



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

August 25, 2014

Her Excellency, Governor Margaret Wood Hassan
and The Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Approve Kenneth Anderson / Ea2 LLC's request to perform the following work on the Piscataqua River, in Newington. File # 2013-02918. This project will not have significant impact on or adversely affect the values of the Piscataqua River.

An amendment request received on July 2, 2014, requested modifications to the design of the pier to minimize impacts to potential eel grass beds in the project vicinity with no change in pier size.

The Department imposed the following conditions as part of this approval:

1. AMENDED: All work shall be in accordance with revised plans by Tighe & Bond, Inc. dated June 26, 2014, as received by the Department on July 2, 2014.
2. AMENDED: This approval is contingent on receipt by DES of a payment of \$108,755.39 to the DES Aquatic Resource Mitigation (ARM) Fund for Phase 1 impacts. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
3. Phase 2 approval is contingent on receipt by DES of a payment to the DES Aquatic Resource Mitigation (ARM) Fund for Phase 2 impacts. Phase 2 impacts to be calculated and adjusted according to ARM Fund calculation at time of Phase 2 payment.
4. Phase 2 construction may not proceed without receipt by DES of a payment to the DES Aquatic Resource Mitigation (ARM) Fund for Phase 2 impacts as calculated per condition 3. above.
5. Any project changes that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting and compensatory mitigation.
6. 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 DES Wetlands Bureau prior to construction.
7. Appropriate siltation/erosion/turbidity 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.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids discharges of sediments to fish spawning areas.
10. Construction of this commercial tidal docking structure consisting of impact of 26,246 sq. ft. of undeveloped upland tidal buffer zone and tidal surface water of the Piscataqua River to construct a commercial marine contractor facility in two phases shall be the only dock structure on this water frontage.

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3503 • Fax: (603) 271-6588 • TDD Access: Relay NH 1-800-735-2964

11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
13. Construction of the dock shall occur from a barge and crane to reduce impacts to the estuarine/riverine resource.

ADDITIONAL CONDITIONS

14. 1 ft. wide steel grate decking spaced 4 ft. apart shall be used in Phase 2 as depicted on plans by Tighe & Bond, Inc. dated June 26, 2014, as received by the Department on July 2, 2014 to minimize impacts to potential eel grass beds.
15. The temporary fixed pier shall be removed with the construction of Phase 2 pier.

EXPLANATION

The DES Wetlands Bureau approved this project on July 24, 2014. DES supported its decision with the following findings:

DES reaffirms finding no.'s 1 - 15:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v), and per Rule 303.02(b) projects occurring in the undeveloped upland tidal buffer zone.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The project purpose is to construct a commercial marine contractor facility located within a waterfront industrial area, access to which requires construction of parking and a commercial docking structure capable of berthing heavy marine construction vessels such as barges, tug boats, push boats, and work skiffs. There is currently no parking and no docking structure on the property to provide access to the water.
4. 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 Wt 302.03. The applicant has minimized impacts to identified potential eel grass habitat by extending the proposed pier to deeper water where eel grass is less likely to be present. The applicant revised the original plan and removed a proposed 1,000 sq. ft. bulkhead and eliminated a portion of the fixed pier, known as Phase 3, consisting of a 50 ft. wide x 300 ft. long fixed pier attached to the end of Phase 2.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors and Harbor Pilots which determined that the project would have no negative effect on navigation, per letter dated January 22, 2014; and the docking structure is located greater than 20 ft. off the abutting property lines.
6. Due to the commercial nature of the facility and its associated vessels, and its location within an industrial waterfront area, DES has determined that Rule Env-Wt 402.13, Frontage over 75', with its limit of one boat slip per 75' of water frontage (plus one) for non-commercial use, does not apply to this proposal.
7. This dock is consistent with other heavy commercial/industrial tidal dock approvals in the seacoast.

