



**Department of Environmental Services**



*Ham*  
*69*

**Robert R. Scott, Commissioner**

January 7, 2020

His Excellency, Governor Christopher T. Sununu  
and The Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

Approve Karen A. Finnegan's and Anthony J. Jalbert's request to perform the following work on Rye Harbor in Rye. File # 2019-02320. This project will not have significant impact on or adversely affect the values of Rye Harbor.

Impact a total of 1,080 square feet of tidal resources to include 1,000 square feet of tidal waters and 80 square feet of previously-developed 100-foot tidal buffer zone to construct a new 4 foot x 20 foot accessway, 4 foot x 120 foot pier, 3 foot x 40 foot ramp, and a 10 foot x 40 foot float on 249 feet of frontage along Rye Harbor.

The New Hampshire Department of Environmental Services (NHDES) imposed the following conditions as part of this approval:

1. All work shall be in accordance with the following plans by Ambit Engineering, Inc. dated June 2019 and revised through November 5, 2019 as received by the NH Department of Environmental Services (NHDES) on November 8, 2019.
2. This permit shall not be effective until recorded at the Rockingham County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the NHDES Wetlands Bureau prior to construction.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau Pease office and the Rye Conservation Commission in writing of the date on which work under this permit is expected to start.
4. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the NHDES Wetlands Bureau.
5. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rule Env-Wq 1700.
7. The seasonal structures, including but not limited to the gangway and float, shall be removed during the non-boating season and stored on the existing pier or in an upland location.

8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
11. All construction-related debris shall be properly disposed of outside of the areas subject to RSA 482-A.
12. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
13. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

#### EXPLANATION

The NHDES approved this project on December 04, 2019. The NHDES supported its decision with the following findings:

1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Env-Wt 303.04(v).
2. The overall length of the pier has been reduced from 150 feet to 120 feet; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
4. The approved location, size and configuration of this dock is consistent with other tidal dock approvals in this area.
5. The NH Natural Heritage Bureau (NHB) Datacheck Results Letter (NHB19-1888) dated June 17, 2019 stated, "It was determined that, although there was a NHB record [...] present in the vicinity, we do not expect that it will be impacted by the proposed project."
6. In correspondence dated September 17, 2019, the Pease Development Authority, Division of Ports and Harbors, determined that the project would have no negative effect on navigation in the channel.
7. The NHDES staff field inspection on August 21, 2019 found that the site is accurately represented in the application.
8. The Rye Conservation Commission (RCC) provided comments on the project in a letter dated September 10, 2019 stating, "[t]he RCC has no objections to the project as long as it complies with all [NH]DES requirements."
9. The NH Division of Historical Resources reviewed the project site and found "No Historic Properties Affected."

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and The Honorable Council  
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10. In accordance with RSA 482-A:8, the NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.

Application file documents are being forwarded to the Governor and the Executive Council in connection with their consideration of this matter pursuant to RSA 482-A:3,II.(a) as it is a major project in public waters of the state.

We respectfully request your approval of this item.

A handwritten signature in black ink, appearing to read "Robert R. Scott", written over a horizontal line.

Robert R. Scott  
Commissioner



# WETLANDS PERMIT APPLICATION

Land Resources Management

Wetlands Bureau

Check the status of your application: [www.des.nh.gov/onestop](http://www.des.nh.gov/onestop)



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

	<p><b>COMPLETE</b> Administrative Use Only JUL 29 2019</p>	<p>Administrative Use Only</p>	File No: <u>2019-02320</u>
			Check No: <u>2797</u>
			Amount: <u>2,080</u>
			Initials: <u>SBK</u>

**1. REVIEW TIME:**  
Indicate your Review Time below. Refer to Guidance Document A for instructions.

- Standard Review (Minimum, Minor or Major Impact)
  Expedited Review (Minimum Impact only)

**2. PROJECT LOCATION:**  
Separate applications must be filed with each municipality that jurisdictional impacts will occur in:

ADDRESS: 161 Harbor Road TOWN/CITY: Rye

TAX MAP: 9:2 BLOCK: \_\_\_\_\_ LOT: 23 UNIT: \_\_\_\_\_

USGS TOPO MAP WATERBODY NAME: Rye Harbor  NA STREAM WATERSHED SIZE:  NA

LOCATION COORDINATES (if known): X:1,229,285.3610 Y: 183,508.4884  Latitude/Longitude  UTM  State Plane

**3. PROJECT DESCRIPTION:**  
Provide a brief description of the project outlining the scope of work. Attach additional sheets as needed to provide a detailed explanation of your project. DO NOT reply "See Attached" in the space provided below.

The project proposes 1,120 sq. ft. of permanent impact to tidal wetland and 80 sq. ft. of permanent impact to the previously developed 100' Tidal Buffer Zone for construction of a docking structure consisting of a 4' x 20' accessway, a 4' x 150' fixed wood pier, a 3' x 40' aluminum gangway, and a 10' x 40' float (overall structure length 200') providing two slips on 250 +/- feet of frontage along Rye Harbor.

