

The State of New Hampshire

Department of Environmental Services



Robert R. Scott, Commissioner

October 10, 2018

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

OCT12'18 12.40 DAS

REQUESTED ACTION

Approve the Town of Moultonborough's request to perform the following work on Lake Winnipesaukee, in Moultonborough. File # 2018-01134. This project will not have significant impact on or adversely affect the values of Lake Winnipesaukee.

Dredge 2,500 cubic yards from 27,000 square feet of lakebed to remove sediment that has eroded from State's Landing Road into the public swimming area and boat launch on an average of 295 feet of shoreline along Lake Winnipesaukee, in Moultonborough.

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 plans by KV Partners, LLC dated August 15, 2018, as received by the NHDES on August 29, 2018.
- 2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
- 3. The Applicant shall implement and adhere to the Invasive Species Control Plan, Lake Winnipesaukee, States Landing Beach at States Landing Road, Moultonborough, NH.
- 4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
- 5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
- Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
- 7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain in place until suspended particles have settled and water at the work site has returned to normal clarity.
- 8. All dredged material shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
- The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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- 10. This permit authorizes a single dredge event in the area depicted on the approved plans to correct the effects inadequate stormwater management and soil stabilization along State's Landing Road. The Applicant accepts that should the dredge area be refilled no new dredge will be permitted.
- 11. The entire dredge area shall be enclosed by appropriate turbidity controls.
- 12. Equipment initially entering surface waters shall be completely free of any imported aquatic plants and animals.
- 13. Watercraft and equipment washing/rinsing shall not occur in any area that is subject to RSA 482-A jurisdiction.
- 14. Launching and recovering equipment and off-loading spoils shall not destabilize or otherwise disturb the bank.
- 15. 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 Env-Wg 1700.
- 16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.

EXPLANATION

The NHDES Wetlands Bureau approved this project on September 10, 2018. The NHDES supported its decision with the following findings:

- 1. This is a major impact project per Administrative Rule Env-Wt 303.02(g), dredge of more than 20 cubic yards of material from public waters.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnipesaukee a public hearing under RSA 482-A:8 is not required.
- The sediment to be removed from the lakebed consists largely of sand and silt eroded from State's Landing Road and deposited by stormwater running down the existing boat launch and across the existing public beach.
- 7. The Town of Moultonborough has completed improvements to the stormwater management along State's Landing Road and has proposed additional improvements to the stormwater management along both the Road and upslope of the public beach.
- 8. The proposed dredging in combination with the completed and proposed stormwater management improvements shall serve to correct site conditions that have been causing continuing adverse impacts to Lake Winnipesaukee.

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Application file documents are being forwarded to the Governor and 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 submit this request for your consideration.

Robert R. Scott

Commissioner



APR: 2-3-2018

WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau **Land Resources Management**



Chack No 40469

Check the status of your application: www.des.nh.gov/onestop ARDID REA 482 4/1500-900

Admin strative

CONFLETE

APR-2-3-2018.

