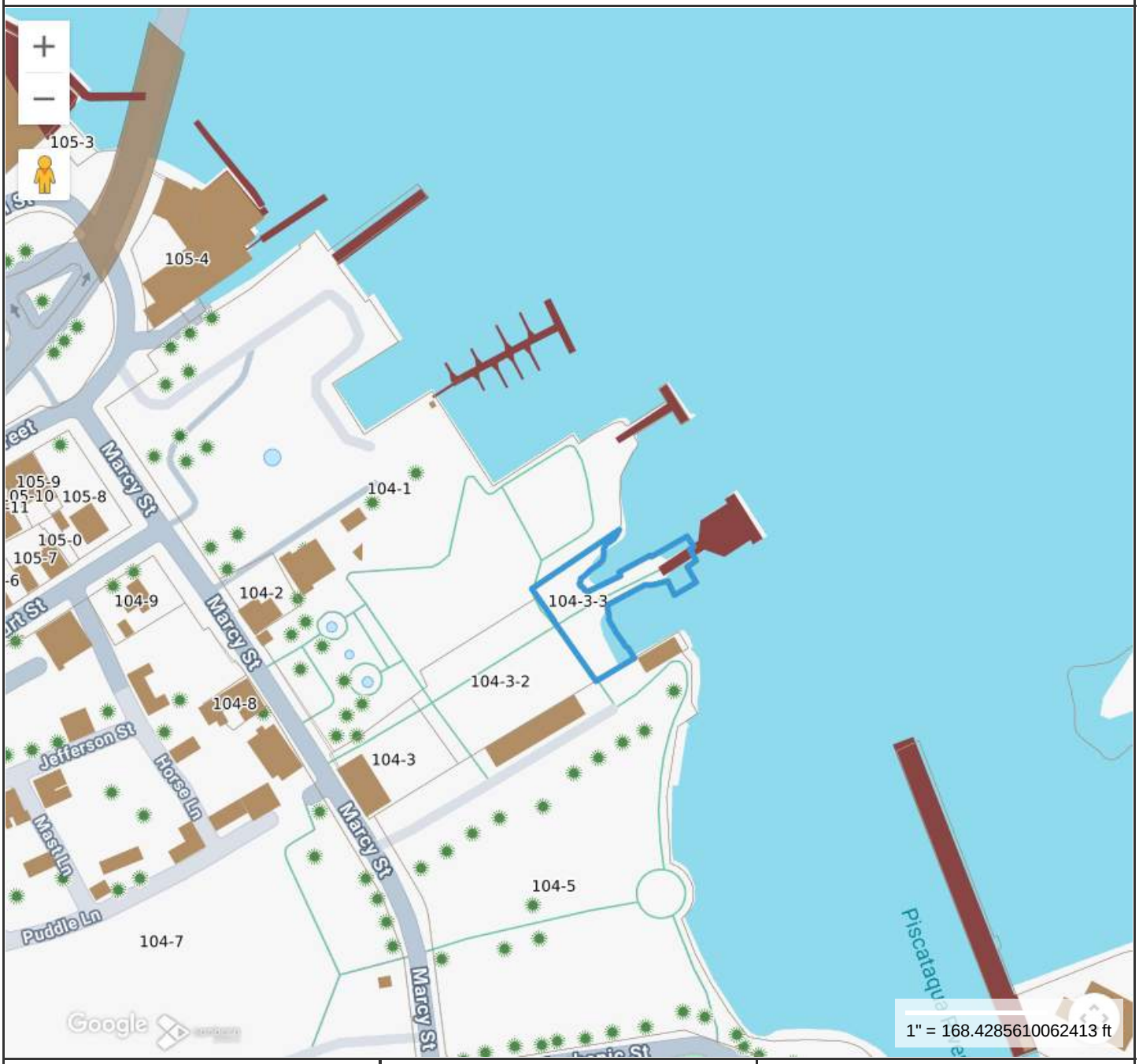
SECTION 4

USGS Maps: Project Location
Scale: 1:5,000

USGS Maps: Project Location
Scale: 1:24,000



Tax Map



Property Information

Property ID	0104-0003-0003
Location	MARCY ST
Owner	CITY OF PORTSMOUTH

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 09/26/2024

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

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NEW HAMPSHIRE 200

Marcy Street, Portsmouth NH
Replace Rip Rap & Pier Improvements
Photo Exhibit

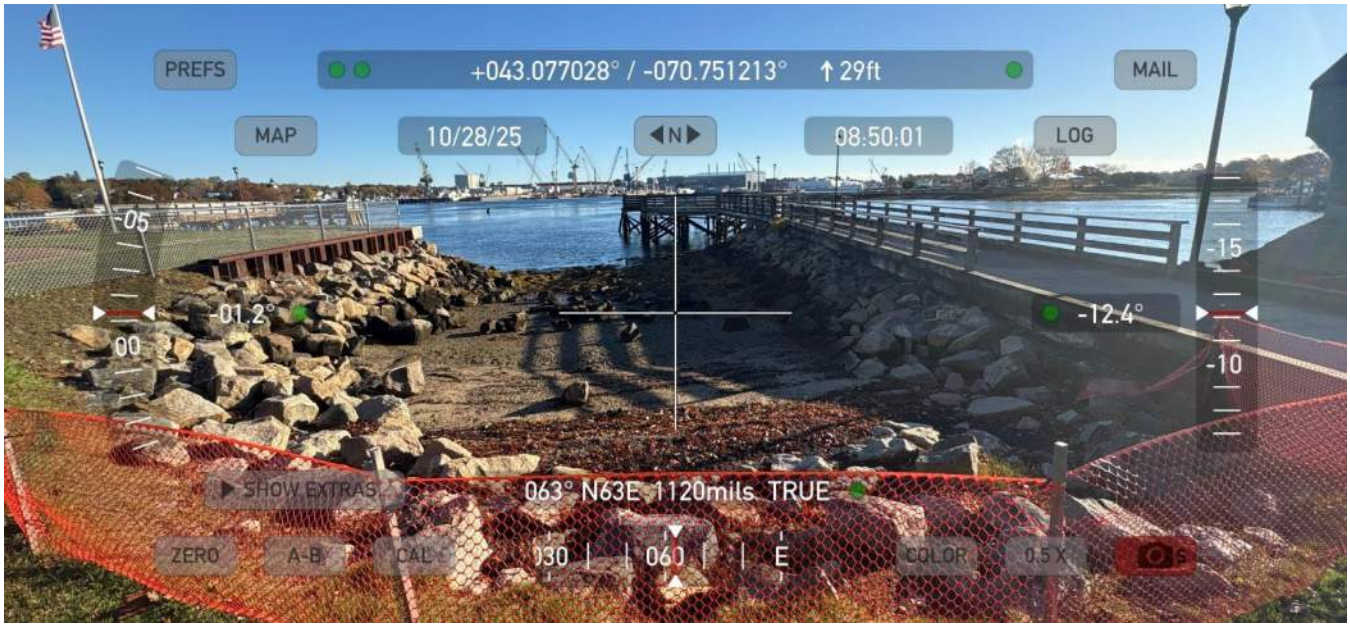

Photo 1.
Area of riprap repair in-kind

TFMoran, Inc.
48 Constitution Drive, Bedford, NH 03110
T(603) 472-4488 www.tfmoran.com

TFMoran, Inc. Seacoast Division
170 Commerce Way–Suite 102, Portsmouth, NH 03801
T(603) 431-2222

