



October 9, 2025

Mary Ann Tilton
NHDES Wetlands Bureau
29 Hazen Drive; PO Box 95
Concord, NH 03302-0095

Re: Permit-by-Notification for Replacement of Utility Structures within City of Portsmouth Sewer
ROW, Portsmouth NH

Dear Ms Tilton:

On behalf of the City of Portsmouth NH Department of Public Works, Normandeau Associates, Inc. (Normandeau) is filing a Permit-by-Notification (PBN; Form NHDES W-06-027) for maintenance on the City's sewer lines under an EPA consent decree to reduce infiltration and inflow of groundwater into the sewer collection system. This project is necessary to maintain existing infrastructure and is beneficial to the public. All repair/rehabilitation work will take place within the existing sewer right-of-way, which has been previously impacted by the original construction and/or more recent repairs or modifications. Most work will be conducted in existing, paved roadways, but in several locations access to manholes will require temporary impacts to wetland resources.

Several Priority Resource Areas are present, including wetlands with a rare plant and/or turtle; several prime wetlands; and a tidal buffer zone. The City is requesting approval via waiver from NHDES to allow for temporary access within 75 feet of a salt marsh near Greenleaf Ave to access manholes in accordance with Env-Wt 521.06(a)(4). No earthwork is proposed in the tidal buffer or any wetland.

This project was presented at a pre-application agency meeting on March 16, 2023, and previously approved under a Statutory Permit by Notification (SPN). A September 2025 resubmission of the SPN was denied, and it was suggested that the application be submitted as a PBN. Normandeau has completed pre-application coordination with the New Hampshire Natural Heritage Bureau (NHNHB) and New Hampshire Fish and Game (NHF&G) in 2023, and a second review was initiated by NHDES as part of the categorical exclusion in May of 2025 and completed in September of 2025. The City will implement the agency recommendations and adhere to *Best Management Practices Manual for Utility Maintenance in and Adjacent to Wetlands and Waterbodies in New Hampshire* (NH Department of Environmental Services, 2019). All work will be overseen for compliance with the BMPs and other applicable requirements.

The completed PBN form and all required supplemental materials are attached for review. A check for \$400 is included with this submittal.

Sincerely,

A handwritten signature in blue ink, appearing to read "Benjamin Griffith".

Benjamin Griffith, NHCWS
Normandeau Associates, Inc.
Attach.

Cc: Jason Jancaitis, P.E., Woodard & Curran
Peter Rice, Director, Portsmouth NH DPW

Permit By Notification Form



WETLANDS PERMIT BY NOTIFICATION (PBN)

Water Division / Land Resources Management

[Check the Status of your Notification](#)



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

APPLICANT NAME: Portsmouth NH DPW C/O Peter Rice, Director

ADDRESS: 680 Peverly Hill Road

OWNER NAME:

TOWN/CITY: Portsmouth

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

NHDES will review your application for compliance with applicable provisions of:

- Env-Wt 307 (Conditions Applicable to All Activities in Jurisdictional Areas).
- Env-Wt 500 (Project-Specific Requirements).
- Env-Wt 600 (Coastal Lands and Tidal Waters / Wetlands).
- Env-Wt 900 (Stream Crossings, Culverts).

NHDES will also review your application for compliance with applicable best management practices described in:

- Env-Wt 306.02(a)(2) (Activities Eligible for a Lower Scrutiny Approval).
- Env-Wt 309.07 (Permit-by-Notification Application Requirements).

Please note that review may include NHDES staff inspecting your proposed project site, as described in RSA 482-A:6, II.

SECTION 1 – GENERAL CRITERIA (Env-Wt 306.02, Env-Wt 309.01)	
Does your proposed project involve work in any jurisdictional area that started before you obtained applicable approvals? Does it involve any work under an "After-the-Fact" permit? For more information on applicable jurisdictional areas, see Section 3 below.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is your proposed project located in a Priority Resource Area (PRA), other than a documented occurrence of Protected Species and Habitat? For more information on these topics, see our Priority Resource Area Fact Sheet or our Protected Species or Habitat Fact Sheet .	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>See Note, below.</i>
If you answered "Yes" to one or both questions above, you are ineligible for a Wetlands Permit-by-Notification (PBN). Please file a Standard Dredge and Fill Wetlands Permit Application .	

***Note:** A waiver has been included to accommodate permitting this project as a Permit By Notification

SECTION 2 – PROJECT-SPECIFIC CRITERIA (Env-Wt 309.06)

You can only use a PBN for the project types listed below. Please check the best applicable box(es) for your proposed project and refer to our [project-specific checklists](#). If your proposed project type is not listed below, or if it does not meet the project-specific checklist criteria, it is not eligible for a PBN. It may still be eligible for an [Expedited Minimum Impact Wetlands Permit](#) or a [Standard Dredge and Fill Wetlands Permit](#).

Docking, Beach, and Bank Stabilization Projects:

- ☐ [Sand replenishment of an existing legal beach](#)
- + ☐ [Repair or replacement of an existing legal boat launch](#)
- + ☐ [Installation of a new canopy](#)
- + ☐ [Construction, installation, or modification of docking structures](#)
- ☐ [Repair or replacement of an existing legal docking structure](#)
- ☐ [Maintenance of an existing legal tidal docking structure](#)
- ☐ [Repair or replacement of an existing legal retaining wall](#)

Stream Crossing Projects:

- ☐ [Repair of an existing legal tier 1 stream crossing](#)
- + ☐ [Repair of an existing legal tier 2 stream crossing](#)
- + ☐ [Repair of an existing legal tier 3 stream crossing](#)
- ☐ [Replacement of an existing legal tier 1 stream crossing](#)
- + ☐ [Installation of a temporary tier 1 stream crossing](#)
- + ☐ [Installation of a temporary tier 2 stream crossing](#)

Utility Projects:

- + ☐ [Installation of residential utilities to a single-family home](#)
- + ☒ [Utility activities](#)

Other Projects:

- ☐ [Repair or replacement of an existing legal deck or patio](#)
- + ☐ [Exotic aquatic weed control activities not exceeding one acre](#)
- + ☐ [Agricultural activities](#)
- + ☐ [Temporary coffer dams](#)
- + ☐ [A new, single lot, residential driveway](#)
- + ☐ [Dry hydrant installation or maintenance](#)
- + ☐ [Forestry activities](#)
- + ☐ [Pond maintenance](#)
- + ☐ [Residential, commercial, or industrial maintenance](#)

NHDES will review PBN applications within 10 calendar days (Env-Wt 309.08(a)) with two exceptions:

- + You are strongly encouraged to include a signed written waiver of intervention from your conservation commission. If you do not, assigned staff will review your PBN application within 25 days.
- + You are strongly encouraged to include a signed written waiver of intervention from your river management advisory committee, if applicable. If you do not, assigned staff will review your PBN application within 25 days.

For more information on “Lower Scrutiny Approvals” see Env-Wt 309

irm@des.nh.gov or (603) 271-2147

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des.nh.gov

SECTION 3 – PROJECT DESCRIPTION AND IMPACT AREA (Env-Wt 309.07(c))

In one or two paragraphs, describe your proposed project. Include detailed dimensions and timing of impacts to any areas listed below. Add any other information necessary to specify your proposed actions.

The City of Portsmouth is proposing repairs to existing sewer infrastructure under an EPA consent decree to reduce infiltration and inflow of groundwater into the sewer collection system. This project is necessary to maintain existing infrastructure and is therefore beneficial to the public. The work to repair/rehabilitate the existing sewer system will take place within the existing sewer right-of-way, which has been previously impacted by the original construction and/or more recent repairs or modifications. Most of the work will be conducted in existing, paved roadways, but in several locations access to manholes located in undeveloped areas will be required. Work on the sewer manholes and lines located in wetlands will be conducted with trenchless technology so earth disturbance can be avoided. The work described here is Contract 1 of four proposed Contracts. The remaining three contracts will be permitted separately.

Complete the table below. Indicate square feet (SF) and/or linear feet (LF) of impacts, as applicable. "Temporary" impacts are those you will restore to pre-construction conditions after you complete the project. For new seasonal dock projects, enter your proposed square footage as "permanent."

Jurisdictional Area	Permanent (SF/LF)	Temporary (SF/LF)	Jurisdictional Area	Permanent (SF/LF)	Temporary (SF/LF)
Lake			Forested Wetland	/	/ 14900 SF
Pond			Wet Meadow / PSS	/	/ 675 SF (PSS)
Perennial River/ Stream			Emergent Wetland	/	/ 14800 SF
Intermittent/ Ephemeral Stream	/	/	Developed Upland in Tidal Buffer Zone		
Tidal Water	/	/	Other Undeveloped TBZ		100 SF

SECTION 4 – PROJECT LOCATION (Env-Wt 309.07)

ADDRESS: Oriental Gardens, Greenleaf Ave, Nathaniel Drive

TOWN/CITY: Portsmouth

TAX MAP/LOT NUMBER: Multiple, See Tax Maps

NAME OF WATERBODY, WETLAND, OR OTHER JURISDICTIONAL AREA: Multiple (see table)

LATITUDE/LONGITUDE (in decimal degrees to five decimal places): / (see table)

FOR PROJECTS LOCATED ON WATERBODIES ONLY: LINEAR DISTANCE OF THE PROJECT FROM ABUTTING PROPERTY BOUNDARIES:

SECTION 5 – APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 309.07(a))

If the applicant is a trust or company, enter the name of the trust or company as the applicant's name.

NAME: Peter Rice c/o City of Portsmouth Department of Public Works

MAILING ADDRESS: 680 Peverly Hill Rd

TOWN/CITY: Portsmouth

STATE: NH

ZIP CODE: 03801

DAYTIME PHONE: (603) 427-1530

EMAIL ADDRESS: PHRICE@CITYOFPORTSMOUTH.COM

irm@des.nh.gov or (603) 271-2147

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SECTION 6 – PROPERTY OWNER INFORMATION (Env-Wt 309.07(a))

☒ OWNER AND APPLICANT ARE THE SAME? IF YES, SKIP TO SECTION 7.

NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

DAYTIME PHONE:

EMAIL ADDRESS:

SECTION 7 – AGENT INFORMATION (IF APPLICABLE) (Env-Wt 309.07(a))

NAME: Benjamin Griffith

MAILING ADDRESS: 25 Nashua Road

TOWN/CITY: Bedford

STATE: NH

ZIP CODE: 03110

DAYTIME PHONE: 603-637-1136

EMAIL ADDRESS: bgriffith@normandeau.com

SECTION 8 – REQUIRED CERTIFICATIONS (Env-Wt 309.07(d))

The **applicant** must initial the box below and sign the application to certify that:

Initials:

- I will conduct my project in a manner that will meet the applicable conditions and limits of Env-Wt 307 and all applicable “minimum impact” project rules.
- Any structure I am proposing to repair within jurisdictional areas is a legally existing structure.
- My proposal results in the “least adverse impact” to jurisdictional areas. (Env-Wt 313.03, Avoidance and Minimization).
- I am aware of the limits of this PBN and understand and will comply with all its conditions.

The **owner, applicant** (if different from owner) **and agent** must initial each box below and sign to certify:

Initials:

- To the best of our knowledge and belief, we have provided all required notifications.
- To the best of our knowledge and belief, the information submitted on or with this application is true, complete, and not misleading.
- In signing, we understand 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. Refer a certified wetland scientist, licensed surveyor, or licensed professional engineer to the Office of Professional Licensure and Certification. For more information, see RSA 310-A:1.

SECTION 9 – REQUIRED SIGNATURE (Env-Wt 309.07(d))

Each signature below certifies that you are aware of this application and do not object to its filing.

OWNER SIGNATURE:

PRINT NAME LEGIBLY:

DATE:

APPLICANT SIGNATURE (IF DIFFERENT FROM OWNER):

PRINT NAME LEGIBLY:

DATE:

AGENT SIGNATURE (IF APPLICABLE):

PRINT NAME LEGIBLY:

DATE:

lrn@des.nh.gov or (603) 271-2147

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Section 10 – TOWN / CITY CLERK (RSA 482-A:3, I; Env-Wt 309.07(f))		
I certify that the applicant has filed four copies, including all attachments, with the town/city named below.		
<input type="checkbox"/> N/A Town is not incorporated.		
TOWN/CITY CLERK SIGNATURE:	PRINT NAME LEGIBLY:	
TOWN/CITY:	DATE:	
SECTION 11 – CONSERVATION COMMISSION SIGNATURE (Env-Wt 306.02(c); Env-Wt 309.07(h); Env-Wt 309.08(a))		
The signature below is for projects with “+” in Section 2. If you include this signed written waiver, assigned staff will review complete PBN applications within 10 days. Otherwise, assigned staff will review it within 25 days.		
The signature below certifies that the municipal Conservation Commission or, if there is no conservation commission, the local governing body, has reviewed this application and waives its right to intervene, as described in RSA 482-A:11.		
AUTHORIZED COMMISSION SIGNATURE:	PRINT NAME LEGIBLY:	DATE:
SECTION 12 – LOCAL RIVER MANAGEMENT ADVISORY COMMITTEE (LAC) SIGNATURE (Env-Wt 306.02(d); Env-Wt 309.07(i); Env-Wt 309.08(a))		
The signature below is for projects with “+” in Section 2. LAC jurisdiction for these projects applies to activities located in or within 250 feet of a designated river where the activity will occur on a “Tier 2” or “Tier 3” stream that has a direct surface water connection to the designated river. Please use the “ Designated River Corridor Mapper ” to determine if your proposed project is within a designated river corridor. If you include this signed written waiver, assigned staff will review complete PBN application within 10 days. Otherwise, assigned staff will review it within 25 days.		
The signature below certifies that the LAC waives its right to intervene, as described in RSA 482-A:11.		
<input type="checkbox"/> N/A This project is <i>not</i> within a Designated River Corridor and/or is <i>not</i> within LAC jurisdiction)		
AUTHORIZED LAC REPRESENTATIVE SIGNATURE:	PRINT NAME LEGIBLY:	DATE:

DIRECTIONS FOR TOWN/CITY CLERK (as described in RSA 482-A:3, I(a)(1)):

1. IMMEDIATELY sign the original application form and four copies in the signature space provided above.
2. Return the signed original application form and attachments to the applicant. The applicant can submit the application form and attachments to NHDES by mail or by hand.
3. IMMEDIATELY distribute a copy of the application with one complete set of attachments to each of the following:
 - a. Local Conservation Commission
 - b. Local governing body (Board of Selectmen or Town/City Council)
 - c. Local Planning Board.
4. Retain one copy of the application form and one complete set of attachments and make them available for public review.

ATTACHMENTS - YOU MUST INCLUDE THE FOLLOWING ATTACHMENTS WITH YOUR APPLICATION:

Required Plans for All Projects (Env-Wt 309.07, PBN Application Requirements):

- ☒ An accurate drawing with dimensions clearly shown to document existing site conditions and to show the location of the property.
- ☒ An accurate drawing and cross-section to show the impact of the proposed activity on jurisdictional areas, including the following:
 - ☐ An overview of the property and proposed impact areas in relation to property lines.
 - ☐ The scale, if any, used on the plan.
 - ☐ If the drawing is not to scale, the dimensions of all existing and proposed structures and all other relevant features necessary to clearly define the project.
 - ☐ A labeled north-pointing arrow to show orientation.
 - ☐ A legend that includes all symbols, line types, and shading used on the plan.
 - ☐ The location of jurisdictional areas delineated in accordance with Env-Wt 400 (Delineation and Classification of Jurisdictional Areas; Classification of Projects).
 - ☐ Proposed sequence of construction (including pre-construction through post-construction activities) and the relative timing and progression of all work.
 - ☐ The location and type of siltation and turbidity controls indicated graphically and labeled or annotated as necessary.
 - ☐ For any project using a temporary coffer dam, and for any repair of a "tier 3" stream crossing (as classified and described in the [Designated River Corridor Mapper](#)), the date, signature, and seal of the licensed professional engineer who prepared or had responsibility for the plan(s).
 - ☐ The plan date, latest revision date, and preparer's name.

Wetland Delineation:

- ☒ **Wetland boundaries** must be delineated by a Certified Wetland Scientist (CWS), except for the following projects:
 - Shoreline structure projects, such as docking structures at the shoreline of and extending over open water where there are no vegetated wetlands.
 - Exotic aquatic weed control activities not exceeding one acre.
 - Agriculture projects impacting less than three acres of wet meadow, if the application and plan are prepared by the Natural Resources Conservation Services (NRCS) or a certified wetland scientist.
 - [Request technical assistance](#) if needed for questions on Env-Wt 309.07 or Env-Wt 406.

Additional Attachments Required for All Projects:

- ☒ **Application fee:** Check or money order for \$400 payable to "Treasurer – State of NH" (as described in RSA 482-A:3, I(c) (Excavating and Dredging Permit; Certain Exemptions)).

- ☒ **US Geological Survey map:** A copy of the appropriate US Geological Survey map with the property and project located (as described in Env-Wt 309.07(b)(3)).

☒ **Natural Heritage Bureau (NHB) DataCheck review:**

Complete a DataCheck review through the [NHB DataCheck Tool](#). Resolve any related questions with NHB or New Hampshire Fish and Game Department (NHFG), as instructed.

- NHB DataCheck identification number, results and, if any, correspondence with NHB and NHFG.
- Do your NHB DataCheck results indicate that your proposed project is in or near a documented occurrence of a protected species or habitat? If so, provide written recommendations from NHB or NHFG, or both, for actions to be taken to protect the species or habitat. Sign below to commit to implement recommendations regarding the protected species or habitat (Env-Wt 407.02(c), Impact Classification Adjustments):

"I commit to implement NHB or NHFG recommendations, or both, as applicable, for protected species or habitat."

Signature: 

Date: 10/3/25

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☐ **Tax Map:** A legible copy of the town tax map showing the location of the proposed project in relation to abutters (Env-Wt 309.07(b)(2)).

☐ **Dated Photographs:** Original or digital photos, clearly showing existing conditions of the area to be impacted, mounted no more than two per sheet, on 8.5 inches by 11 inches paper and captioned (Env-Wt 309.07(b)(5)).

Required Attachments, If Applicable:

☐ **For the maintenance of existing legal tidal docking structures only:** the data screening required by Env-Wt 603.03 (see also: Env-Wt 306.05(a)(3) and Env-Wt 309.07(b)(6)).

☐ **For stream crossing projects only:** The size of the watershed (Env-Wt 306.05(a)(5)).

☐ **For new docking structures only:** Permission for work within 20 feet of abutting properties (as described in RSA 482-A:3, XIII). If jurisdictional impacts for boat docking facilities occur within 20 feet of an abutting property line or imaginary extension thereof over surface water, you must include signed permission letter(s) from the affected abutters. A notarized, written agreement with any abutter(s) when the proposed seasonal pier or wharf is located within 20 feet of the property line or imaginary extension thereof over surface waters.

☐ **For agricultural activities only:** County conservation district or certified wetland scientist signature (as described in Env-Wt 309.07(g)).

By signing below, the county conservation district or certified wetland scientist certifies compliance with all conditions of that rule (as described in Env-Wt 522.06(a)(2)).

Authorized County Conservation District or Certified Wetlands Scientist Signature:

Printed Name:

Date:

☐ **For work within 10 feet of abutting properties:** Written consent from the affected abutter to extend work closer than 10 feet to their properties (Env-Wt 307.13(d), subject to exemptions described in Env-Wt 307.13(e)).

☐ **Additional project-specific information:** Please refer to the [Project-Specific Checklists for Wetlands PBNs](#).

Attachment A – Permit By Notification Narrative

Portsmouth Sewer Rehabilitation Project

Parts for Project Permit Application Narratives

Project Overview

The City of Portsmouth is proposing repairs to existing sewer infrastructure under a US Environmental Protection Agency (EPA) consent decree to reduce infiltration and inflow of groundwater into the sewer collection system. This project is necessary to maintain existing infrastructure and is therefore beneficial to the public. The work to repair/rehabilitate the existing sewer system will take place within the existing sewer right-of-way, which has been previously impacted by the original construction and/or more recent repairs or modifications. Most of the work will be conducted in existing, paved roadways, but in several locations access to manholes located in undeveloped areas will be required. The work described here is Contract 1 of four proposed Contracts (which would be permitted separately). Work being conducted within wetland buffer and buffer zones includes open-cut trenching at two locations within the road right-of-way and vehicular access for internal rehabilitation of sewer manholes and pipelines inside and outside of the road right-of-way. A virtual pre-application meeting with the NH Department of Environmental Services (NHDES) was held on March 16, 2023, and the previously approved under a Statutory Permit by Notification (SPN). The project obtained a Shoreland PBN which is valid until August 3, 2028, but the SPN expired in 2024. A September 2025 resubmission of the SPN was denied, and it was suggested following a discussion with NHDES that the application be submitted as a Wetland Utility PBN.

Wetland Impact Avoidance, Minimization and Unavoidable Impact Summary

The work necessary to rehabilitate the sewer system includes lining or regrouting manholes and removing roots, and lining the pipes to prevent groundwater from seeping in. Trenchless rehabilitation will be implemented in wetlands and associated buffer zones to minimize ground disturbance. This involves opening manhole covers and lining sewer pipes from these junctions without excavating the pipes. Manholes requiring repairs will also be lined on interior surfaces, with no excavation needed around these structures. As a result, the proposed wetland impacts are restricted to motorized vehicle access routes to those manholes that need to be accessed for rehabilitation or equipment retrieval. The vehicles that require access may be pickup trucks or all-terrain vehicles, which will travel on timber mats across wetlands. To the extent possible this work will take place during low flows or winter. All impacts are expected to be temporary, and all work in wetlands will be monitored by a natural resource scientist.

A total estimated 30,375 square feet of wetland impact in three locations is proposed, all of which is temporary, and some of which may be avoided during access depending on field conditions. Wetland access routes will be matted during construction, and mats will be removed promptly after completion of the work. Several of the temporarily impacted wetlands are Priority Resource Areas because: they contain Threatened or Endangered species, are within the tidal buffer zone, and/or are Prime Wetlands or Buffers; as described below. Compensatory mitigation is not proposed as all impacts are temporary. City of Portsmouth Prime Wetland buffer impacts are 6,600 square feet, which includes 100 square feet of Tidal Buffer Zone.