8. This project has received an extensive inter-agency coordinated review between the state and federal levels.
9. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
10. The payment calculated for the proposed Phase 1 impacts equals \$108,755.39.
11. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
12. The payment into the ARM fund shall be deposited in the DES fund for the Salmon Falls-Piscataqua River watershed per RSA 482-A:29.
13. Phase 2 approval is contingent on receipt by DES of a payment to the DES Aquatic Resource Mitigation (ARM) Fund for Phase 2 impacts. Phase 2 impacts will be calculated and adjusted according to ARM Fund calculation at the time of the Phase 2 payment. The applicant requested and DES approved a waiver from Env-Wt 806.05(b) to allow the applicant relief from Phase 2 ARM Fund payment to be paid within 120 days of notice by DES.
14. DES staff field inspection on March 25, 2014 found that the site is accurately represented in the application.
15. The Newington Conservation Commission recommends approval of this project.
16. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as impacts to the resources will be mitigated through a significant mitigation package. Additionally, there have been no requests for a public hearing and the Conservation Commission has recommended approval.

DES adds the following findings:

17. An amendment request received on July 2, 2014, requested modifications to the pier design to address concerns by NOAA National Marine Fisheries to minimize the impact of the project on potential eel grass beds.

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.


Thomas S. Burack
Commissioner

Tighe&Bond

www.tighebond.com

27-0229-1
June 26, 2014

Mr. David Price
NHDES Portsmouth Regional Office
Pease International Tradeport
222 International Drive, Suite 175
Portsmouth, NH 03801

Mr. David Keddell
U.S. Army Corps of Engineers
Regulatory Division
696 Virginia Road
Concord, Massachusetts 01742

RECEIVED

JUL 02 2014

**ENVIRONMENTAL SERVICES
"BY NH DES WETLANDS BUREAU"**

Re: **NHDES Permit File#2013-02918**
Proposed Pier - Shattuck Way Newington, New Hampshire

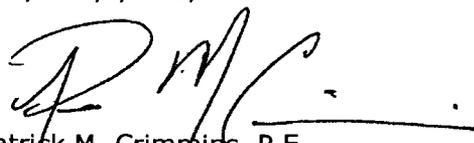
Dear David & David:

On behalf of Riverside & Pickering Marine Contractors, we are pleased to submit the following supplemental information relative to the Wetland Permit for the above referenced project:

- Site Plans last revised June 26, 2014
- Phase 1 Arm Fund Calculations last revised June 26, 2014
- Waiver Request for Phase 2 ARM Fund Payment last revised June 26, 2014
- Eel Grass Exhibit last revised June 10, 2014

The enclosed information has been revised in response to our meeting on June 5, 2014 at the NHDES Pease District Office and email correspondence received from Army Corps of Engineers on June 18, 2014. We trust the enclosed information addresses comments from that meeting and email correspondence. If you have any questions or need any additional information, please do not hesitate to contact me.

Very truly yours,


Patrick M. Crimmins, P.E.
Senior Engineer

Enclosures

Cc: Kenneth Anderson, Riverside & Pickering Marine Contractors (via email)
Zachary Taylor, Riverside & Pickering Marine Contractors (via email)

J:\R\R0229 Riverside & Pickering Marine Storage Facility Newington, NH ShattuckWay\REPORT\Wetland\ACOE Pier Revisions\Cover Letter.doc



Waiver Request for Phase 2 ARM Fund Payment (Amended)

NHDES File#2013-02918

June 26, 2014

Property Owner Information:

Kenneth Anderson
Ea2, LLC c/o Hinkley, Allen, & Snyder, LLP
11 South Main Street
Suite 400
Concord, New Hampshire 03301
(207)-451-9229

Applicant Information:

Kenneth Anderson
Riverside & Pickering Marine Contractors (RPMC)
PO Box 368
Ellot, Maine 03903
(207)-451-9229

Property Information:

Tax Map 20 Lot 1
Shattuck Way
Newington, New Hampshire 03805

Waiver Request from Env-Wt 806.05 (b)

The applicant requests relief from the requirements of Env-Wt 806.05 (b) for Phase 2 of the RPMC proposed pier project. Env-Wt 806.05 (b) states that the applicant must pay the in-lieu fee within 120 days of notice by the department or the application will be denied.