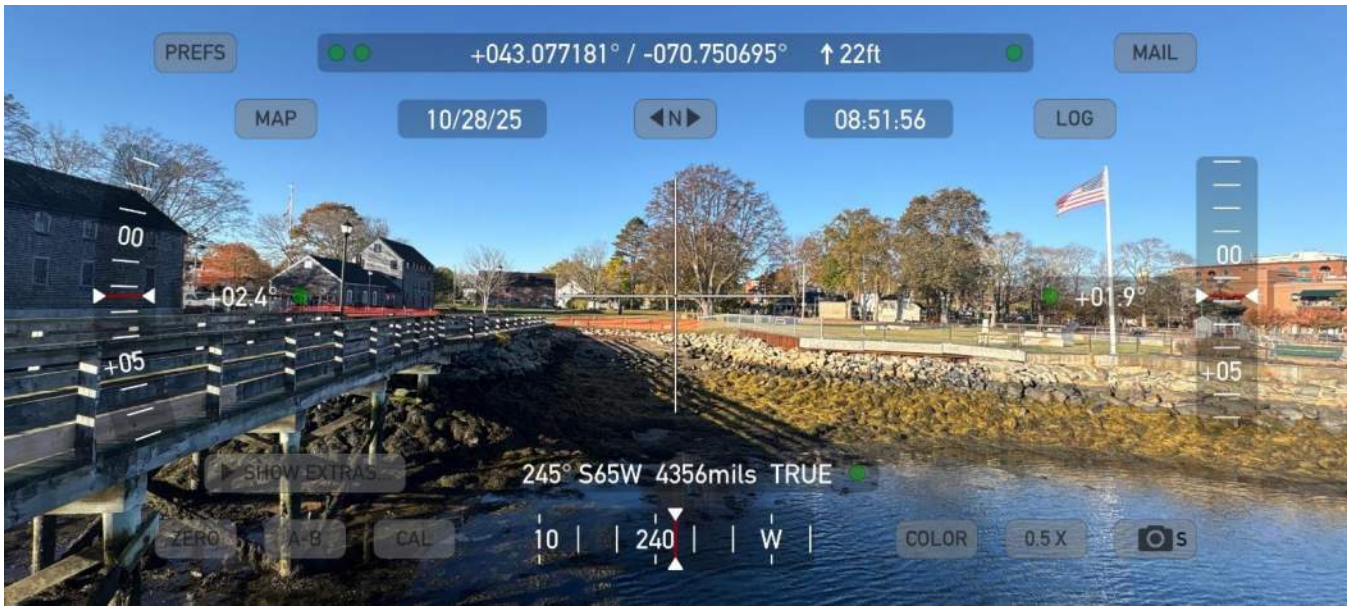

Photo 2.
Another view of the riprap area to be repaired in-kind

Photo 3.
Another view of the riprap area to be repaired in-kind

TFMoran, Inc.
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TFMoran, Inc. Seacoast Division
170 Commerce Way–Suite 102, Portsmouth, NH 03801
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Photo 4.
View of one of the six fender piles being replaced in kind

Photo 5.
View of the existing tidal pier structure proposed for maintenance activities.

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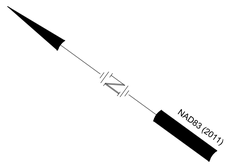
170 Commerce Way–Suite 102, Portsmouth, NH 03801
T(603) 431-2222

Photo 6. Two support piles are to be added on both sides of the existing damaged support pile.

PHOTO ORIENTATION KEY

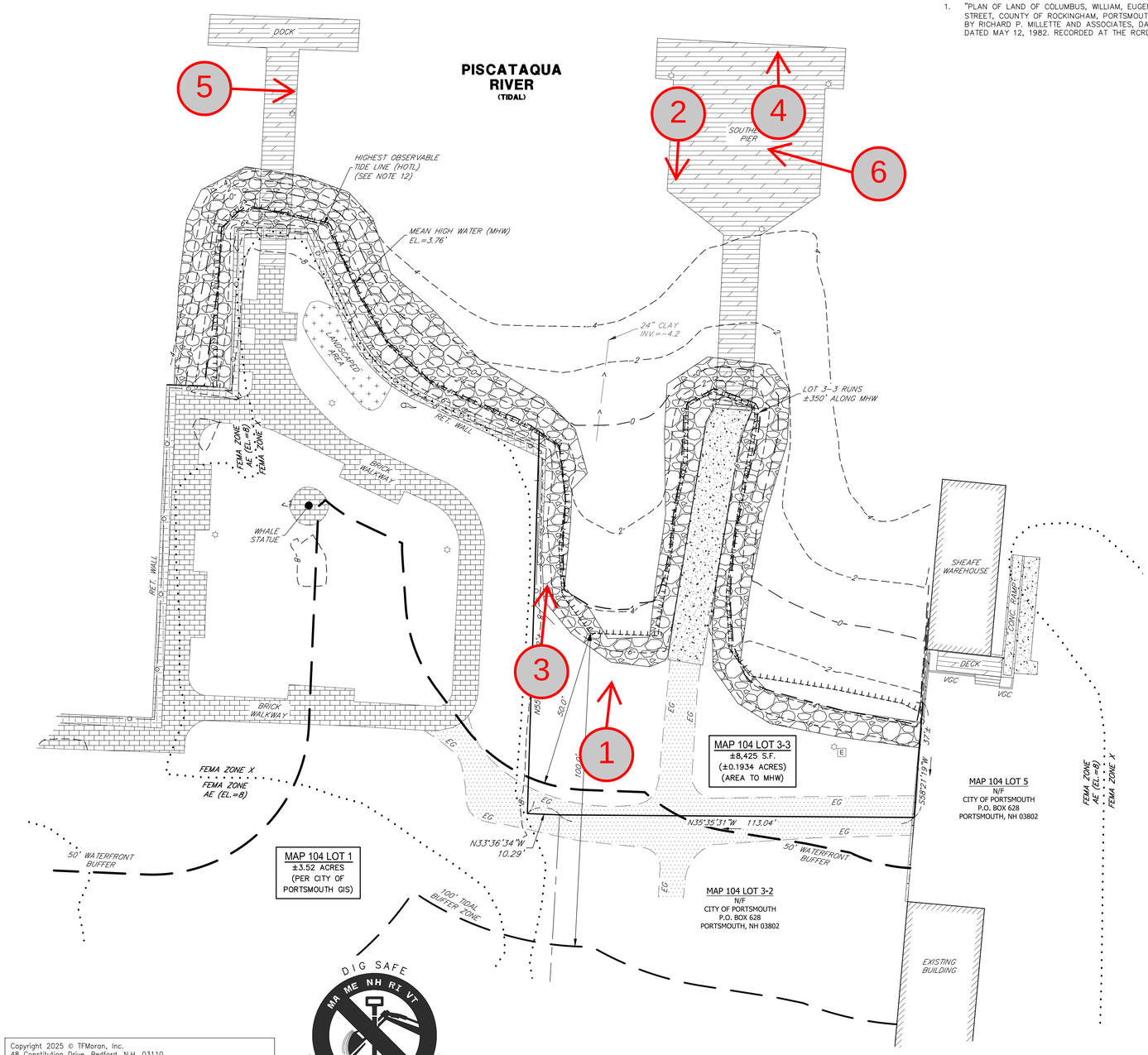


LEGEND:

MAP 104 LOT 1	ASSESSORS MAP/ LOT NUMBER
BK. PG.	BOOK/PAGE
CONC.	CONCRETE
EG	EDGE OF GRAVEL
INV.	INVERT
N/F	NOW OR FORMERLY
RCRD	ROCKINGHAM COUNTY REGISTRY OF DEEDS
RET.	RETAINING
S.F.	SQUARE FEET
VGC	VERTICAL GRANITE CURB
☼	LIGHT POLE
E	ELECTRIC BOX
	FLAG POLE
	CHAINLINK FENCE
	APPROXIMATE ABUTTER LINE
	BOUNDARY LINE
	DRAIN LINE
100	EXISTING CONTOUR
	MEAN HIGH WATER
	HIGHEST OBSERVABLE TIDE LINE
	FEMA FLOOD HAZARD LINE
	100' TIDAL BUFFER ZONE
	50' WATERFRONT BUFFER
	CONCRETE
	GRAVEL
	RIP RAP
	BRICK WALK
	WOOD DECK, PEIR OR DOCK
	LANDSCAPED AREA
	RETAINING WALL

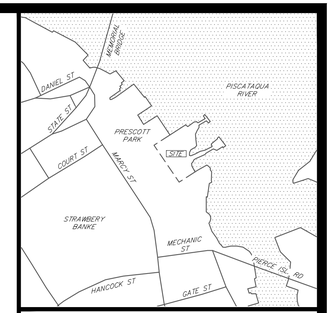
KEY

Photo number, location, orientation



PLAN REFERENCES:

1. "PLAN OF LAND OF COLUMBUS, WILLIAM, EUGENE & JOSEPH MARCONI, MARCY STREET, COUNTY OF ROCKINGHAM, PORTSMOUTH, NEW HAMPSHIRE" PREPARED BY RICHARD P. MILLETTE AND ASSOCIATES, DATED MAY 28, 1980, WITH REV. 1 DATED MAY 12, 1982. RECORDED AT THE RCRD AS PLAN D-11121.