Rare, Threatened and Endangered Species

Plants: New Hampshire Natural Heritage Bureau (NHB) database search (NHB25-1159, 1160, and 1161) revealed nine natural communities and community systems and six plants as potentially occurring in the project area. During the wetland delineation, the area of potential impacts was reviewed for the presence of these occurrences. Four of the species listed were observed within the project area: great

bur-reed (*Sparganium eurycarpum*), dwarf glasswort (*Salicornia bigelovii*), maritime marsh elder (*Iva frutescens*), and saltmarsh agalini (*Agalinis maritima*). Additionally, six of the listed communities and community systems occur or likely occur within the project area: red maple sensitive fern swamp, high salt marsh, low salt marsh, intertidal flat, salt marsh system, and seasonally flooded Atlantic white cedar swamp. A potential occurrence of an additional rare natural community was observed adjacent to the project area, Atlantic white cedar – yellow birch – pepperbush swamp.

Given the distance of the proposed work from the populations of maritime marsh elder, saltmarsh agalini, and dwarf glasswort, no impacts to the populations of these species are expected. There is the potential for impacts to the great bur reed populations, as the sewer lines cross populations of this species. Near Oriental Gardens, the population is robust, and the area of potential impact is small relative to the overall population size. However, only three plants were observed off Nathaniel Drive in 2022 (these plants were no longer present in 2025) to the southwest of manhole 2455. In this location, the route has been adjusted to avoid traversing this area, instead accessing the remaining repairs from the southwest. Initial field survey information was provided to the NH NHB, and NHB attended the pre-application meeting and provided recommendations for minimizing impacts which will be followed during implementation.

Wildlife: Normandeau also consulted the New Hampshire Fish and Game (NHF&G) Department, as the NHB datacheck file also identified two Blanding's Turtle (*Emydoidea blandingii* – state endangered) records in the vicinity of the project area. Although no Blanding's Turtles were observed during Natural Resource surveys, there are several wetland crossings. The most recent project plans were provided for their review. NHF&G recommended several conservation measures to protect Blanding's turtles and other species during construction, including providing the contractors with the NHF&G Blanding's turtle flyer and notifying NHF&G if listed species are encountered. This information will be provided to the Contractors with the plans and bid package.

The IPaC species list includes northern long-eared bat (*Myotis septentrionalis* – federal endangered), red knot (*Calidris canutus rufa* – federal threatened) and roseate tern (*Sterna dougallii dougallii* – federal endangered). No work is planned in habitat for roseate tern or red knot. It is possible that some trees greater than 3 inches in diameter may need to be cut or trimmed. IPaC on-line consultation will continue.

Wetland Impact Areas

Oriental Gardens

Proposed work at this location includes vehicular access to sewer manholes for internal rehabilitation. There will be no excavation taking place at this site. There will be wetland impacts and local buffer impacts, see plans for quantities. Wetland buffers at this location consist of a raised, maintained path with limited natural vegetation. At the access on the eastern side of the wetland, impacted areas consist entirely of a narrow phragmites fringe to the otherwise healthy marsh system. At the access on the eastern side, the wetland consists primarily of broad-leaved cattails (*Typha latifolia*) with lower densities (approximately 5% cover) of the invasive purple loosestrife (*Lythrum salicaria*). There are also confirmed great bur reed (*Sparganium eurycarpum*) plants, and the access path was revised slightly to minimize impacts to both wetlands and this plant species. A larger, robust population of great bur reed is located within the wetland to the north. Per NHNHB request, access to five manholes (629, 631, 632, 2385, 2386) in the wetland will take place in low water or preferably winter in frozen conditions. Access through the wetlands will be within the utility ROW on timber mats and will be permitted at the state level with a wetland Permit by Notification (SPN) for utility work. In accordance with Zoning Ordinance,

Chapter 10.1017.22 (2), a *United States Army Corps of Engineers Highway Methodology Workbook* datasheet has been included for the impacted wetland W5.

Greenleaf Woods

Proposed work at this location is restricted to vehicular access to sewer manholes, with a total of 8,150 square feet of buffer temporary alteration and 1,225 square feet of temporary wetland alteration. Invasive species cover within the wetland is high, with glossy buckthorn (*Frangula alnus*) dominating the shrub portion of the wetland, and common reed (*Phragmites australis*) dominating the emergent part of the wetland. Portions of the wetland that will be accessed have already been heavily altered and are maintained as lawn by the adjacent business park. Buffer zones are altered, but some contain natural vegetation. The access between manholes 5872 and 372 is a narrow forested strip, the access to manhole 374 is maintained as lawn, and access between manholes 375 and 376 is shrubby with scattered planted pines. The buffer zone in this area has extensive invasive cover in the understory, especially multiflora rose (*Rosa multiflora*) and morrow's honeysuckle (*Lonicera morrowii*) with a total invasive cover of 15 percent. Access to two manholes in freshwater wetlands within the tidal buffer zone will be needed on Parcel 243-6. This tidal wetland is Prime Wetland #62, so access will also occur within a Prime Wetland Buffer. These access paths could otherwise be covered by a NH DES Statutory Permit by Notification (SPN); however, access paths within 75 feet of a tidal wetland elevate this activity to a minor impact. David Price of NHDES suggested the City request a waiver from the rule requiring minor classification, and therefore a PBN application will be submitted to NHDES. In accordance with Zoning Ordinance, Chapter 10.1017.22 (2), a *United States Army Corps of Engineers Highway Methodology Workbook* datasheet has been included for the impacted wetlands W7.

Tidal wetlands are also public waters, and access through the Protected Shoreland will also be needed to one manhole, requiring a NHDES Shoreland Permit By Notification. Per the NHDES, opening a manhole cover in a roadway does not require a Shoreland permit.

Nathaniel Drive

Proposed work at this location consists of cross-country access to several manholes that will require temporary wetland crossings totalling 19,750 square feet and temporary prime wetland buffer crossing of 33,900 square feet. To the extent that the slightly raised upland pathway over the existing sewer lines can be used for access it will be, with lower areas crossed on timber mats. There are Prime Wetlands (Prime Wetland 1), an exemplary natural community (Red-Maple Sensitive Fern Swamp) and a state-listed plant (*Sparganium eurycarpum*) in this area. Access to manhole 2445 will be from Lafayette Road and access to manhole 2455 will be from Nathaniel Drive, leaving the vicinity of the rare plant record from 2022 between these manholes untouched. The majority of the wetland crossings are low areas along a previously altered raised sewer line that is maintained for access to the manholes at this location. The wetland crossing between 2458 and 2455 will require crossing a more natural cattail marsh section of the wetland, although a path is maintained to access the manholes at this location. This section is seasonally flooded to intermittently exposed and is dominated by broad-leaved cattail and sensitive fern (*Onoclea sensibilis*). Purple loosestrife occurs commonly in this section of the marsh, with an estimated cover of 10 percent. The NH DES PBN application will also cover work at this location. In accordance with Zoning Ordinance, Chapter 10.1017.22 (2), a *United States Army Corps of Engineers Highway Methodology Workbook* datasheet has been included for the impacted wetlands W1, W2, and W3.

Lafayette Road – At this location, open-cut rehabilitation within the wetland buffer will take place, but impacts will be entirely restricted to the US Route 1 right-of-way. At this location, wetland buffer

impacts are restricted to the paved road and adjacent road shoulder, and the road shoulder will be restored to existing conditions after construction. There will be no impacts to natural vegetation at this location. In accordance with the Zoning Ordinance Chapters 10.1016.10 (2) and 10.1017.60, utility activities within a public right-of-way are specifically permitted.

Attachment B – Project Plans

City of Portsmouth, NH Sanitary Sewer System Rehabilitation and Improvements Contract 1

W&C PROJECT NO. 0231957.00

ISSUED FOR BID

SEPTEMBER 2025



**Woodard
& Curran**
40 Shattuck Rd, Suite 110
Andover, Massachusetts 01810
800.702.6371 | www.woodardcurran.com
COMMITMENT & INTEGRITY DRIVE RESULTS



PROJECT LOCATION MAP
0 12.5 25 50 75 100 Miles



SITE LOCATION MAP
NOT TO SCALE

G-002

CITY OF PORTSMOUTH, NH
SANITARY SEWER SYSTEM
REHABILITATION AND
IMPROVEMENTS - CONTRACT 1

DESIGNED BY JAF
CHECKED BY WAD
DATE: 10/15/2024
SCALE: 1" = 1,000'

KEY MAP

DATE	DESCRIPTION



Woodard & Curran
CONSULTANTS & ENGINEERS
40 SHATTUCK RD., SUITE 110
ANDOVER, MASSACHUSETTS 01810
800.702.6371 | WWW.WOODARDCURRAN.COM
CONSULTANTS & ENGINEERS
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0 0.5 1 2 Miles

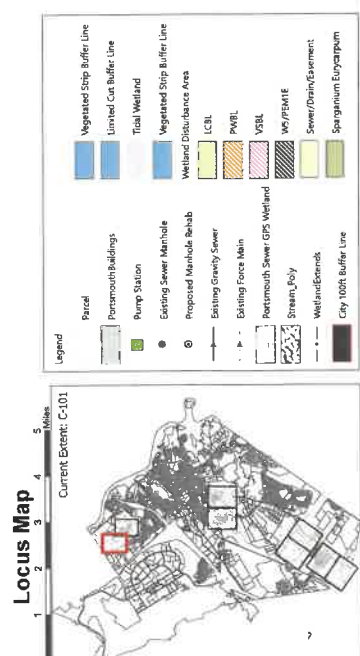


Wetland Permitting		Wetland Assessments		Wetland Delineation	
State ID	Location	Wetland Delineation Classification	Area Disrupted (ft ²)	State ID	Area Disrupted (ft ²)
212	Great Country/Chemical Gardens	WSPH2H1E	6000		
432	Great Country/Chemical Gardens	WSPH2H1E	1600		
2385	Great Country/Chemical Gardens	WSPH2H1E	600		
2366	Great Country/Chemical Gardens	WSPH2H1E	1000		

	Percentage	Percent
108	Penanghutan Rakyat Kelong Ltd. (Estimated)	13
112	Penanghutan Rakyat Kelong Ltd. (Estimated)	13

Construction Sequencing for Work in and Adjacent to Wetlands
Install erosion control (straw waddle or compost tube) along edges of access route and clear vegetation as needed to access the structures.

- Install erosion control (straw waddle or compost tube) along edges of access route and clear vegetation if needed to access the structures.
- Perform rehabilitation of structures per the Contract Documents
- Remove timber mats.
- Remove erosion control.



Sewer Line Open Cut Replacement

10 Foot Point Repair			
US MH DS MH	Location	Size (in) Pipe Mat.	Shape
912	919 Blue Heron Drive	8 VCP	Circular
912	919 Blue Heron Drive	230	151 LF US

Full Length Sewer Replacement			
US MH DS MH	Location	Size (in) Pipe Mat.	Shape
821	820 Osprey Drive	8 VCP	Circular
821	820 Osprey Drive	230	231 LF US

Sewer Line Trenchless Rehab			
US MH DS MH	Location	Size (in) Pipe Mat.	Shape
5852	818 Portsmouth Boulevard	8 VCP	Circular
5852	818 Portsmouth Boulevard	103	103 LF US

Heavy Gauge and CCTV Inspect			
US MH DS MH	Location	Size (in) Pipe Mat.	Shape
5852	818 Portsmouth Boulevard	8 VCP	Circular
5852	818 Portsmouth Boulevard	103	103 LF US

CCTV Inspect Lateral from MH 821 towards 3 Osprey Drive			
US MH DS MH	Location	Size (in) Pipe Mat.	Shape
821	820 Osprey Drive	8 VCP	Circular
821	820 Osprey Drive	230	231 LF US

Test and Seal Mainline Joints			
US MH DS MH	Location	Size (in) Pipe Mat.	Shape
5852	818 Portsmouth Boulevard	8 VCP	Circular
5852	818 Portsmouth Boulevard	103	103 LF US

Grout Lateral			
US MH DS MH	Location	Size (in) Pipe Mat.	Shape
913	914 Blue Heron Drive	6 PVC	Circular
913	914 Blue Heron Drive	231	131 LF DS

Root Treatment			
US MH DS MH	Location	Size (in) Pipe Mat.	Shape
913	914 Blue Heron Drive	6 PVC	Circular
913	914 Blue Heron Drive	231	131 LF DS

Grout and Seal Manhole Inverts			
US MH DS MH	Location	Size (in) Pipe Mat.	Shape
821	820 Osprey Drive	8 VCP	Circular
821	820 Osprey Drive	230	231 LF US

Play and Seal Upstream Inverts			
US MH DS MH	Location	Size (in) Pipe Mat.	Shape
913	914 Blue Heron Drive	6 PVC	Circular
913	914 Blue Heron Drive	231	131 LF DS

Manhole Rehab

Grout Manhole			
MH ID	Location	Depth (ft)	Material
638	Parking Lot behind 230 Commerce Way (Easement)	16	Precast

Cementitious Liner			
MH ID	Location	Depth (ft)	Material
816	Portsmouth Boulevard	8	Brick
818	Portsmouth Boulevard	10	Block
821	Osprey Drive	9	Brick
916	Blue Heron Drive Easement	8	Brick
920	Shear Water Drive	9	Brick
5852	Portsmouth Boulevard Easement	11	Precast

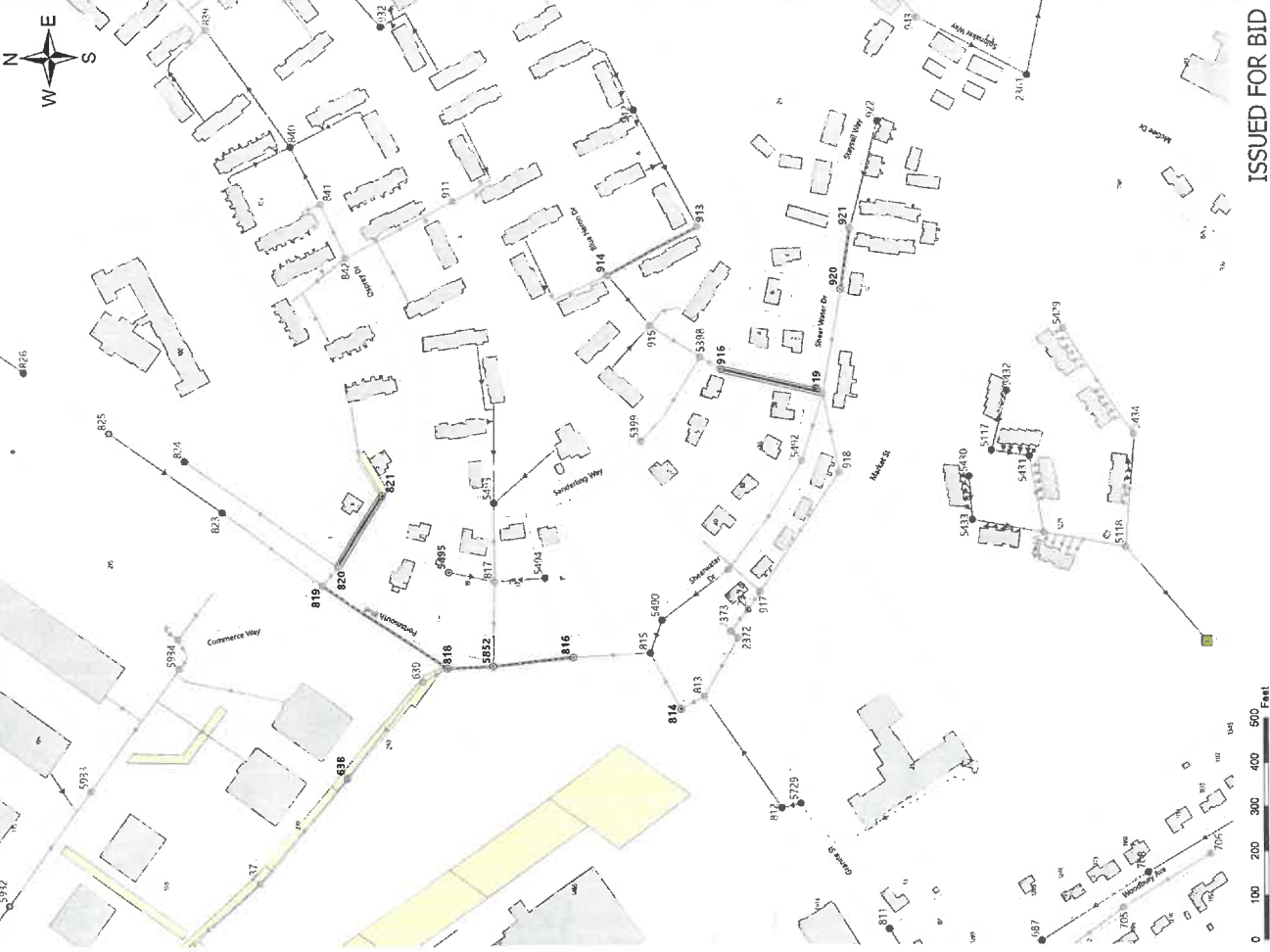
Root Treatment			
MH ID	Location	Depth (ft)	Material
916	Blue Heron Drive Easement	8	Brick

New 24" Frame and Cover, Raise to Grade, Coated Repair			
MH ID	Location	Depth (ft)	Material
5495	Cross Country Osprey Drive Easement	8	Unknown
5852	Portsmouth Boulevard Easement	11	Precast

Rebuild Manhole Bench			
MH ID	Location	Depth (ft)	Material
818	Portsmouth Boulevard	10	Block
916	Blue Heron Drive Easement	8	Brick

Grout and Seal Manhole Inverts			
MH ID	Location	Depth (ft)	Material
821	Osprey Drive	9	Brick

Play and Seal Upstream Inverts			
MH ID	Location	Depth (ft)	Material
916	Portsmouth Boulevard	8	Brick



ISSUED FOR BID

C-102

CITY OF PORTSMOUTH, NH
SANTARY SEWER SYSTEM
REHABILITATION AND
IMPROVEMENTS - CONTRACT 1

AREA C-102

DATE	DESCRIPTION
2023-02-22	DESIGNED BY JMF
2023-02-22	CHECKED BY WAD
2023-02-22	APPROVED BY JMF

Woodard & Curran
40 Shattuck Rd., Suite 110
Andover, Massachusetts 01810
200.792.8371 | www.woodardcurran.com
COMMITMENT TO EXCELLENCE IN DESIGN AND CONSTRUCTION

Locus Map

Current Extent C-102



Legend
Precast
Portsmouth Buildings
Pump Station
Existing Sewer Manhole
Proposed Manhole Rehab
Existing Gravity Sewer
Existing Force Main
Proposed Trenchless Rehab
Proposed Open Cut Rehab
Sewer/Drain/Easement

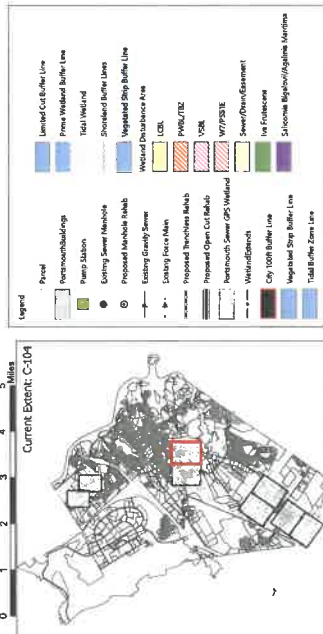
[illegible]



US Mail DS MH	Location	Size [in] Pipe Mat.	Shape	Pipe Length [ft]	Lateral Location
394	392 Greendale Avenue	10	AC	321	22 LF DS

Impact Lateral					
US Mail DS MH	Location	Size [in] 1/2" Min. Mat.	Shape	Pipe Length [ft]	Lateral Location
5421	Holiday Drive Parking Lot	8	Circular	227	59 LF US, 75 LF US, & 123 LF US
374	Cross Country Elementary School Holiday Drive and Greendale Avenue	10	Circular	231	157 LF US

Locus Map



Manhola Rahab

Grout Manhole		
MH ID	Location	Depth (ft)
2642	Heritage Avenue	9
		Material
		Precast

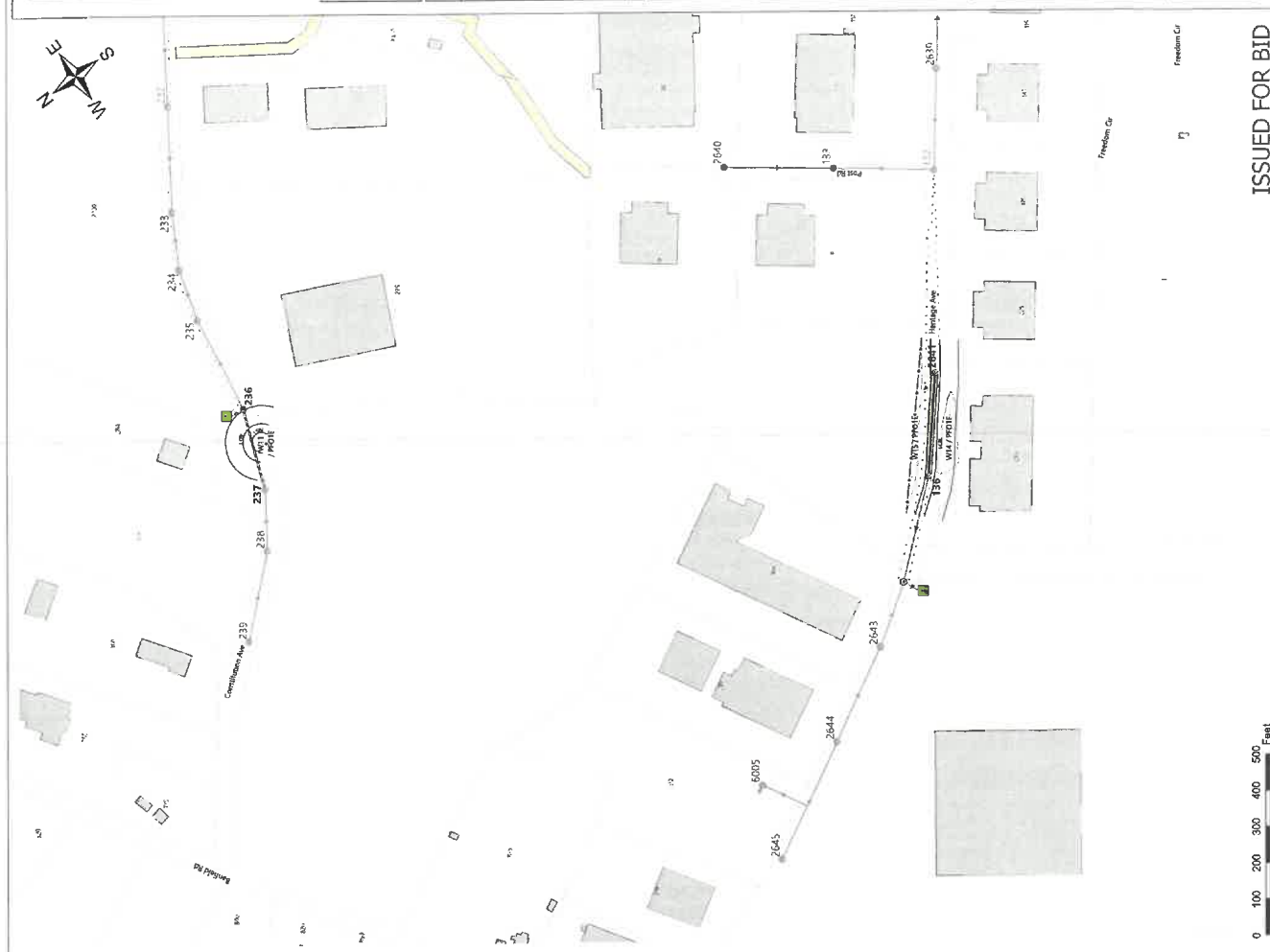
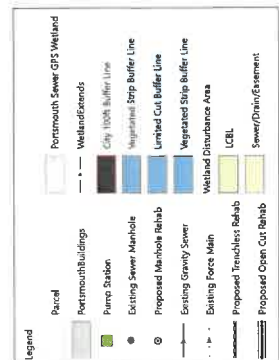
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NO. 27716	11/11/2008	27716	2
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Wetland Permitting