**4. SHORELINE FRONTAGE:**

NA This lot has no shoreline frontage. SHORELINE FRONTAGE: 250 feet  
 Shoreline frontage is calculated by determining the average of the distances of the actual natural navigable shoreline frontage and a straight line drawn between the property lines, both of which are measured at the normal high water line.

**5. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC.**

DES Wetland: 2016-03072

**6. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:**  
See the Instructions & Required Attachments document for instructions to complete a & b below.

- a. Natural Heritage Bureau File ID: NHB 19 - 1888
- b.  Designated River the project is in ¼ miles of: \_\_\_\_\_ ; and date a copy of the application was sent to the Local River Management Advisory Committee: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_
- NA

<b>7. APPLICANT INFORMATION: (Desired permit holder)</b>			
LAST NAME, FIRST NAME, M.I.: Jalbert, Anthony J. & Finnegan, Karen, A.			
TRUST/ COMPANY NAME:		MAILING ADDRESS:	
TOWN/CITY:		STATE:	ZIP CODE:
EMAIL or FAX:		PHONE:	
ELECTRONIC COMMUNICATION: By initialing here: _____, I hereby authorize NHDES to communicate all matters relative to this application electronically			
<b>8. PROPERTY OWNER INFORMATION: (if different than applicant)</b>			
LAST NAME, FIRST NAME, M.I.:			
TRUST/ COMPANY NAME:		MAILING ADDRESS:	
TOWN/CITY:		STATE:	ZIP CODE:
EMAIL or FAX:		PHONE:	
ELECTRONIC COMMUNICATION: By initialing here: _____, I hereby authorize NHDES to communicate all matters relative to this application electronically			
<b>9. AUTHORIZED AGENT INFORMATION</b>			
LAST NAME, FIRST NAME, M.I.: Riker, Steven, D.		COMPANY NAME: Ambit Engineering, Inc.	
MAILING ADDRESS: 200 Griffin Road, Unit 3			
TOWN/CITY: Portsmouth		STATE: NH	ZIP CODE: 03801
EMAIL or FAX: sdr@ambitengineering.com		PHONE: 603-430-9282	
ELECTRONIC COMMUNICATION: By initialing here <i>SR</i> , I hereby authorize NHDES to communicate all matters relative to this application electronically			
<b>10. PROPERTY OWNER SIGNATURE:</b>			
See the Instructions & Required Attachments document for clarification of the below statements			
By signing the application, I am certifying that:			
<ol style="list-style-type: none"> <li>1. I authorize the applicant and/or agent indicated on this form to act in my behalf in the processing of this application, and to furnish upon request, supplemental information in support of this permit application.</li> <li>2. I have reviewed and submitted information &amp; attachments outlined in the Instructions and Required Attachment document.</li> <li>3. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.</li> <li>4. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.</li> <li>5. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.</li> <li>6. Any structure that I am proposing to repair/replace was either previously permitted by the Wetlands Bureau or would be considered grandfathered per Env-Wt 101.47.</li> <li>7. I have submitted a Request for Project Review (RPR) Form (<a href="http://www.nh.gov/nhdhr/review">www.nh.gov/nhdhr/review</a>) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to identify the presence of historical/ archeological resources while coordinating with the lead federal agency for NHPA 106 compliance.</li> <li>8. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project.</li> <li>9. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.</li> <li>10. I understand that the willful submission of falsified or misrepresented information to the New Hampshire Department of Environmental Services is a criminal act, which may result in legal action.</li> <li>11. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.</li> </ol>			
 Property Owner Signature		Agent-See Authorization Steven-D. Riker Print name legibly	7 / 17 / 2018 Date

## MUNICIPAL SIGNATURES

### 11. CONSERVATION COMMISSION SIGNATURE

The signature below certifies that the municipal conservation commission has reviewed this application, and:

1. Waives its right to intervene per RSA 482-A:11;
2. Believes that the application and submitted plans accurately represent the proposed project; and
3. Has no objection to permitting the proposed work.

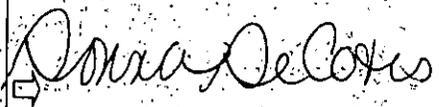
	Print name legibly	Date
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#### DIRECTIONS FOR CONSERVATION COMMISSION

1. Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
2. Expedited review requires the Conservation Commission signature be obtained prior to the submittal of the original application to the Town/City Clerk for signature.
3. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, the application is not eligible for expedited review and the application will be reviewed in the standard review time frame.

### 12. TOWN / CITY CLERK SIGNATURE

As required by Chapter 482-A:3 (amended 2014), I hereby certify that the applicant has filed four application forms, four detailed plans, and four USGS location maps with the town/city indicated below.

	Donna DeCotis	Rye	7-18-19
Town/City Clerk Signature	Print name legibly	Town/City	Date

#### DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,1

1. For applications where "Expedited Review" is checked on page 1, if the Conservation Commission signature is not present, NHDES will accept the permit application, but it will NOT receive the expedited review time.
2. IMMEDIATELY sign the original application form and four copies in the signature space provided above;
3. Return the signed original application form and attachments to the applicant so that the applicant may submit the application form and attachments to NHDES by mail or hand delivery.
4. IMMEDIATELY distribute a copy of the application with one complete set of attachments to each of the following bodies: the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board; and
5. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

#### DIRECTIONS FOR APPLICANT:

1. Submit the single, original permit application form bearing the signature of the Town/ City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery.