The proposed pier project will be constructed in two (2) phases. Phase 1 will result in 14,093 SF of impact and Phase 2 will result in 12,120 SF of impact. The Phase 1 mitigation will be paid within 120 days of approval as required by Env-Wt 806.05 (b). However, it is anticipated that the Phase 2 mitigation will not be paid within 120 days of approval.

As coordinated with NHDES, RPMC agrees that the approval of Phase 2 would be issued in letter form and once the Phase 2 ARM Fund payment is submitted, NHDES would then issue a permit for that work. RPMC agrees that the mitigation payment for Phase 2 would be calculated and adjusted according to the costs for the year when it is going to be paid.

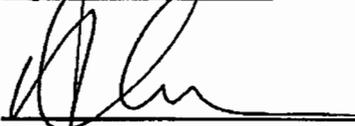
Per coordination with NHDES, the mitigation proposal for Phase 1 of the proposed pier project consists of a contribution to the ARM fund. The ARM fund calculated payment for

Phase 1 Impacts is \$108,755.39. RPMC agrees to pay this In-lieu fee within 120 days of approval.

Adherence to Env-Wt 204.05 or 204.06 as applicable

This waiver request would not result in adverse impacts to the environment, natural resources, or abutters as this request is an administrative action that would adapt the rule to the phased nature of the project. The applicant agrees to the mitigation proposal described above and coordinated with NHDES. The public benefit of the In-lieu fee for Phase 1 will be upheld within 120 days of approval. The public benefit of the In-lieu fee for Phase 2 will also be upheld when the In-lieu fee payment for Phase 2 is calculated and adjusted according to the costs for the year that it is going to be paid.

Signature of Owner



Kenneth Anderson
Riverside & Pickering Marine Contractors

Date: 6.27.14



368 THE STATE OF NEW HAMPSHIRE
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 LAND RESOURCES MANAGEMENT
 WETLANDS BUREAU

29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
 Phone: (603) 271-2147 Fax: (603) 271-6588

Website: <http://des.nh.gov/organization/divisions/water/wetlands/index.htm>
 Permit Application Status: <http://des.nh.gov/onestop/index.htm>



WETLANDS PERMIT APPLICATION

File No. 2013-02918	Check No. 5837	Amount 28,953.00	Initials CMK
RECEIVED Administrative Use Only 067 24 2013 NHDES LAND RESOURCES MANAGEMENT	COMPLETE Administrative Use Only 067 24 2013	Administrative Use Only	Administrative Use Only

1. REVIEW TIME: Check the applicable box to indicate your review time. Refer to Attachment Document A for a summary of the minimum impact criteria to determine if your project meets Standard or Expedited.

Standard Review (Minimum, Minor or Major Impact)

Expedited Review (Minimum Impact)

2. APPLICATION CHECKLIST: This checklist is provided to allow you to confirm all the required items are submitted. Please initial next to each item below to confirm these items. Items in parentheses are required only if applicable. Please note that your application and accompanying items will be returned to you if the applicable items are not submitted. Refer to the numbers in parentheses next to each item for detailed instructions for completing them.

- PMC Check for the application fee (no. 9A)
- PMC Completed application form with project description (no. 7) and required signatures (no.'s 10 & 13)
- PMC Completed U.S. Army Corps of Engineers New Hampshire Programmatic General Permit Appendix B (no. 9B)
- PMC Natural Heritage Bureau (NHB) report (no. 9C)
- PMC Is the project within a ¼ mile of a designated river? Y N. If yes, provide confirmation a copy of application sent to the Local Advisory Committee (no. 9D)
- PMC Color copy of a USGS map (no. 9E)
- PMC Photographs of the impact area (no. 9F)
- PMC Plans (no. 9G)
- PMC Copy of your tax map (no. 9H.1)

Please initial next to each item to confirm that the following items, required for technical review, as applicable, are included in your application. Please note that if applicable items are not provided, you may receive a letter requesting outstanding items or your application may be denied.