Standard Buffer Impedance

138/2641	Heritage Avenue	1 C (B)	#500
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ISSUED FOR BID

-105

CITY OF PORTSMOUTH, NH
SANITARY SEWER SYSTEM
REHABILITATION AND
IMPROVEMENTS - CONTRACT 1

10 0231957 00
 OCTOBER 2025
 1 in = 150 ft

DESIGNED BY JMF	CHECKED BY WAD	DRAWN BY JMF	2025-03-25 Project ends for user file build
REV	DESCRIPTION	DATE	

Woodward & Curran
Andover, Massachusetts 01810
800.702.6371 | www.woodwardcurran.com
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Sewer Line Trenchless Rehab

Heavy Gauge and CCTV Inspection				
US MH (DS MH)	Location	Size (in)	Pipe Mat	Shape
2852 143	Rice Avenue	8	AC	Circular
Remove Penetrating Lateral				
US MH (DS MH)	Location	Size (in)	Pipe Mat	Shape
2827 118	Lafayette Road	12	AC	Circular
2852 143	Rice Avenue	8	AC	Circular
Grout Lateral				
US MH (DS MH)	Location	Size (in)	Pipe Mat	Shape
2827 118	Lafayette Road	12	AC	Circular
2852 143	Rice Avenue	8	AC	Circular
CIP Lateral				
US MH (DS MH)	Location	Size (in)	Pipe Mat	Shape
2827 118	Lafayette Road	12	AC	Circular
2852 143	Rice Avenue	8	AC	Circular

Manhole Rehab

Grout Manhole			
MH ID	Location	Depth (ft)	Material
2835	Heritage Avenue	12	Precast
2846	Robert Avenue	6	Precast
2857	White Cedar Boulevard ROW	8	Precast
Cementitious Liner			
MH ID	Location	Depth (ft)	Material
2835	Heritage Avenue	12	Precast
2846	Robert Avenue	6	Precast
2857	White Cedar Boulevard ROW	8	Precast
New 26" Frame and Cover, Rises to Grade, Repair Corbel			
MH ID	Location	Depth (ft)	Material
2631	Lafayette Road at Constitution Avenue	8	Precast
2632	Lafayette Road at Constitution Avenue	9	Precast



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Full Length Sewer Replacement						
US Mils	OS Mils	Location	Size (in)	Pipe Mat	Shape	Pipe Length (LF)
2595	2593	Wells Road	8	AC	Circular	78

Heavy Clean and CCTV Inspection						
US MH	OS MH	Location	Size (in)	Pipe Mat	Shave	Pipe Length (L.F)
2521	2517	Winchester Street	8	AC	Circular	220

US ZIP	US ZIP	location	size (sq ft)	type	shape	pipe length (ft)
2593	2591	Walls Road	8	AC	Circular	160
2594	2536	Marquette Drive	8	AC	Circular	237
2540	2538	Denise Street	8	AC	Circular	321

US DHS JD# MH	Location	Size (in)	Mat. Map.	Shape	Pipe Length (LF)	Estimated Test/Seal Joints
2593	2591 Wallis Road	8	AC	Circular	160	16/12
2534	2536 Marquette Drive	8	AC	Circular	237	24/18
2540	2538 Denise Street	8	AC	Circular	321	32/24

US MHI DS MHI	Location	Size (in)	Pipe Mat	Shape	Pipe Length
2460	2458	Cross Country (Esplanade From Nathaniel Drive to Lafayette Road)	10	AC	285
2543	2527	Murielle Drive	8	AC	231
2521	2517	Winchester Street	8	AC	220

US MH	DS MH	Location	Size (in)	Pipe Mat	Shape	Pipe Length (LF)	Lateral Location
2540	2538	Denise Street	8	AC	Circular	321	89.5 LF DS & 205 LF DS

US MH	DS MH	Location	Size (in)	Pipe Mat	Shape	Pipe Length (LF)	Lateral Location
2593	2591	Wallis Road	8	AC	Circular	160	133.4 LF US

Great Mounds		
MHID	Location	Depth (ft)
1646	Cross County (National Drive R.O.W)	5
2455	Cross County (National Drive R.O.W)	7
2459	Lafayette Road	8
2507	Lafayette Road	6
2540	Penice Street	8

Communities Limer		
MHID	Location	Depth (ft)
1646	Cross County (National Drive R.O.W)	5
2455	Cross County (National Drive R.O.W)	7
2507	Lafayette Road	6

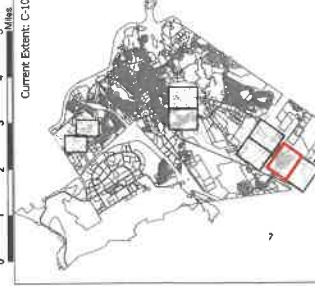
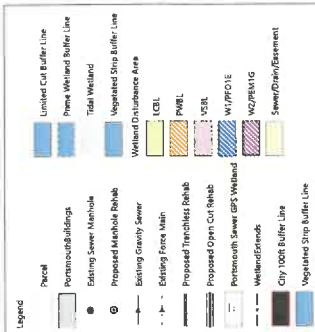
APN TO	LOCATION	Depth (ft)	Material
2501	Lafayette Road at Winchester Street	6	Precast

Well ID	Location	Depth (ft)	Material
2501	Lafayette Road at Winchester Street	6	Precast

Wellhead Properties		
MH ID	Location	Wellhead ID/Cowstern Classification
2456	Cross County/Nathaniel Drive	W1/PHO1E
2456	Cross County/Nathaniel Drive	W2/PEM1B
2455	Cross County/Nathaniel Drive	W2/PEM1B
2455	Cross County/Nathaniel Drive	W2/PEM1B
		Area Distorted Lift
		1300
		2000
		2850

Run ID	Location	Runner ID	Area Description
1846	Cross Country/Whitland Drive	V58L	200
2455	Cross Country/Whitland Drive	V58L	450
2458	Cross Country/Whitland Drive	V58L	6000
2458	Cross Country/Whitland Drive	LC8L	2800
2458	Cross Country/Whitland Drive	PM8L	50

1. All structures shall be accessed via the existing maintenance path starting at Lafayette Road.
2. Vehicles using the access road shall be provided with a spill cleanup kit.
3. Any mixing of grout or cementitious liner material shall be performed on a polyethylene tarp.



ISSUED FOR BID

6 Foot Point Repair							
US MH	DS MH	Location	Size (in)	Pipe Mat	Shave	Pipe Length (LF)	Repair Location
2484	2479	Lafayette Road	8	AC	Circular	284	252-266 LF DS

Clipp Liner					
US MH	DS MH	Location	Size (in)	Pipe Mat, Shape	Pipe Length (LF)
2409	2487	Lafayette Road	8	AC Circular	43
2484	2479	Lafayette Road	8	AC Circular	264

Clipp Liner					
US MH	DS MH	Location	Size (in)	Pipe Mat, Shape	Pipe Length (LF)
2409	2487	Lafayette Road	8	AC Circular	43
2484	2479	Lafayette Road	8	AC Circular	264

Inspect Lateral							
US MH	DS MH	Location	Size (in)	Pipe Mat.	Shape	Pipe Length (LF)	Lateral Location
2484	2479	1st Avenue Road	8	AC	Circular	284	95 LF DS

US MH		US MH	Light Color and CCTV Inspection			Size (in)	Pipe Wall	Shape	Pipe Length (ft)
			Location						
2445	2447		Cross Country/Lafayette Road		10	AC		Circular	322
2419	2415		Cross Country (Eastmont) From Nathaniel Drive to Lafayette Road		10	AC		Circular	245

WRIID	Ground Manhole		Depth (ft)	Material
	Location			
2445	Cross Country/Lafayette Road	8	Precast	
2471	Lafayette Road	6	Precast	
2488	Lafayette Road at Couch Road	8	Precast	
2487	Lafayette Road at Couch Road	8	Precast	

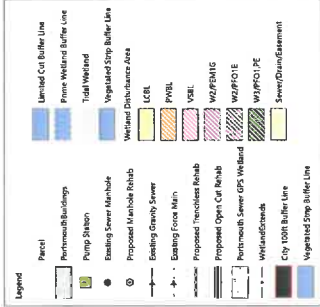
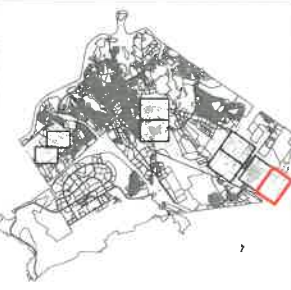
Connecticut User		
MH ID	Location	Depth (ft)
2445	Cross Country/Jalayette Road	8
2471	Jalayette Road	5
2487	Jalayette Road at Coach Road	8

MH ID	Location	Depth (ft)	Material
2479	Lafayette Road	8"	Precaid

Wetland Impacts			
NRI ID	Location	Wetland D/C, Cowardin Classification	Area Disturbed (sq ft)
2419/2415	Cross Country/Lafayette Road	W2/PFO1,4E	2400
2445	Cross Country/Lafayette Road	W2/PFO1,E	9200

MHI ID	Location	Building ID	Area Disrupted (sq ft)
2419/2415	Cross Country/Lafayette Road	LCBL	500
2419/2415	Cross Country/Lafayette Road	PWBL	800
2419/2415	Cross Country/Lafayette Road	VSBL	4500
2445	Cross Country/Lafayette Road	VSBL	10500
2445	Cross Country/Lafayette Road	LCBL	1350
2445	Cross Country/Lafayette Road	PWBL	1600

1. All structures shall be accessed via the existing maintenance path starting at Lafayette Road.
2. Vehicles using the access road shall be provided with a spill cleanup kit.
3. Any mixing of grout or cementitious liner material shall be performed on a polyethylene tarp, minimum 12 mil thickness.



ISSUED FOR BID

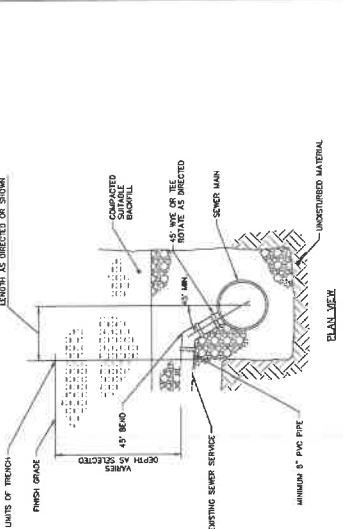
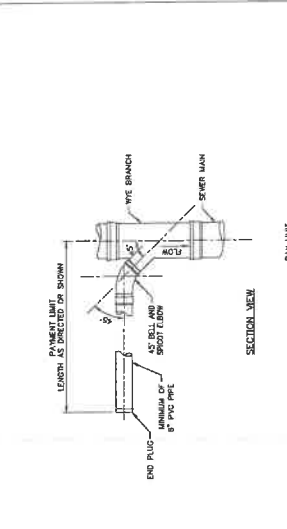
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[illegible]

AREA C-108

CITY OF PORTSMOUTH, NH
SANITARY SEWER SYSTEM
REHABILITATION AND
IMPROVEMENTS - CONTRACT 1

C-108



1. PIPE DIAMETERS MAY VARY, SEE TYPICAL PIPE THICKNESS DETAIL.

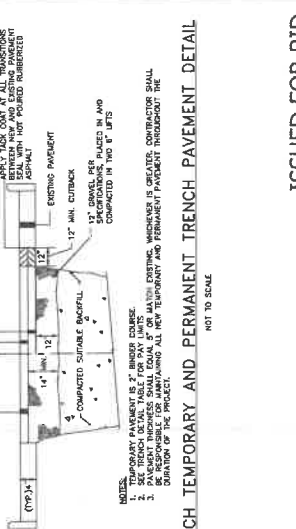
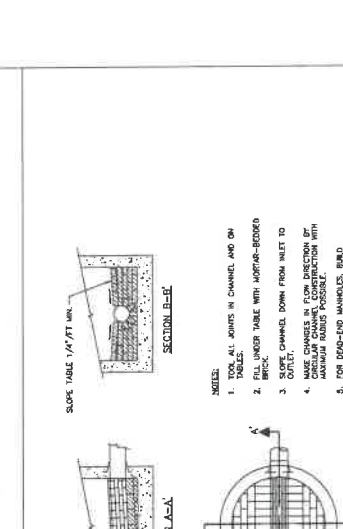
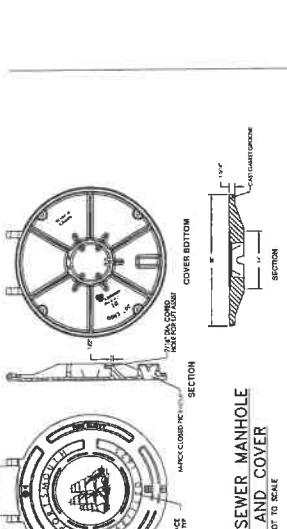
2. 3" RIGID INSULATION WILL BE REQUIRED IN AREAS WHERE EXISTING MANHOLE IS 3" OR SMALLER AND NOT PROTECTED OVER TOP OF PIPE OR WHERE ACCORDING BY CODES.

3. MINIMUM SLOPE 1/4" PER FOOT UNLESS OTHERWISE DIRECTED.

NOT TO SCALE

**CONNECTION TO EXISTING SANITARY
SEWER SERVICE**

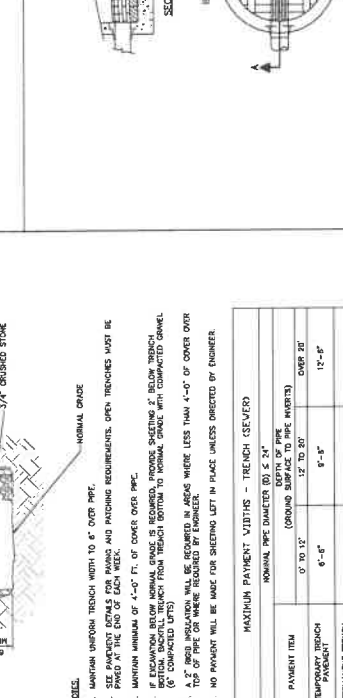
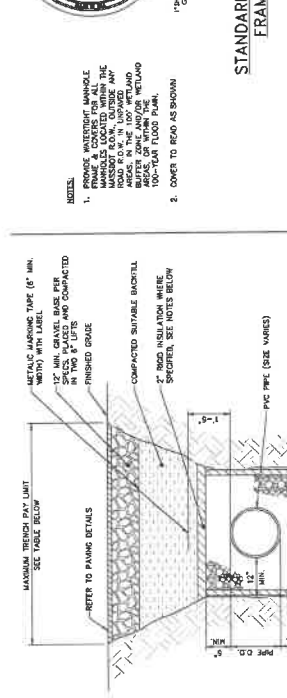
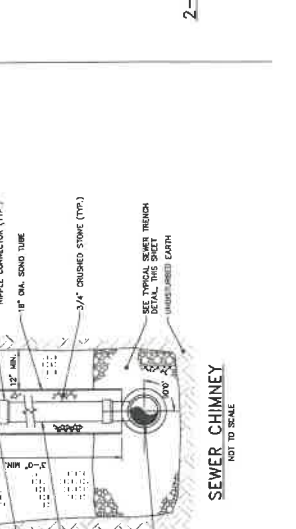
The diagram illustrates the connection of a new sanitary sewer service to an existing manhole. A horizontal line represents the 'PERMANENT TRENCH'. A vertical line represents the 'TEMPORARY' trench. The connection is made at the manhole, which is labeled 'EXISTING MANHOLE'. The manhole is shown with a 'SPIC BINDER COURSE' and a 'SPIC BINDER COURSE'. The connection is made at the manhole, which is labeled 'EXISTING MANHOLE'. The manhole is shown with a 'SPIC BINDER COURSE' and a 'SPIC BINDER COURSE'.

[illegible]

6. CONTRACTORS MAY INSTALL CONCRETE DRIVE VALES ALTERNATING TO DRIVE VALES AS SPECIFIED.

BRICK INVERT
NOT TO SCALE

MANHOLE SPOUT FOR PIPE
6" - 45° BELL-SPOUT D. ELBOW (NYP)
PVC SINKER SERVICE TO PVC TRANSITION GASKET, TENDON COMPANIES NOT INDICATED
8" MIN. - 1/4" CRUSHED STONE (TYP.)
BELL TO BELL JOINT WITH

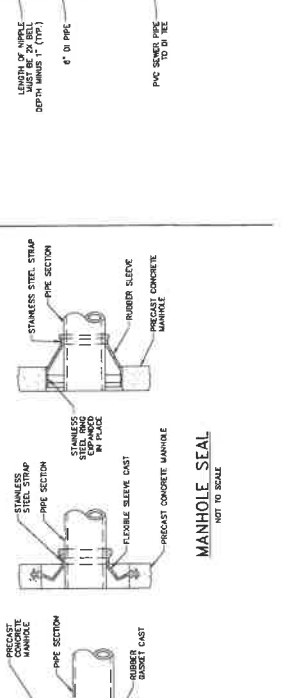


ROCK	5'-0"	7'-0"	7'-0"
	MANHOLE DIAMETER		
	TEMPORARY PAVEMENT		PERMANENT PAVEMENT
PAVEMENT TYPE	12" X 12"		12" X 12"
3-FOOT MANHOLE	18" X 10"	10" X 10"	10" X 11"
5-FOOT MANHOLE	11" X 11"	12" X 12"	12" X 12"
7-FOOT MANHOLE	10" X 12"	13" X 13"	13" X 13"
8-FOOT MANHOLE	13" X 13"	14" X 14"	14" X 14"
	TEMPORARY PAVEMENT		PERMANENT PAVEMENT
PAVEMENT ITEM	6' X 6'		7' X 7'
25-INCH FRAME AND COVER	6.5' X 6.5'		7.5' X 7.5'
30-INCH FRAME AND COVER			

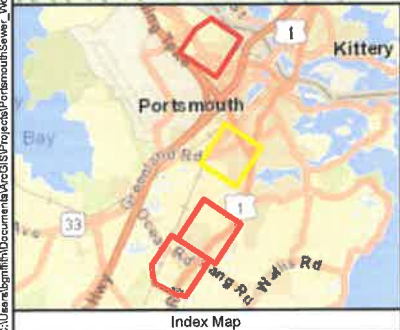
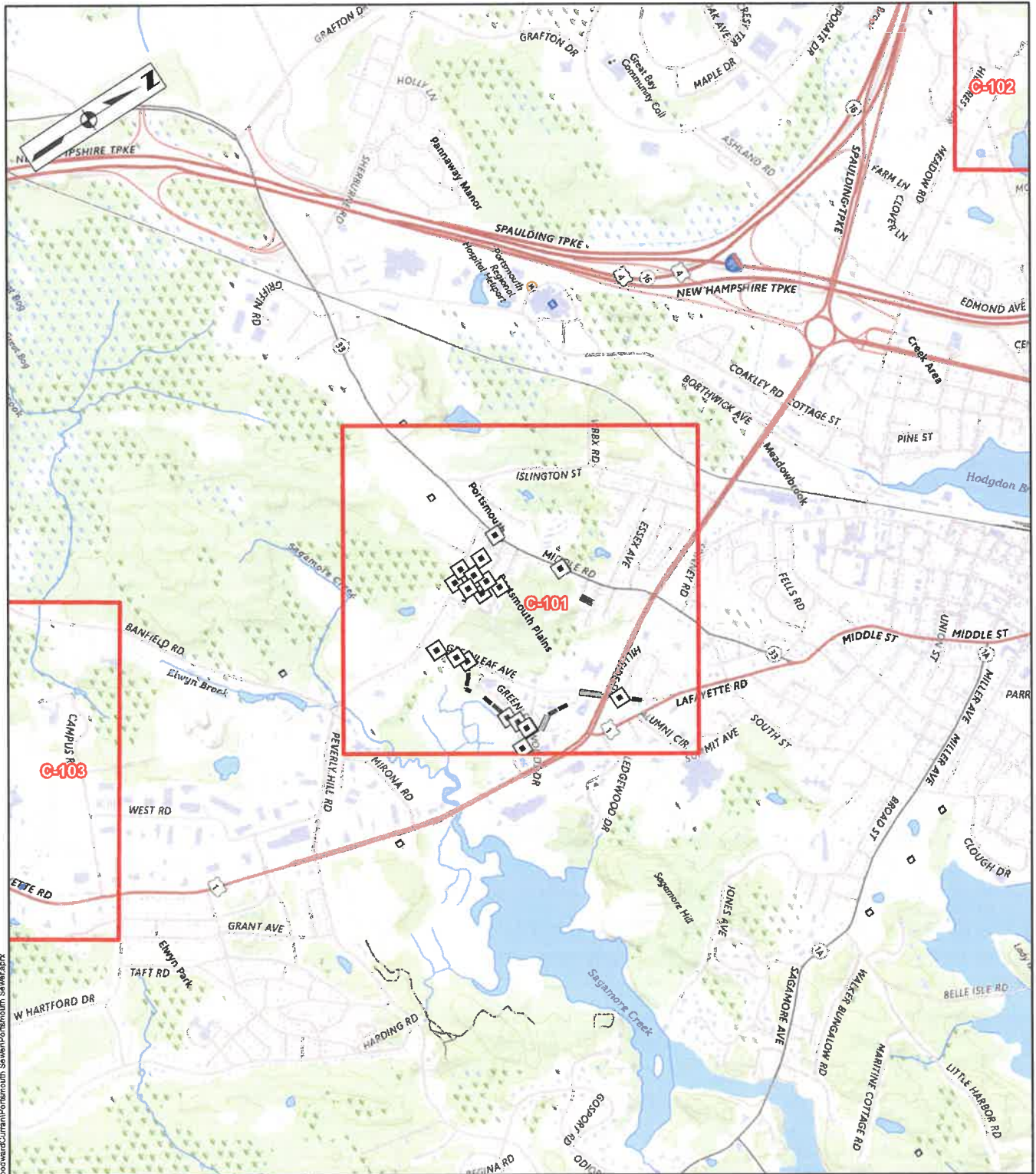
SEWER TRENCH

N.T.S.