NHDES	Quit _i		Only	Arroser \$5,400	0.00	
LAND RESOURCES MANAGEMENT			·	indials: 181	<u> </u>	
1. REVIEW TIME: Indicate your Review	w Time below. To determine r	eview time, refer	to <u>Guidance Docui</u>	ment A for instructions.		
Standard Review (Minimum, Minor or Major Impact)			☐ Expedited Review (Minimum Impact only)			
2. MITIGATION REQUIREMENT: If mitigation is required a Mitigation-Pre if Mitigation is Required, please refer to	Application meeting must occurrent the Determine if Mitigation is	ur prior to subm Required Freque	itting this Wetlands	Permit Application. To det	ermine	
Mitigation Pre-Application Meetin ☐ N/A - Mitigation is not require	ng Date: Month: Day: d	Year:			_	
3. PROJECT LOCATION: Separate wetland permit applications m	ust be submitted for each mur	nicipality that we	tland impacts occur	within.		
ADDRESS: States Landing Beach F	-			VCITY: Moultonborough		
TAX MAP: 120	BLOCK: n/a	LOT: 9	5	UNIT: n/a		
USGS TOPO MAP WATERBODY NAME: L	ake Winnipesaukee	□ NA	A STREAM WATERSHED SIZE:		⊠ NA	
LOCATION COORDINATES (If known): 43	4336.00/712226.65	•	<u> </u>		 J UTM	
4. PROJECT DESCRIPTION: Provide a brief description of the project of your project. DO NOT reply "See Atta Dredge the swim and boat ramp a located at the terminus of States areas to their historic recreational."	areas in Lake Winnipausa Landing Road, The purpo	ukee at the Si	tates Landing Be	each Recreational Area		
5. SHORELINE FRONTAGE:			· .		`	
NA This does not have shoreline from		RELINE FRONT				
Shoreline frontage is calculated by determined the broperty straight line drawn between the property	mining the average of the dist lines, both of which are meas	tances of the act sured at the nom	ual natural navigab nal high water line.	le shoreline frontage and a		
 RELATED NHDES LAND RESOURCE Please indicate if any of the following performance in other Land Resources N 	mit applications are required	and, if required.	the status of the an	polication		
Permit Type	Permit Required	File Numbe		lication Status		
Alteration of Terrain Permit Per RSA 485 Individual Sewerage Disposal per RSA 4 Subdivision Approval Per RSA 485-A Shoreland Permit Per RSA 483-B	5-A:17		APPRO	VED ☐ PENDING ☐ DE VED ☐ PENDING ☐ DE	NIED	
7. NATURAL HERITAGE BUREAU & I See the Instructions & Required Attachm	DESIGNATED RIVERS: nents document for instruction	s to complete a	& b below.		\neg	
a. Natural Heritage Bureau File ID: N	нв <u>18</u> - <u>1116</u> .	-				
 b. ☐ <u>Designated River</u> the project is ir date a copy of the application wa ☑ N/A 	n ¼ miles of: us sent to the <u>Local River Man</u>	agement Adviso	; and ry Committee: Mont	th: Day: Year:		

8. APPLICANT INFORMATION (Desired permit holde	or)						
LAST NAME, FIRST NAME, M.I.: Town of Moultonboro	ugh			·			
TRUST / COMPANY NAME: Town of Moultonborough	MAILING ADDRESS	RESS: 6 Holland Street, PO Box 139					
TOWN/CITY: Moultonborough		STATE: N	IH	ZIP CODE: 03254			
EMAIL or FAX: wjohnson@moultonboroughnh.gov PH			HONE: 603-476-2347				
ELECTRONIC COMMUNICATION: By initialing here: WJ , I	hereby authorize	NHDES to commu	nicate all matters	relative to	o this application electronically		
9. PROPERTY OWNER INFORMATION (If different the							
LAST NAME, FIRST NAME, M.I.:							
TRUST / COMPANY NAME:	1.	MAILING ADDRESS	3:				
TOWNCITY:			STATE:		ZIP CODE:		
EMAIL or FAX:	EMAIL or FAX: PHONE						
ELECTRONIC COMMUNICATION: By initialing hereelectronically.	I hereby autho	rize NHDES to com	nunicate all matte	rs relativ	e to this application		
10. AUTHORIZED AGENT INFORMATION							
LAST NAME, FIRST NAME, M.I.: Korber, Raymond H			COMPANY NAME: KVPartners LLC				
MAILING ADDRESS: PO Box 7721				·			
TOWN/CITY: Gilford			STATE: N		ZIP CODE: 03247		
EMAIL or FAX: rkorber@kvpllc.com PHONE: 603-513-1909					· · · · · · · · · · · · · · · · · · ·		
ELECTRONIC COMMUNICATION: By initialing here RK , I he	ereby authorize	NHDES to commun	icate all matters re	lative to	this application electronically.		
11. PROPERTY OWNER SIGNATURE: See the Instructions & Required Attachments document for	or clarification	of the below state	ments		·.		
By signing the application, I am certifying that:							
I authorize the applicant and/or agent indicated on	this form to ac	t in my behalf in t	he processing o	f this ap	plication, and to fumish		
upon request, supplemental information in support 2. I have reviewed and submitted information & attack	t of this permit hments outline	application. d in the Instruction	ns and Required	l Attachi	mant document		
3. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.							
4. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.							
5. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative. 6. Any structure that I am proposing to repair/replace was either previously permitted by the Wollands Burgon or would be considered.							
grandfathered per Env-Wt 101.47.							
7. I have submitted a Request for Project Review (RP (SHPO) at the NH Division of Historical Resources	to identify the	v.nh.gov/nhdhr/rev presence of histo	<u>/iew)</u> to the NH : rical/ archeologi	State Hi cal reso	storic Preservation Officer ources while coordinating		
with the lead federal agency for NHPA 106 compliance. 8. I authorize NHDES and the municipal conservation.		n increat the cite.	of the e	!4			
I have reviewed the information being submitted an	nd that to the b	est of my knowled	or the proposed Ide the informati	project.	ie and accumte		
 I understand that the willful submission of falsified of 	or misrepreser	ited information to	the New Hamp	shire De	epartment of		
Environmental Services is a criminal act, which may result in legal action. 11. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.							
Tam aware that the work I am proposing may requi The mailing addresses I have provided are up to da forward returned mail.	ire additional s ate and approp	tate, local or feder priate for receipt of	ral permits which f NHDES corres	n I am re ponden	esponsible for obtaining. ce. NHDES will not		
<u> </u>		1	· · — · · — · — · — · — · — · — · — · —	443 =			
Jan in Brookle	Jean m	Bradie		4119	1/2018		
Property Owner Signature	Print name legi	bly		Date			