**13. IMPACT AREA**

For each jurisdictional area that will be/has been impacted, provide square feet and, if applicable, linear feet of impact.

*Permanent: impacts that will remain after the project is complete*

*Temporary: impacts not intended to remain (and will be restored to pre-construction conditions) after the project is complete*

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	ATF	TEMPORARY Sq. Ft. / Lin. Ft.	ATF
Forested wetland /		<input type="checkbox"/>		<input type="checkbox"/>
Scrub-shrub wetland		<input type="checkbox"/>		<input type="checkbox"/>
Emergent wetland		<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow		<input type="checkbox"/>		<input type="checkbox"/>
Intermittent stream		<input type="checkbox"/>		<input type="checkbox"/>
Perennial Stream / River	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Lake / Pond	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Bank - Intermittent stream	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Bank - Perennial stream / River	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Bank - Lake / Pond	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Tidal water	1,120 /	<input type="checkbox"/>	/	<input type="checkbox"/>
Salt marsh		<input type="checkbox"/>		<input type="checkbox"/>
Sand dune		<input type="checkbox"/>		<input type="checkbox"/>
Prime wetland		<input type="checkbox"/>		<input type="checkbox"/>
Prime wetland buffer		<input type="checkbox"/>		<input type="checkbox"/>
Undeveloped Tidal Buffer Zone (TBZ)		<input type="checkbox"/>		<input type="checkbox"/>
Previously-developed upland in TBZ	80	<input type="checkbox"/>		<input type="checkbox"/>
Docking - Lake / Pond		<input type="checkbox"/>		<input type="checkbox"/>
Docking - River		<input type="checkbox"/>		<input type="checkbox"/>
Docking - Tidal Water		<input type="checkbox"/>		<input type="checkbox"/>
<b>TOTAL</b>	<b>1,200 /</b>		<b>/</b>	

**14. APPLICATION FEE:** See the Instructions & Required Attachments document for further instruction

Minimum Impact Fee: Flat fee of \$ 200

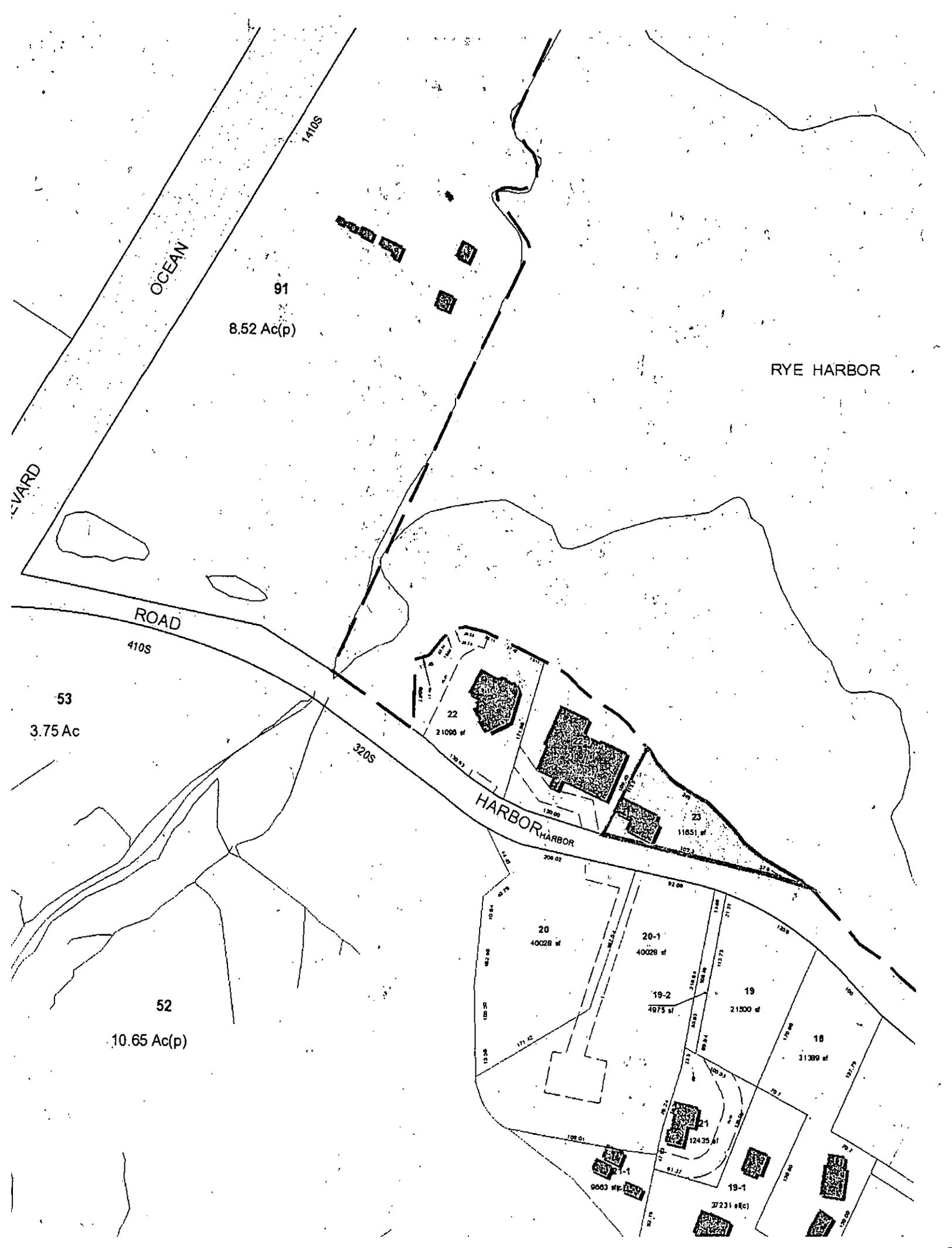
Minor or Major Impact Fee: Calculate using the below table below