LOCATION PLAN

NOTES:

1. THE PARCELS ARE LOCATED IN THE MUNICIPAL (M) ZONING DISTRICT.
2. THE PARCELS ARE SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 104 AS LOT 1 & 3-3.
3. THE PARCELS ARE LOCATED IN FLOOD ZONE AE, WITH A BASE FLOOD ELEVATION OF 8' PER NAVD88, AND ZONE X, "AREA OF MINIMAL FLOOD HAZARD" AS SHOWN ON NATIONAL FLOOD INSURANCE PROGRAM (NFIP), FLOOD INSURANCE RATE MAP (FIRM) ROCKINGHAM COUNTY, NEW HAMPSHIRE, PANEL 259 OF 681, MAP NUMBER 33015C0259F, WITH A MAP REVISED DATE OF JANUARY 29, 2021.
4. LOTS AND BUILDINGS IN THE MUNICIPAL ZONE ARE EXEMPT FROM ALL DIMENSIONAL AND INTENSITY REGULATIONS.
5. OWNERS OF RECORD:

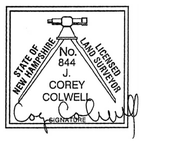
MAP 104 LOT 1:	MAP 104 LOT 3-3:
CITY OF PORTSMOUTH	CITY OF PORTSMOUTH
P.O. BOX 628	P.O. BOX 628
PORTSMOUTH, NH 03802	PORTSMOUTH, NH 03802
NO REFERENCE	RCRD BK.#2589 PG.#2073

6. PARCEL AREA:

MAP 104 LOT 1:	MAP 104 LOT 3-3:
(±3.52 ACRES)	±8,425 S.F. (±0.1934 ACRES)
PER CITY OF PORTSMOUTH GIS	AREA TO MEAN HIGH WATER (MHW)

7. 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 THE EXTENT OF OWNERSHIP OR DEFINE THE LIMITS OF TITLE.
8. THE PURPOSE OF THIS PLAN IS TO SHOW THE BOUNDARY LINES, TOPOGRAPHY AND CURRENT SITE CONDITIONS OF THE WATERFRONT PORTIONS OF MAP 104 LOT 1 AND TO SHOW MAP 104 LOT 3-3 IN ITS ENTIRETY.
9. FIELD SURVEY COMPLETED BY TCE ON AUGUST 6&8, 2025 USING A LEICA TS-16 TOTAL STATION, GS-16 & GS-18 GPS RECIEVERS AND CARLSON DATA COLLECTION SOFTWARE.
10. HORIZONTAL DATUM IS NAD83 (2011) PER REDUNDANT NETWORK RTK GPS OBSERVATIONS. THE VERTICAL DATUM IS NAVD88 PER REDUNDANT NETWORK RTK GPS OBSERVATIONS. THE CONTOUR INTERVAL IS 2 FEET.
11. EASEMENTS, RIGHTS, AND RESTRICTIONS SHOWN OR IDENTIFIED ARE THOSE WHICH WERE FOUND DURING RESEARCH PERFORMED AT THE ROCKINGHAM COUNTY REGISTRY OF DEEDS. OTHER RIGHTS, EASEMENTS, OR RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF SUBJECT PARCEL(S) WOULD DETERMINE.
12. THE HIGHEST OBSERVABLE TIDE LINE (HOTL) DEPICTED ON THIS PLAN WAS DETERMINED ON AUGUST 6, 2025 BY QUALIFIED COASTAL PROFESSIONAL, JASON R. AUBE. THE HOTL WAS DETERMINED IN ACCORDANCE WITH THE NHDES WETLANDS BUREAU ADMINISTRATIVE RULES, UNDER ENV-WT 602.23, HIGHEST OBSERVABLE TIDE LINE MEANS A LINE DEFINING THE FARTHEST LANDWARD LIMIT OF TIDAL FLOW, NOT INCLUDING STORM EVENTS, THAT CAN BE RECOGNIZED BY INDICATORS SUCH AS THE PRESENCE OF A STRAND LINE OF FLOTSAM AND DEBRIS, THE LANDWARD MARGIN OF SALT-TOLERANT VEGETATION, OR A PHYSICAL BARRIER THAT BLOCKS INLAND FLOW OF THE TIDE.

PURSUANT TO NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES LAN 503.09(24): I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY THOSE UNDER MY DIRECT SUPERVISION AND ARE THE RESULT OF A FIELD SURVEY CONDUCTED ON AUGUST 6&8, 2025. THIS SURVEY CONFORMS TO THE ACCURACY REQUIREMENTS OF AN URBAN SURVEY OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS. THIS SURVEY IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, AND THE FIELD TRAVERSE SURVEY EXCEEDS A PRECISION OF 1:15,000.



LICENSED LAND SURVEYOR — OCTOBER 21, 2025 — DATE

CONTACT DIG SAFE 72 BUSINESS HOURS PRIOR TO CONSTRUCTION

20 10 0 20
Graphic Scale in Feet

REV.	DATE	DESCRIPTION	DR	CK

TAX MAP 104 LOTS 1 & 3-3

LIMITED EXISTING CONDITIONS PLAN

PRESCOTT PARK

MARCY STREET

PORTSMOUTH, NEW HAMPSHIRE

COUNTY OF ROCKINGHAM

OWNED BY

CITY OF PORTSMOUTH

SCALE: 1" = 20' (22x34)
1" = 40' (11x17)

OCTOBER 21, 2025

Seacoast Division
TFM
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

FILE	DR	PJT	FB		
47671-00			615		S-1
	CK	JCC	CADFILE	SEE MARGIN	

SECTION 5

QUITCLAIM DEED

Raymond Brighton, Philip Weeks, Kevin Guy, and John Foley, all of P.O. Box 1103, Portsmouth, County of Rockingham, State of New Hampshire, individually and as present or former Trustees of the Trust Funds of the City of Portsmouth, hereby convey any and all interest which they may have in either capacity in the following described lots or parcels of land, with quitclaim covenants, to the City of Portsmouth, a New Hampshire municipal corporation having a usual place of business at 126 Daniel Street, Portsmouth, County of Rockingham, for consideration paid:

> Two certain lots or parcels of land described as Lots 1 and 3 on a Subdivision Plan for Portsmouth Land Bank Trust dated May 12, 1982 as approved and recorded in Rockingham County Registry of Deeds as Plan D-11121. Said lots also being described as Lots 3 and Lot 3-3 on Portsmouth City Assessor's Map U-4.
>
> For title of the grantors, reference is made to Book 2549, Page 1390, Rockingham County Registry of Deeds.

The purpose of this deed is to complete conveyance to the City of Portsmouth of all property formerly owned by Portsmouth Land Bank Trust, 853 Circuit Road, Portsmouth, County of Rockingham, Joseph G. Sawtelle, Trustee, which had been acquired by deed of Columbus J. Marconi, William Marconi, Eugene Marconi, and Joseph Marconi dated May 29, 1980, recorded at Rockingham County Registry of Deeds, Book 2364, Page 0766. For an earlier conveyance of Lot 2 on said Plan for the Portsmouth Land Bank Trust to the City of Portsmouth, see Book 2425, Page 432, Rockingham Registry of Deeds, recorded October 26, 1982.