COMPACTED SURTABLE BALDWIN
SEE TYPICAL SPEC SECTION
8" O.D. PVC (10') 8" O.D. PVC (10')



Attachment C – USGS Maps



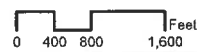
- Manhole to be Replaced
- Open Cut Rehabilitation
- Trenchless Rehabilitation
- Project Area

Portsmouth Sewer USGS Locus
Portsmouth, NH
Section: C-101

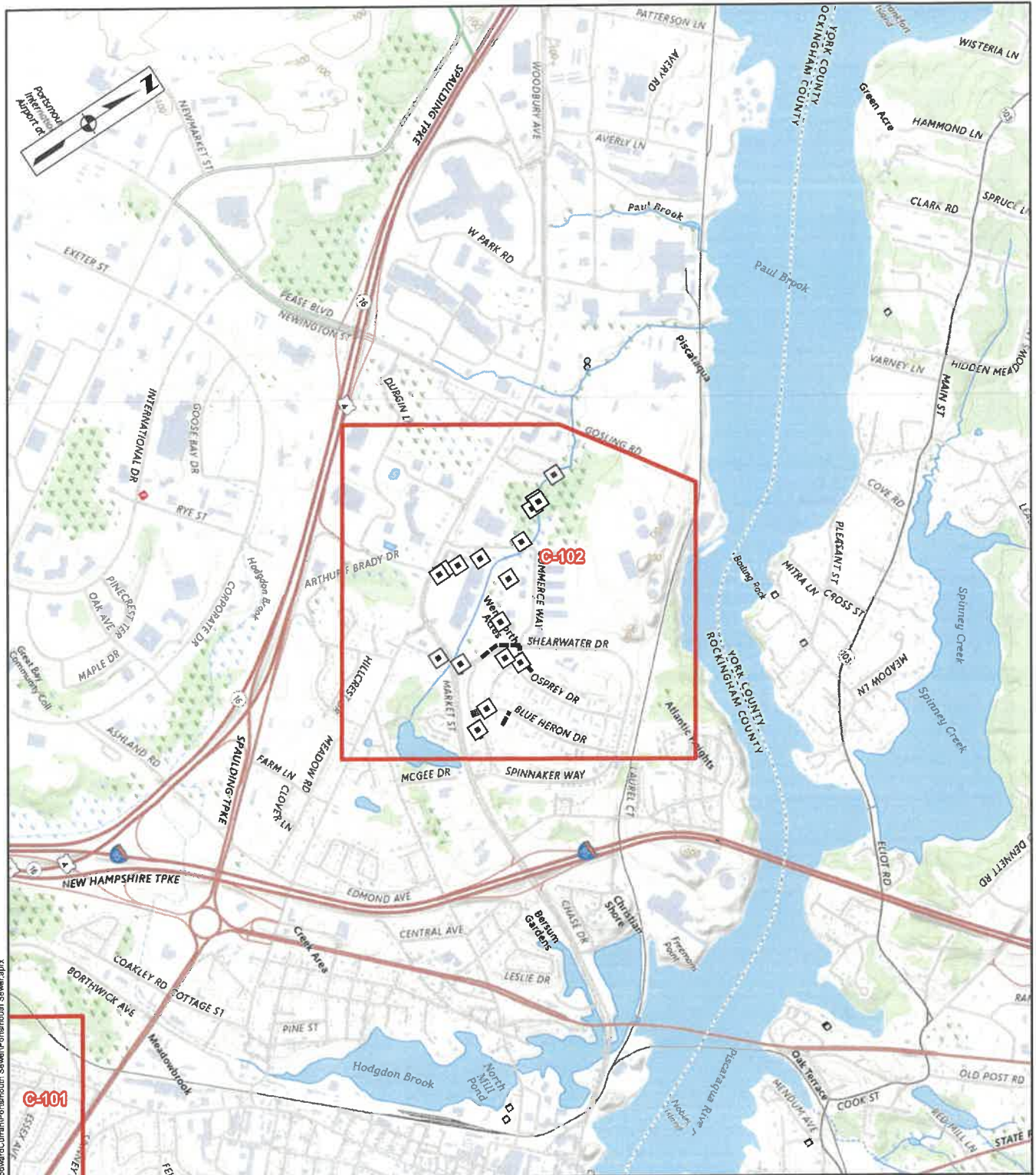


Source: United States Geological Survey

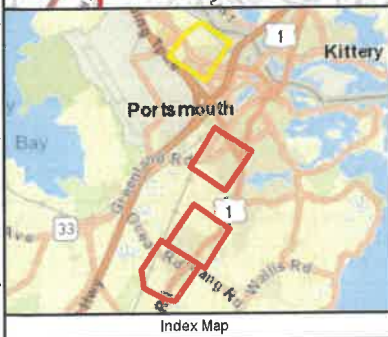
1:24,000



C:\Users\lgm\Documents\ArcGIS\Projects\PortsmouthSewer\WoodwardCurran\PortsmouthSewer\WoodwardCurran\PortsmouthSewer.aprx



C:\Users\jgiffin\Documents\ArcGIS\Projects\PortsmouthSewer_Vec\vecward\Curran\Portsmouth_Sewer\Portsmouth_Sewer.aprx



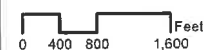
- Manhole to be Replaced
- Open Cut Rehabilitation
- Trenchless Rehabilitation
- Project Area

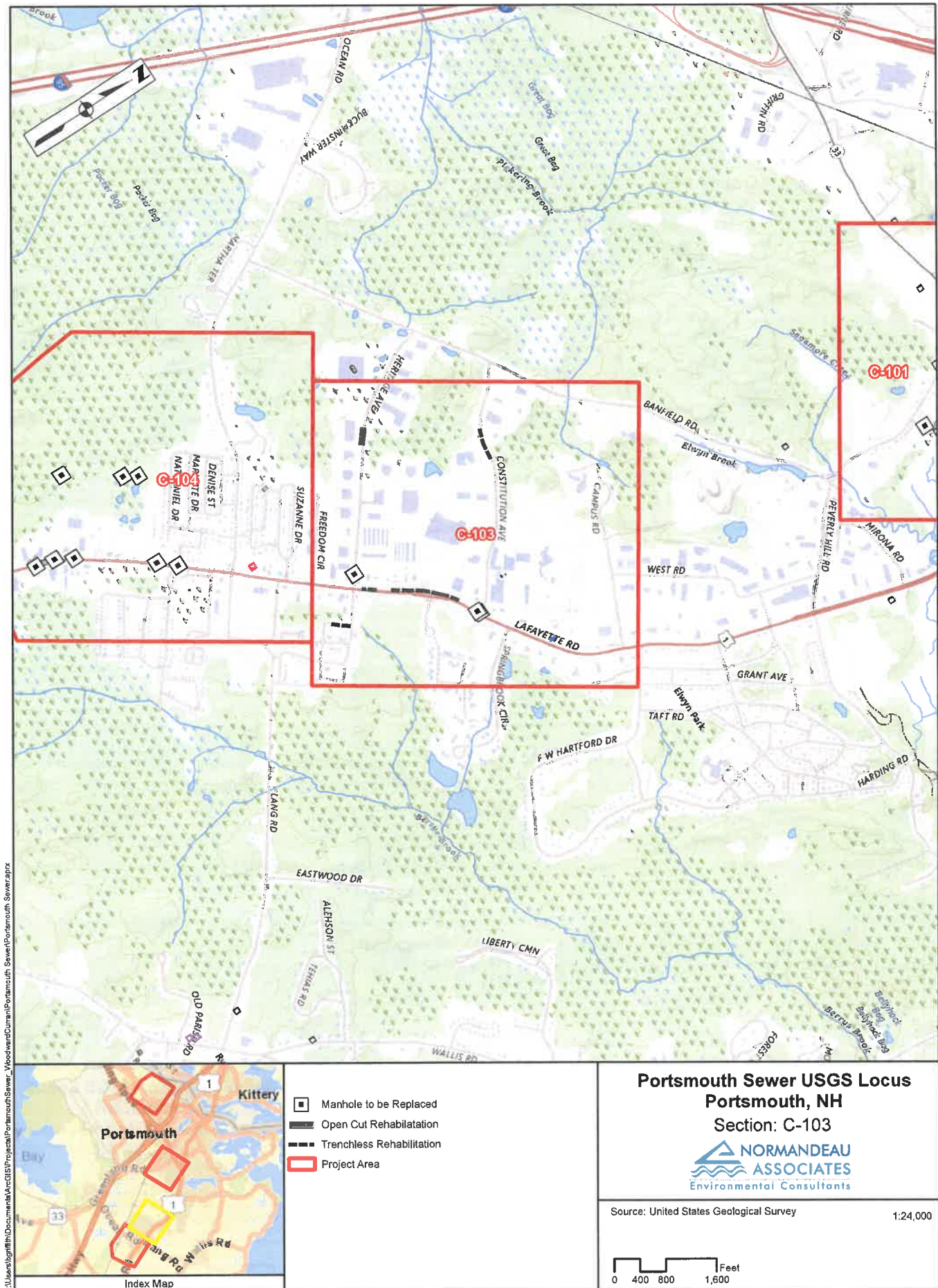
Portsmouth Sewer USGS Locus Portsmouth, NH Section: C-102

NORMANDEAU ASSOCIATES
Environmental Consultants

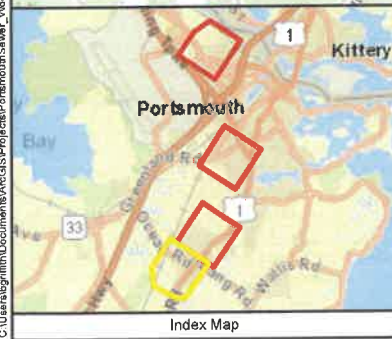
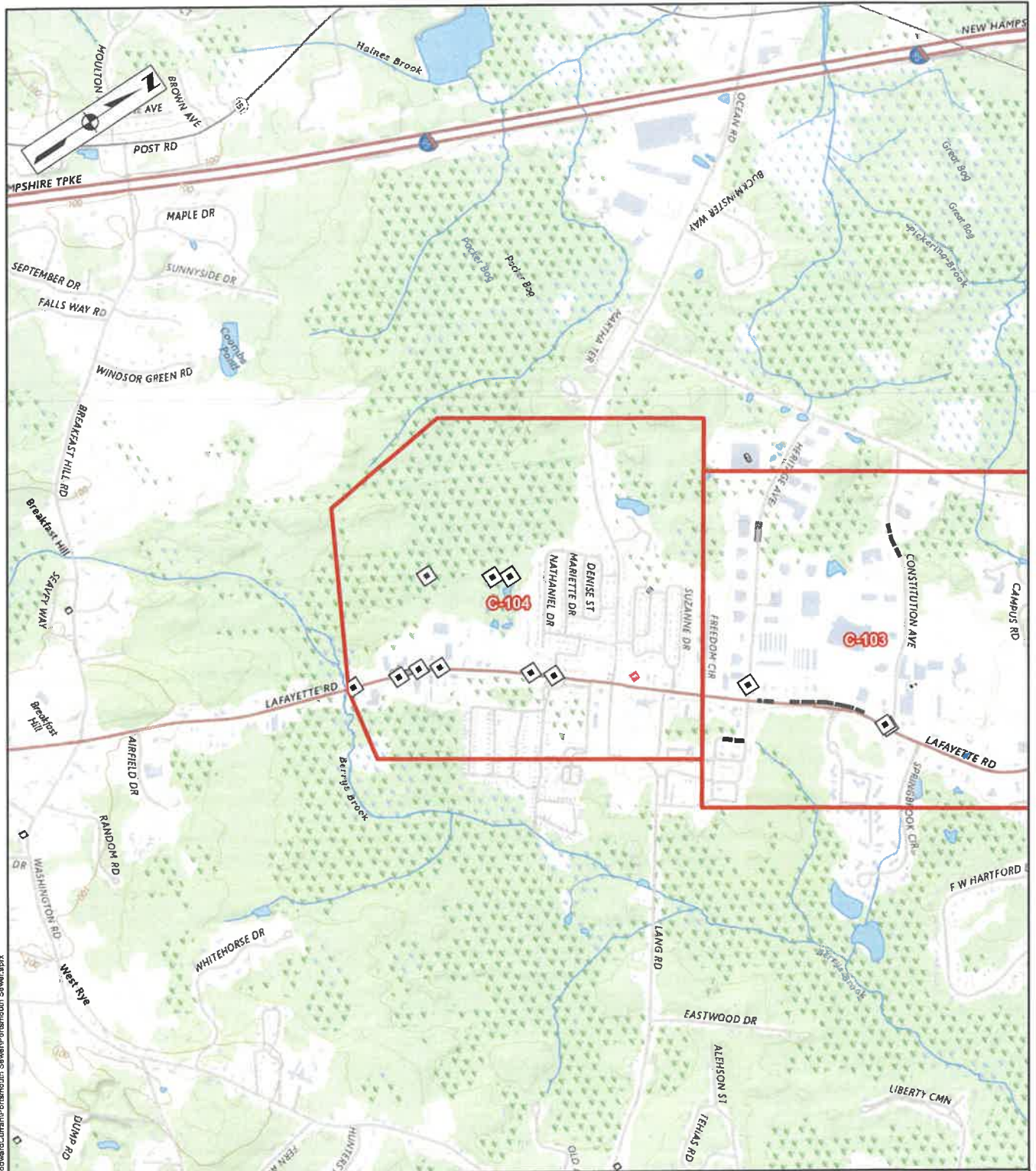
Source: United States Geological Survey

1:24,000





C:\Users\lgiffith\Documents\Projects\Portsmouth Sewer\WoodwardCurran\Portsmouth Sewer\Portsmouth Sewer.aprx



- Manhole to be Replaced
- Open Cut Rehabilitation
- Trenchless Rehabilitation
- Project Area

Portsmouth Sewer USGS Locus
Portsmouth, NH
Section: C-104

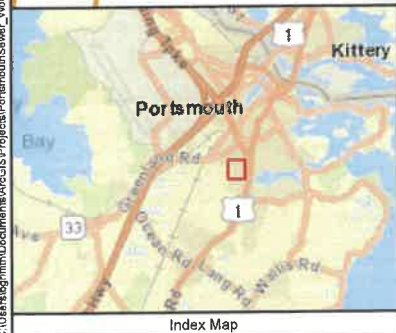
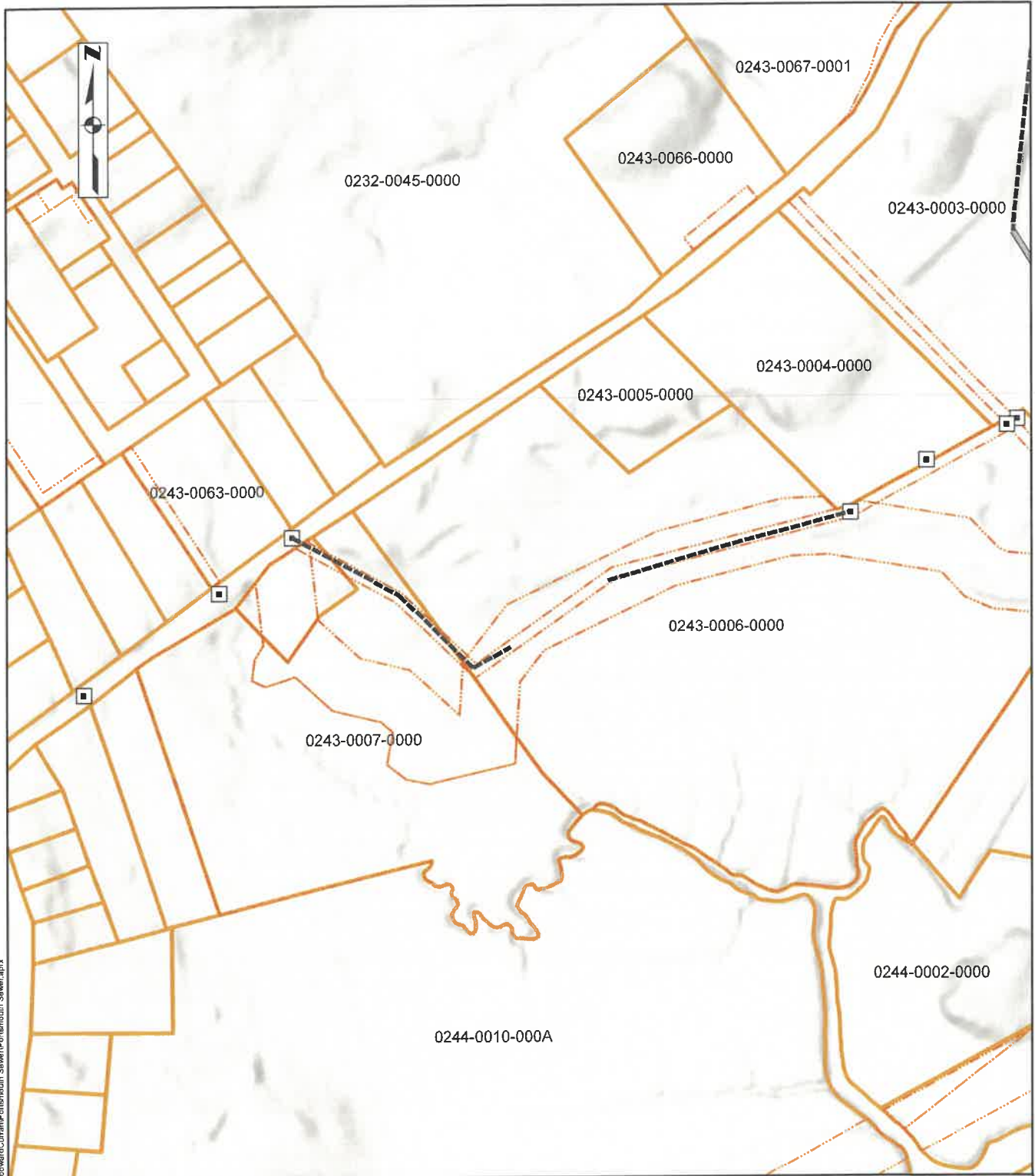
NORMANDEAU ASSOCIATES
 Environmental Consultants

Source: United States Geological Survey 1:24,000

0 400 800 1,600 Feet

C:\Users\griffith\Documents\ArcGIS\Projects\Portsmouth Sewer\WoodwardCurran\Portsmouth Sewer\Portsmouth Sewer.aprx

Attachment D – Tax Maps



- Open Cut Rehabilitation
- Trenchless Rehabilitation
- Manhole to be Replaced
- Easement
- Parcels

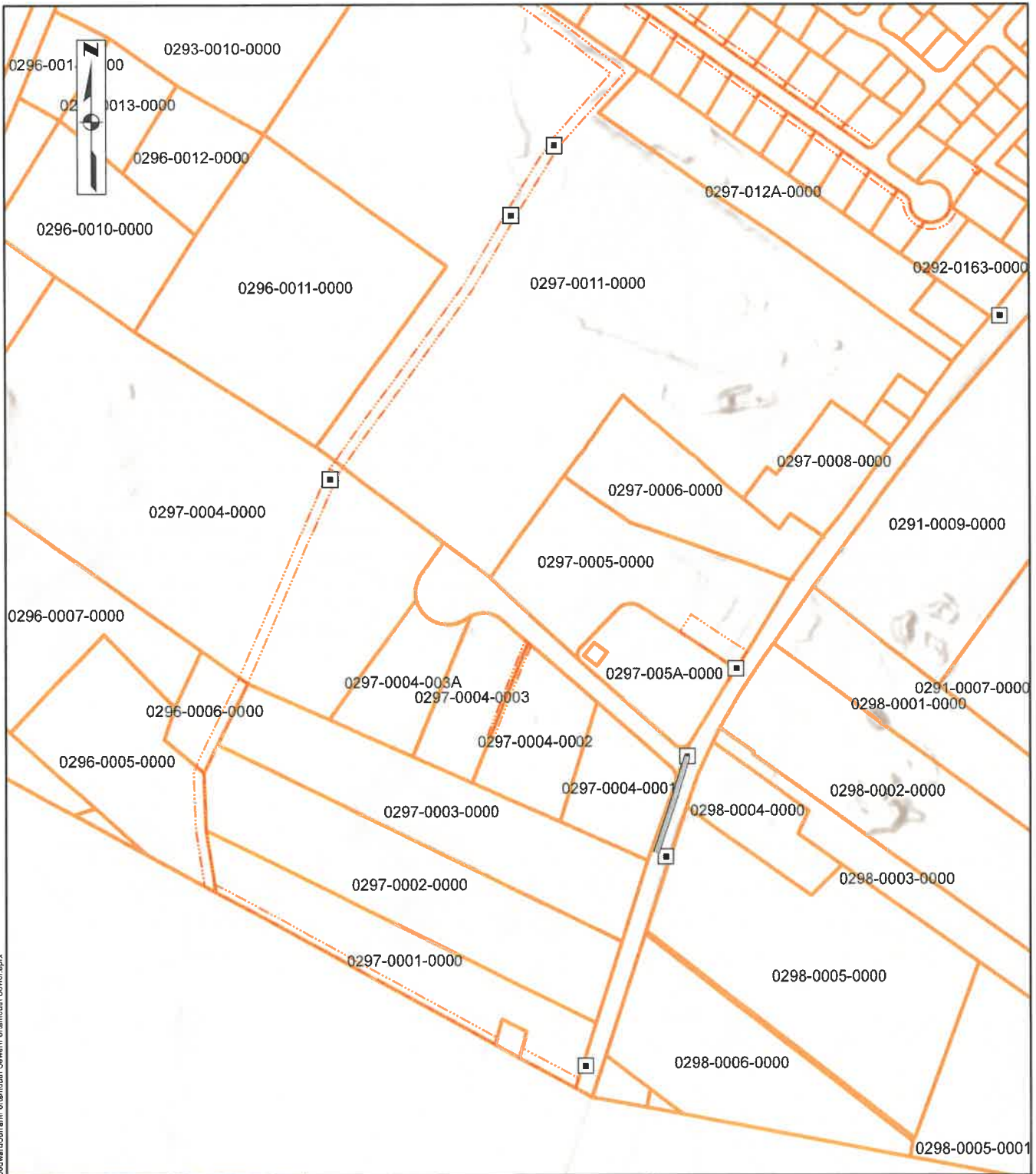
Portsmouth Sewer Tax Parcels
Portsmouth, NH
 Location: Greenleaf Woods

