

The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner



February 25, 2013

City of Portsmouth
Department of Public Works
Attn: Steve Parkinson
680 Peverly Hill Road
Portsmouth, NH 03801

RE: NHDES Wetlands File #2012-00751, Mechanic & Pickering Streets, Portsmouth Tax Map/Lot # 103 / N/A

Dear Mr. Parkinson:

As you are aware, The Department of Environmental Services (DES) approved of a wetlands permit, Wetlands Permit #2012-00751, to reconstruct a existing seawall adjacent to Mechanic and Pickering Streets in Portsmouth. The permit sent to you previously inadvertently was missing portions of Condition #6 and omitted Condition #7. Enclosed is the **corrected** Wetlands Permit #2012-00751 including Condition #6 and Condition #7. There are no other changes to the permit. DES apologizes for any inconvenience this may have caused.

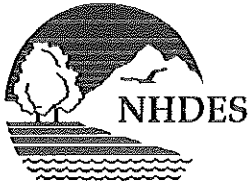
If you have any questions regarding this letter or the permit, please do not hesitate to contact me at (603) 559-1514 or by e-mail at David.Price@des.nh.gov.

Sincerely,

David Price
East Region Compliance Investigator
DES Land Resources Management

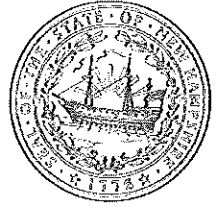
DAP/dap

cc: Portsmouth Conservation Commission
Portsmouth Environmental Planner
Portsmouth Municipal Clerk
GZA GeoEnvironmental, Inc.



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WETLANDS AND NON-SITE SPECIFIC PERMIT 2012-00751

Permittee: City of Portsmouth DPW
680 Peverly Hill Road
Portsmouth, NH 03801

Project Location: Mechanic & Pickering Streets, Portsmouth
Portsmouth Tax Map/Lot No. 103 / NA

Waterbody: Piscataqua River

**NOTE --
CONDITIONS**

APPROVAL DATE: 09/10/2012

EXPIRATION DATE: 09/10/2017

Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Reconstruct 107 linear feet of existing seawall adjacent to a city street in the working waterfront area of the Piscataqua Back Channel, in Portsmouth, including: 395 square feet of tidal impact to reconstruct the seawall and construct stonework stairs as public access to the intertidal zone; 1,100 square feet of developed upland tidal buffer zone impact associated with wall removal and roadbed excavation and replacement; and 1,070 square feet of temporary tidal substrate impact adjacent to work area for work access and installation of water quality protections.

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

1. All work shall be in accordance with revised plans by Vine & Associates/GZA Inc. dated July 2012, as received by the NH Department of Environmental Services (DES) on 8/2/2012.
2. This permit is contingent upon submission to and approval by DES of an erosion control/water quality protection plan prior to the commencement of project work.
3. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate impact area, and shall remain

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- until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low tide.
 8. Cofferdams shall not be installed during periods of high tide. Once a cofferdam is fully effective, confined work can proceed without restriction.
 9. Temporary cofferdams shall be entirely removed immediately following construction.
 10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
 11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
 12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
 13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
 14. All refueling of equipment shall occur outside of surface waters or wetlands.

GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES-Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by DES;
6. This permit shall not be extended beyond the current expiration date.
7. This project has been screened for potential impacts to **known** occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
8. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED: David Price
FOR Dori Wiggin
DES Wetlands Bureau

BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)