



Local River Management Advisory Committee Workshop NHDES- Wetland Rules Update March 23, 2019





Workgroup Sessions

Date	Туре
May 23	Wetland Rules Workgroup
June 6	Wetland Rules Workgroup
June 20	Wetland Rules Workgroup
June 27	Top of Bank Subcommittee
July 6	Top of Bank Subcommittee
July 11	Wetland Rules Workgroup
August 8	Wetland Rules Workgroup
August 17	Wildlife Ponds Subcommittee
August 22	Wetland Rules Workgroup
Sept 5	Wetland Rules Workgroup



Focus Input Sessions/ Outreach

Mar 21	NH Bar – Environmental Section
Mar 27	Wetlands Council update
April 24	DNCR, NHB, DES, Fish & Game Forestry
April 25	NHTOA Forestry Focus Group
May 15	BIA Rules update
May 15	Construction Focus
May 19	VLAP rules outreach
May 21	Utility Focus Group
May 29	Conservation Community Focus
May 31	BIA conference
July 20	Coastal & Aquaculture Focus sessions
August 10	Agriculture Focus Group
August 13	Utility BMP Focus
August 16	Beach-Deck Focus Group
August 23	NH Stream Crossing Steering Committee
August 28	Wetland Council update
August 30	Natural Resource Scientist Focus

Thank you!

- Special thanks to Michele Tremblay for her participation in the Wetlands Rules Workgroup and subcommittee meetings!
- ✓ For your comments on the proposed rules:
- Upper Merrimack River LAC
- Ashuelot River LAC
- Lower Merrimack LAC
- Mt. Ascutney River Subcommitee
- Piscataquog River LACWarner River LAC

Wetlands Program Rulemaking Anticipated Schedule

Overall Schedule



Winter 2019

NHDES to review /consider public comments &

Develop

Final Proposal & Request FIS

<u>Spring, 2019</u>

Final Proposal <u>filed 3/20/19</u>

JLCAR review process

File rules for adoption

We Are Here!

RSA 482-A Public Purpose Wetland Function

Flood Storage

Commerce

Recreation Aesthetics

Fish & Wildlife **Habitat**

Qualer

Gropechalos

Organization Changes

Env-Wt	Current	Proposed
100	Definitions	Definitions
200	Practice & Procedure	Hearings, Appeals & Waiver requests
300	Delineation, Evaluation, Project Classification , Permit Conditions	Permit Types & Procedure, Standard Conditions, Criteria for Standard Permits
400	Shoreline Structures	Delineation & Classification of jurisdictional areas & <u>General</u> Project Classification
500	Permit Procedure	Project Specific Requirements (e.g. docks, utility, forestry, residential, commercial)
600	Tidal Wetlands	Coastal Lands & Tidal Waters/ Wetlands
700	Prime Wetlands	Prime Wetlands
800	Compensatory Mitigation	Compensatory Mitigation
900	Stream Crossings	Stream Crossings

Background

The wetland rules capture and address:

- The changes to RSA 482-A as it relates to the LAC review process;
- Standard wetlands bureau practices & best available science;
- Consistency with State sister and DES programs;
- Consistency with the Army Corps of Engineers Programmatic General permit;

LAC Workshop Agenda Questions

Q1- What is the impact of proposed rules on LAC review?

Q2- What are the process changes resulting from the 2018 Wetlands legislation?
 <u>Answer</u>: NHDES reviewed statutory changes and incorporated these changes into the proposed rules processes.

"LAC jurisdiction" defined

- Env-Wt 103.27 "LAC jurisdiction" means the authority conferred by RSA 483:8-a, III upon a local
- river management advisory committee relative to activities within a designated river or river corridor,
- provided that for purpose of routine roadway maintenance activities conducted under an SPN, registration, PBN, or EXP, LAC jurisdiction shall be limited to activities in or within 250 feet of a Tier 2 or Tier 3 designated river that have a direct surface water connection to the designated river.