This deed is accepted pursuant to vote of the Portsmouth City Council dated November 18, 1985.

Witness

Raymond Brighton, Trustee

Witness

Philip Weeks, Trustee

Witness

Kevin Guy

Witness

John Foley, Trustee

STATE OF NEW HAMPSHIRE
ROCKINGHAM, SS

Personally appeared Raymond Brighton on February 13, 1986, Philip Weeks on March 6, 1986, Kevin Guy on February 18, 1986, and John Foley on February 20, 1986, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained and that they were authorized to perform this act.

Before me,

Kelly G. Wallick
Justice of the Peace

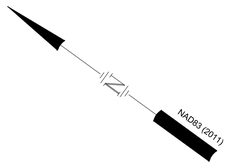
Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists

Abutters List

Prescott Park
Marcy Street, Portsmouth, NH
October 22, 2025
47671.00

Assessors Map		Abutter Name	Mailing Address
Map	Lot		
104 LOCUS	3-3	CITY OF PORTSMOUTH	PO BOX 628 PORTSMOUTH, NH 03802
104	4-5	CITY OF PORTSMOUTH	PO BOX 628 PORTSMOUTH, NH 03802
104	4-1	CITY OF PORTSMOUTH	PO BOX 628 PORTSMOUTH, NH 03802
104	3-2	CITY OF PORTSMOUTH	PO BOX 628 PORTSMOUTH, NH 03802
Civil Engineers / Surveyor		TFMoran, Inc.	170 Commerce Way - Suite 102 Portsmouth, NH 03801

SECTION 6



LEGEND:

MAP 104 LOT 1	ASSESSORS MAP/ LOT NUMBER
BK. PG.	BOOK/PAGE
CONC.	CONCRETE
EG	EDGE OF GRAVEL
INV.	INVERT
N/F	NOW OR FORMERLY
RCRD	ROCKINGHAM COUNTY REGISTRY OF DEEDS
RET.	RETAINING
S.F.	SQUARE FEET
VGC	VERTICAL GRANITE CURB
☼	LIGHT POLE
E	ELECTRIC BOX
	FLAG POLE
o — o — o	CHAINLINK FENCE
	APPROXIMATE ABUTTER LINE
	BOUNDARY LINE
> >	DRAIN LINE
100	EXISTING CONTOUR
	MEAN HIGH WATER
	HIGHEST OBSERVABLE TIDE LINE
	FEMA FLOOD HAZARD LINE
	100' TIDAL BUFFER ZONE
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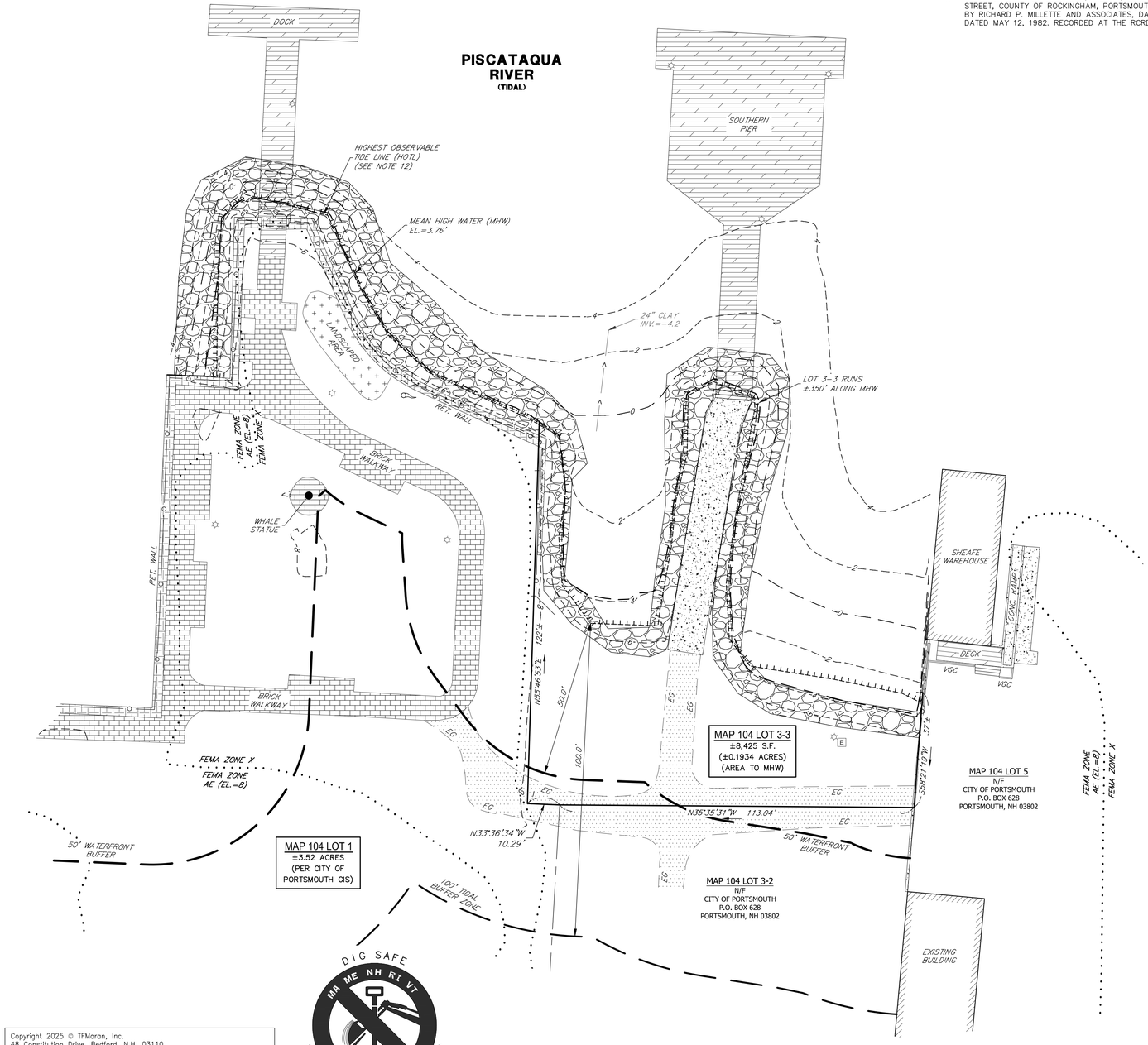
	RIP RAP
	BRICK WALK
	WOOD DECK, PEIR OR DOCK
	LANDSCAPED AREA
	RETAINING WALL



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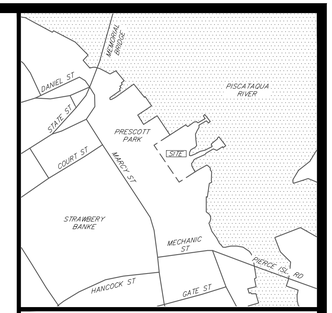

LOCATION PLAN

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P.O. BOX 628	P.O. BOX 628
PORTSMOUTH, NH 03802	PORTSMOUTH, NH 03802
NO REFERENCE	RCRD BK.#2589 PG.#2073

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(±3.52 ACRES)	±8,425 S.F.
PER CITY OF PORTSMOUTH GIS	(±0.1934 ACRES)
	AREA TO MEAN HIGH WATER (MHW)

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PURSUANT TO NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES LAN 503.09(24): I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY THOSE UNDER MY DIRECT SUPERVISION AND ARE THE RESULT OF A FIELD SURVEY CONDUCTED ON AUGUST 6&8, 2025. THIS SURVEY CONFORMS TO THE ACCURACY REQUIREMENTS OF AN URBAN SURVEY OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS. THIS SURVEY IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, AND THE FIELD TRAVERSE SURVEY EXCEEDS A PRECISION OF 1:15,000.