Permanent and Temporary (non-docking)	sq. ft.	X \$0.20 =	\$
Temporary (seasonal) docking structure:	520 sq. ft.	X \$1.00 =	\$ 520.00
Permanent docking structure:	680 sq. ft.	X \$2.00 =	\$ 1,360.00
Projects proposing shoreline structures (including docks) add \$200 =			\$ 200.00
Total =			\$ 2,080.00

The Application Fee is the above calculated Total or \$200, whichever is greater = \$

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

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095  
www.des.nh.gov



OCEAN

RYE HARBOR

ROAD

HARBOR

91  
8.52 Ac(p)

53  
3.75 Ac

52  
10.65 Ac(p)

22  
21000 sf

20  
40028 sf

20-1  
40028 sf

19  
21300 sf

18  
31389 sf

21  
12435 sf

19-1  
37231 sf(c)

19-2  
4075 sf

1410S

410S

320S

200 02

HARBOR

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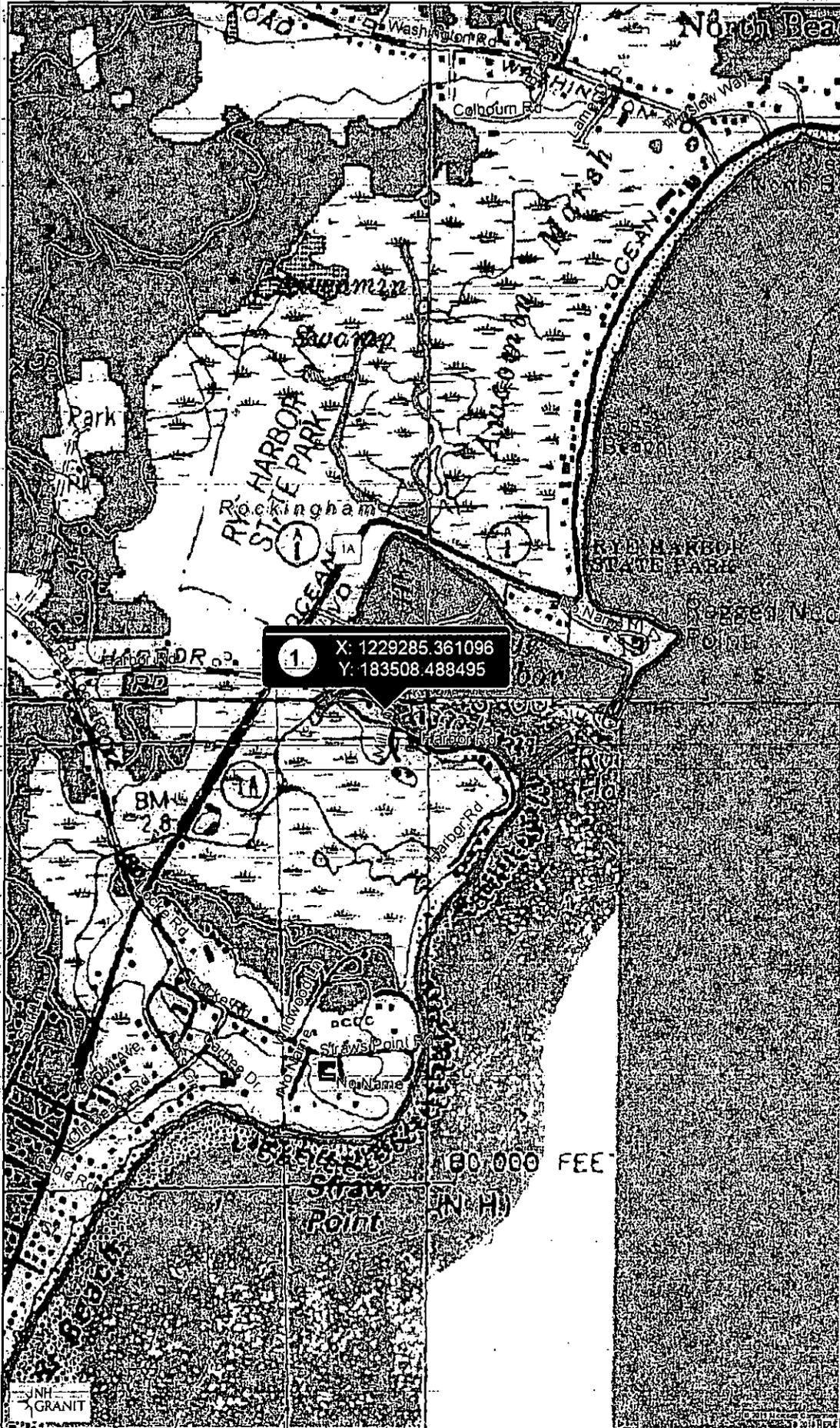
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# Map by NH GRANIT