LAC Right of Intervention established RSA 482-A:11

• [Paragraph III(a) effective January 1, 2019; see also paragraph III(a) set out above.]

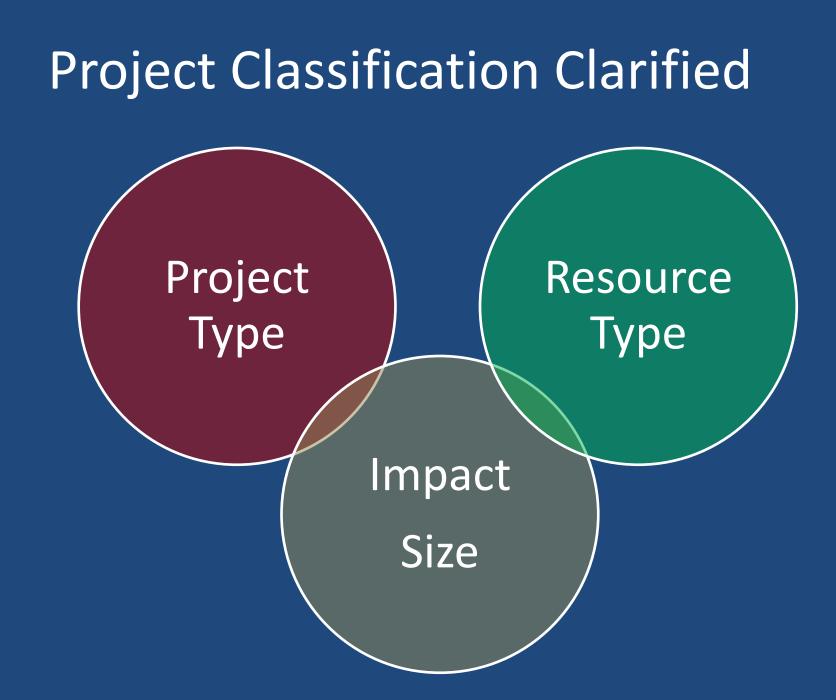
(a) Upon written notification to the department by a municipal conservation commission, <u>a local river management</u> <u>advisory committee</u>, or the New Hampshire Rivers Council that it intends to investigate any notice received by it pursuant to RSA 482-A:3, the department shall not make its decision on the application that is the subject of the notice until it has received and acknowledged receipt of a written report from such commission, local river management advisory committee, or the council, or <u>until 40 days</u> from the date of filing with the municipal clerk of such notice, whichever occurs earlier, subject to an extension of up to 40 days, as permitted by the commissioner, for good cause shown.

DES decision requires specific review of LAC recommendation

If a conservation commission, a local river management advisory committee, or the New Hampshire Rivers Council makes a recommendation to the department in its report, the department shall specifically consider such recommendation and shall make written findings with respect to each issue raised in such report which is contrary to the decision of the department.