Irm@des.nh.gov or (603) 271-2147
NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

MUNICIPAL SIGNATURES

12. 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.

Marie Samsha

Marie Samaka
Print name legibly

4-79-18

Date

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.

13. 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.

Busaw Wulffeld

Town/City Clerk Signature

Print name legibly

Barbara Wakefield Moutforboro

Town/City

4/20/18

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.

14. IMPACT AREA: For each jurisdictional area that will the permanent: impacts that will remain to the permanent: impacts not intended to the permanent.	after the project is complete.				-	
JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.			TEMPORARY Sq. Ft. / Lin. Ft.		
Forested wetland		ATF	 		☐ ATF	
Scrub-shrub wetland		ATF	· · · · · ·			
Emergent wetland		☐ ATF				
Wet meadow		ATF				
Intermittent stream		ATF			ATF	
Perennial Stream / River	27,000 /	ATF		1		
Lake / Pond	. /	ATF		7	ATF	
Bank - Intermittent stream	1	ATF		1	ATF	
Bank - Perennial stream / River	1	ATF		1		
Bank - Lake / Pond	/	ATF		1		
Tidal water	/	ATF		1 .		
Salt marsh		ATF			ATF	
Sand dune		ATF			ATF	
Prime wetland		ATF				
Prime wetland buffer		☐ ATF				
Undeveloped Tidal Buffer Zone (TBZ)		ATF				
Previously-developed upland in TBZ		☐ ATF				
Docking - Lake / Pond		☐ ATF		47114	ATF	
Docking - River		☐ ATF				
Docking - Tidal Water	A	☐ ATF			ATF	
Vernal Pool		ATF			ATF	
TOTAL	1			1		
15. APPLICATION FEE: See the Inst	ructions & Required Attachments	document for furth	ner instruction			
☐ Minimum Impact Fee: Flat fee of \$ ☐ Minor or Major Impact Fee: Calculate	late using the below table below		ı			
Permanent a	nd Temporary (non-docking)	27000 sq. ft.	_ X \$0.20 =	\$ 5400		
Temporary (seasonal) docking structure: sq. ft. X \$1.00 =						
	Permanent docking structure:	sq. ft.	_	\$		
Projects	s proposing shoreline structure	s (including dock				
The same of the same	.		Total =		 j	
ne Application	n Fee is the above calculated Tot	al or \$200, whiche	ver is greater =	<u> \$</u>		