- PMC Abutters list and copies of certified mail slips (no. 9H.2)
- N/A Response to the two (2) minimum impact questions (no. 9I)
- PMC Attachment A - Response to the twenty (20) minor and major impact questions
- N/A Copies of comments, beyond the required NHB report, from NHB or the New Hampshire Fish and Game Department (NHFG) (no. 9C)
- PMC Mitigation Agreement Form and materials (no. 9J)
- PMC Date, time, contact information and a copy of notes for any pre-application meetings or correspondence with Wetlands Bureau Staff
- PMC Property Owner or Applicant permission, as required (no.'s 3 & 4)
- PMC Attachment B - Design Consideration & General Plan Requirements
- N/A Attachment C - Stream Crossing Requirements & Information
- PMC Function and Value Assessment

PROPERTY OWNER INFORMATION

NAME: Kenneth Anderson

TRUST / COMPANY NAME: Ea2, LLC c/o Hinkley, Allen, & Snyder, LLP

MAILING ADDRESS: 11 South Main St, Suite 400

TOWN/CITY: Concord STATE: NH ZIP CODE: 03301

EMAIL or FAX: ken@riversidepickering.com PHONE: 207-451-9229

ELECTRONIC COMMUNICATION: By initialing here: KA, I hereby authorize DES to communicate all matters relative to this application electronically

OWNER PERMISSION: I hereby authorize the applicant and/or agent indicated below to act in my behalf as the applicant and/or my agent in the processing of this application, and to furnish upon request, supplemental information in support of this permit application.

Riverside & Pickering Marine Contractors Tighe & Bond
Applicant name Agent name

[Signature] 10-9-13
Property Owner Signature Date

NAME: Kenneth Anderson, President

COMPANY NAME: Riverside & Pickering Marine Contractors

MAILING ADDRESS: PO Box 368

TOWN/CITY: Eliot STATE: ME ZIP CODE: 03903

EMAIL: ken@riversidepickering.com PHONE: 207-451-9229

ELECTRONIC COMMUNICATION: By initialing here: KA, I hereby authorize DES to communicate all matters relative to this application electronically

APPLICANT PERMISSION: I hereby authorize the agent indicated below to act in my behalf as the agent in the processing of this application, and to furnish upon request, supplemental information in support of this permit application.

[Signature] Tighe & Bond
Applicant's Signature Agent name

10-9-13
Date

NAME: Patrick M. Crimmins, P.E.

COMPANY NAME: Tighe & Bond, Inc.

MAILING ADDRESS: 177 Corporate Drive

TOWN/CITY: Portsmouth STATE: NH ZIP CODE: 03801

EMAIL/FAX: pmcrimmins@tighebond.com PHONE: 603-433-8818

ELECTRONIC COMMUNICATION: By initialing here _____, I hereby authorize DES to communicate all matters relative to this application electronically

Total:	46,955				
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Surface water dredge and beach replenishment, provide the cubic yards of material: _____

Shoreline structures, provide the average shoreline frontage (linear feet), using the formula below:
 (Straight line distance pin to pin:) + (Actual natural navigable shoreline pin to pin) / 2 = 377.5 Feet

Stream and river projects, provide the watershed size of the contributing watercourse: 944 Square Miles

8. RELATED FILES (List related files or approvals (Wetlands, Shoreland, Alteration of Terrain, Subsurface) or other)

Shoreland Permit (PENDING)

9. APPLICATION REQUIREMENTS (List application requirements, such as, but not limited to, the following, if applicable)

A. Fee: Attach the application fee in the form of a check or money order payable to: "Treasurer-State of NH" (RSA 482-A:3,I & Env-Wt 505.01(c))

Minimum Impact Fee (Standard & Expedited Review): Flat fee of \$ 200

OR

Minor or Major Impact Fee (Standard Review): Complete the application fee table below

Permanent impacts (non-docking):	7,265 sq. ft.	X	\$0.20 =	\$1,453
Temporary impacts (non-docking):	sq. ft.	X	\$ 0.20 =	
Temporary (seasonal) docking structure:	sq. ft.	X	\$1.00 =	
Phase 1 Permanent docking structure:	13,650 sq. ft.	X	\$2.00 =	\$27,300
Phase 2 Permanent docking structure:	26,040 sq. ft.	X	\$2.00 =	\$52,080
Projects proposing shoreline structures add \$200 =				\$200
Total =				\$81,033
				\$81,033
The Application Fee is the above calculated Total or \$200, whichever is greater =				\$81,033; Ph2=\$52,080