STATE OF NEW HAMPSHIRE — NO. 844 — J. COREY COLWELL — LICENSED LAND SURVEYOR

SIGNATURE

OCTOBER 21, 2025
DATE

LICENSED LAND SURVEYOR

DIG SAFE — MA ME NH RI VT — CALL 811 TOLL FREE — UTILITIES UNDER GROUND PLANT DAMAGE PREVENTION SYSTEM

CONTACT DIG SAFE 72 BUSINESS HOURS PRIOR TO CONSTRUCTION

20 10 0 20
Graphic Scale in Feet

REV.	DATE	DESCRIPTION	DR	CK

TAX MAP 104 LOTS 1 & 3-3

LIMITED EXISTING CONDITIONS PLAN

PRESCOTT PARK

MARCY STREET

PORTSMOUTH, NEW HAMPSHIRE

COUNTY OF ROCKINGHAM

OWNED BY

CITY OF PORTSMOUTH

SCALE: 1" = 20' (22x34)
1" = 40' (11x17)

OCTOBER 21, 2025

Seacoast Division
TFM
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

FILE	DR	PJT	FB		
47671-00	CK	JCC	CADFILE	615 / SEE MARGIN	S-1

Oct 21, 2025 - 9:27am
F:\MSC Projects\47671 Marcy St - Portsmouth, NH\47671-00 Riverside Mainre - Prescott Park\Carlson Survey\Dwgs\47671-00 Survey.dwg

SITE DATA

OWNER OF RECORD OF MAP 104 LOT 3-3: CITY OF PORTSMOUTH, PO BOX 628, PORTSMOUTH NH 03802 DEED REFERENCE TO PARCEL IS BK 2589 PG 2073
AREA OF PARCEL = 8,425± SF OR .1934± ACRES

ZONED: MUNICIPAL ZONING DISTRICT

THE PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE REPAIR OF AN EXISTING RIPRAP AREA WITHIN THE SAME FOOTPRINT, THE REPLACEMENT OF 16 CROSS BRACES, 7 LOWER LATERAL BRACING BOARDS, 6 FENDER PILES (1 NEW FENDER PILE), AND 2 NEW SUPPORT PILE, TO ACCOMPANY AN NHDES WETLANDS PERMIT APPLICATION.

WORK SEQUENCE

1. AT LEAST 48-HOURS PRIOR TO COMMENCING THE CONSTRUCTION ACTIVITIES, THE PROPERTY OWNER, OR THEIR AGENT, WILL NOTIFY NHDES VIA THE INITIATION OF CONSTRUCTION NOTIFICATION FORM.
2. MOBILIZATION OF CRANE BARGE, PUSH BOAT, WORK SKIFF, MATERIALS, AND PREFABRICATED COMPONENTS, WILL BE TRANSFERRED TO THE PROJECT AREA.
3.
4. THE BARGE WILL BE POSITIONED ADJACENT TO THE EXISTING SOUTHERN PIER STRUCTURE AND BEYOND THE LIMITS OF ANY EMERGENT VEGETATION.
5. THE PROJECT WILL COMMENCE AT LOW TIDE OR WITH THE PRESENCE OF A TURBIDITY SLEEVE (SEE DETAIL) TO MINIMIZE EROSION AND TURBIDITY.
6. USING MECHANICAL VIBRATORY TECHNIQUE, THE 8 FENDER PILES AND 1 SUPPORT PILE WILL BE INSTALLED UNTIL REFUSAL. THE PILES WILL BE LOCATED AS DEPICTED ON THE APPROVED PLANS ASSOCIATED WITH THE APPROVED NHDES WETLANDS PERMIT.
7. THE REMOVAL AND REPLACEMENT OF 7 LOWER LATERAL BRACING BOARDS ARE TO BE DONE BY A DIVER.
8. EXISTING RIPRAP IN THE DESIGNATED REPAIR AREA TO BE REMOVED. AFTER SHAPING THE BANK, TOE STONES, ARMOR STONES, AND EROSION STONE WILL BE INSTALLED OVER GEOTEXTILE FABRIC.
9. ONCE CONSTRUCTION ACTIVITIES ARE COMPLETE, THE SITE WILL BE STABILIZED, AND ALL DISTURBED SOILS WILL RESEEDED WITH GRASS SEED. ALL LEFTOVER MATERIALS AND/OR WASTE WILL BE REMOVED AND PROPERLY DISPOSED OF.
10. UPON COMPLETING THE PROJECT, THE PROPERTY OWNER, OR THEIR AGENT, WILL NOTIFY NHDES VIA THE COMPLETION OF CONSTRUCTION NOTICE AND CERTIFICATE OF COMPLIANCE FORM.
11. CONSTRUCTION WILL OCCUR AS SPECIFIED IN THE APPROVED DESIGN PLANS AND AS CONDITIONED BY NHDES.
12. UPON COMPLETING THE PROJECT, THE PROPERTY OWNER, OR THEIR AGENT, WILL NOTIFY NHDES VIA THE COMPLETION OF CONSTRUCTION NOTICE AND CERTIFICATE OF COMPLIANCE FORM.

PIER IMPACTS

PROPOSED PERMANENT IMPACTS – TIDAL SURFACE WATER JURISDICTIONAL UNDER NH WETLAND LAW	6 S.F.
PROPOSED TEMPORARY IMPACTS – TIDAL SURFACE WATERS JURISDICTIONAL UNDER NH WETLAND LAW	22 S.F.

RIPRAP IMPACTS

PROPOSED TEMPORARY IMPACTS – PREVIOUSLY DEVELOPED UPLAND TIDAL BUFFER ZONE JURISDICTIONAL UNDER NH WETLAND LAW	582 S.F.
PROPOSED TEMPORARY IMPACTS – TIDAL SURFACE WATERS (BELOW HOTL) JURISDICTIONAL UNDER NH WETLAND LAW	261 S.F.
PROPOSED TEMPORARY IMPACTS FOR ACCESS AND STAGING JURISDICTIONAL UNDER NH WETLAND LAW	3,875 S.F.

SITE DEVELOPMENT PLANS

TAX MAP 104 LOT 3-3

PROPOSED CONDITIONS PLAN

PIER AND RIPRAP REPAIRS

PRESCOTT PARK

MARCY STREET

OWNED AND PREPARED FOR THE

CITY OF PORTSDMOUTH

1"=40' (11"X17")

SCALE: 1"=20' (22"X34") **OCTOBER 20, 2025**

HORIZONTAL SCALE 1"=20'
20 10 0 20

REV	DATE	DESCRIPTION	DR	CK

DIG SAFE
811 OR 1-888-DIG-SAFE
CONTACT DIG SAFE 72 BUSINESS HOURS PRIOR TO CONSTRUCTION

Seacoast Division
TFM
Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
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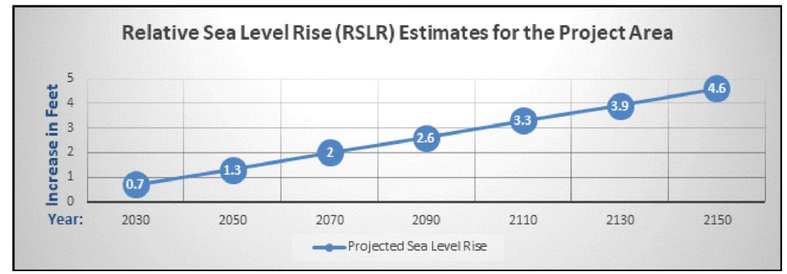
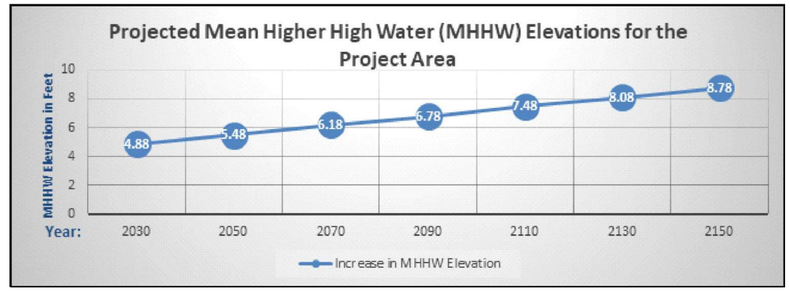
FILE					
47671.00	DR	VPB	FB	–	C-01
	CK	JRA	CADFILE	PROPOSED-CONDITIONS	

Nov 07, 2025 - 8:51am
F:\MSC Projects\47671 Marcy St - Portsmouth, NH\47671.00 Riverside Marine - Prescott Park\Design\Production Drawings\47671.00-proposed-conditions-plan.dwg

COASTAL VULNERABILITY ASSESSMENT GRAPHS



INCREMENTAL RELATIVE SEA LEVEL RISE FOR THE PROJECT AREA BASED ON REPRESENTATIVE CONCENTRATION PATHWAY (RCP) 4.5.