## Legend

- State
- County
- City/Town

1 X: 1229285.361096  
Y: 183508.488495

Map Scale

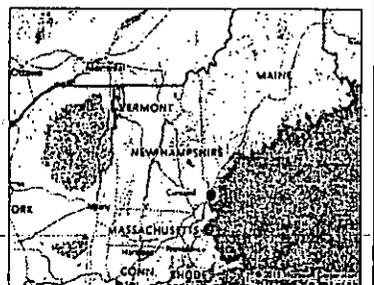
1: 12,988

© NH GRANIT, [www.granit.unh.edu](http://www.granit.unh.edu)

Map Generated: 6/17/2019



## Notes





NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

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**To:** John Chagnon, Ambit Engineering, Inc.  
200 Griffin Road  
Unit 3  
Portsmouth, NH 03801

**From:** NH Natural Heritage Bureau

**Date:** 6/21/2019 (valid for one year from this date)

**Re:** Review by NH Natural Heritage Bureau of request submitted 6/17/2019

**NHB File ID:** NHB19-1888

**Applicant:** Anthony J. Jalbert & Karen  
A. Finnegan

**Location:** Rye  
Tax Maps: Tax Map 9.2, Lot 23

**Project**

**Description:** The project proposes a tidal docking structure on the subject lot.

The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government.

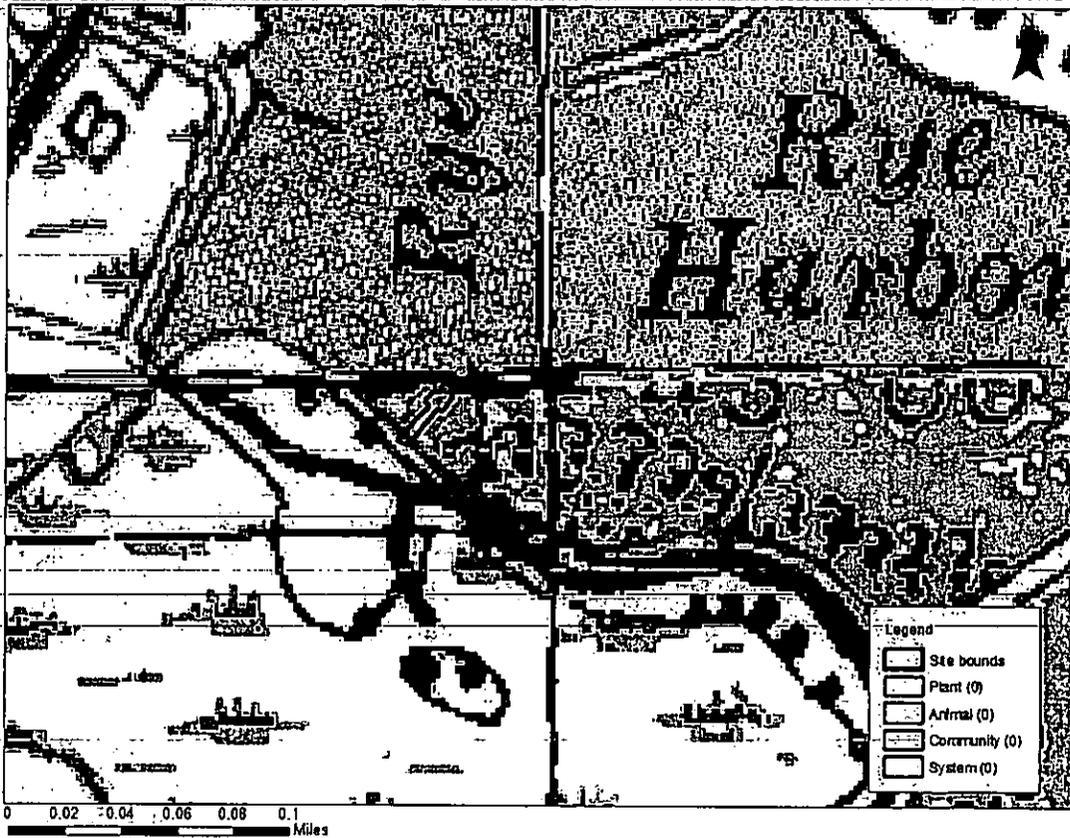
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 6/17/2019, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATA CHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB19-1888