B. Appendix B: Attach a completed U.S. Army Corps of Engineers New Hampshire Programmatic General Permit (PGP) Appendix B - Corps Secondary Impacts Checklist. Link: http://www.nae.usace.army.mil/Regulatory/SGP/NH_PGP.pdf

C. NHB Review: Documentation from the Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: https://www2.des.state.nh.us/nhb_datacheck/ or by phone (603) 271-2215 x 323.

Attach the REQUIRED letter/memo and map provided by NHB; and
Provide copies of any additional comments received from NHB and/or the NHFG.
 Indicate species identified by the NHB Review: None Identified

6. PROJECT LOCATION (Separate application must be filed with each municipality or appropriate level of government.)

ADDRESS: Shattuck Way TOWN/CITY: Newington

TAX MAP: 20 BLOCK: LOT: 1 UNIT:

US GEOLOGICAL SURVEY TOPO MAP WATERBODY NAME: Piscataqua River

LOCATION COORDINATES (if known): 43d6'17"N / 70d47'51"W Latitude/Longitude UTM State Plane

7. PROJECT DESCRIPTION (Provide a brief description of the project. Attach additional sheets if necessary. Provide a detailed description of the project in the comments section of the application.)

The proposed project is for a marine contractor facility. The project includes the construction of a docking structure in the Piscataqua River. The project also includes the construction of an associated access drive and gravel laydown area in the 100' undeveloped tidal buffer zone on an existing undeveloped lot.

The docking structure including pier, bulkhead, gangway, and floats will result an overall impact of 39,690 SF. The docking structure will be constructed in two (2) phases. The first phase will result in 13,650 SF of tidal water impact and 7,265 SF of 100' undeveloped tidal buffer zone impact for the gravel drive and laydown area. The second phase will remove 4,140 SF of tidal water impact constructed in Phase 1 for floats and piles and will add 30,180 SF of docking structure expansion for a Phase 2 net impact of 26,040 SF.

	Permanent Sq. Ft.	Permanent Lin. Ft.	Temporary Sq. Ft.	Temporary Lin. Ft.	After-the-fact Sq. Ft.	After-the-fact Lin. Ft.
Forested wetland						
Scrub-shrub wetland						
Emergent wetland						
Wet meadow						
Intermittent stream						
Perennial stream / river						
Lake or pond						
Tidal water	Phase 1 13,650					
	Phase 2 26,040					
Salt marsh						
Sand dune						
Prime wetland						
Prime wetland buffer						
Undeveloped Tidal Buffer Zone (TBZ)	7,265					
Previously-developed upland in TBZ						

D. **Designated Rivers:**

1. Is the project within a ¼ mile of a designated river? Y N

Designated river list and map link: <http://des.nh.gov/organization/divisions/water/wmb/rivers/desigriv.htm>

2. If yes: Indicate river: _____

3. As required by RSA 482-A:3, I(d)(2), I have notified the Local River Advisory Committee (LAC) by sending a copy of the complete application and supporting materials via certified mail on: Month: ___ Day: ___ Year: ___

LAC link: <http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm>

E. **USGS Map:** Attach a copy of a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined (surveyed property boundaries not required). The map must be at an unaltered scale of 1:24,000 or 1" = 2,000 feet (1:25,000 metric map). (Env-Wt 501.02(a)(4) & 505.01(g))

Topographic Map Links: <http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm>

F. **Photographs:** Attach legible and labeled color photographs clearly depicting the jurisdictional areas to be impacted, the resource outside of impact area, any shoreline structures and culvert inlet/outlets (Env-Wt 501.02(a)(3) & 505.01(i))

G. **Plans:** Attach plans (Env-Wt 501.02). See Attachments B & C for detailed plan requirements.

H. 1. **Tax Map:** Attach a legible copy or tracing of the tax map from the municipal office (Env-Wt 501.02(a)(1) & 505.01(e))

If applicable, the applicant must also provide a copy of the tax map to the abutter(s) of the property. The tax map must be notarized if the project is a boat docking facility (RSA 482-A:3-XIII(c)). Notarized abutter permission is not required for maintenance projects.