INCREMENTAL RELATIVE SEA LEVEL RISE FOR THE PROJECT AREA BASED ON REPRESENTATIVE CONCENTRATION PATHWAY (RCP) 4.5, A HIGH TOLERANCE FOR FLOOD RISK, AND THE CURRENT MEAN HIGHER HIGH WATER (MHHW) ELEVATION OF 4.18 FEET DETERMINED BY THE NATIONAL OCEANIC AND ATMOSPHERIC ASSOCIATION (NOAA), CONTROL STATION 8419870 SEAVEY ISLAND, NH USING NAVD 88 DATUM.

TIDAL ELEVATIONS			
	2024	2150 (PROJECTED)	
MHHW	4.18	8.78	NOT SHOWN
MHW	3.76	8.36	NOT SHOWN
MTL	-0.32	4.28	
MLW	-4.39	0.21	
MLLW	-4.71	-0.11	

TIDAL ELEVATIONS ARE BASED ON NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) STATION 8419870, SEAVEY ISLAND, NH. ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)

SITE DEVELOPMENT PLANS

TAX MAP 104 LOT 3-3

VULNERABILITY ASSESSMENT

PIER AND RIPRAP REPAIRS

PRESCOTT PARK

MARCY STREET

OWNED AND PREPARED FOR THE

CITY OF PORTSDMOUTH

1"=40' (11"X17")

SCALE: 1"=20' (22"X34")

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REV	DATE	DESCRIPTION	DR	CK

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Landscape Architects
Scientists
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47671.00	DR	VPB	FB	–	C-02
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DIG SAFE
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Nov 07, 2025 - 8:51am
P:\MSC Projects\47671 Marcy St - Portsmouth, NH\47671-00 Riverside Marine - Prescott Park\Design\Production Drawings\47671.00-proposed-conditions-plan.dwg

NOTES

DISCHARGES, AVOIDANCE, MINIMIZATION AND MITIGATION

DISCHARGES OF DREDGED OR FILL MATERIAL INTO WATERS OF THE U.S. AND ANY SECONDARY IMPACTS SHALL BE AVOIDED AND MINIMIZED TO THE MAXIMUM EXTENT PRACTICABLE. PERMITTEES MAY ONLY FILL THOSE JURISDICTIONAL WETLANDS AND WATERWAYS THAT THE CORP AND NHDES AUTHORIZES AS SECONDARY IMPACTS. IF NOT SPECIFICALLY AUTHORIZED BY USACE AND NHDES, ANY UNAUTHORIZED FILL OR SECONDARY IMPACT TO WETLANDS MAY BE CONSIDERED AS A VIOLATION OF THE CMA.
UNLESS SPECIFICALLY AUTHORIZED BY USACE AND NHDES, NO WORK SHALL DRAIN A WATER OF THE U.S. BY PROVIDING A CONDUIT FOR WATER ON OR BELOW THE SURFACE.

HEAVY EQUIPMENT IN TIDAL WETLANDS

HEAVY EQUIPMENT OTHER THAN FIXED EQUIPMENT (DRILL RIGS, FIXED CRANES, ETC.) WORKING IN WETLANDS SHALL NOT BE STORED, MAINTAINED, OR REPAIRED IN WETLANDS, UNLESS IT IS LESS ENVIRONMENTALLY DAMAGING OTHERWISE, AND AS MUCH AS POSSIBLE SHALL NOT BE OPERATED WITHIN THE INTERTIDAL ZONE. WHERE CONSTRUCTION REQUIRES HEAVY EQUIPMENT OPERATION IN THE WETLANDS, THE EQUIPMENT SHALL EITHER HAVE LOW GROUND PRESSURE (<3 PSI), OR SHALL NOT BE LOCATED DIRECTLY ON WETLAND SOILS AND VEGETATION; IT SHALL BE LACED ON SWAMP MATS THAT ARE ADEQUATE TO SUPPORT THE EQUIPMENT IN SUCH A WAY AS TO MINIMIZE DISTURBANCE OF WETLAND SOIL AND VEGETATION. SWAMP MATS ARE TO BE PLACED IN THE WETLAND FROM THE UPLAND OR FROM EQUIPMENT POSITIONED ON SWAMP MATS IF WORKING IN A WETLAND. DRAGGING SWAMP MATS INTO POSITION IS PROHIBITED. OTHER SUPPORT STRUCTURES THAT ARE LESS IMPACTING AND ARE CAPABLE OF SAFELY SUPPORTING EQUIPMENT MAY BE USED WITH WRITTEN CORPS AND NHDES AUTHORIZATION. SIMILARLY, NOT USING MATS DURING FROZEN, DRY OR OTHER CONDITIONS MAY BE ALLOWED WITH WRITTEN CORPS AND NHDES AUTHORIZATION. CORDUROY ROADS AND SWAMP/CONSTRUCTION MATS ARE CONSIDERED AS FILL WHETHER THEY'RE INSTALLED TEMPORARILY OR PERMANENTLY.

TURBIDITY AND NOISE RESTRICTIONS

1. PILES WILL BE INSTALLED IN-THE-DRY DURING LOW WATER OR WITH THE PRESENCE OF A TURBIDITY SLEEVE, OR
2. MUST BE DRILLED AND PINNED TO LEDGE, OR
3. VIBRATORY HAMMERS USED TO INSTALL ANY SIZE AND QUANTITY OF WOOD, CONCRETE OR STEEL PILES, OR
4. IMPACT HAMERS LIMITED TO ONE HAMMER AND <50 PILES INSTALLED/DAY WITH THE FOLLOWING WOOD PILES OF ANY SIZE. CONCRETE PILES ≤ 18-INCHES DIAMETER. STEEL PILES 12-INCHES DIAMETER IF THE HAMMER IS <3000 LBS. AND A WOOD CUSHION IS USED BETWEEN THE HAMMER AND STEEL PILE FOR 2-4 ABOVE.

I. IN-WATER NOISE LEVELS SHALL NOT >187dB SEL RE 1μPo OR 206dB PEAK RE 1μPo AT A DISTANCE >10M FROM THE PILE BEING INSTALLED AND
II. IN-WATER NOISE LEVELS >155dB PEAK RE 1μPo SHALL NOT EXCEED 12 CONSECUTIVE HOURS ON AY GIVEN DAY AND A 12-HOUR RECOVERY PERIOD (I.E. IN-WATER NOISE BELOW 155dB PEAK RE 1μPo) MUST BE PROVIDED BETWEEN WORK DAYS.