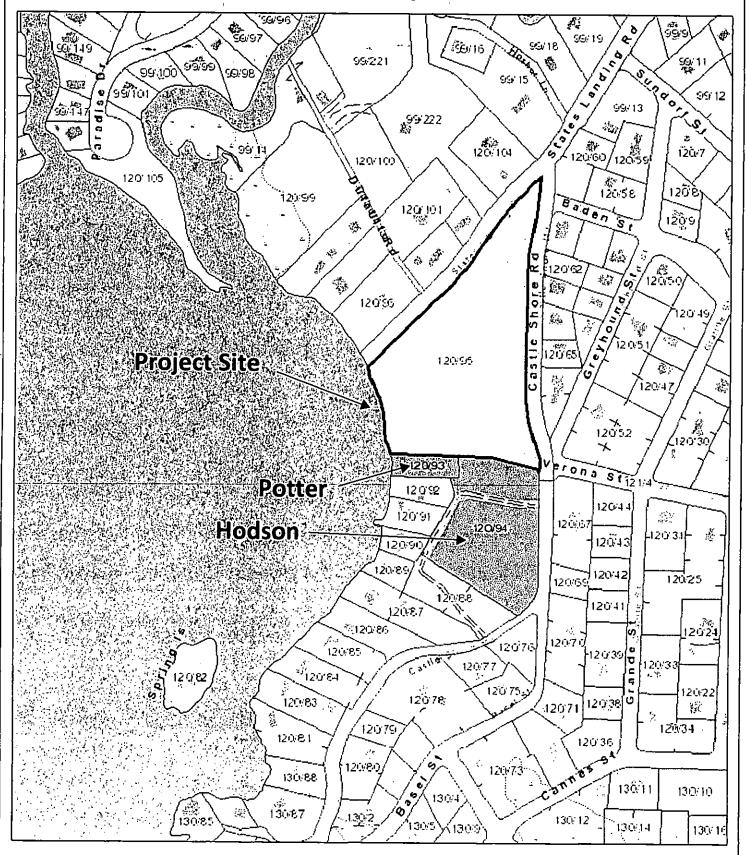
Figure 3 Abutters Map

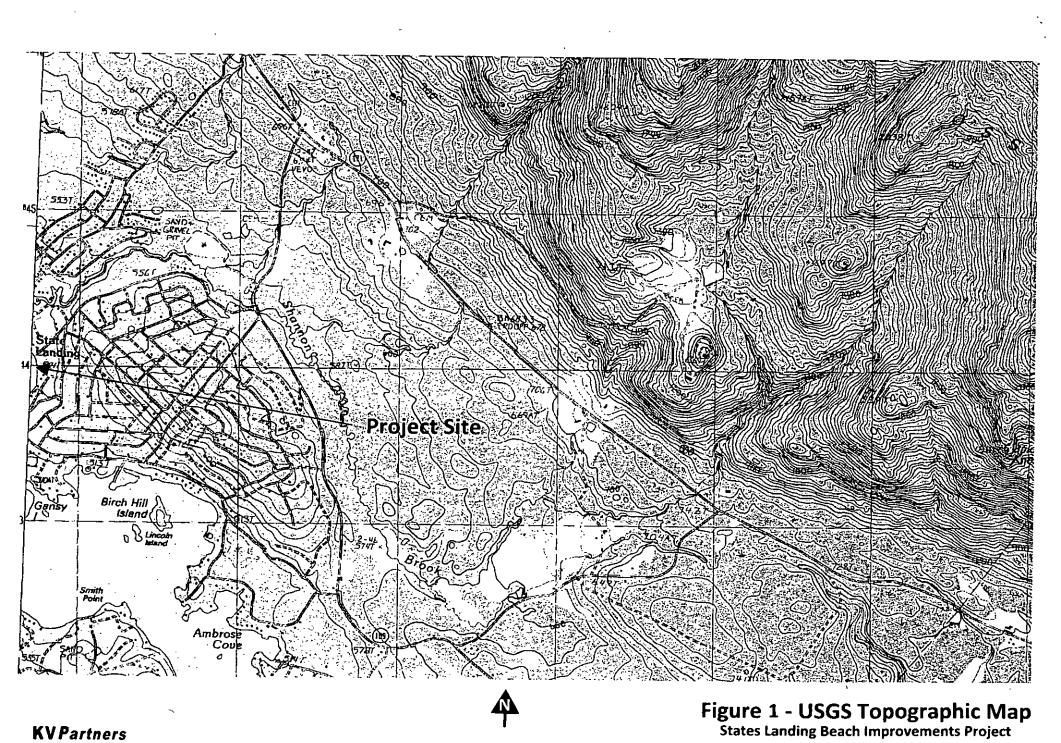
KV Partners

April 10, 2018

States Landing Beach Improvements Project Moultonborough NH

Scale: 1" = 300'