NHB19-1888



**ABUTTER'S LIST**

**JN 2552.92**

**Anthony J. Jalbert & Karin A. Finnegan  
161 Harbor Road  
Rye, NH**

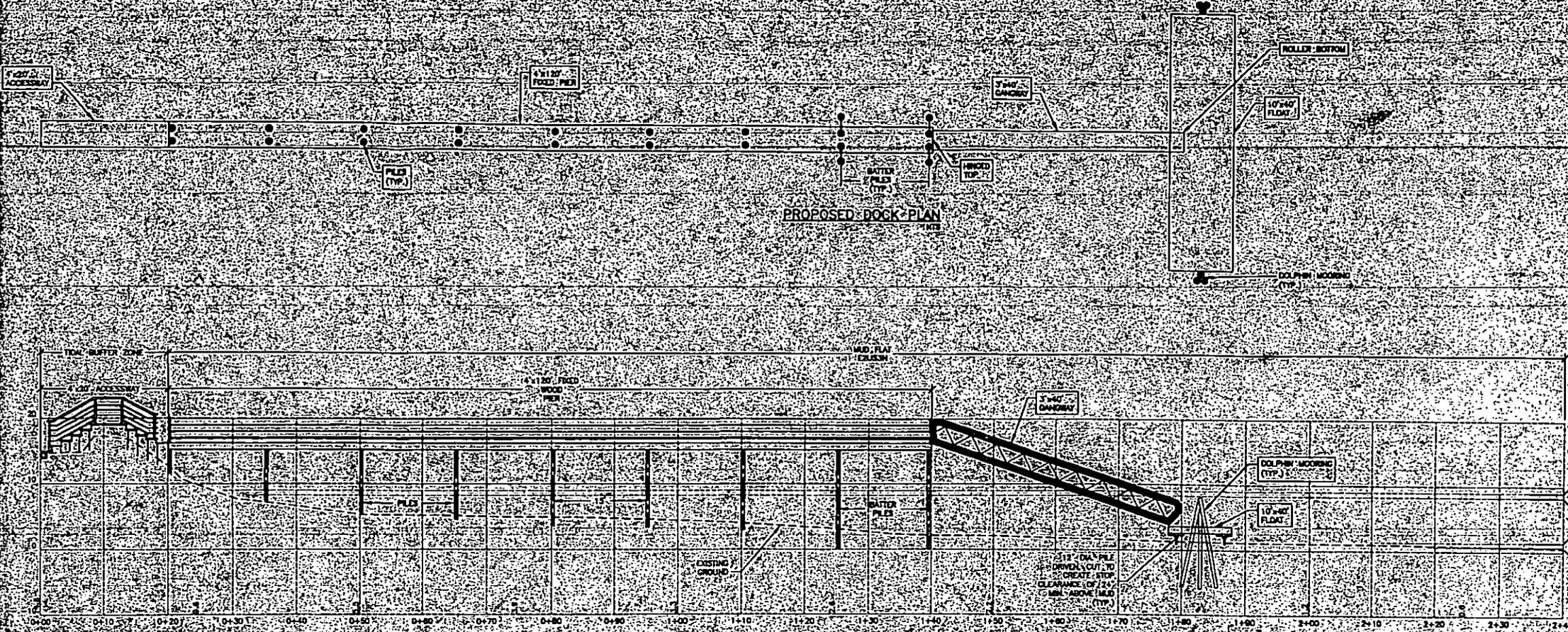
<b>MAP</b>	<b>LOT</b>	<b>NAME(S)</b>	<b>PO BOX</b>	<b>STREET ADDRESS</b>	<b>CITY/STATE/ZIP</b>
9.2	22-1	Elizabeth B. Hurley Rev. Trust Elizabeth B. Hurley Trustee			
		Engineer <b>Ambit Engineering, Inc.</b> Civil Engineers & Land Surveyors		200 Griffin Road, Unit 3	Portsmouth, NH 03801
9.2	23	Anthony J. Jalbert & Karen A. Finnegan			





**AMBIT ENGINEERING, INC.**  
Civil Engineers & Land Surveyors  
200 Oldfield Road - South 13  
Rye, NH 03081  
Tel: (603) 436-2222  
Fax: (603) 436-2218

- NOTES:**
- 1) THE CONTRACTOR SHALL NOTIFY DNR SAFETY AT (603) 888-0606 SAFETY AT (603) 888-3447 (7233) AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION ON PUBLIC OR PRIVATE PROPERTY.
  - 2) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED LOCATIONS AND PROTECTING ANY ABOVE GROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR THE OWNER. UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.
  - 3) CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION CONTROL MEASURES IN ACCORDANCE WITH THE NEW HAMPSHIRE STORMWATER MANUAL VOLUME 3, EROSION AND SEDIMENT CONTROLS DURING CONSTRUCTION (REVISED DECEMBER 2008).
  - 4) NUMBER OF PILES TO BE DRIVEN FOR DOCKING STRUCTURE NOT TO EXCEED 28 AS DEPICTED ON PROPOSED DOCK ELEVATION. ALSO NOTE TIME OF YEAR AND HOUSE RESTRICTIONS FOR DRIVING OF PILES.
  - 5) VERTICAL DATUM IS MEAN LOW LOW WATER LEVEL. NAVD83 BASIS FOR VERTICAL DATUM IS NH DOT BENCHMARK 1133-0410.