2. **Abutter Notification:** Confirm the submitted tax map illustrates the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters (defined Env-Wt 101.03) with each lot labeled with the abutter's name(s) and mailing address(es); or provide a list of abutters' names and mailing addresses to cross-reference with the tax map (Env-Wt 501.02(a)(1) & 505.01(f))

Exemption: Abutter notification shall not be required for logging operations, minimum impact agricultural projects, projects in utility rights-of-way, or public highway construction. (Env-Wt 501.01(c))

Permission: If jurisdictional impacts occur within 20 feet of an abutting property line or imaginary extension thereof over surface water signed permission letter(s) from the affected abutters must be included with this application (Env-Wt 304.04). This letter must be notarized if your project is a boat docking facility (RSA 482-A:3-XIII(c)). Notarized abutter permission is not required for maintenance projects.

I. **Need and Minimization & Avoidance (Env-Wt 302.03, Env-Wt 302.04, 505.01):**

Minimum: Attach statements demonstrating:

1. The need for the proposed project; and
2. That the proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction.

-OR-

Minor & Major: Attach statements in response to the 20 questions in Attachment B

J. **Mitigation: Minor & Major Impact Projects ONLY:** Does the project require compensatory mitigation? Y N

Projects that require mitigation are listed in section Env-Wt 302.03 and mitigation requirements in Chapter Env-Wt 800 of the Wetland Rules Env-Wt 100-900 Link: <http://des.nh.gov/organization/commissioner/legal/rules/documents/env-wt100-900.pdf>

If yes: Attach a completed Mitigation Agreement Form and materials outlined on the form (Env-Wt 501.02(a)(6) & 501.06)

Link: http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation_form.doc

10. **PROPERTY OWNER SIGNATURE** (authorized applicant or agent signature acceptable with required permission(s) above, 3 & 4)

By signing the application, I am certifying that:

1. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
2. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
3. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
4. 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 101.44.
5. I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
Link:<http://www.nh.gov/nhdhr/review/>
6. I authorize DES and the municipal conservation commission to inspect the site of the proposed project.
7. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
8. 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.
9. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.
10. The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.

X

Patrick M. Cimmimi

10-9-13

Property Owner / Authorized Applicant / Authorized Agent

Print name legibly

Date

APPLICATION SUBMITTAL DIRECTIONS TO APPLICANT

1. If you are seeking expedited review, submit the original application form and accompanying items to the conservation commission for signature before submitting the application to the town/city clerk for mailing to DES. Standard review applications do NOT require conservation commission signature.
2. All applications require the original application form and accompanying items, with four copies, application fee and any required municipal fees (authorized by RSA 482-A:3,1) are submitted to the town/city clerk for their required signature and mailing via certified mail to DES. Municipal fees means an administrative fee not to exceed \$10 plus the cost of postage by certified mail

12. CONSERVATION COMMISSION SIGNATURE (Expedited review only)

Expedited review requires that the conservation commission's signature is obtained in the space below. Standard review applications do NOT require the conservation's commission's signature. The Conservation Commission signature should be obtained prior to submitting the original application and four copies to the town/city clerk for mailing to the DES. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, then the application is not eligible for expedited review and the application will reviewed in the standard review time frame.

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.