14-day action from date filed with Town clerk

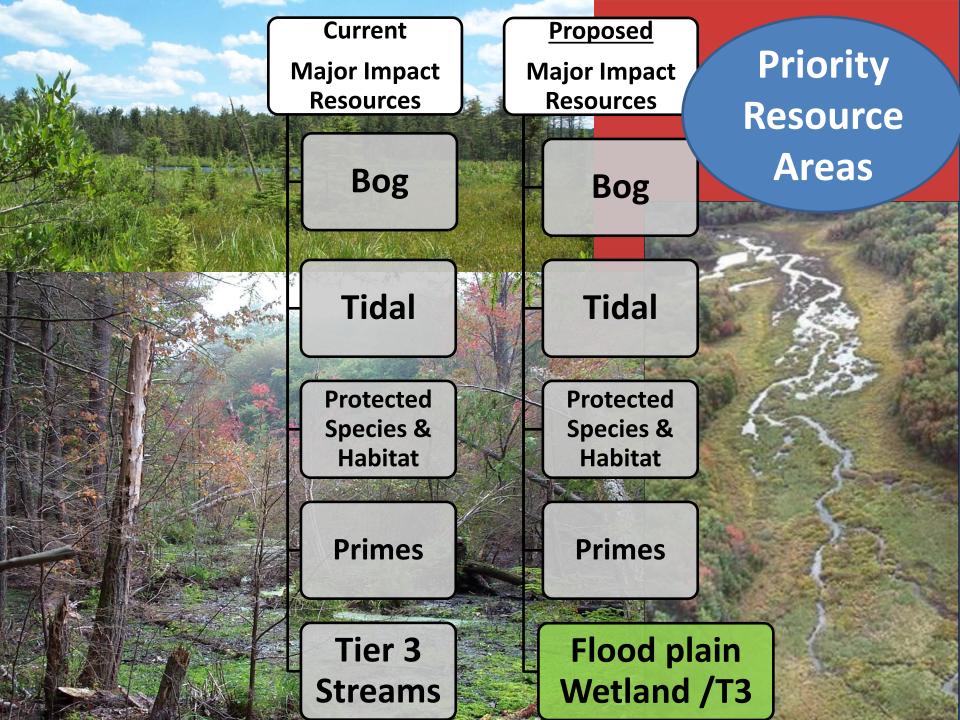
If notification by a local conservation commission, local river management advisory committee, or the New Hampshire Rivers Council pursuant to this paragraph is not received by the department within 14 days following the date the notice is filed with the municipal clerk, the department shall not suspend its normal action, but shall proceed as if no notification has been made. (b) Relative to any expedited permit under paragraph VI, the provisions of subparagraph (a) shall be modified as follows: (1) The 40-day suspended action limit is reduced to 21 days; and (2) The notification by a municipal conservation commission of intended investigation shall be assumed unless the application filed under RSA 482-A:3 was signed by the conservation commission, or, if one has not been established in the municipality, by the local governing body, in which case the provisions of subparagraph (a) shall not apply.



Project Classification Clarified Why does it matter?

> 3 tier classification system -Minimum, Minor, or Major

- Project Classification sets:
- Application <u>Fee</u>
- Eligibility for <u>Notice, Registration</u> vs. <u>Standard</u> processes
- > Whether <u>mitigation</u> is required?
- If Governor & Council approval is required