Scale: 1" = 2000"

Moultonborough NH

To:

Ray Korber

PO Box 7721

Gilford, NH 03247

From: NH Natural Heritage Bureau

Re:

Review by NH Natural Heritage Bureau of request dated 4/9/2018

NHB File ID: NHB18-1116

Applicant: Walter Johnson

Date: 4/9/2018

Location:

Tax Map(s)/Lot(s): 120/95

Moultonborough

Project Description:

Dredge the swim and boat ramp areas in Lake Winnipausaukee at the States Landing Beach Recreational Area located at the terminus of States Landing Road. The purpose of the project is to restore the swim and boat ramp areas to their historic recreational value for the residents of the Town of Moultonborough

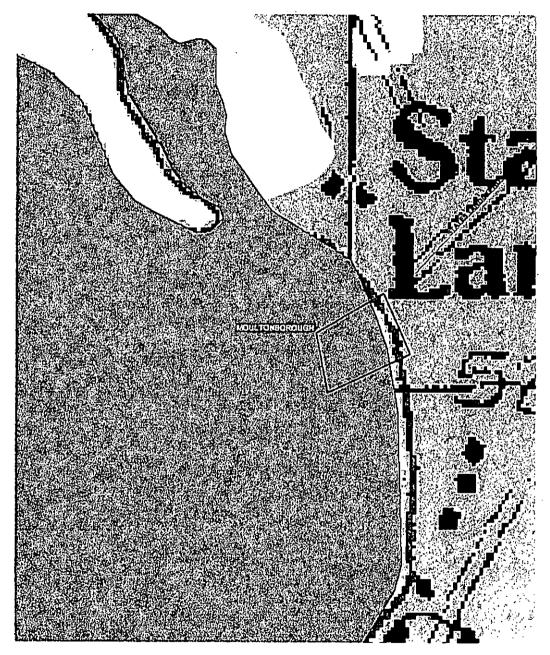
and the general public.

The NH Natural Heritage database has been checked 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. We currently have no recorded occurrences for sensitive species near this project area.

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

This report is valid through 4/8/2019.

MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB18-1116



KV Partners LLC

P.O. Box 7721, Gilford, NH 03247

Phone: (603) 513-1909 / Fax: (866) 587-0507

April 11, 2018

POTTER EDWARD T & CRYSTAL A

NEWBURY MA 01951

Re: NHDES Wetlands Permit

States Landing Beach Improvements Project

Dear M:

This letter is to notify you that the Town of Moultonborough intends to file a Wetlands Permit Application (Application) with the New Hampshire Department of Environmental Services. The Application is being submitted to obtain permission to complete dredging operations at the States Landing Beach located off States Landing Road.

For additional details on the project, contact the undersigned at (603) 513-1909 or Mr. Walter Johnson, Town Administrator at (603) 476-2347.

Sincerely,

KV Partners

Raymond H. Korber, P.E. Principal Engineer

cc: W. Johnson, Moultonborough

U.S. Postal Service

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City, State, All 14

PS Form 3800, April 2015 160 7200 02 000-0047.

See Revelue for Instructions

KV Partners LLC

P.O. Box 7721, Gilford, NH 03247

Phone: (603) 513-1909 / Fax: (866) 587-0507

April 11, 2018

HODSON LAURENCE B 1998 REALTY TRUST HODSON JEANNE L & LAURENCE B TRUSTEES

NO READING MA 01864

Re: NHDES Wetlands Permit

States Landing Beach Improvements Project

Dear M:

This letter is to notify you that the Town of Moultonborough intends to file a Wetlands Permit Application (Application) with the New Hampshire Department of Environmental Services. The Application is being submitted to obtain permission to complete dredging operations at the States Landing Beach located off States Landing Road.

For additional details on the project, contact the undersigned at (603) 513-1909 or Mr. Walter Johnson, Town Administrator at (603) 476-2347.

Sincerely,

KV Partners

Raymond H. Korber, P.E. Principal Engineer

cc: W. Johnson, Moultonborough

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City Suito, Alex