NORMANDEAU ASSOCIATES
 Environmental Consultants

Source: NH GRANIT 1:3,000

Feet

C:\Users\griffith\Documents\ArcGIS\Projects\PortsmouthSewer_WoodwardCurran\Portsmouth_Sewer\Portsmouth_Sewer.aprx



- Open Cut Rehabilitation
- Trenchless Rehabilitation
- Manhole to be Replaced
- Easement
- Parcels

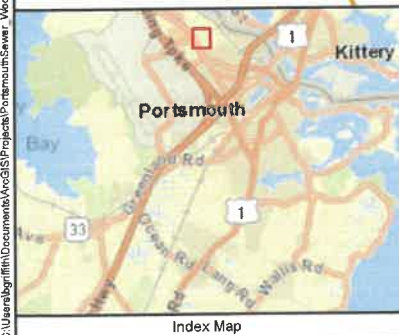
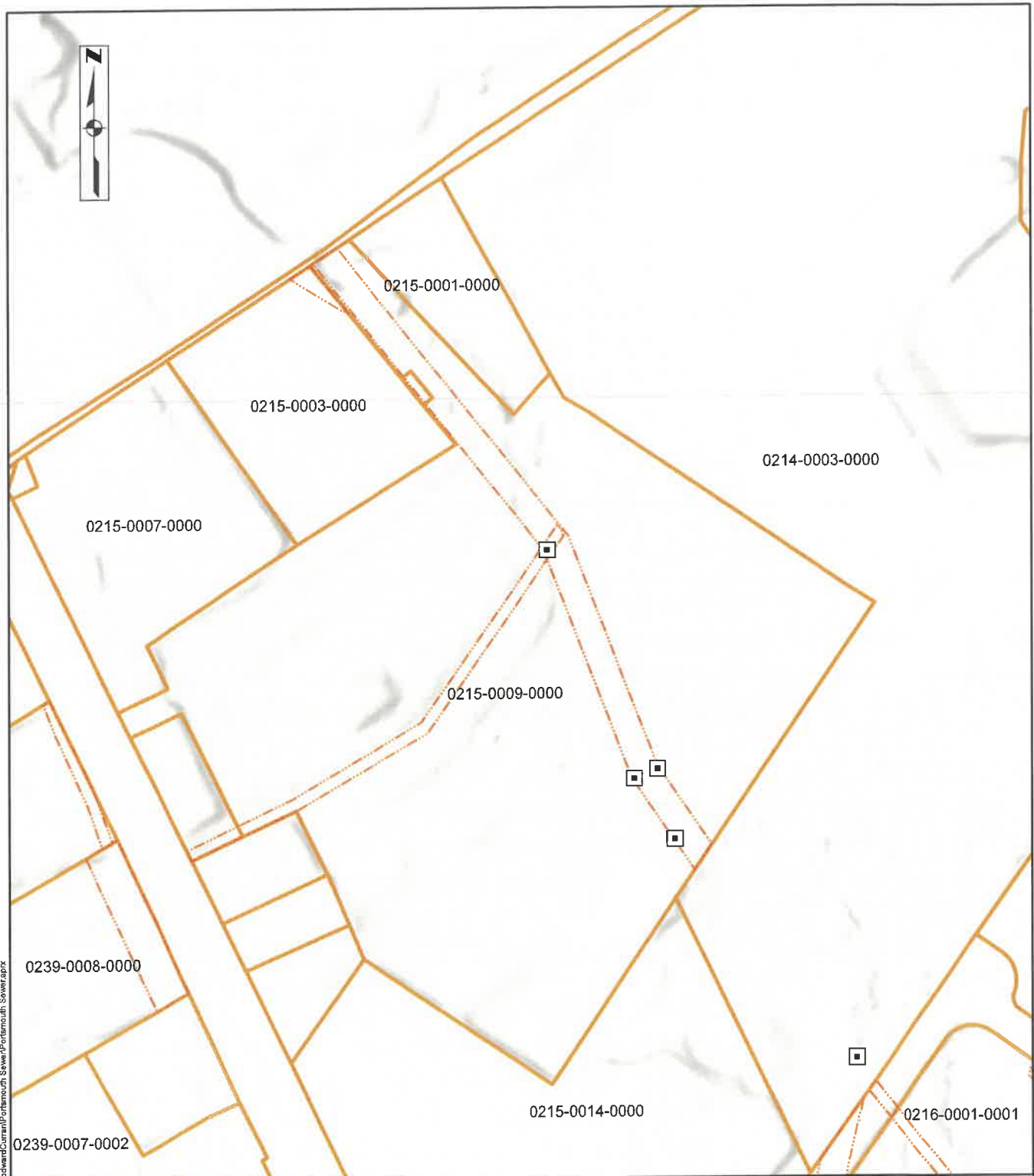
Portsmouth Sewer Tax Parcels
Portsmouth, NH
 Location: Nathaniel Drive

NORMANDEAU ASSOCIATES
 Environmental Consultants

Source: NH GRANIT 1:5,000

0 235 470 940 Feet

C:\Users\griffith\Documents\Projects\PortsmouthSewer\WoodwardCurran\PortsmouthSewer\PortsmouthSewer.aprx



- Open Cut Rehabilitation
- Trenchless Rehabilitation
- Manhole to be Replaced
- Easement
- Parcels

Portsmouth Sewer Tax Parcels
Portsmouth, NH
 Location: Oriental Gardens

NORMANDEAU ASSOCIATES
 Environmental Consultants

Source: NH GRANIT 1:3,000

0 140 280 560 Feet

Attachment E – Impacted Resource Photos



Figure 1. Viewing north along right of way in Wetland W1, July 5, 2022.



Figure 2. Emergent marsh in Wetland W2 near SMH-2458, May 20, 2022.



Figure 3. Emergent marsh in Wetland W2 near SMH-2455. May 20, 2022



Figure 4. Wetland W2 forested access to SMH-2441/SMH2445 looking west. May 20, 2022.



Figure 5. Wetland W3 viewing south along access. May 20, 2022.



Figure 6. Viewing south into W3 from ROW, July 5, 2022.



Figure 7. Sparganium/cattail marsh in Wetland W5, July 19, 2022.



Figure 8. Wetland W7 at the SMH-374. August 25, 2025.

Attachment F –Supplenmental Rare Species Correspondence

Consultation Prior to May 2025 was incorporated into the Executed Categorical Exclusion
(Attachment I, Pages 11-16)

From: [DES: Ecological Reviews](#)
To: [Benjamin Griffith](#); [Jason Jancaitis](#); [Herdt, Deanne](#)
Cc: zmcronin@cityofportsmouth.com
Subject: RE: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161
Date: Tuesday, September 9, 2025 10:41:25 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)

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Hi Benjamin,

Thank you for confirming that the proposed impacts are the same as what was described in 2023. Because the proposed impacts to great bur-reed (*Sparganium eurycarpum*) are minimal and only expected to be temporary for short-term access, please refer to the following recommendations:

- Flag great bur-reed plants adjacent to proposed impact areas to avoid any incidental impacts.
- For great bur-reed that cannot be avoided, utilize wetland matting to protect the plants and remove matting as soon as possible to limit the amount of time plants are shaded.
- If work timing is flexible, working outside of the growing season (work between October and April) in areas where great bur-reed is proposed to be covered with matting will help avoid/minimize any impacts to the rare plants.

Other than the above recommendations, I have no further comments or concerns regarding impacts to rare plants or exemplary natural communities under NHB25-1159, 1160, and 1161.

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
[DataCheckTool](#)

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@dnr.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: Benjamin Griffith <bgriffith@normandeau.com>
Sent: Tuesday, September 9, 2025 6:50 AM
To: DES: Ecological Reviews <EcologicalReviews@des.nh.gov>; Jason Jancaitis <jjancaitis@woodardcurran.com>; Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>
Cc: zmcronin@cityofportsmouth.com
Subject: Re: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

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Maddie,

There are no changes to the impacts proposed because of the delay to the project and the proposed work is identical to what was described in 2023.

Benjamin Griffith
Normandeau Associates, Inc.
(603) 637-1136

From: DES: Ecological Reviews <EcologicalReviews@des.nh.gov>
Sent: Thursday, September 4, 2025 12:47:19 PM
To: Benjamin Griffith <bgriffith@normandeau.com>; Jason Jancaitis <jjancaitis@woodardcurran.com>; Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>
Cc: zmcronin@cityofportsmouth.com <zmcronin@cityofportsmouth.com>
Subject: RE: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

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Hi Benjamin,

Thank you for resurveying the rare plant populations nearby proposed impact areas to assess the current status and location of these plants.

Based on the provided report, the only rare plants within the proposed project area are great bur-reed (*Sparganium eurycarpum*) at Oriental Gardens which appear to mostly be in the same location as previously documented.

Based on prior coordination in 2023, it was indicated that the impacts in this area were for manhole rehabilitation which is low impact and does not involve excavation or removal, and access to the manhole which will result in temporary impacts for a few days.

Please indicate if the proposed impacts in the area where great bur-reed was documented are still the same as in 2023. If any additional impacts are proposed in this area please provide an explanation of those impacts.

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@dnrcr.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: Benjamin Griffith <bgriffith@normandeau.com>

Sent: Monday, September 1, 2025 2:12 PM

To: DNCR: NHB Review <nhbreview@dnrcr.nh.gov>; Jason Jancaitis <jjancaitis@woodardcurran.com>; Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>

Cc: zmcronin@cityofportsmouth.com

Subject: RE: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

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All,

Please find attached the results of this year's RTE plant surveys for the Portsmouth Sewer Project (NHB25-1159, NHB25-1160, NHB25-1161). Please let us know if you have any further questions.

Benjamin Griffith
Normandeau Associates, Inc.
603-637-1136 (direct) 603-801-1856 (cell)

From: DNCR: NHB Review <nhbreview@dncr.nh.gov>

Sent: Wednesday, May 21, 2025 12:11 PM

To: Jason Jancaitis <jjancaitis@woodardcurran.com>; Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>

Cc: zmcronin@cityofportsmouth.com; Benjamin Griffith <bgriffith@normandeau.com>

Subject: RE: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

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Hi Jason,

Thank you for confirming that more recent rare plant surveys have likely not been completed. Because the rare plants were documented very close to proposed impact areas I recommend resurveying for these previously documented species to ensure they have not spread into proposed impact areas.

NHB recommends the following:

- Survey for great bur-reed (*Sparganium eurycarpum*) in the proposed wetland impact areas SW of Nathaniel Drive **and** at Oriental Gardens
 - Survey should occur between mid-July and mid-August
 - Plants occur in shallow, circumneutral to basic, still or slow moving water
- Survey for dwarf glasswort (*Salicornia bigelovii*) and saltmarsh agalinis (*Agalinis maritima*) in the proposed wetland impact areas S of Greenleaf Woods Drive
 - Survey should occur between early August and early September
 - Plants occur in salt marshes

Please note that surveys only need to occur in suitable habitat in the proposed wetland impact areas identified above. If it is determined that suitable habitat for the documented rare plants is not present within the proposed impact areas, then surveys do not need to occur in those areas.

Once the surveys are completed please contact NHB with the results.

- If the target rare plants **are found** please document plants with GPS, fill out a rare plant reporting form (simple or detailed), and provide diagnostic photos of the plants. Please also provide updated plans for these areas overlaid with the rare plant locations.
- If the target rare plants **are not found**, please put together a brief survey report/memo that includes the date of the survey, name of surveyor, map and

photos of survey area, and a list of the dominant species observed.

- If any of the recommended survey areas are not surveyed due to lack of suitable habitat please also indicate which areas were not surveyed and what the habitat was that was not suitable for the nearby rare plants.

Please let me know if you have any questions.

Best,

Madeline (Maddie) Severance (*she/her/hers*)
Environmental Reviewer
New Hampshire Natural Heritage Bureau (NHB)
Division of Forests & Lands
N.H. Department of Natural & Cultural Resources
172 Pembroke Rd
Concord, NH 03301
(603)-271-2834
nhbreview@dncr.nh.gov
nhdfl.dncr.nh.gov
[NHB DataCheck Tool](#)

From: Jason Jancaitis <jjancaitis@woodardcurran.com>

Sent: Friday, May 16, 2025 2:54 PM

To: DNCR: NHB Review <nhbreview@dncr.nh.gov>; Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>

Cc: zmcronin@cityofportsmouth.com; Benjamin Griffith <bgriffith@normandeau.com>

Subject: RE: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

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To the best of my knowledge 2022 was the last time the plant populations in the area were checked.

Jason D. Jancaitis, PE
Senior Project Manager | Principal



📞 978.482.7857 📠 781.308.2569 🌐 woodardcurran.com

✉ jjancaitis@woodardcurran.com

📍 40 Shattuck Road, Andover, MA 01810



From: DNCR: NHB Review <nhbreview@dncr.nh.gov>

Sent: Friday, May 16, 2025 10:57 AM

To: Jason Jancaitis <jjancaitis@woodardcurran.com>; Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>

Cc: zmcronin@cityofportsmouth.com; Benjamin Griffith <bgriffith@normandeau.com>

Subject: RE: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

Hi Jason,

Thank you for providing detailed information, plans, and past coordination for the proposed project.

Please indicate the last time the wetland impact areas were visited and the rare plant populations were observed. Rare plants were documented nearby the proposed impact areas in 2022 and were not expected to be impacted, however it has been a few years and these populations may have expanded into proposed impact areas since then.

Thank you,

Madeline (Maddie) Severance (*she/her/hers*)
Environmental Reviewer
New Hampshire Natural Heritage Bureau (NHB)
Division of Forests & Lands
N.H. Department of Natural & Cultural Resources
172 Pembroke Rd
Concord, NH 03301
(603)-271-2834
nhbreview@dncr.nh.gov
nhdfl.dncr.nh.gov
[NHB DataCheck Tool](#)

From: Jason Jancaitis <jjancaitis@woodardcurran.com>

Sent: Wednesday, May 14, 2025 3:14 PM

To: DNCR: NHB Review <nhbreview@dncr.nh.gov>; Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>

Cc: FGC: NHFG review <NHFGreview@wildlife.nh.gov>; zmcronin@cityofportsmouth.com; Benjamin

Griffith <bgriffith@normandeau.com>

Subject: RE: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

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Ryan – Deanne Hergt forwarded your email regarding this project to me as part of the Environmental Review process. In the attached document, the first 8 pages include our previous correspondence with NHB & NHFG, where the project was reviewed as project NGH22-2315. We had received the approvals from NHB & NHFG at that time, however after the approvals were obtained, the project was put on hold and the approvals have since lapsed. We plan to re-file with NHB & NHFG (and the Wetlands Bureau) as part of the updates to this project to get it out to bid. We note that the recent review included a finding that the area is now habitat to the Spotted Turtle and Blue-spotted salamander, which we will incorporate into our permitting efforts along with the Blanding's Turtle that was noted during the 2022 process.

Please let me know if you have any questions or need any other information from me.

Thanks,
Jason Jancaitis

Jason D. Jancaitis, PE
Senior Project Manager | Principal



📞 978.482.7857 📠 781.308.2569 🌐 woodardcurran.com

✉ jjancaitis@woodardcurran.com

📍 40 Shattuck Road, Andover, MA 01810



From: DNCR: NHB Review <nhbreview@dncr.nh.gov>

Sent: Wednesday, May 7, 2025 2:16 PM

To: Hergt, Deanne <Deanne.R.Hergt@des.nh.gov>

Cc: FGC: NHFG review <NHFGreview@wildlife.nh.gov>; zmcronin@cityofportsmouth.com

Subject: NHB Review: NHB25-1159, NHB25-1160, NHB25-1161

Attached, please find the review of the NH Natural Heritage Bureau's (NHB) database to determine whether the proposed project could impact rare species and exemplary natural communities.

If you received a comment on the DataCheck Letter from NHB, please reply to this email with any documents, photos, or information requested.

If you received a comment on the DataCheck Letter from NHFG, please follow the consultation requirements listed on the DataCheck Letter and coordinate with NHFGreview@wildlife.nh.gov

Best,
Ryan

Ryan Esch
Ecological Information Specialist

NH Natural Heritage Bureau
DNCR - Forests & Lands
172 Pembroke Rd
Concord, NH 03301
603-271-0687

If there are problems with your DataCheck letter or you need help using the DataCheck Tool, contact Ryan Esch: (603) 271-0687

If there is a rare plant or exemplary natural community and an NHB Comment on your DataCheck letter, contact Maddie Severance for any environmental review questions: (603) 271-2834

If there is a rare wildlife species and an NHFG Comment on your DataCheck Letter, contact Hayley Gray for any environmental review questions: (603) 271- 0467

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Attachment F – Waiver Request Form



**WETLANDS RULE WAIVER OR
DWELLING OVER WATER WAIVER
REQUEST FORM**
WATER DIVISION / LAND RESOURCES MANAGEMENT
WETLANDS BUREAU



RSA/Rule: RSA 482-A/ Env-Wt 204

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

A person may request a waiver to requirements in Rules Env-Wt 100-900 to accommodate situations where strict adherence to the requirements would not be in the best interests of the public or the environment. A person may also request a waiver of standard for existing dwellings over water pursuant to RSA 482-A:26, III (b).

SECTION 1 - PROJECT LOCATION INFORMATION (Env-Wt 204.03(c))			
ADDRESS: Greenleaf Woods Drive	TOWN/CITY: Portsmouth	STATE: NH	ZIP CODE: 03801
TAX MAP/LOT NUMBER: 243-6			
SECTION 2 - WAIVER REQUESTOR INFORMATION (Env-Wt 204.03(a))			
LAST NAME, FIRST NAME, M.I.: Griffith, Benjamin,			
MAILING ADDRESS: 25 Nashua Road			
TOWN/CITY: Bedford		STATE: NH	ZIP CODE: 03110
EMAIL ADDRESS (if available): or if not FAX NUMBER: bgriffith@normandeau.com		DAYTIME PHONE NUMBER: 603-637-1136	
SECTION 3 - APPLICANT INFORMATION (Env-Wt 204.03(b))			
If request is being made on behalf of someone else, include the following information regarding the person being represented. If requestor is the applicant, check the following box and proceed to Section 4.			
<input type="checkbox"/> Requestor is the applicant.			
LAST NAME, FIRST NAME, M.I.: Portsmouth NH DPW C/O Peter Rice, Director			
MAILING ADDRESS: 680 Peverly Hill Road			
TOWN/CITY: Portsmouth		STATE: NH	ZIP CODE: 03801
EMAIL ADDRESS (if available): or if not FAX NUMBER: phrice@cityofportsmouth.com		DAYTIME PHONE NUMBER: 603-427-1530	

lrn@des.nh.gov or (603) 271-2147

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

des.nh.gov

SECTION 4 - WAIVER INFORMATION**SECTION 4A - WAIVER TO RULE Env-Wt 100-900**

☐ N/A - If you are not requesting a rule waiver, check this box and proceed to Section 4b

Provide the number of the specific section of each rule for which a waiver is sought (Env-Wt 204.03(d)):

Env-Wt 509.02(b)

Provide a complete explanation of why a waiver is being requested, including an explanation of the operational and economic consequences of complying with the requirement and, if the requested waiver would extend the duration of a permit, the reason(s) why the permit holder was not able to complete the project within the specified time (Env-Wt 204.03(f)(1)):

The City of Portsmouth is proposing repairs to existing sewer infrastructure under an EPA consent decree to reduce infiltration and inflow of groundwater into the sewer collection system. This project is necessary and benefits the public and the environment. Although the project affects the City wishes to submit a Utility PBN rather than a standard wetland permit application in order to expedite this important work and save permit preparation/application fees. This project will have minor, temporary impacts within Undeveloped Tidal Buffer Zone, which would make the project otherwise ineligible under 509.02(b).

Access to manhole covers will take place within 75 feet of a saltmarsh near the Greenleaf Woods Drive portion of the project. The temporary access will require some vegetation cutting and placement of timber mats for no more than a few weeks in a freshwater wetland, but no earthwork or permanent impacts. These minimal, temporary impacts will not affect the nearby saltmarsh. Submittal of a Minor application would be more costly and time consuming but not more protective of the resources. This project was previously submitted and approved in 2023 under a Utility SPN but work was not conducted at that time. A 2025 resubmittal determined that the project would be better permitted under a PBN.

If applicable, provide a complete explanation of the alternative that is proposed to be substituted for the requirement in Env-Wt, including written documentation or data, or both, to support the alternative (Env-Wt 204.03(g)):

The alternative is merely the completion and submittal of a Utility PBN instead of a standard application for a minor project. The waiver would reduce the cost of this public project application and the review time. An Appendix A impact avoidance and minimization narrative is being appended to the PBN application to support a finding of minimal impacts as requested by NHDES after a pre-application meeting.

SECTION 4B – DWELLING OVER WATERS WAIVER UNDER RSA 482-A:26, III(b).

☒ N/A - If you are not requesting a standard waiver, check this box and proceed to Section 5)

Identify the specific standard to which a waiver is being requested (Env-Wt 204.03(e)):

RSA 482-A:

Provide a complete explanation of why a waiver is being requested, including a complete explanation of how the statutory criteria of RSA 482-A:26, III(b) will be met (Env-Wt 204.03(f)(2)):

N/A

SECTION 5 - ADDITIONAL WAIVER INFORMATION (Env-Wt 204.03(h); Env-Wt 204.03(i))(applicable to Waivers of Rules *and* Standards under RSA 482-A:26, III(b))

Indicate whether the waiver is needed for a limited duration and, if so, an estimate of when the waiver will no longer be needed (Env-Wt 204.03(h)):

The waiver is being requested for permit application type only and would expedite application preparation and processing time, but will not increase or decrease the duration of the work being conducted under the permit or alter construction methods. All appropriate impact avoidance and minimization and resource protections that would be required with a standard permit will be implemented and would not differ regardless of whether an PBN or standard application is submitted.