Existing Project classification

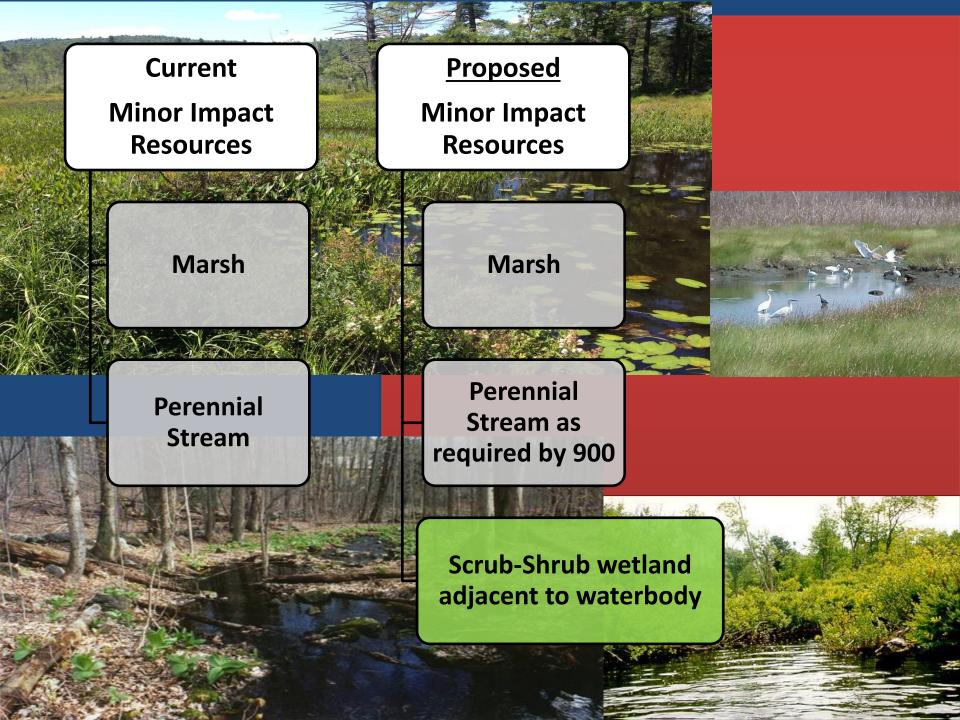
Proposed Project classification

Protected Species/ Habitat = major

Major classification = Standard

w/ maintenance exceptions Protected Species/habitat= Major w/ DataCheck

Classification adjustment on NHB/F & Game recommendations =SPN, PBN or EXP w/ PTE exceptions



Project Type Exceptions

- Classification based on size shall not apply to SPN if it meet Env-Wt 308 & 307; See SPNs:
- Minimum Impact Utility
- Minimum Impact Forestry
- Minimum Impact Trails
- Routine Roadway & Railway Maintenance (See 900)
- Seasonal Dock Notice

Size Thresholds

Resource Type	Minimum	Minor	Major
Other than Watercourse	< 3,000 SF	≥3,000 SF – 10,000 SF	≥10,000 SF
Watercourse	< 50 LF	≥ 50 LF – < 200 LF	≥200 LF

Process Category	SPN Statutory Notice	Routine Roadway Registration	PBN Permit by Notice	EXP EXPEDITED	Standard
DES max Review time (days)	N/A	5	5	30	50 /75
LAC waiver of intervention required when project is	w/in LAC jurisdiction <u>except</u> for Routine Roadway on lands used for Agriculture (& <u>not</u> Forestry or Trails)	w/in LAC jurisdiction	w/in LAC jurisdiction	w/in LAC jurisdiction	w/in ¼ mile Designated River corridor
Minimum	 ✓ < 48" culvert 	✓ Meets DOT BMPs	✓ YES	✓ YES	x
Minor	Х		X	X	✓ YES
Major	x		X	X	 ✓ may require mitigation & or G & C

Statutory Permit by Notification (SPN)



Routine Roadway Registrations

Aligns with NHDOT Routine Roadway BMPs (Env-Wt 309.03)

- Routine Roadway Maintenance Registration
- RR-1: Culvert replacement or repair
- RR-2: Culvert extension
- RR-3: Culvert relocation
- RR-4: Embankment stabilization
- RR-5: In-kind headwall repair only; any size culvert
- RR-6: Headwall construction, repair, or replacement
- RR-7: Roadside ditch maintenance
- RR-8: Culvert inlet and outlet maintenance
- RR-9: Temporary scaffolding

PBN Change Require LAC sign-off Future Current **Permit by Notice PBNs** (PBN) 14 projects -10 days 14 projects - 5 days - No Abutter notice With CC & -Abutter notice With LAC Review &

Waiver of Intervention

-Abutter notice -Conservation Commission (CC) approval

Existing PBN Projects (14 Projects)	Now = 10 days/ w/ CC & LAC approval Proposed = 5 days
1. FW Seasonal Dock (513.24(a)	8. Culvert/ Bridge replacement Replacement of Tier 1 (903.01(e)(4)
2. Wall Repair & Replacement (514.07(a)(4)	9. Beach replenishment (511.07(a))
3. Maintenance Dredge See 308 exemptions or see EXP	10. Dock anchoring pad (513.24(a)(3)
4. Temporary Coffer Dams (526.06(f))	11. Watercraft (513.24(a)(4))
5. Dock Structure In-kind Repair (513.24(a))	12. Boatlift (513.24(a)(4))
6. Dry Hydrants (518.07(a))	13. Residential Utility (521.06(a)(7)
7. Non-docking structure	14. Utility Maintenance Notice 521.06(a) Now covered under SPN