WORK SITE RESTORATION

1. UPON COMPLETION OF CONSTRUCTION, ALL DISTURBED WETLAND AREAS SHALL BE PROPERLY STABILIZED. ANY SEED MIX SHALL CONTAIN ONLY PLAN SPECIES NATIVE TO NEW ENGLAND.
2. THE INTRODUCTION OR SPREAD OF INVASIVE PLANT SPECIES IN DISTURBED AREA IS PROHIBITED.
3. IN AREAS OF AUTHORIZED TEMPORARY DISTURBANCE: IF TREES ARE CUT THEY SHALL BE CUT AT GROUND LEVEL AND NOT UPROOTED IN ORDER TO PREVENT DISRUPTION TO THE WETLAND SOIL STRUCTURE AND TO ALLOW STUMP SPROUTS TO REVEGETATE THE WORK AREA, UNLESS OTHERWISE AUTHORIZED.
4. WETLAND AREAS WHERE PERMANENT DISTRUBANCE IS NOT AUTHORIZED SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AND ELEVATION, WHICH UNDER NO CIRCUMSTANCES SHALL BE HIGHER THAN THE PRE-CONSTRUCTION ELEVATION. ORIGINAL CONDITION MEANS CAREFUL PROTECTION AND/OR REMOVAL OF EXISTING SOIL AND VEGETATION, AND REPLACEMENT BACK TO THE ORIGINAL LOCATION SUCH THAT THE ORIGINAL SOIL LAYERING AND VEGETATION SCHEMES ARE APPROXIMATELY THE SAME.

SEDIMENTATION AND EROSION CONTROL

ADEQUATE SEDIMENTATION AND EROSION CONTROL MANAGEMENT MEASURES, PRACTICES AND DEVICES, SUCH AS PHASED CONSTRUCTION, VEGETATED FILTER STRIPS, GEOTEXTILE SILT FENCES, STORMWATER DETENTION AND INFILTRATION SYSTEMS, SEDIMENT DETENTION BASINS OR OTHER DEVICES SHALL BE INSTALLED AND PROPERLY MAINTAINED TO REDUCE EROSION AND RETAIN SEDIMENT ON-SITE DURING AND AFTER CONSTRUCTION. THEY SHALL BE CAPABLE OF PREVENTING EROSION, OR COLLECTING SEDIMENT, SUSPENDED AND FLOATING MATERIALS, AND OF FILTERING FINE SEDIMENT. THE DISTURBED AREAS SHALL BE STABILIZED AND THESE DEVICES SHALL BE REMOVED UPON COMPLETION OF WORK. THE SEDIMENT COLLECTED BY THESE DEVICES SHALL BE REMOVED AND PLACED AT AN UPLAND LOCATION IN A MANNER THAT WILL PREVENT ITS LATER EROSION INTO A WATERWAY OR WETLAND. ALL EXPOSED SOIL AND OTHER FILLS SHALL BE PERMANENTLY STABILIZED AT THE EARLIEST PRACTICABLE DATE.

SPAWNING AREAS

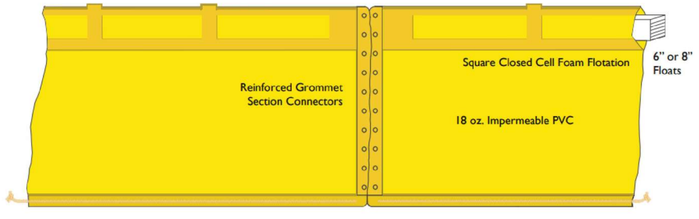
DISCHARGES OF DREDGED OR FILL MATERIAL, AND/OR SUSPENDED SEDIMENT PRODUCING ACTIVITIES IN FISH AND SHELLFISH SPAWNING OR NURSERY AREAS, OR AMPHIBIAN AND MIGRATORY BIRD BREEDING AREAS, DURING SPAWNING OR BREEDING SEASONS SHALL BE AVOIDED. IMPACTS TO THESE AREAS SHALL BE MINIMIZED TO THE MAXIMUM EXTENT PRACTICABLE DURING ALL TIMES OF THE YEAR. INFORMATION ON SPAWNING HABITAT FOR SPECIES MANAGED UNDER THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT (I.E. EFH FOR SPAWNING ADULTS) CAN BE OBTAINED FROM THE NMFS WEBSITE AT WWW.NERO.NOAA.GOV/HCD.

INSPECTIONS

THE PERMITTEE SHALL ALLOW THE CORPS AND NHDES TO MAKE PERIODIC INSPECTIONS AT ANY TIME DEEMED NECESSARY IN ORDER TO ENSURE THAT THE WORK IS BEING OR HAS BEEN PERFORMED IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THIS PERMIT. THE CORPS AND NHDES MAY ALSO REQUIRE POST-CONSTRUCTION ENGINEERING DRAWINGS FOR COMPLETED WORK, AND POST-DREDGING SURVEY DRAWINGS FOR ANY DREDGING WORK.

NEW HAMPSHIRE FISH & GAME CONSERVATION MEASURES

1. SHORTNOSE STURGEON (STATE ENDANGERED), ATLANTIC STURGEON (STATE THREATENED), AND COMMON TERN (STATE THREATENED) OCCUR WITHIN THE VICINITY OF THE PROJECT AREA. UPON REVIEW, NHFG HAS DETERMINED THAT THERE ARE LIKELY MINIMAL IMPACTS TO THE SPECIES WITH THE ACTIVITIES ASSOCIATED WITH THIS PROJECT AS DESCRIBED BY THE APPLICANT. ALL OPERATORS AND PERSONNEL WORKING ON OR ENTERING THE SITE SHOULD BE MADE AWARE OF THEIR POTENTIAL PRESENCE.
2. ALL WORK SHOULD BE DONE IN THE DRY AT LOW TIDE AND APPROPRIATE EROSION AND SEDIMENT CONTROL MEASURES (E.G., TURBIDITY CURTAINS) SHOULD BE INSTALLED. WORK THAT CANNOT BE DONE IN THE DRY SHOULD BE DONE DURING THE DREDGE WINDOW OF NOVEMBER 15TH - MARCH 15TH
3. PILES, IF PROPOSED, SHOULD BE INSTALLED IN THE DRY AT LOW <DE. NHFG RECOMMENDS USING VIBRATORY HAMMERING. IF UNABLE TO DRIVE THE PILES IN THE DRY, PILES SHOULD BE DRIVEN DURING THE DREDGE WINDOW OF NOVEMBER 15TH - MARCH 15TH
4. ALL MANUFACTURED EROSION AND SEDIMENT CONTROL PRODUCTS, WITH THE EXCEPTION OF TURF REINFORCEMENT MATS, UTILIZED FOR, BUT NOT LIMITED TO, SLOPE PROTECTION, RUNOFF DIVERSION, SLOPE INTERRUPTION, PERIMETER CONTROL, INLET PROTECTION, CHECK DAMS, AND SEDIMENT TRAPS SHOULD NOT CONTAIN PLASTIC, OR MULTIFILAMENT OR MONOFILAMENT POLYPROPYLENE NETTING OR MESH WITH AN OPENING SIZE OF GREATER THAN 1/8 INCHES.
5. ALL OBSERVATIONS OF THREATENED OR ENDANGERED SPECIES ON THE PROJECT SITE SHALL BE REPORTED IMMEDIATELY TO THE NHFG NONGAME AND ENDANGERED WILDLIFE ENVIRONMENTAL REVIEW PROGRAM BY PHONE AT 603-271-2461 AND BY EMAIL AT NHFGREVIEW@WILDLIFE.NH.GOV, WITH THE EMAIL SUBJECT LINE CONTAINING THE NHB DATACHECK TOOL RESULTS LETTER ASSIGNED NUMBER, THE PROJECT NAME, AND THE TERM WILDLIFE SPECIES OBSERVATION.
6. IN THE EVENT A THREATENED OR ENDANGERED SPECIES IS OBSERVED ON THE PROJECT SITE DURING THE TERM OF THE PERMIT, THE SPECIES SHALL NOT BE DISTURBED, HANDLED, OR HARMED IN ANY WAY PRIOR TO CONSULTATION WITH NHFG AND IMPLEMENTATION OF CORRECTIVE ACTIONS RECOMMENDED BY NHFG.
7. NHFG, INCLUDING ITS EMPLOYEES AND AUTHORIZED AGENTS, SHALL HAVE ACCESS TO THE PROPERTY DURING THE TERM OF THE PERMIT.