Provide a complete explanation of why the applicant believes that having the waiver granted will meet the criteria in Env-Wt 204.05 or 204.06, as applicable (Env-Wt 204.03(i)):

The City is not seeking a waiver from resource impacts or protective measures. The waiver being requested is procedural only, and would merely reduce the cost and time for permit application preparation and review. The applicant and requestor believe that the information provided to NHDES in a pre-application meeting on March 16, 2023, along with the PBN application and Appendix A (Avoidance and Minimization Narrative) provide sufficient information to demonstrate the minimal nature of the project impacts. Rare species protections recommended by NHB and NHFG have been incorporated and utility maintenance BMPs will be followed. The submittal of an PBN rather than a standard application will not increase impacts to resources or abutting properties, alter project duration, or alter methods of conducting this required public infrastructure rehabilitation, but will reduce the cost to the taxpayers.

SECTION 6 - REQUIRED CERTIFICATIONS (Env-Wt 204.04)

Initial each box and sign below to certify:

Initials:	The information provided is true, complete, and not misleading to the knowledge and belief of the signer.
Initials:	The signer understands that any waiver granted based on false, incomplete, or misleading information shall be subject to revocation; and

SECTION 7 - REQUESTOR SIGNATURE (Env-Wt 204.04)

SIGNATURE (APPLICANT): *	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (REQUESTOR): Benjamin Griffith <small>Digitally signed by Benjamin Griffith Date: 2025.10.02 13:36:36 -04'00'</small>	PRINT NAME LEGIBLY: Benjamin Griffith	DATE: 10/02/25

*In lieu of an applicant signature, you may include a separate signed and dated authorization for the requestor to act on the person's behalf in connection with the request.

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WETLANDS RULE WAIVER OR
DWELLING OVER WATER WAIVER
REQUEST FORM
CRITERIA / DECISION



WATER DIVISION/LAND RESOURCES MANAGEMENT
WETLANDS BUREAU

(Keep this sheet for your reference; do not submit it with your application)

RSA/Rule: RSA 482-A/ Env-Wt 204

SECTION 1 - WAIVER CRITERIA

SECTION 1A - CRITERIA FOR WAIVERS TO RULES (Env-Wt 204.05)

(a) In addition to the requirements of any other applicable rule or law, the department shall grant a waiver of a rule if it determines that:

(1) Granting the waiver will not result in:

- a. An adverse effect on public safety or the environment that is greater than following the rule; and
- b. An adverse impact on abutting properties that is more significant than that which would result from complying with the rule;

(2) The purposes and intent of RSA 482-A will be met if the waiver is granted; and

(3) Granting the waiver will not have the effect of waiving or modifying a statutory requirement.

(b) If the department determines that an applicant is unable to meet the standard in (a)(1), the department shall grant a waiver of a rule if it determines that:

- (1) Due to the special and unique conditions of the property that distinguish it from other properties in the area, application of the rule to the property creates a significant unnecessary hardship on the applicant;
- (2) Any adverse effect or impact is minimized to the maximum extent practicable; and
- (3) The requirements in (a)(2) and (3) are met.

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SECTION 1B - CRITERIA FOR WAIVERS UNDER RSA 482-A:26, III(b) (Env-Wt 204.05)

The Department shall grant a waiver under RSA 482-A:26, III(b) if the following criteria from RSA 482-A:26, III(b) are met:

- (1) The effect of the requested repair or reconstruction represents greater protection of public water or the environment;
- (2) Such repair or reconstruction does not change a recreational, water-based activity to a land-based, residential or commercial activity;
- (3) There will be no expansion of the existing footprint, outside dimensions, or square footage of floor space; and
- (4) There will be a net reduction in the total square footage of kitchen, bathroom, shower, and toilet facilities.














SECTION 2 – DECISION (Env-Wt 204.07)

- (a) The Department shall notify the requestor of the decision in writing. If the request is denied, the Department shall identify the specific reason(s) for the denial.
- (b) If a waiver is granted, the Department shall impose such conditions, including time limitations, as the Department deems necessary to ensure that the activities conducted pursuant to the waiver will be consistent with the applicable criteria.

Attachment H – Functional Assessment Forms

Wetland Function- Value Evaluation Form

Total area of wetland? _____ Human made? No _____ Is wetland part of a wildlife corridor? ☒ or a "habitat island"? ☐ Wetland ID W1 Latitude 43.0254 Longitude 70.80203
 Adjacent land use Residential, forested Distance to nearest roadway or other development 70595 Prepared by: bgriffu@nor mandeun.com Date 07/31/2022
 Dominant wetland systems present PFOIE Contiguous undeveloped buffer zone present No Wetland Impact: Type Area
 Is the wetland a separate hydraulic system? If not, where does the wetland lie in the drainage basin Evaluation based on: Office X Field X
 How many tributaries contribute to the wetland? Wildlife & vegetation diversity/abundance (see attached list) Corps manual wetland delineation completed? Y X N

Function/Value	Suitability Y/N	Rationale (Reference #)*	Principal Function(s)/Value(s)	Comments
 Groundwater Recharge/Discharge	Y	3,6,13,15	<input type="checkbox"/>	
 Floodflow Alteration	Y	1,3,4,5,6,7,8,9,11	<input type="checkbox"/>	Large flat between development
 Fish and Shellfish Habitat	N		<input type="checkbox"/>	
 Sediment/Toxicant Retention	Y	1,2,4,6,9	<input type="checkbox"/>	
 Nutrient Removal	Y	1,3,4,5,7,8,10,11	<input checked="" type="checkbox"/>	Adjacent to residential development with maintained lawns
 Production Export	Y	1,2,4,8,12	<input type="checkbox"/>	Lots of wildlife food sources, deer sign
 Sediment/Shoreline Stabilization	N		<input type="checkbox"/>	
 Wildlife Habitat	Y		<input checked="" type="checkbox"/>	
 Recreation	N		<input type="checkbox"/>	
 Educational/Scientific Value	Y	3,5,10,13	<input type="checkbox"/>	
 Uniqueness/Heritage	N	1,5	<input type="checkbox"/>	
 Visual Quality/Aesthetics	N		<input type="checkbox"/>	
 Endangered Species Habitat	N		<input type="checkbox"/>	
Other	No			

Notes: * Refer to backup list of numbered considerations.

Wetland Function- Value Evaluation Form

Total area of wetland? _____ Human made? No _____ or a "habitat island"? ☐ _____ Wetland ID W2 _____

Adjacent land use Forest _____ Distance to nearest roadway or other development _____ Latitude 41.9021 Longitude 70.56931













Dominant wetland systems present PFO11E _____ Contiguous undeveloped buffer zone present Yes _____ Prepared by: bgriffith@nor Date 04/26/2023

Is the wetland a separate hydraulic system? _____ If not, where does the wetland lie in the drainage basin _____ Wetland Impact: _____

How many tributaries contribute to the wetland? _____ Wildlife & vegetation diversity/abundance (see attached list) _____ Evaluation based on: _____

Office X Field X

Corps manual wetland delineation completed? Y X N














Function/Value	Suitability Y/N	Rationale (Reference #)*	Principal Function(s)/Value(s)	Comments
 Groundwater Recharge/Discharge Floodflow Alteration	Y	2,6,12,15	<input type="checkbox"/>	
 Fish and Shellfish Habitat	N	1,3,4,5,6,7,8,9,11,17,18	<input checked="" type="checkbox"/>	
 Sediment/Toxicant Retention	N	2	<input type="checkbox"/>	
 Nutrient Removal	Y	1,2,3,4,6,8,9,10,11	<input checked="" type="checkbox"/>	
 Production Export	Y	1,2,4,7,9,12,14	<input type="checkbox"/>	
 Sediment/Shoreline Stabilization	N		<input type="checkbox"/>	
 Wildlife Habitat	Y	1,3,4,5,7,9,11,14,19	<input checked="" type="checkbox"/>	
 Recreation	N		<input type="checkbox"/>	
 Educational/Scientific Value	N		<input type="checkbox"/>	
 Uniqueness/Heritage	N		<input type="checkbox"/>	
 Visual Quality/Aesthetics	N	8	<input type="checkbox"/>	
 Endangered Species Habitat	Y	1	<input type="checkbox"/>	Sparganium eurycarpum growing in wetland
Other	No			

* Refer to backup list of numbered considerations.

Notes:

Wetland Function- Value Evaluation Form

Total area of wetland? _____ Human made? No _____ Is wetland part of a wildlife corridor? ☒ or a "habitat island"? ☐ Wetland ID W3
 Adjacent land use commercial/forest _____ Distance to nearest roadway or other development _____ Latitude 43.0172 Longitude 70.80277
 Dominant wetland systems present PFO1,4E _____ Contiguous undeveloped buffer zone present No _____ Prepared by: bgriffin@nor-mardeau.com Date 07/31/2022
 Is the wetland a separate hydraulic system? _____ If not, where does the wetland lie in the drainage basin _____ Wetland Impact: _____
 How many tributaries contribute to the wetland? _____ Wildlife & vegetation diversity/abundance (see attached list) _____ Evaluation based on: _____
 Corps manual wetland delineation completed? Y X Field X

Function/Value	Suitability Y/N	Rationale (Reference #)*	Principal Function(s)/Value(s)	Comments
 Groundwater Recharge/Discharge	Y	4,6,12,15	<input checked="" type="checkbox"/>	
 Floodflow Alteration	Y	1,3,4,5,6,7,8,9,10	<input type="checkbox"/>	Berry's Brook outside study area
 Fish and Shellfish Habitat	N		<input type="checkbox"/>	
 Sediment/Toxicant Retention	Y	1,2,4,9,5	<input type="checkbox"/>	
 Nutrient Removal	Y	2,1,3,4,5,6,7,8,9,10	<input checked="" type="checkbox"/>	
 Production Export	Y	1,2,3,5,8,9,10,14,12	<input type="checkbox"/>	
 Sediment/Shoreline Stabilization	N		<input type="checkbox"/>	
 Wildlife Habitat	Y	2,4,5,6,7,8,9,11,14,13,18,21,20,19	<input checked="" type="checkbox"/>	
 Recreation	N		<input type="checkbox"/>	
 Educational/Scientific Value	Y	2,3,4,5,8,9,10,13,14	<input type="checkbox"/>	
 Uniqueness/Heritage	Y	1,3,2,5,6,8,10,15,17,18,19,22	<input checked="" type="checkbox"/>	
 Visual Quality/Aesthetics	N		<input type="checkbox"/>	
 Endangered Species Habitat	N		<input type="checkbox"/>	
Other	No			

* Refer to backup list of numbered considerations.

Notes:

Wetland Function- Value Evaluation Form

Total area of wetland? _____ Human made? No _____ Is wetland part of a wildlife corridor? ☐ _____ or a "habitat island"? ☒ _____

Adjacent land use _____ Trailer park/commercial _____ Distance to nearest roadway or other development _____

Dominant wetland systems present PFO1E _____ Contiguous undeveloped buffer zone present No _____

Is the wetland a separate hydraulic system? _____ If not, where does the wetland lie in the drainage basin _____

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

Wetland ID W5 _____

Latitude 43.0941 782733 Longitude 70.79004 75636667

Prepared by: bgriffith@nor maudeau.com Date 07/21/2022














Wetland Impact: _____

Type _____ Area _____

Evaluation based on: _____

Office X Field X

Corps manual wetland delineation completed? Y X N

Function/Value	Suitability Y/N	Rationale (Reference #)*	Principal Function(s)/Value(s)	Comments
 Groundwater Recharge/Discharge	Y	3,4,7,15	<input type="checkbox"/>	
 Floodflow Alteration	Y	1,2,3,4,5,6,7,9,10,13,18	<input checked="" type="checkbox"/>	
 Fish and Shellfish Habitat	N		<input type="checkbox"/>	
 Sediment/Toxicant Retention	Y	2,4,5,8	<input type="checkbox"/>	
 Nutrient Removal	Y	3,4,5,7,8	<input type="checkbox"/>	
 Production Export	Y	1,4,3,5,7,8,12	<input type="checkbox"/>	
 Sediment/Shoreline Stabilization	N		<input type="checkbox"/>	
 Wildlife Habitat	Y	4,7,8,10,14	<input type="checkbox"/>	
 Recreation	N		<input type="checkbox"/>	
 Educational/Scientific Value	N		<input type="checkbox"/>	
 Uniqueness/Heritage	N		<input type="checkbox"/>	
 Visual Quality/Aesthetics	N		<input type="checkbox"/>	
 Endangered Species Habitat	N		<input type="checkbox"/>	
Other	No			

* Refer to backup list of numbered considerations.

Notes:

Wetland Function- Value Evaluation Form














Total area of wetland? _____ Human made? No _____ Is wetland part of a wildlife corridor? ☒ or a "habitat island"? ☐ Wetland ID W7

Adjacent land use Saltmarsh/developed _____ Distance to nearest roadway or other development _____ Latitude 43.0542 916039 Longitude 70.77433 09500037

Dominant wetland systems present PEM5E/PSS1E Contiguous undeveloped buffer zone present No Prepared by: bgriffith@nor mandeau.com Date 04/25/2023

Is the wetland a separate hydraulic system? _____ If not, where does the wetland lie in the drainage basin _____ Wetland Impact: _____ Type _____ Area _____

How many tributaries contribute to the wetland? _____ Wildlife & vegetation diversity/abundance (see attached list) _____ Evaluation based on: _____ Office ☒ Field ☒ 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		<input type="checkbox"/>	
 Floodflow Alteration	Y	2,3,6,4,9	<input checked="" type="checkbox"/>	
 Fish and Shellfish Habitat	N		<input type="checkbox"/>	
 Sediment/Toxicant Retention	Y	1,2,4,9	<input type="checkbox"/>	
 Nutrient Removal	Y	2,3,4,9	<input type="checkbox"/>	
 Production Export	N	1,7	<input type="checkbox"/>	
 Sediment/Shoreline Stabilization	N		<input type="checkbox"/>	
 Wildlife Habitat	N	5,6,7,13	<input type="checkbox"/>	
 Recreation	N		<input type="checkbox"/>	
 Educational/Scientific Value	N		<input type="checkbox"/>	
 Uniqueness/Heritage	N		<input type="checkbox"/>	
 Visual Quality/Aesthetics	N		<input type="checkbox"/>	
 Endangered Species Habitat	N		<input type="checkbox"/>	
Other	No			

* Refer to backup list of numbered considerations.

Notes:

Attachment H – Standard Dredge and Fill
Appendix A: Avoidance and Minimization



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 DPW

TOWN NAME: Portsmouth NH

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.

WHILE THERE ARE NO ALTERNATIVE LOCATIONS FOR THE SEWER REPAIRS, THE PORTSMOUTH SEWER PROJECT TEAM SELECTED THE LEAST IMPACTING SEWER REHABILITATION METHODS FOR LOCATIONS WITHIN WETLANDS. INSTEAD OF TRENCHING AND EXCAVATION TO REPAIR PIPES AND MANHOLES AS WILL OCCUR IN UPLAND AREAS, THE REPAIRS IN WETLAND LOCATIONS WILL BE CONDUCTED FROM INSIDE THE PIPES AND MANHOLES, ELIMINATING THE NEED TO EXCAVATE SOIL AROUND THIS UNDERGROUND INFRASTRUCTURE. WHERE DRIVING ACCESS TO MANHOLES IN WETLANDS IS NEEDED FOR THESE INTERNAL REPAIRS, SMALL ALL TERRAIN VEHICLES WILL BE USED INSTEAD OF FULL SIZE TRUCKS WHEN POSSIBLE TO MINIMIZE THE WIDTH OF ACCESS PATHS AND COMPRESSION OF WETLAND SOIL. IN ADDITION, WINTER WORK WILL BE CONDUCTED IN WETLANDS TO THE EXTENT POSSIBLE TO MINIMIZE ACCESS PATH IMPACTS TO VEGETATION AND SOIL. ALTERNATIVE ACCESS PATHS WERE IDENTIFIED AT ORIENTAL GARDENS AND NATHANIEL DRIVE TO MINIMIZE WETLAND IMPACTS AND AVOID OR MINIMIZE IMPACTS TO STATE LISTED SPARGANUM EURYCARPUM PLANTS.

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NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

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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.

The freshwater marsh in the Oriental Drive portion of the project area will need to be crossed with timber mats to reach the manholes requiring repair. Water levels in this marsh appear to be controlled by beaver, and repairs will be timed to coincide with low water, and if possible, conducted in the winter. Materials will be delivered to the manholes with small ATVs rather than trucks. The repairs will be conducted without excavation. A wetland scientist will monitor construction access and repair work in this area to assist the contractors in minimizing impacts to a population of rare plants present near the manholes. Work in tidal marsh has been avoided, although access through the tidal buffer zone near Greenleaf Woods will be necessary. No impacts to the saltmarsh will occur, and no excavation in the tidal buffer is needed.

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

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

No changes in hydrologic connections will occur, as there will be no permanent excavation or fill in wetlands. Where timber mats are needed to cross wetlands for manhole access, these will allow ground and surface water to continue to flow, and will remain only for as long as needed, which will be a few weeks at each location, and not more than a month. Work in wetlands will be scheduled for winter or low water seasons to the extent possible.

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.

Oriental Gardens -Access paths to five manholes (629, 631, 632, 2385 and 2386) were revised slightly to minimize impacts to both wetlands and to state-listed plants. Per NHNHBB request, work in the wetland will take place in low water or preferably winter in frozen conditions. Access through the wetlands will be within the utility ROW on timber mats.

Greenleaf Woods – access to two manholes in freshwater wetlands within the tidal buffer zone will be needed on Parcel 243-6. This tidal wetland is Portsmouth Prime Wetland #62, so access will also occur within a Prime Wetland Buffer. Access will take place in the existing, previously disturbed ROW or from adjacent property, if the impacts are smaller. Since access will be within 75 feet of a tidal buffer zone, a waiver will be requested to allow this work under a PBN.

Nathaniel Drive – cross-country access to several manholes will require wetland crossings. Access will follow the slightly raised upland pathway over the existing sewer lines, with low points crossed on timber mats, reducing temporary impacts to Portsmouth Prime Wetland 1 and an exemplary Red-Maple Sensitive Fern Swamp. Access to manhole 2445 will be from Lafayette Road and access to manhole 2455 will be from Nathaniel Drive, leaving the rare *Sparganium eurycarpum* plants between these manholes untouched.

In all jurisdictional or cross-country project locations, NHFG recommendations for minimizing potential impacts to turtles, including Blanding's turtles, will be followed. These include providing contractors with flyers, using wildlife-friendly E&S controls, and following guidance if T&E species are observed, including immediate NHFG notification. There are no vernal pools or documented fish habitat in or near the work areas.

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.

The project will not negatively impact public navigation or recreation as work is not taking place in or near navigable waterways or recreational areas. There may be temporary local street detours for completing sewer repairs in roadways that could temporarily affect commerce, but detours are readily available and the project results in an overall public benefit by reducing water infiltration to the public sewer system, reducing pressure on the municipal wastewater treatment system, and protecting the environment.

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.

The project will have no permanent effect on floodplains as there will be no change in ground contours within floodplain areas and no construction of new facilities. There are actually few or no repairs taking place within FEMA-mapped floodplains.

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.

The Oriental Gardens portion of the project will require crossing a wetland with forested, shrub and emergent marsh components of high ecological value. An un-named stream also flows into this beaver wetland complex, the stream is crossed at an existing culvert and no improvements to the culvert are expected to be required. As noted above, sewer rehabilitation work will be conducted from within the pipes and manholes, avoiding excavation; access routes have been revised to minimize wetland and rare plant impacts; and work will be conducted in low flow or winter conditions. All work will take place within existing sewer ROW, and impacts will be temporary and limited to timber mat access to manholes.

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.

Wetland impacts will be limited to temporary, short term placement of timber mats. No impacts to drinking water are expected. Groundwater infiltration into the sewer system and treatment plant will be reduced, which improves the efficiency of this important existing public utility while preserving groundwater resources.

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.

Only one stream is present in the proposed work areas, and it currently flows into/ through a marsh in the Oriental Gardens portion of the project area. No permanent impacts and minimal temporary impacts to the stream or streamflow are expected, as access through the marsh on timber mats is planned, and work will take place in low flow or winter conditions.

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.

This project does not include construction of shoreline structures.

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.

There are no shoreline structures associated with this project.

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.

There are no shoreline structures associated with this project.

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.

There are no shoreline structures associated with this project.

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.

There are no shoreline structures associated with this project.

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.

There are no shoreline structures associated with this project.

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:

Functional assessments for the temporarily impacted wetlands in the project area are attached.

NAME OF CERTIFIED WETLAND SCIENTIST (FOR NON-TIDAL PROJECTS) OR QUALIFIED COASTAL PROFESSIONAL (FOR TIDAL PROJECTS) WHO COMPLETED THE ASSESSMENT: BEN GRIFFITH, CWS#298

DATE OF ASSESSMENT: 7/21/22

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.

Attachment I – Executed Categorical Exclusion



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



June 25, 2025

Zachary Cronin
City of Portsmouth
680 Peverly Hill Road
Portsmouth NH, 03801

Via email: zmcronin@cityofportsmouth.com

RE: Environmental Review American Rescue Plan Act (ARPA)
City of Portsmouth
Sewer System Rehabilitation Contract #1 (CW-334106-05)

Dear Zachary Cronin,

Please find attached an executed copy of the Categorical Exclusion (CE) and the final Environmental Review document for the above referenced project. Please review the Environmental Concerns and Mitigation Section for details on environmental mitigation measures and/or permits that may be required. All requirements and conditions should be employed, as necessary, throughout the life of the project.

This fulfills the requirement for the environmental review under Env-wq 500. Please contact me by phone at 603-271-0734 or by e-mail at Deanne.R.Hergt@des.nh.gov, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Deanne Hergt".

Deanne Hergt
Environmental Review Coordinator
Water Division

ec:

Jason D. Jancaitis, Woodard & Curran
Alysha Clark, NHDES
Nina Buckman, NHDES

EnvReview@des.nh.gov
PO Box 95, Concord, NH 03302-0095
www.des.nh.gov



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



Categorical Exclusion (CE)

To All Interested Parties:

Pursuant to the New Hampshire Code of Administrative Rules Env-wq 500, a Categorical Exclusion is issued this day to the:

City Of Portsmouth, New Hampshire

This finding is issued as a result of an environmental review conducted by the New Hampshire Department of Environmental Services, American Rescue Plan Act (ARPA), for the Sewer System Rehabilitation Contract 1 (CW-334106-05) project.