<u>New PBN Projects</u> Now = 30 days (EXP) or 50 days (STD) Proposed = 5 days	<u>New EXPEDITED (EXP) Projects</u> Now = 50 days Proposed = 10 <u>30</u> days
1.Aquatic Vegetation Removal1.Exotic Weed Removal (510.08(a)(3)	1. Bioengineering (514)
2. Single Family Beach/ Deck/Patio Repair (511.08)	2. Wildlife Pond (517)
3. Bank Stabilization (not as PBN)	3. Restoration projects (525)
4. Boathouse Repair/Maintenance	4. Coastal Living Shoreline (600)
5. Boardwalk Construction (not as PBN)	
 Agriculture + associated access (522.06(a) 	
7. Residential Access <u>Temporary</u> Tier 1 or Tier 2 access (903.01e(4)	
8. Commercial Access T1 or T2 crossing repair 903.01(e)(2)	

2 Shoreline & Shoreland processes

> Shoreland (483-B) Application & Plan

> > Shoreline

(RSA 482-A)

Application & Plan

New Consolidated Process Option

> One Application One Plan

> One DES POC One permit

Current Resource Majors

Tidal, Dunes, Protected species or habitat

> Bogs, Prime wetlands, Tier 3 streams

Proposed Resource Major = "Priority Resource Area"

> Floodplain wetland on a Tier 3 watercourse

Elevated to standard review (if not PTE or adjustment) & requires mitigation

New Avoidance & Minimization Techniques – Wetlands BMP

Wetlands Best Management Practice Techniques For Avoidance and Minimization



Table of Contents

- **1.** Importance of Protecting Wetlands
- 2. Single Family Lots
- 3. Subdivisions
- 4. Commercial & Industrial Projects
- 5. Bike Paths, Trails & Boardwalks
- 6. Golf Courses
- 7. Stream & Wetland Crossings
- 8. Streambank & Shoreline Stabilization
- 9. Plantings
- **10.** Construction & Maintenance
- **11. Tidal Projects**
- **12.** Non-Tidal Shoreline Structures
- 13. Utilities

Avoidance & Minimization

- Are there alternative layouts, designs or technologies that would avoid detrimental wetlands impacts & still meet the project goal?
- Can crossings be narrowed or limited in #?
 Can work be scheduled to avoid deposition in streams, or wetlands?

Can in-stream work occur during low-flow conditions & to avoid nesting or spawning periods?

Avoidance & Minimization Checklist

NHDES-W-06-048



AVOIDANCE AND MINIMIZATION CHECKLIST

WETLANDS BUREAU



Check the status of your submitted notification: www.des.nh.gov/onestop/index.htm

PURPOSE:

Use this checklist to demonstrate compliance with requirements for Avoidance and Minimization, pursuant to RSA 482-A:1 and Env-Wt 313.03.

AVOIDANCE PROJECT DESIGN TECHNIQUES:

	•	
Env-Wt 311.07(b)(1)	Water-dependent project or requires access to reach a buildable lot.	Yes No
Env-Wt 311.07(b)(2)	For impacts over one acre, are there other properties reasonably available to the applicant.	Yes No
Env-Wt 311.07(b)(4)	Feasible alternatives with less impact to functions and values on site or on property that is reasonably available.	Yes No
Env-Wt 311.10	Avoid impacting higher-quality, high -function wetlands first if there are multiple wetlands on site.	Yes No
Env-Wt 313.01(c)(4)	Avoid impacting impacts to marshes where documented nutrient, fishery, or wildlife function.	Yes No
Env-W/t 313 01/c//5)	Avoid impacts to hydrologic connectivity	Yes No

Functions & Values Evaluation Form

NHDES-W-06-049



FUNCTIONS AND VALUES EVALUATION FORM Land Resource Management Program Wetlands Bureau



RSA/Rule: RSA 482-A. Egg- 40 311.10 Check the status of your submitted application: www.des.rh.gov/oneaco./index.htm