**PROPOSED PIER, GANGWAY & FLOAT w/ PILES**



**SEQUENCE OF CONSTRUCTION**

- 1) MOBILIZATION TO AND FROM SITE FROM TRUCK, BOAT, CANALWAY AND FLOAT TO THE SITE VIA AVAILABLE ACCESS.
- 2) MOBILIZATION OF EQUIPMENT TRUCKS TO THE SITE.
- 3) THE BARGE SHALL BE POSITIONED ALONGSIDE THE PROPOSED LOCATION OF THE NEW DOCK AND WATERWARD OF ANY EMERGENT VEGETATION TO MINIMIZE IMPACTS.
- 4) INSTALLATION OF THE SUB STRUCTURE WILL BE PERFORMED FROM A CRANE, BARGE OR SKIFF TO REDUCE THE AMOUNT OF FOOT TRAFFIC IN THE INTERTIDAL AREA.
- 5) ALL WORK WILL BE PERFORMED AT LOW TIDE TO MINIMIZE SEDIMENTATION.
- 6) SUPER STRUCTURE OF THE PIER IS BUILT. MATERIALS ARE LIFTED FROM THE BARGE AND SET INTO POSITION BY THE CRANE.
- 7) ONCE THE PIER IS COMPLETE, THE GANGWAY AND FLOAT ARE BROUGHT INTO POSITION AND INSTALLED.

**HEAVY EQUIPMENT IN WETLANDS OR FLOODPLAINS**

OPERATING HEAVY EQUIPMENT OTHER THAN FIXED EQUIPMENT (DRILL RIGS, CRANES, ETC.) WITHIN WETLANDS SHALL BE MINIMIZED AND SUCH EQUIPMENT SHALL NOT BE STORED, MAINTAINED OR REPAIRED IN WETLANDS TO THE MAXIMUM EXTENT PRACTICABLE. WHERE CONSTRUCTION REQUIRES HEAVY EQUIPMENT OPERATION IN WETLANDS THE EQUIPMENT SHALL EITHER HAVE LOW GROUND PRESSURE (TYPICALLY 3 PSI) OR IT SHALL BE PLACED ON SWAMP CONSTRUCTION/TIMBER MATS (HEREIN REFERRED TO AS CONSTRUCTION MATS) AND DEFINED AS APPENDIX A, ENNOTE 34) THAT ARE ADEQUATE TO SUPPORT THE EQUIPMENT IN SUCH A WAY AS TO MINIMIZE DISTURBANCE OF WETLAND SOILS AND VEGETATION. CONSTRUCTION MATS ARE TO BE PLACED IN THE WETLAND FROM THE UPLAND OR FROM EQUIPMENT POSITIONED ON SWAMP MATS IF WORKING WITHIN A WETLAND. DRAGGING CONSTRUCTION MATS INTO POSITION IS PROHIBITED. OTHER SUPPORT STRUCTURES THAT ARE CAPABLE OF SAFELY SUPPORTING EQUIPMENT MAY BE USED WITH WRITTEN CORPS AUTHORIZATION (CATEGORY 1) AUTHORIZATION OR INDIVIDUAL PERMIT. SWAMP MATS MAY BE USED WITH WRITTEN AUTHORIZATION FROM THE CORPS TO HAVE USE OF MATS DURING FROZEN SOIL OR OTHER CONDITIONS THAT ADEQUATE SUPPLY OF SPILL CONTAINMENT EQUIPMENT SHALL BE MAINTAINED ON SITE. CONSTRUCTION MATS SHOULD BE MANAGED IN ACCORDANCE WITH THE CONSTRUCTION MAT BMPs AT: <http://www.navy.mil/naac/missions/regulatory/>

**TIME OF YEAR WORK WINDOWS/RESTRICTIONS**

NON-TIDAL WATERS	NOV 15 - JUL 15	JUL 15 - SEP 30
TIDAL WATERS	APR 10 - NOV 15	NOV 15 - APR 09

ALTERNATE WINDOWS AUTHORIZED UNDER CATEGORY 2 MAY INCLUDE SPECIFIC WINDOWS RECOMMENDED BY THE MAINE DEPT. OF MARINE RESOURCES AND/OR MAINE DEPT. OF WILDLIFE & FORESTRY.

**FLOODPLAINS AND FLOODWAYS**

- APPROPRIATE MEASURES MUST BE TAKEN TO MINIMIZE FLOODING TO THE MAXIMUM EXTENT PRACTICABLE.
- ACTIVITIES WITHIN 100-YEAR FLOODPLAINS MUST COMPLY WITH APPLICABLE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) APPROVED STATE AND/OR LOCAL FLOODPLAIN MANAGEMENT PERMITTING REQUIREMENTS. PROPONENTS MAY NEED TO COORDINATE WITH FEMA (AND APPLY FOR A FORMAL CHANGE TO THE FLOOD INSURANCE STUDY (PRODUCTS OR FORWARD A SET OF PROJECT PLANS AND RELEVANT TECHNICAL DOCUMENTATION IN A DIGITAL FORMAT TO THE DISTRICTAL OFFICE BRANCH CHIEF, FLOODPLAIN DIVISION, FEMA REGION 1, 1700 BROAD STREET, BOSTON, MASSACHUSETTS 02110). APPLICANTS SHOULD PROVIDE A COPY OF ANY DOCUMENTATION TO THE CORPS ALONG WITH THE PCN.
- PROONENTS MAY HAVE TO OBTAIN A FLOOD HAZARD DEVELOPMENT PERMIT ISSUED BY THE TOWN. INQUIRIES MAY BE DIRECTED TO THE MUNICIPALITY OR TO THE MAINE FLOODPLAIN MANAGEMENT COORDINATOR AT (207) 287-8083. SEE: <http://www.maine.gov/dacf/flood/>