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Type 1 DOT Turbidity Curtain

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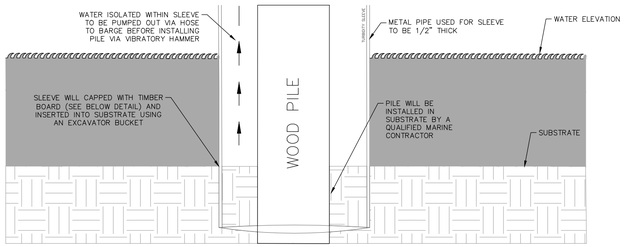
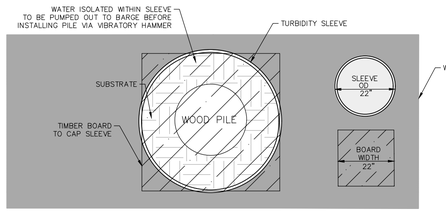


TEMPORARY TURBIDITY SLEEVE

NOT TO SCALE



TURBIDITY SLEEVE - OVERHEAD DETAIL

NOT TO SCALE

NH FISH AND GAME CONSERVATION MEASURES

NHFG HAS DETERMINED THAT ATLANTIC STURGEON AND SHORTNOSE STURGEON WILL POTENTIALLY BE AFFECTED BY PROPOSED ACTIVITIES, AND PROVIDES THE FOLLOWING CONSERVATION MEASURES:

1. ALL OPERATORS AND PERSONNEL WORKING ON OR ENTERING THE SITE SHOULD BE MADE AWARE OF THE POTENTIAL PRESENCE OF THESE SPECIES ALONG WITH NHFG CONTACT INFORMATION. PROTECTED SPECIES INFORMATION (E.G. IDENTIFICATION, OBSERVATION AND REPORTING OF OBSERVATIONS, WHEN TO CONTACT NHFG IMMEDIATELY) SHOULD BE COMMUNICATED DURING MEETINGS PRIOR TO WORK COMMENCEMENT THROUGHOUT THE CONSTRUCTION PHASE OF THE PROJECT.
2. ALL WORK SHOULD BE DONE IN THE DRY AT LOW TIDE OR FROM A WORK BARGE AND APPROPRIATE EROSION AND SEDIMENT CONTROL MEASURES (E.G., TURBIDITY CURTAINS) SHOULD BE INSTALLED.
3. PILES, IF PROPOSED, SHOULD BE INSTALLED IN THE DRY AT LOW TIDE. NHFG RECOMMENDS USING VIBRATORY HAMMERING. IF UNABLE TO DRIVE THE PILES IN THE DRY, PILES SHOULD BE DRIVEN DURING THE DREDGE WINDOW OF NOVEMBER 15TH – MARCH 15TH.
4. ALL MANUFACTURED EROSION AND SEDIMENT CONTROL PRODUCTS, WITH THE EXCEPTION OF TURF REINFORCEMENT MATS, UTILIZED FOR, BUT NOT LIMITED TO, SLOPE PROTECTION, RUNOFF DIVERSION, SLOPE INTERRUPTION, PERIMETER CONTROL, INLET PROTECTION, CHECK DAMS, AND SEDIMENT TRAPS SHOULD NOT CONTAIN PLASTIC, OR MULTIFILAMENT OR MONOFILAMENT POLYPROPYLENE NETTING OR MESH WITH AN OPENING SIZE OF GREATER THAN 1/8 INCHES. PLAN SHEET(S) C-03.
5. ALL OBSERVATIONS OF THREATENED OR ENDANGERED SPECIES ON THE PROJECT SITE SHOULD BE REPORTED IMMEDIATELY TO THE NHFG NONGAME AND ENDANGERED WILDLIFE ENVIRONMENTAL REVIEW PROGRAM BY PHONE AT 603-271-2461 AND BY EMAIL AT NHFGREVIEW@WILDLIFE.NH.GOV, WITH THE EMAIL SUBJECT LINE CONTAINING THE NHB DATACHECK TOOL RESULTS LETTER ASSIGNED NUMBER, THE PROJECT NAME, AND THE TERM WILDLIFE SPECIES OBSERVATION. PHOTOGRAPHS OF THE OBSERVED SPECIES AND NEARBY ELEMENTS OF HABITAT OR AREAS OF LAND DISTURBANCE SHOULD BE PROVIDED TO NHFG IN DIGITAL FORMAT AT THE ABOVE EMAIL ADDRESS FOR VERIFICATION, AS FEASIBLE.
6. IN THE EVENT A THREATENED OR ENDANGERED SPECIES IS OBSERVED ON THE PROJECT SITE DURING THE TERM OF THE PERMIT, THE SPECIES SHOULD NOT BE DISTURBED, HANDLED, OR HARMED IN ANY WAY PRIOR TO CONSULTATION WITH NHFG AND IMPLEMENTATION OF CORRECTIVE ACTIONS RECOMMENDED BY NHFG.
7. THESE CONSERVATION MEASURES DO NOT CONSTITUTE COMPLIANCE WITH THE FEDERAL ENDANGERED SPECIES ACT (ESA). THERE MAY BE OCCURRENCES OF FEDERALLY LISTED SPECIES IN NEW HAMPSHIRE THAT ARE NOT INCLUDED ON THE DATACHECK LETTER. PLEASE VISIT THE US FISH AND WILDLIFE SERVICE'S (USFWS) INFORMATION FOR PLANNING AND CONSULTATION WEBSITE (IPAC; HTTPS://IPAC.ECOSPHERE.FWS.GOV/) FOR AN OFFICIAL LIST OF FEDERALLY LISTED SPECIES THAT MAY BE PRESENT IN YOUR PROJECT AREA. IF A FEDERAL AGENCY IS INVOLVED IN YOUR PROJECT THROUGH FUNDING, PERMIT, OR OTHER AUTHORIZATION, COORDINATE YOUR IPAC RESULTS WITH YOUR POINT OF CONTACT AT THE AGENCY FOR FURTHER ESA REVIEW. IF THERE IS NO FEDERAL AGENCY NEXUS TO YOUR PROJECT, AND YOU DETERMINE THROUGH IPAC, HABITAT EVALUATIONS, ETC. THAT A PROJECT MAY CAUSE TAKE OF A FEDERALLY LISTED SPECIES, WE RECOMMEND COORDINATING WITH THE USFWS' NEW ENGLAND FIELD OFFICE (NEWENGLAND@FWS.GOV; 603-223-2541).
8. NHFG, INCLUDING ITS EMPLOYEES AND AUTHORIZED AGENTS, SHOULD HAVE ACCESS TO THE PROPERTY DURING THE TERM OF THE PERMIT.

SITE DEVELOPMENT PLANS

TAX MAP 104 LOT 3-3

DETAILS PLAN

PIER AND RIPRAP REPAIRS

PRESCOTT PARK

MARCY STREET

OWNED AND PREPARED FOR THE

CITY OF PORTSDMOUTH

1"=40' (11"X17")
SCALE: 1"=20' (22"X34") **OCTOBER 20, 2025**

HORIZONTAL SCALE 1"=20'
20 10 0 20

REV	DATE	DESCRIPTION	DR	CK

Seacoast Division
TFM
Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
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		CK	JRA	CADFILE	DETAILS	

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WETLAND CLASSIFICATION

E2USLN	ESTUARINE, INTERIDAL, UNCONSOLIDATED SHORE, MUD, REGULARLY FLOODED
E1UBL	ESTUARINE, SUBTIDAL, UNCONSOLIDATED BOTTOM, SUBTIDAL

SITE DEVELOPMENT PLANS

TAX MAP 104 LOT 3-3

WETLANDS AND DEEPWATER HABITATS CLASSIFICATION PLAN

PIER AND RIPRAP REPAIRS

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HORIZONTAL SCALE 1"=30'
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