The attached document provides background information and details which support this finding.

Project records are on file and available for public review at the Department of Environmental Services and in the project community at the address indicated on the attached document.

A handwritten signature in black ink, appearing to read "Robert R. Scott".

Robert R. Scott
Commissioner

6/24/25

Date

EnvReview@des.nh.gov
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WATER INFRASTRUCTURE PROJECT

Environmental Review Information Document



PROJECT TITLE: Sewer System Rehabilitation and Upgrades - Contract #1				
FUNDING RECIPIENT (ENTITY): City of Portsmouth				
COORDINATES: 43.093926,-70.789898				
PUBLIC WATER SYSTEM:			PWS #:	
ENVIRONMENTAL REVIEW POINT OF CONTACT: Jason Jancaitis				
ORGANIZATION: Woodard & Curran				
EMAIL ADDRESS: jjancaitis@woodardcurran.com				
PROJECT LOCATION(S)				
ADDRESS	TOWN	COUNTY	TAX MAP	TAX LOT
Oriental Gardens Road	PORTSMOUTH	Rockingham	214	214-3
Greenleaf Woods Drive	PORTSMOUTH	Rockingham	243	243-6
Cross-Country Easement	PORTSMOUTH	Rockingham	297	297-11

INTRODUCTION

The City of Portsmouth has applied for funds through the State of New Hampshire Department of Environmental Services (NHDES) American Rescue Plan Act (ARPA) to finance a water infrastructure improvements project. This document fulfills the requirements Env-Wq 508 relative to providing information on the environmental review required by Env-Wq 500. A determination will be made in accordance with these rules and will be issued to the funding recipient at the conclusion of the environmental review process.

PROJECT BACKGROUND

The City of Portsmouth (the City) is a community spreading 16.8 square miles that was originally settled in 1623. Consequently, portions of the approximately 94 miles of the gravity sewer collection system are over 100 years old and have deteriorated over time. As a result of the City's aging infrastructure, the sewer collection system has areas that are structurally deficient and subject to high infiltration and inflow (I/I) rates due to condition and high groundwater. The City's wastewater needs are serviced by a combined (16 miles) and separated sewer (78 miles) collection system that flows to wastewater treatment facilities prior to discharge to receiving waters.

Due to the presence of combined sewer overflows in portions of downtown, the City, and the Environmental Protection Agency (EPA) have reached a settlement to implement a number of improvements in the collection system. This project is one of a number of projects which were approved by the EPA. This project addresses excessive I/I which enters a separated sewer collection system but is upstream of a combined sewer system and could potentially contribute to

combined sewer overflow events. By removing I/I in this project, it will increase the available capacity of the combined sewer system downstream and reduce the volume of overflow events.

The project includes rehabilitation of existing wastewater collection system components (manholes and gravity sewers) based on site investigations performed by Woodard and Curran in 2015 through 2017. A variety of rehabilitation techniques will be used to address structural and I/I issues identified in the system.

PURPOSE AND NEED

The proposed project is part of a negotiated agreement between the City of Portsmouth and the EPA and must be implemented in order to comply with the terms of the agreement. The project will address existing defects in the collection system with the goal of reducing infiltration and inflow into the sewer collection system while also addressing structural defects to extend the service life of the existing system. Structural defects include broken pipes, deformed pipes, offset joints, protruding taps, broken manhole frames and covers, and other issues found during the investigations.

This project was part of a negotiated settlement for Civil Action 09-CV-283-PB, originally filed 9/24/2009 and modified on three occasions. This project is part of a negotiated settlement to a court order and is mandatory for the City to implement. The collection system components addressed by this project have been installed over the past 50-70 years in various phases throughout the city.

ALTERNATIVES

The infrastructure being addressed in this project is existing, the project will perform needed repairs to allow the continued use of the infrastructure. Full replacement of the infrastructure would be prohibitively expensive and result in much more disturbance of the project area. A "No Action" plan would allow continued infiltration into the sewer system and would not address the structural defects noted.

PROJECT DETAILS

The project includes several repairs, including approximately 3,000 linear feet (LF) of cleaning and inspection of 8-12inch diameter pipe, chemical root treatment (980 LF), testing and sealing of mainline joints (140 EA), 4,410 LF of cured-in-place pipe (CIPP) rehabilitation (8-12inch diameter), 5-10 LF open cut repairs, and 550 LF of open cut replacement. For this project trenchless repair methods were recommended wherever possible to avoid unnecessary impacts to the collection system and surrounding areas. Open cut repairs are recommended only where the existing infrastructure is too damaged to repair and must be replaced.

Oriental Gardens:

The work in the Oriental Gardens area includes various types of manhole and pipe rehabilitation. Work in this area includes both work in wetland areas as well as work in paved roadways. All work in wetland areas will be performed via trenchless rehabilitation methods. Work quantities in this area include:

- 1,089 LF CIPP
- 238 LF open cut replacement

- 10 LF open cut repairs
- 370 LF chemical root treatment
- Trenchless rehabilitation (sealing and repair) of 25 manholes (4 within wetlands)

Greenleaf Ave:

The work in the Greenleaf Avenue area includes various types of manhole and pipe rehabilitation. Work in this area includes both work in wetland areas as well as work in paved roadways. All work in wetland areas will be performed via trenchless rehabilitation methods. Work quantities in this area include:

- 1,136 LF CIPP
- 305 LF open cut replacement
- 20 LF open cut repairs
- 377 LF chemical root treatment
- Trenchless rehabilitation (sealing and repair) of 18 manholes (4 within wetlands)

Nathaniel Drive:

The work in the Nathaniel Drive area includes various types of manhole and pipe rehabilitation. Work in this area includes both work in wetland areas as well as work in paved roadways. All work in wetland areas will be performed via trenchless rehabilitation methods. Work quantities in this area include:

- 2,374 LF CIPP
- 383 LF open cut replacement
- 26 LF open cut repairs
- 230 LF chemical root treatment
- Trenchless rehabilitation (sealing and repair) of 17 manholes (10 within wetlands)

Permanent Disturbance: 0 square feet (sq ft)

Temporary Disturbance: 35,245 sq ft

Total Disturbance: 35,245 sq ft

ENVIRONMENTAL CONCERNS & MITIGATION

The following sections evaluate the potential environmental and socio-economic impacts that may result from the proposed project and identify all existing or anticipated environmental permits related to the project.

AIR RESOURCES

Describe any anticipated air quality related impacts. N/A

Does the project include the addition or replacement of a fuel burning device: internal combustion engine, boiler, generator, water pump, or space heater? No

Type(s) of fuel burning devices: N/A

Type(s) of fuel: N/A

Number of Diesel Engines: 0

Maximum heat input rating in million BTUs per hour (MMbtu/hr): N/A

Does the project include any demolition? Yes

Note that the NHDES Air Resource Division (ARD) must be notified of all demolitions at least 10 working days prior to the demolition, whether asbestos-containing materials have been identified or not. For renovations, depending on the type and amount(s) of asbestos-containing material (ACM), generally NHDES ARD must be notified at least 10 working days prior to the removal, abatement, or disturbance of any ACM and the work must be done following the requirements in Env-A 1800. These rules also include specific requirements for the packaging and disposal of the ACM. By checking this box, I affirm that I have read the above statement and acknowledge the project must be in compliance with the requirements specified in Env-A 1800. Yes

Does the project include any renovation which includes any structures, siding, roofing, heating systems, piping or ductwork, insulation, or utility infrastructure, including but not limited to transite pipe, electrical line, water line, sewer line or storage tanks? Yes

Will the project and/or construction generate any toxic air pollutants or fugitive dust? Yes

Describe any Best Management Practices or mitigation efforts that will be implemented to avoid and minimize air impacts. N/A

Air Resources Division Review (the following section completed by NHDES staff)
Will the ambient air quality remain within national ambient air quality standards as a direct result of the implementation of the project?
Answer: Yes
Reviewer: Thomas Guertin
Comments: There are no activities described that will impact ambient air quality standards.
Will the siting, construction, and operation of the project be consistent with applicable State statutes and/or regulations concerning: regulated toxic air pollutants, fugitive dust, and/or opacity?
Answer: Yes
Reviewer: Thomas Guertin
Comments: There are no activities described that will impact ambient air quality standards.
Will the project meet national emission standards for hazardous air pollutants?
Answer: Yes

Reviewer: Thomas Guertin
Comments: None of the activities described have the potential to emit any hazardous air pollutants.
Will the project be in compliance with the requirements specified in Env-A 1800 Asbestos Management and Control?
Answer: Yes, given the steps below are followed
Reviewer: Ray Walters
Comments: The description of the environmental impacts indicates that the project will include renovation and demolition, but it does not indicate if any of the project will include any asbestos-containing materials (ACM). Env-A 1800 requires that an inspection of all materials that may be impacted during renovation or demolition be conducted by an asbestos inspector certified by NHDES prior to beginning the project. If any structures or infrastructure that may include ACM are planned to be disturbed during the project, there may be additional inspection, notification, and procedures for the removal, packaging, and disposal of any ACM, following the applicable procedures in Env-A 1800.

ALTERATION OF TERRAIN

Does the project include any of the following earth moving activities as defined in Env-Wq 1502.19 (filling, grading, dredging, mining, excavation, construction, topsoil removal, stump removal, stockpiling earth material, or any other activity that results in a change to the pre-existing conditions and/or contours)? No

Does the project include a temporary or permanent disturbance of 100,000 square feet of terrain, or 50,000 square feet of terrain with any portion of disturbance within the protected shoreland as defined by RSA 483-B? N/A

Does the project include the disturbance of an area exceeding the steep slope criteria of Env-Wq 1502.58(b)(1)? N/A

Does the project meet the criteria outlined in Env-Wq 1503.03 General Permit by Rule? N/A

Alteration of Terrain Program Review (the following section completed by NHDES staff)
Does the project involve earth moving activities, as defined under Env-Wq 1502.19, that would trigger an Alteration of Terrain review?
Answer: Yes
Reviewer: Mike Schlosser
Comments:
Is the project consistent with all criteria outlined in Env-Wq 1503.03, allowing the project to proceed under the General Permit by Rule (GPBR)?
Answer: Yes
Reviewer: Mike Schlosser
Comments:
If the project is not consistent with all criteria in Env-Wq 1503.03, can the project proceed under the GPBR if a waiver is requested and approved?
Answer: N/A

Reviewer: Mike Schlosser
Comments:
Will the project require an Alteration of Terrain permit?
Answer: No
Reviewer: Mike Schlosser
Comments:

COASTAL ZONE MANAGEMENT

Is the project located within any of the municipalities in NH's coastal zone? Yes

Will the project require a federal license of permit (e.g. Army Corps of Engineers section 10 or 404 permit; National Pollution Discharge Elimination System (NPDES) permit)? No

Coastal Zone Management Review (the following section completed by NHDES staff)
Is the project consistent with the enforceable policies of the NH Coastal Program in accordance with Section 307 of the Coastal Zone Management Act of 1972, as amended? [PL 92-583]
Answer: Yes
Reviewer: Chris Williams
Comments:

CONTAMINATION AND HAZARDOUS WASTE SITES

Is the project located within one-half (1/2) mile of any known environmental contamination sources? Unknown

Waste Management Division Review (the following section completed by NHDES staff)
Does the WMD anticipate any adverse effects from this project?
Answer: No
Reviewer: Meaghan Broderick
Comments: WMD does not anticipate adverse effects from this project, but we note volatile organic compounds were reported at concentrations above the NHDES AGQs in a groundwater sample collected from a temporary monitoring well associated with the Thompson & Cabral Property (closed DES SITE Eval Site #199101064), which is in the immediate vicinity of the Nathaniel Drove South Area of the project. As with all excavation projects near open and closed remediation sites, it is possible that petroleum contamination could be encountered. Therefore, care should be taken to appropriately characterize and manage any contaminated soil or groundwater encountered in this area. If contamination is encountered, please contact Meaghan Broderick of the NHDES Oil Remediation and Compliance Bureau at 603-271-2427.
Does the Superfund Section anticipate any adverse effects from this project?

Answer: No
Reviewer: Andrew Hoffman & Peter Sandin
Comments: The proposed project areas are beyond the inferred extent of any Pease-related contaminant impacts that are above state or federal standards or screening levels.
Will the project address any active and ongoing violations and/or enforcement actions?
Answer: No
Reviewer: Meaghan Broderick
Comments: There are no WMD enforcement actions that are active or pending that will be addressed by the project.

DESIGNATED RIVERS

Does the project fall within a Designated River Corridor? No

Rivers Management & Protection Program Review <i>(the following section completed by NHDES staff)</i>
Is the project consistent with the provisions of the Rivers Management and Protection Act and have appropriate advisory committees been notified? [RSA 483]
Answer: N/A
Reviewer: Sydney Gendreau
Comments: The proposed Sewer System Rehabilitation and Upgrades - Contract #1 in Portsmouth, NH should not impact any state designated rivers.
Will the project avoid adversely affecting any rivers designated, or which are being considered for designation, under the federal Wild & Scenic Rivers Act? [PL 90-542]
Answer: N/A
Reviewer: Sydney Gendreau
Comments: The proposed Sewer System Rehabilitation and Upgrades - Contract #1 in Portsmouth, NH should not impact any federally designated Wild and Scenic rivers.

DRINKING WATER AND GROUNDWATER

Does the project include the siting, rehabilitation, hydrofracking, or permitting of one of the following: a community water supply well OR a non-community, non-transient water supply well for a non-profit entity? N/A Type of Well: N/A

Will the project result in any wastewater discharge (including treatment backwash) onto or into the ground? No

The project may require registration or permitting from the Underground Injection Control and/or Groundwater Discharge Programs. If the project is already registered/permited, provide the registration and/or permit number: N/A

Have adequate measures been taken to ensure that activities associated with this project will not lead to the discharge of potential contamination to the ground and comply with rule Env-Wq 401 regarding Best Management Practices for Groundwater Protection? Yes

Drinking Water and Groundwater Bureau Review (the following section completed by NHDES staff)
Does the DWGB anticipate any adverse effects from this project on groundwater resources (e.g. bedrock/overburden aquifers, private water supplies, or public water supplies/systems)?
Answer: No
Reviewer: Andrew Koff
Comments:
Does the project require registration or permitting from the Underground Injection Control and/or Groundwater Discharge programs? [Env-Dw 404; Env-Dw 402]
Answer: No
Reviewer: Andrew Koff
Comments:
Have adequate measures been taken to ensure that activities associated with this project will not lead to the discharge of potential contamination to the ground, and comply with rule Env-Wq 401 regarding Best Management Practices for Groundwater Protection?
Answer: Yes
Reviewer: Andrew Koff
Comments:
Is the project consistent with the Sole Source Aquifers program? [SDWA 1421(e)]
Answer: N/A
Reviewer: Andrew Koff
Comments:
Will the project address any active and ongoing violations and/or enforcement actions?
Answer: N/A
Reviewer: Eric Skoglund
Comments: This project should have no negative impact to the public water system.

FARMLAND PROTECTION POLICY ACT

Does the project involve acquisition of undeveloped land, conversion of undeveloped land, new construction, or site clearance? No

Will the project impact prime farmland, unique farmland, and/or land of statewide or local importance? N/A

Environmental Review Coordinator Review (the following section completed by NHDES staff)

Will the project avoid adversely affecting significant amounts of prime agricultural land or agricultural operations on this land? [Farmland Protection Policy Act]
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Answer: Yes

Reviewer: Deanne Hergt

Comments: The entirety of the project work will occur within existing disturbed road, road-rights-of ways and within existing buildings and therefore the project is exempt from the Farmland Protection Policy Act's Farmland Conversion Impact Assessment.
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FLOODPLAIN MANAGEMENT

Is the project located within, or will it have an impact on, a 100-year floodplain (Zone A) plus 3 feet of elevation, and/or the 500-year floodplain, or Coastal High Hazard zone (Zone V), as identified by FEMA and the Federal Flood Risk Management Standard (FFRMS)? Yes

Please describe why the project cannot be located outside of these areas, including a summary of any and all alternatives that were considered. Also provide a description of the measures proposed to mitigate these impacts. Proposed work is on existing pipe in rights-of-way consisting of mainly repair work.

Environmental Review Coordinator Review (the following section completed by NHDES staff)

Is the project consistent with Executive Order 14030 (Federal Flood Risk Management Standard [FFRMS]) regarding construction on floodplains?

Answer: Yes

Reviewer: Deanne Hergt

Comments: A portion of the project area is located in a floodplain (see attached FEMA Firmette map). However, as the project solely consists of underground water main and service connection installations, no impacts to the infrastructure is anticipated due to potential flooding and there is no anticipated harm to or within the floodplain as a result of this project.
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HISTORICAL, CULTURAL, AND RECREATIONAL RESOURCES

Has a Request for Project Review (RPR) been submitted to the NH Division of Historical Resources (NHDHR) for the entire project scope? No

Will the project result in changes to historical resources (including archaeological resources, cultural resources, or historic properties)? No

Does the project require work on, or demolition of, any historic buildings (greater than 45 years old), structures (bridges, walls, culverts, etc.), districts, and/or landscapes? No

Provide the age of the resource(s) to be impacted. N/A

Is the project located within, or directly adjacent to, a historic district? No

Is the project scope limited to the repair, replacement, or installation of infrastructure piping, equipment, and/or appurtenances where all work will occur within an existing building footprint, utility trenches, road surfaces? Yes

Does the project involve ground disturbing activity? Describe current and previous land use and disturbances. No

Will construction activities occur within 25 feet of a cemetery? No

Environmental Review Coordinator Review (the following section completed by NHDES staff)
Will the project comply with Executive Order 11593 – Protection and Enhancement of the Cultural Environment?
Answer: Yes
Reviewer: Deanne Hergt
Comments: In accordance with the executed Programmatic Agreement between NHDES and the NH State Historic Preservation Officer (NHSPO), dated October 28, 2022, the project meets the requirements outlined in Appendix 1 item 4 and does not require review by the NH Division of Historical Resources (DHR) NHSPO, as no adverse impacts are anticipated. Should the scope of the project change, review by DHR may be required.
Will the project comply with sections 106 and 110 of the National Historic Preservation Act?
Answer: Yes
Reviewer: Deanne Hergt
Comments: See above
Will the project avoid significant adverse effects on parklands or other public lands, or areas of recognized scenic or recreational value?
Answer: Yes
Reviewer: Deanne Hergt
Comments: See above
Will the project comply with Native American Graves Protection and Repatriation Act of 1990 [PL 101-601]?
Answer: Yes
Reviewer: Deanne Hergt
Comments: See above

INTERGOVERNMENTAL REVIEW

Has a request for intergovernmental review been submitted to the NH Office of Strategic Initiatives for the entire project scope? No

Have the results been received? N/A

Environmental Review Coordinator Review (the following section completed by NHDES staff)
Has the Intergovernmental Review Process been completed and have all comments been adequately addressed? [NH EO 83-10]?
Answer: N/A
Reviewer: Deanne Hergt
Comments: In accordance with EO 12372, Part 1, Appendix I, Section 3(b), the NH Department of Energy has exempted this funding program from intergovernmental review.

NOISE

Will the project result in increased noise sources, or impact noise-sensitive areas (e.g. residential areas, schools, libraries)? Please consider both permanent and temporary impacts. Yes

Describe any anticipated noise impacts that will occur as a result of the project (both temporary and permanent).
Temporary noise impacts will occur as heavy equipment is needed to access the sites and perform the repairs. Working hours will be limited to daytime & weekday to reduce impacts. No permanent impacts are anticipated.

PLANTS AND WILDLIFE

Has an NHB Datacheck/IPAC/NOAA been submitted? Submitted?: Yes NHB Reference Number: N/A

Will the project occur entirely within a developed area (an area that is already paved or supports structures) and the only vegetation is limited to frequently mowed grass or conventional landscaping? No

Will the project involve the removal of trees and/or vegetation? Yes

Please characterize the vegetation to be removed: Grassland habitats are comprised of grasses, sedges, and wildflowers with little to no shrubs and trees. The most common grassland habitats are airports, capped landfills, wet meadows, and agricultural fields such as hayfields, pastures and fallow fields., Shrubland habitats are shrub-dominated areas with scattered forbs and grasses. These habitats are typically the result of some disturbance and include dry shrublands, utility rights-of-way, old agriculture fields, and reverting gravel pits.

Please quantify the vegetation to be removed in acreage (ONE acre is 43,560 square feet): 0.68 ac.

Timing of Activity (what month(s) vegetation removal will occur): Activities with wetland impacts are scheduled to take place in winter.

Have any sensitive plant and/or animal species, exemplary natural communities, and/or natural community systems been identified within the project area in any of the consultations.

NHB DataCheck

Consultation with the Natural Heritage Bureau (NHB) DataCheck (NHB25-1159, NHB25-1160, NHB25-1161) identified the following species in the vicinity of the project area. All are afforded protections either under RSA 212-A or NH Fish and Game Rules:

Oriental Gardens: bulbous bitter-creed, great bur-reed, smooth black sedge, Peregrine Falcon.

Greenleaf Ave: dwarf glasswort, marsh elder, saltmarsh agalinis, tundra alkali grass, Blanding's Turtle, Sora.

Nathaniel Drive: black maple, great bur-reed, tufted yellow-loosestrife, Blanding's Turtle, Jefferson/Blue-spotted Salamander Complex, Spotted Turtle.

USFWS IPAC

The US Fish and Wildlife Service (USFWS) Section 7 Consultation has identified the following species in the project vicinity: Tricolored Bat, Monarch Butterfly, and Northern Long-eared Bat.

Oriental Gardens: Tricolored Bat, Monarch Butterfly, Northern Long-eared Bat.

Greenleaf Ave: Tricolored Bat, Monarch Butterfly, Northern Long-eared Bat.

Nathaniel Drive: Monarch Butterfly, Northern Long-eared Bat.

NOAA Section 7 Mapper

The NOAA Section 7 Consultation has identified the following species in the project vicinity:

Oriental Gardens: Atlantic Sturgeon, Shortnose Sturgeon, In or Near Critical Habitat for Atlantic Sturgeon.

Greenleaf Ave: Atlantic Sturgeon, Shortnose Sturgeon.

Nathaniel Drive: None Found.

What any or all conservation and/or mitigation measures will be incorporated into the project (including measures that would reduce a significant impact to a less than significant impact, if applicable).