X

Authorized Commission Signature

Print name legibly

Date

13. TOWN / CITY CLERK (All applications require this section to be completed by the Town/City Clerk)

As required by Chapter 482-A:3 (amended 1991), I hereby certify that the applicant has filed five application forms, five detailed plans, and five USGS location maps with the town/city indicated below and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

NEWINGTON

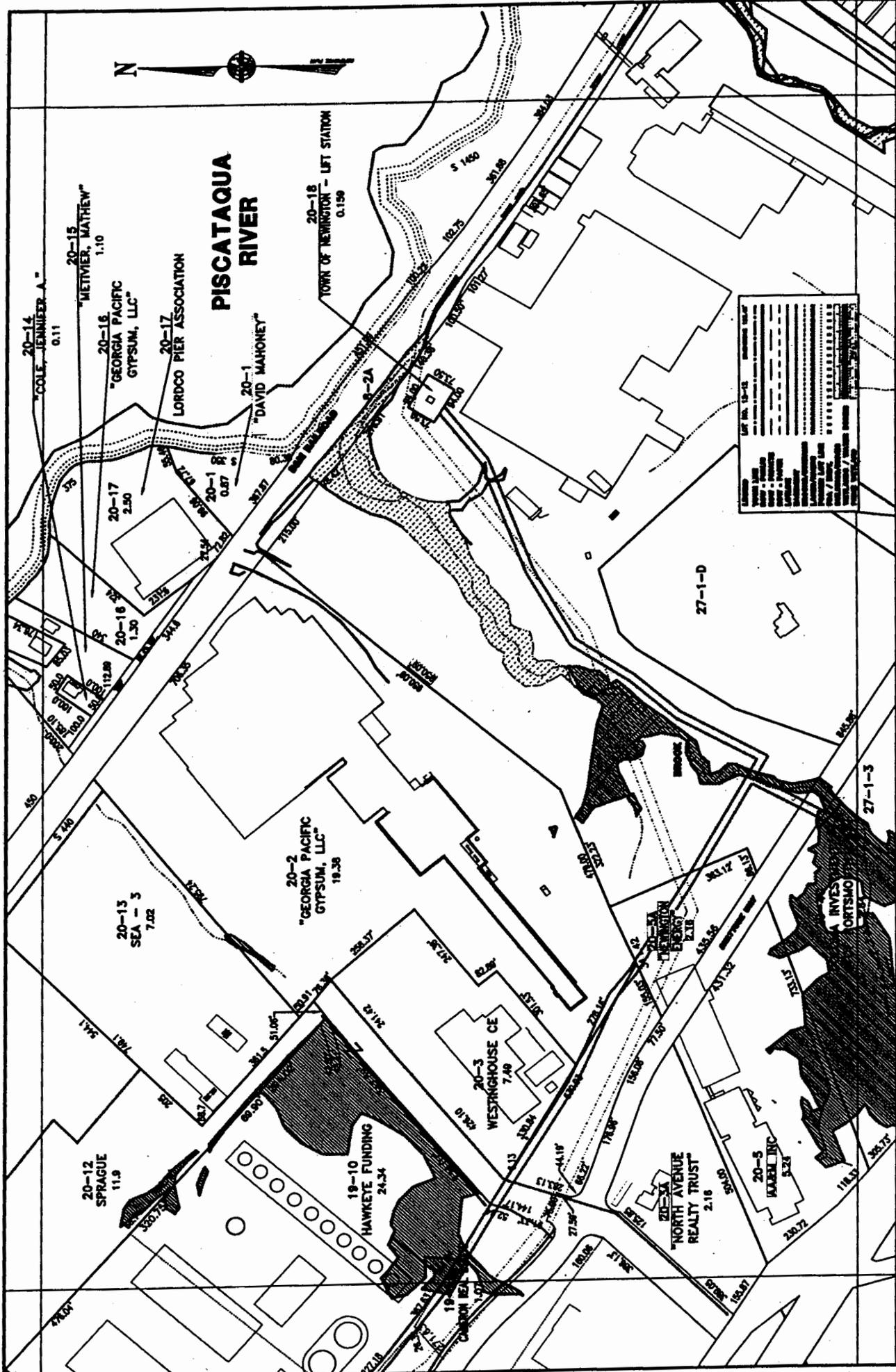
X Laura C. Coleman

LAURA C. COLEMAN

10/22/13



PISCATAQUA RIVER



LEGEND

LOT AREA: 1/4, 1/2, 3/4, 1, 1 1/4, 1 1/2, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

SYMBOLS: [various symbols for buildings, roads, water, etc.]