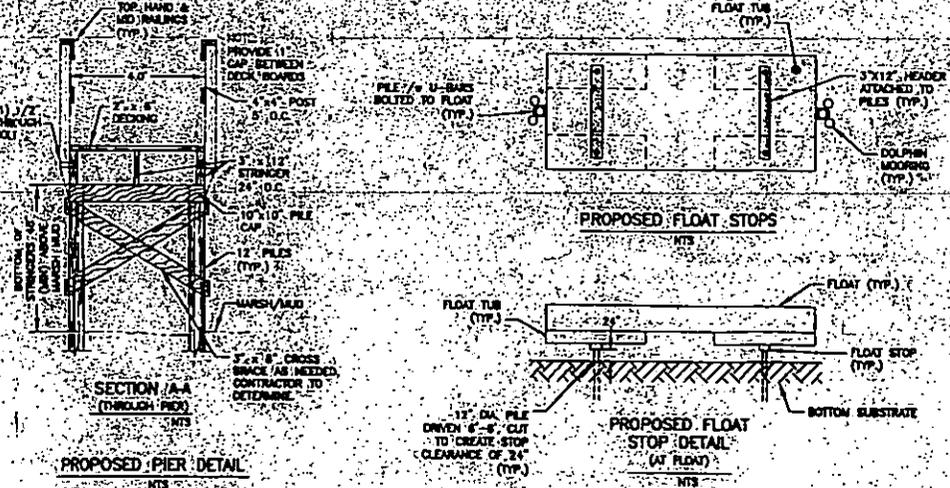
**STORAGE OF SEASONAL STRUCTURES**

SEASONAL OR RECREATIONAL STRUCTURES SUCH AS PIERS, SECTIONS, FLOATS, AQUACULTURE STRUCTURES, ETC. THAT ARE REMOVED FROM THE WATERWAY FOR A PORTION OF THE YEAR (OFTEN REFERRED TO AS SEASONAL STRUCTURES) SHALL BE STORED IN AN UPLAND LOCATION (LANDWARD OF HIGHEST ANNUAL TIDE (H.A.T.) OR ORDINARY HIGH WATER (OHW)) AND NOT IN WETLANDS, TIDAL WETLANDS, OTHER SUBSTRATE (OR TON) WADZPLATS. THESE SEASONAL STRUCTURES MAY BE STORED ON THE FIXED PILE SUPPORTED PORTION OF THE STRUCTURE THAT IS WATERWARD OF H.A.T. OR LOW SEASONAL STORAGE OF STRUCTURES IN INAVIGABLE WATERS E.G. IN A PROTECTED COVE (ON A) MOORING, REQUIRES CORPS APPROVAL AND LOCAL TOWNMASTER APPROVAL.

**SPAWNING, BREEDING AND MIGRATORY AREAS**

A. JURISDICTIONAL ACTIVITIES AND IMPACTS SUCH AS EXCAVATIONS, DISCHARGES OF DREDGED OR FILL MATERIAL AND/OR SUSPENDED SEDIMENT PRODUCING ACTIVITIES IN JURISDICTIONAL WATERS THAT PROVIDE VALUE AS FISH WADZPLATS, SPAWNING AREAS, FISH AND SHELLFISH SPAWNING OR NURSERY AREAS, OR AMPHIBIAN AND REPTILIAN BREEDING AREAS. WADZPLATS AND SPAWNING AREAS SHALL BE AVOIDED AND MINIMIZED TO THE MAXIMUM EXTENT PRACTICABLE.

B. JURISDICTIONAL ACTIVITIES IN WATERS OF THE UNITED STATES THAT PROVIDE VALUE AS BREEDING AREAS FOR MIGRATORY BIRDS MUST BE AVOIDED TO THE MAXIMUM EXTENT PRACTICABLE. THE PERMITTEE IS RESPONSIBLE FOR OBTAINING ANY TAKE PERMITS REQUIRED UNDER THE USFWS'S REGULATIONS GOVERNING COMPLIANCE WITH THE MIGRATORY BIRD TREATY ACT FOR THE BALD AND GOLDEN EAGLE PROTECTION ACT. THE PERMITTEE SHOULD CONTACT THE APPROPRIATE LOCAL OFFICE OF THE USFWS TO DETERMINE IF SUCH TAKE PERMITS ARE REQUIRED FOR A PARTICULAR ACTIVITY.



**JALBERT RESIDENCE**  
161 HARBOR ROAD  
RYE, NH

NO.	DESCRIPTION	DATE
01	REVISED DOCK LOCATION AND DESIGN	11/5/19
02	ISSUED FOR COMMENT	7/12/19

REVISIONS

SCALE: AS SHOWN  
JUNE 2019  
DETAILS  
D1