New Hampshire Natural Heritage Bureau recommends the following:

- Survey for great bur-reed (*Sparganium eurycarpum*) in the proposed wetland impact areas SW of Nathaniel Drive and at Oriental Gardens
 - Survey should occur between mid-July and mid-August
 - Plants occur in shallow, circumneutral to basic, still or slow moving water
- Survey for dwarf glasswort (*Salicornia bigelovii*) and saltmarsh agalinis (*Agalinis maritima*) in the proposed wetland impact areas S of Greenleaf Woods Drive
 - Survey should occur between early August and early September
 - Plants occur in salt marshes

Please note that surveys only need to occur in suitable habitat in the proposed wetland impact areas identified above. If it is determined that suitable habitat for the documented rare plants is not present within the proposed impact areas, then surveys do not need to occur in those areas.

Once the surveys are completed please contact NHB with the results.

- If the target rare plants are found please document plants with GPS, fill out a rare plant reporting form (simple or detailed), and provide diagnostic photos of the plants. Please also provide updated plans for these areas overlaid with the rare plant locations.
- If the target rare plants are not found, please put together a brief survey report/memo that includes the date of the survey, name of surveyor, map and photos of survey area, and a list of the dominant species observed.
- If any of the recommended survey areas are not surveyed due to lack of suitable habitat please also indicate

which areas were not surveyed and what the habitat was that was not suitable for the nearby rare plants.

New Hampshire Fish and Game Wildlife Protection Notes:

1. Peregrine Falcon (State Threatened), Blanding's Turtle (State Endangered), and Spotted Turtle (State Threatened) occur within the vicinity of the project area. Upon review of the proposed site and activities described by the applicant to be associated with this project, NHFG has determined that there will be no likely impacts to included species. All operators and personnel working on or entering the site shall be made aware of the potential presence of these species and shall be provided NHFG contact information. *See Plan Sheet xxxxxx. Include attached flyers to plan sheet set.*
2. Rare species information (e.g. identification, observation and reporting of observations, when to contact NHFG immediately and NHFG contact information) shall be communicated during morning tailgate meetings prior to work commencement during the construction phase of the project. *See Plan Sheet xxxxxx.*
3. The applicant shall continue to follow IPaC guidance with the appropriate agencies related to impact concerns for other identified species in the IPAC letter, if applicable. *See Plan sheet(s) XXXXX.*
4. Measures to minimize the risk of harm to listed species include the following (as proposed):
 - a. Repairs in wetlands will be conducted from inside the pipes and manholes, eliminating the need to excavate soil around the infrastructure.
 - b. Small ATVs or pick up trucks will be used when accessing manholes in wetlands (as opposed to full size trucks).
 - c. Work in wetlands proposed during low water or in winter to minimize access path impacts to vegetation and soil.
 - d. All work in wetlands will be monitored by a natural resource scientist.
5. Vegetation removal should be limited to areas of direct impact. If additional vegetation (such as trees or shrub cover) must be removed, please notify NHFG for further guidance.
6. In areas where water crossings are proposed (pole ford, timber mat, etc.), NHFG recommends that these crossings be established prior to the start of the inactive season (October 16th-March 31st) to prevent accidental placement atop potential hibernating turtles. *See Plan sheet(s) XXXXX.*
7. Minimize unnecessary equipment travel off access roads and in parking and landing areas to avoid turtles being crushed by equipment tires. Be observant of turtles in open sandy areas as these areas may be used for nesting from May 15th – July 15th. *See Plan sheet(s) XXXXX.*
8. Searches and sweeps of roadside areas and ROWs should be conducted immediately before the start of work/movement of equipment in order to minimize the risk of harm to wildlife that may be in the area. Vehicles should move at slow speeds and be aware of potential wildlife in the area. Individuals conducting searches and sweeps of the work site shall review species information from attached flyers. *See Plan Sheet xxxxxx.*
9. Turtles may be attracted to disturbed ground during nesting season (May 15th – July 15th). Turtle nests are protected by NH laws (RSA 212-B:4, Fis 1401.03). If a nest is observed or suspected, operators shall contact Josh Megyesy at NHFG immediately for further consultation. *See Species Flyers, See Plan sheet(s) XXXXX for NHFG contact information.*
 - a. The nest or suspected nest shall be marked (surrounding roped off or cone buffer deployed) and avoided; this shall be communicated to all personnel onsite.
 - b. Site activities shall not occur in the area surrounding the nest or suspected nest until further guidance is provided by NHFG.

- c. To minimize the potential for nesting to occur within the project site:
 - i. Minimize ground disturbance activities during the active nesting season. Limit clearing areas and disturbing ground until ready to start active construction for a project component.
 - ii. Minimize access or make areas less attractive to wildlife for nesting for disturbed ground areas during active nesting season. Soil/sandy mounds or open sandy/gravelly areas within the active project site shall be covered with tarps or other construction materials at the end of the work day (note turtles can move into a site overnight to nest – be observant for tracks and nesting signs).
- 10. Equipment and materials should not be staged in wetlands. *See Plan Sheet xxxxxx.*
- 11. A native seed mixture should be applied to all areas affected by construction, if proposed. *See Plan sheet(s) XXXXX.*
- 12. Appropriate erosion control measures should be used in areas where construction activities cross waterways or adjacent to wetlands. *See Plan sheet(s) XXXXX.*
- 13. 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 shall not contain plastic, or multifilament or monofilament polypropylene netting or mesh with an opening size of greater than 1/8 inches. *See Plan Sheet xxxxxx.*
- 14. Avoid or minimize the use of fertilizers in upland areas or transition zones. If fertilizers are necessary, use organic versus synthetic fertilizers options. Synthetic options should be avoided; however, if chosen, they should be controlled-released/slow-released and at low strengths. *See Plan sheet(s) XXXXX.*
- 15. If hydroseeding is deemed necessary, the mix should not contain microplastics and dyes shall be water-soluble and eco-friendly. Hydroseeding shall not occur within 50 feet of the rivers or streams to maintain water quality. *See Plan Sheet xxxxxx.*
- 16. Catch basins and outlet control structures should not contain sumps and should have grate openings no larger than 2"x2", if proposed. *See Plan sheet(s) XXXXX.*
- 17. Outlet control structures should not be placed adjacent to the side slopes but rather as far away as possible to deter wildlife from crawling onto them and falling through the grate openings. These structures should be a minimum of 12"-18" above grade, if proposed. *See Plan sheet(s) XXXXX.*
- 18. Rip-rap should be filled with finer material (i.e., native wetland material, native wetland seed mix, or gravel in between rip-rap) to create a relatively smooth surface for wildlife to traverse, if proposed. *See Plan sheet(s) XXXXX.*
- 19. 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.
- 20. Photographs of the observed species and nearby elements of habitat or areas of land disturbance shall be provided to NHFG in digital format at the above email address for verification, as feasible.
- 21. 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.
- 22. Site operators shall be allowed to relocate wildlife encountered if discovered within the active work zone if in direct harm from project activities. Wildlife shall be relocated in close proximity to the capture location but outside of the work zone and in the direction the individual was heading. NHFG shall be contacted immediately

if this action occurs.

23. All construction materials and materials relating to construction shall be removed from the property upon the completion of work.

24. The NHFG, including its employees and authorized agents, shall have access to the property during the term of the permit.

For Species of Special Concern:

Incorporation of NHFG recommendations is not required for Species of Special Concern; however, some species are protected under other state laws or rules, and incorporation of recommendations is highly recommended or may be required for certain permits. Applicants would still be responsible for any actions that may result in the take of this species. The recommendations below should be incorporated into site plans below the Permit Conditions aforementioned in order to help minimize potential take to rare wildlife species. If not incorporated and impacts to this species were to occur, applicants may be legally liable for take.

Recommended Additional Wildlife Protection for Species of Special Concern:

- Sora (Special Concern) and Jefferson/Blue-spotted Salamander Complex (Special Concern) occur within the vicinity of the project area. All operators and personnel working on or entering the site should be made aware of the potential presence of these species and should be provided flyers that help to identify this species, along with NHFG contact information. *See Plan sheet(s) XXXXX Include attached flyer to plan sheet set.*
- Avoid work in wetlands, in particular areas of cattails and dense vegetation, during the marsh bird breeding season (May-August), if proposed.
- Maintain a 75 ft no-cut, no-disturb buffer from vernal pools where feasible.

Northern Long-eared Bat

Appropriate conservation measures for the Northern Long-eared Bat can be found through the [Environmental Conservation Online System](#) | [Northern Long-eared Bat](#).

Tricolored Bat

Appropriate conservation measures for the Tricolored Bat can be found through the [Environmental Conservation Online System](#) | [Tricolored Bat](#).

Monarch Butterfly

Voluntary conservation measures for the monarch butterfly can be found through the [Monarch Joint Venture at Who Are You?](#) | [The Monarch Joint Venture](#).

Environmental Review Coordinator Review (the following section completed by NHDES staff)
Will the project comply with State regulations regarding state-listed threatened or endangered species or exemplary communities? [RSA 212-A; RSA 217-A]
Answer: Yes
Reviewer: NHB25-1159, NHB25-1160, NHB25-1161, NH Fish and Game (NHFG)
Comments: A Natural Heritage Bureau (NHB) DataCheck was conducted. The NHB DataCheck identified Peregrine Falcon, Blanding's Turtle, Sora, Jefferson/Blue-spotted Salamander Complex, and Spotted Turtle in the project vicinity

and required follow-up with New Hampshire Fish and Game (NHFG). See the conservation/mitigation section for best practices to avoid impacts to plant and wildlife species.

Will the project comply with the Endangered Species Act of 1973? [PL 93-205]

Answer: Yes

Reviewer: US Fish and Wildlife Service (IPaC), Natural Heritage Bureau (NHB25-1159, NHB25-1160, NHB25-1161), NH Fish and Game

Comments: New Hampshire Fish and Game does not expect impacts to the federally listed IPaC species. Consultation with the US Fish and Wildlife Service's Section 7 digital planning tool: Information for Planning and Consultation (IPaC) determined there will be "No Effect" to the Northern long-eared bat (NLEB), Tricolored Bat, and Monarch Butterfly. See the conservation/mitigation section above for best practices to avoid impacts to plant and wildlife species.

USFWS recommends that project proponents reevaluate 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 USFWS should take place to ensure compliance with the Endangered Species Act of 1973.

The NOAA Section 7 Consultation has identified the potential presence of, or critical habitat for, several federally listed species within a mile of the project area including: Atlantic Sturgeon and Shortnose Sturgeon. No work in marine or estuarine waters are proposed for this project. Construction activities will be confined to existing structures therefore, no effects to these species are anticipated.

Will the project comply with the Bald and Golden Eagle Protection Act?

Answer: Yes

Reviewer: US Fish and Wildlife Service (IPaC)

Comments: The Bald Eagle may occur in the vicinity of the project. Wherever possible, schedule earth clearing outside the window of when Bald Eagles are present to avoid possible impacts.

Appropriate conservation measures for Bald and Golden Eagles can be found at the following links:

- [USFWS Eagle Management Program.](#)
- [Supplemental Information for Migratory Birds and Eagles in IPaC.](#)

Will the project comply with the Migratory Bird Treaty Act of 1918?

Answer: Yes

Reviewer: US Fish and Wildlife Service (IPaC)

Comments: Several migratory bird species may occur in the vicinity of the project area including: American Oystercatcher, Bald Eagle, Black Skimmer, Black-billed Cuckoo, Blue-winged Warbler, Bobolink, Canada Warbler, Chimney Swift, Eastern Whip-poor-will, Grasshopper Sparrow, Gull-billed Tern, Hudsonian Godwit, Least Tern, Lesser Yellowlegs, Pectoral Sandpiper, Prairie Warbler, Prothonotary Warbler, Purple Sandpiper, Red-headed Woodpecker, Ruddy Turnstone, Rusty Blackbird, Saltmarsh Sparrow, Scarlet Tanager, Semipalmated Sandpiper, Short-billed Dowitcher, Whimbrel, Willet, and Wood Thrush. Wherever possible, schedule earth moving activities outside the window of when these species may be present to avoid impacts to migratory birds.

Appropriate conservation measures for migratory birds can be found at the following links:

- [Measures for avoiding and minimizing impacts to birds.](#)
- [Nation-wide conservation measures for birds.](#)

EnvReview@des.nh.gov

PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

If any waterbodies will be impounded, diverted, controlled, or modified then will the project comply with the Fish and Wildlife Coordination Act?

Answer: Yes

Reviewer: Deanne Hergt

Comments: No waterbodies will be impounded as part of this project.

SHORELAND

Will any portion of the project occur within 250 feet of public waters? Yes

Has a Shoreland Permit been obtained or applied for? Permit?: Yes

Please provide any additional information regarding your shoreland permit?

Shoreland Program Review (the following section completed by NHDES staff)

The project appears to require review and permitting by the Shoreland Protection Program. [RSA 483-B]

Answer: Yes

Reviewer Darlene Forst

Comments:

Will the project address any active and ongoing violations and/or enforcement actions?

Answer: No

Reviewer: Darlene Forst

Comments:

SOCIAL AND ECONOMIC

Will the project serve a disadvantaged community or result in any impacts on disadvantaged residential areas? No

Describe the Social and Economic Benefits this project will have for the community served. This project will repair existing sewer infrastructure and protect the environment.

Environmental Review Coordinator Review (the following section completed by NHDES staff)

Will the siting avoid having a significant adverse effect on an existing residential area in accordance with Executive Order 12898 regarding Environmental Justice?

Answer: Yes

Reviewer: Deanne Hergt

Comments: This project is expected to have positive social and economic impacts for the community served. The financial impact on ratepayers is expected to be reduced due to funding provided by programs such as the Clean Water State Revolving Loan Fund and the American Rescue Plan Act.

WASTEWATER – RESIDUALS MANAGEMENT

Does the proposed project include any construction that may encounter wastewater or wastewater treatment facility (WWTF) sludge/biosolids? Not applicable for Wastewater projects. No

Does the drinking water system contain a drinking water treatment facility (DWTF)? N/A

Does the proposed project involve infrastructure (e.g. piping, pumps/stations/storage) for raw water (from the source to system inlet) or treated water (from the DWTF outlet to the end user)? N/A

Does the DWTF include the discharge of water residuals from treatment equipment backwash process to an external infiltration lagoon/basin for dewatering/disposal? N/A

Does the proposed project include any construction that may encounter drinking water treatment facility sludge? No

Wastewater – Residuals Management Review (the following section completed by NHDES staff)

Is the project consistent with EPA's most recent version of Standards for the Use and Disposal of Sewage Sludge? [40 CFR 503]

Answer: N/A

Reviewer: Patricia Chesebrough

Comments: None

Is the project consistent with EPA's 1996 handbook "Technology Transfer Handbook: Management of Water Treatment Plant Residuals"?

Answer: N/A

Reviewer: Patricia Chesebrough

Comments: None

Is the project consistent with the current State regulations regarding sludge management? [Env-Wq 800]

Answer: N/A

Reviewer: Patricia Chesebrough

Comments: None

Is the project consistent with the current State regulations regarding septage management? [Env-Wq 1600]

Answer: Yes, providing the comments below are addressed.

Reviewer: Patricia Chesebrough

Comments: Any sewage or sewage-contaminated soils pumped from the sewers or access pits during construction shall be transported by a septage hauler permitted in NH and disposed of at a facility or site permitted for receiving septage.

WASTEWATER AND STORMWATER PERMITTING

Will the total contiguous land disturbance for this project and any additional phases be one (1) acre or more? No

Will there be a dewatering discharge to a surface water during construction? Yes

Is the discharge contaminated, or does it have the potential to be contaminated? No

Does the project involve the construction or upgrade of a wastewater treatment facility or water treatment facility?
No

Will the completed project result in a new or increased discharge to a surface water? N/A

Does the project involve the addition, modification, or relocation of a stormwater discharge? No

Wastewater – Permitting Review (the following section completed by NHDES staff)

Does the project require any State Surface Water Discharge Permits and/or Federal NPDES Permits, including the NPDES Stormwater Permits? [CWA 402; 40 CFR 122.26 (b) et seq.; CWA 402(p)]

Answer: Yes

Reviewer: Robert Daniel

Comments: Because the project will reportedly have a dewatering discharge to surface water, EPA's Dewatering and Remediation General Permit (DRGP) will be required. Relevant information is available at the following EPA website: [Dewatering and Remediation General Permit \(DRGP\) | US EPA](#).

Because the project will not result in over one acre of total contiguous land disturbance, EPA's Construction General Permit (CGP) will not be required for this project.

Is the project subject to the state antidegradation policy? [40 CFR 131.12; Env-Wq 1708]

Answer: No – Contingent with duration of discharge.

Reviewer: Robert Daniel

Comments: The project will need to meet antidegradation requirements of all applicable permits. For the DRGP referenced above, an antidegradation review is required if the discharge will last one year or more.

Will the project address any active and ongoing violations and/or enforcement actions?

Answer: Yes

Reviewer: Teresa Ptak

Comments: Project will support efforts related to Combined Sewer Overflow (CSO) elimination/reduction under CD-09-cv-283-PB.

WETLAND PROGRAM

Does the project area contain any vernal pools? No

Describe what measures and construction practices will be implemented to minimize impacts to these resources. N/A

Are impacts to wetlands and/or streams anticipated as a result of this project? Yes

Describe the impacts and quantify, in square footage, the temporary and permanent disturbance. The project includes approximately 28,575 SF of wetland area disturbance, all of which is temporary. Equipment must travel through wetlands to reach the location of the existing infrastructure.

Has a wetland permit been obtained from the NHDES Land Resource Management Program? Yes **Permit Number:** 2023-02096

Does the project include stream crossings consisting of repair, replacement, replacement-in-kind, rehabilitation (e.g. slip lining); modification to or installation of a culvert, arch, or bridge; or installation of a temporary stream crossing?
No

Will any waterbodies be impounded, diverted, controlled, or modified as part of the project? No

Wetland Program Review (the following section completed by NHDES staff)
Under the provisions of RSA 482-A the project appears to require review and permitting by the Wetlands Bureau.
Answer: Yes
Reviewer: Karl Benedict
Comments: The work is not eligible under an Statutory Permit-by-Notification (SPN). (Previously a rule waiver was submitted to attain an SPN permit but the permit has expired. Upon renewal it is recommended the project follows this course again.)
Are there any ongoing enforcement actions which will be affected by this project?
Answer: No
Reviewer: Karl Benedict
Comments:
Will the project comply with the Magnuson-Stevens Fishery Conservation and Management Act?
Answer: N/A
Reviewer: Karl Benedict
Comments:

PUBLIC REVIEW

A public notice has been published by NHDES and a 10-day public comment period held in accordance with Env-Wq 500. No comments were received.

DETERMINATION

Based on the information outlined above and in accordance with Env-Wq 500, NHDES has determined that project qualifies for a Categorical Exclusion (CE).



NEW HAMPSHIRE STATE ENDANGERED

BLANDING'S TURTLE



Report Sightings: Contact Wildlife Biologist Josh Megyesy at (603) 271 – 1125 or the Wildlife Division at (603) 271 – 2461. Observation reports can be sent to RAARP@wildlife.nh.gov. Photographs and exact locations are strongly encouraged.



Specific Information:

- Adults are 7 – 9 inches long.
- Shell is highly domed with light speckles.
- Distinct yellow throat and chin.
- Uses variety of wetlands and moves extensively over land.
- Turtles are frequently concealed by leaves and undergrowth and may not be easily visible.
- Turtles are most active from April 15 – October 15.
- During nesting season (May 15 – July 15) turtles are attracted to disturbed ground.



This species is protected under RSA 212-A and Fis 1000. Thank you for reporting any observations.

PLEASE DO NOT DISTURB OR HANDLE WILDLIFE

Jefferson/Blue-Spotted Salamander Complex

(*Ambystoma* pop. 3)

New Hampshire Rare Species



©Mike Marchand photo



- Jefferson/blue-spotted salamander complex are a hybrid species between Jefferson salamanders and blue-spotted salamanders.
- Dark-bodied salamander approximately 3.5 to 5 inches long speckled with blue or white flecks and spots across back, sides, and tail.
- Common habitat is moist hardwood forests, but also wooded swamps, marshes, and bogs.
- Burrows under logs, rocks, mats of moss, and vegetation.

Please report sightings to NH Fish and Game at RAARP@wildlife.nh.gov or at 603-271-2461. Photo documentation, location, and date/time of observation is helpful.



PEREGRINE FALCON FACT SHEET

Please be aware that Peregrine Falcons that have been documented in the vicinity of the project area.



Photo credit: Joshua Stacy

- **State Threatened**
 - Possession and take prohibited.
 - Nests protected.
- Crow-sized falcon ~ 14-19 inches from tip to end of tail.
- Wingspan is 39-43 inches
- Blue-gray above with barred underparts.
- Dark head with thick sideburns.
- Often seen perched on cliffs, water towers, power pylons, skyscrapers, and other tall structures.
- Alarm call a loud series of harsh "kak, kak, kak."



Photo credit: Samuel Paul Galick

- Long, pointed wings in flight.
- Strongly checked whitish and black underwings and flanks.
- Powerful but relaxed flight style with fluid beats.
- Cruising flight speed of 24 to 33 mph.
- Capable of reaching speeds >150 mph while diving.



Photo credit: Georges Lignier

- Nesting occurs between March and May.
- Clutch consists of 2-5 eggs.
- Eggs pale creamy to brownish, dotted or blotched with brown, red, or purple.
- Nest on cliff ledges 25-1,300 feet high.
- Incubation is for 29-32 days, nestling period lasts 35-42 days.
- Hatchlings helpless, covered in whitish down with eyes closed.



NEW HAMPSHIRE STATE THREATENED

SPOTTED TURTLE



Report Sightings: Contact Wildlife Biologist Josh Megyesy at (603) 271 – 1125 or the Wildlife Division at (603) 271 – 2461. Observation reports can be sent to RAARP@wildlife.nh.gov. Photographs and exact locations are strongly encouraged.



Specific Information:

- Adults are 3 – 5 inches long
- Shell is black or brown, fairly flat, and with yellow spots.
- Uses variety of wetlands and moves extensively over land.
- Turtles are frequently concealed by leaves and undergrowth and may not be easily visible.
- Turtles are most active from April 15 – October 15.
- During nesting season (May 15 – July 15) turtles are attracted to disturbed ground.



This species is protected under RSA 212-A and Fis 1000. Thank you for reporting any observations.

PLEASE DO NOT DISTURB OR HANDLE WILDLIFE