New Hampshire Natural Heritage Bureau

To: Craig Langton
177 Corporate Drive
Portsmouth, NH 03801

Date: 6/5/2013

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 6/5/2013

NHB File ID: NHB13-1694

Applicant: Kenneth Anderson

Location: Tax Map(s)/Lot(s): Tax Map: 20 Lot: 1
Newington

Project Description: The proposed project includes the construction of a
laydown and access area and

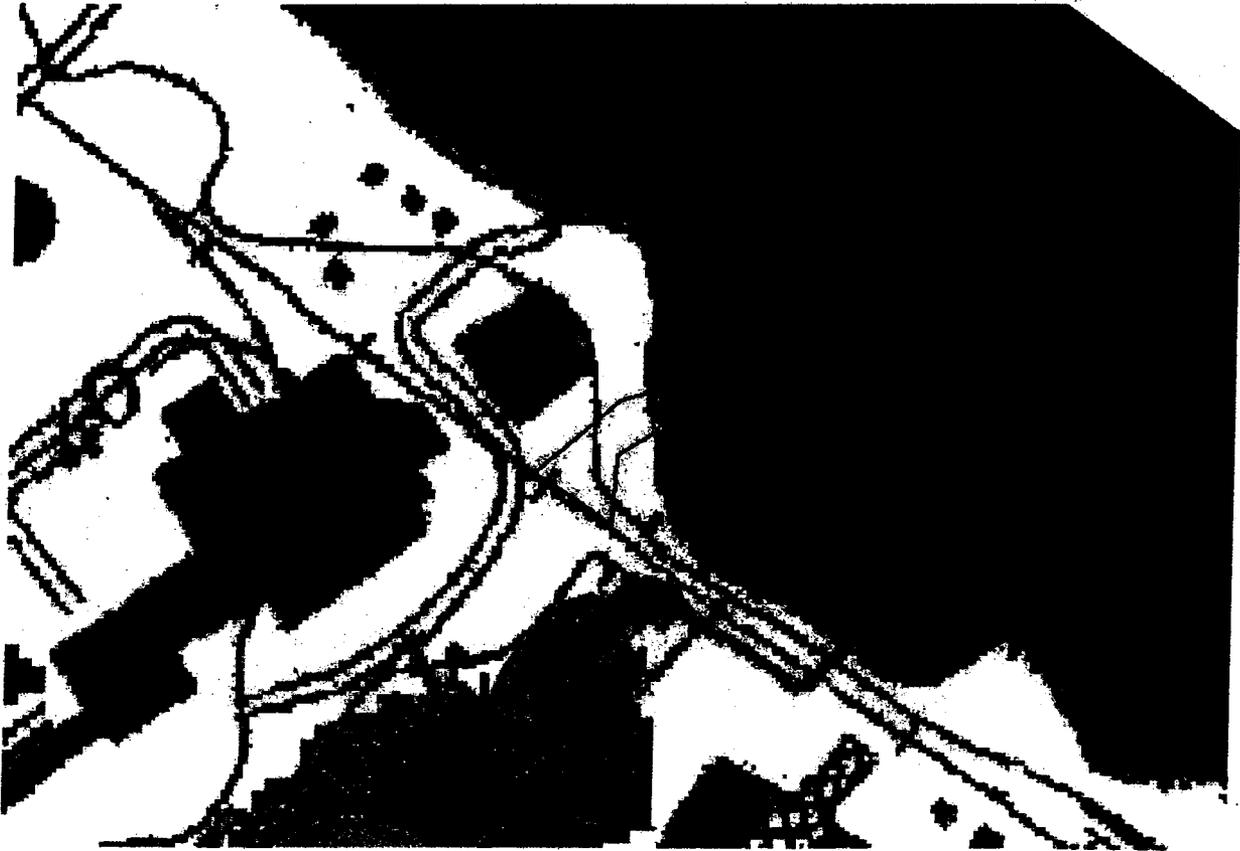
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped. The records reviewed include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded occurrences for sensitive species near the 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 could provide better information on what species and communities are indeed present.

This report is valid through 6/4/2014.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB13-1694



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