	NTACT AND BASIC INFORMATION:	
Арр	licant Name:	Project Name:
Eval	uator(s):	Location: (Lat/ Long)
Stree	et Address:	Town
Date	r of site visit(s):	Office: Field:
Arm	y Corps of Engineers (USACE) Manual Delineation Comp	deted? 🖸 Yes 🖬 No
Wet	land Impact:	
Scie	ntifically supported Method the Functional Assessment	is Based Orc
	WETLAND FUNCTION	ON AND VALUE REFERENCE #
soil: com	sktop review and field oxamination is needed to accurat s, vegetation, structural complexity of wetland classes, uplex, position in the landscape, and physical characteris	e functions and values of wellands denaibed in the Welland rules. Bo dividetamine surrounding land use, hydrology, hydro-period, hydric hydrologic connections between wellands or stream systems or wellant stics of wellands and associated surface weters. The results of the source project having the loads impact to welland functions (311:1.0). This
soil: com eval form	sktop review and field oxamination is needed to accurat s, vegetation, structural complexity of wetland classes, uplex, position in the landscape, and physical characteris	tely determine surrounding land use, hydrology, hydro-period, hydric hydrologic connections between witlands or stream systems or witlan stics of wetlands and associated surface waters. The insults of the seld project having the least impact to wetland functions (311.10). The
soil: com eval form	sktop review and field examination is needed to accurat s, wegetation, structural complexity of welland classes, ploto, position in the hardscap, and physical characterin uation are to be used to select the location of the propo n is to be used in conjunction with the Avoidance and M	tally determine surrounding land use, hydrology, hydro-period, hydric hydrologic connections between wellands or stream systems or wellam stics of wellands and accounted surface weters. The results of the orad project having the least impact to welland functions (311.10). This limit usion Checklist to address Equipart 313.08.
soil: com evalu form PRIF	sktop review and field examination is mediad to accurat s, wegetation, structural complexity of wetland classes, liples, position in the landsace, and physical characterit uation are to be used to select the location of the propo in is to be used in conjunction with the Avoidance and M MARY WEILAND FUNCTIONS (ISSA 482-8-2, XI)	tally determine surrounding land use, hydrology, hydro-period, hydric hydrologic connections between wellands or stream systems or wellam stics of wellands and accounted surface weters. The results of the orad project having the least impact to welland functions (311.10). This limit usion Checklist to address Equipart 313.08.
soil: com evali form PROF 1	sktop review and field examination is needed to accurat s, wegetation, structural complexity of wetland classes, liple, position in the landsace, and physical characterit aution are to be used to select the location of the propr is to be used in conjunction with the Avoidance and M MARY WETLAND FUNCTIONS (IISA 482-Ac2, XI) Ecological Integrity	tely determine surrounding land use, hydrology, hydrosperiod, hydric hydrologic connections between will and/s or stream systems or wellam stics of wellands and accounted surface weters. The routles of the orad projecthaving the least impact to welland functions (311.10). This inimization Checklist to address Egyptig 313.08. US ARMY CORPS OF ENGINEERS METHOD
soil: com evali form PRIF 1 2	sktop review and field examination is readed to accura s, vegetation, structural complexity of wetland classes, plot, position in the lardscape, and physical characteris uation are to be used to select the location of the prope is to be used in conjunction with the Avoidance and M MARY WELAND FUNCTIONS (ISSA 482-A-2, XI) Ecological Integrity Wetland- Dependent Wildlife habitat	tally different surrounding land use, hydrology, hydrosperiod, hydris hydrologic connections between wellands or stream systems or wellam sites of wellands and ascotiated surface wellam. The neulas of the used projecthaving theleast impact to welland functions (311.10). This immization Checklis to address <u>Equippi</u> 313.03. US ARMY CORPS OF ENGINEERS METHOD Wildlife Habitat
soil: com evalu form PROF 1 2 3	sktop review and field examination is readed to accura s, vegetation, structural complexity of wetland classes, pollow, position in the landscape, and physical characteric surfaces are to be used to select the focation of the prope is to be used in conjunction with the Avoidance and M MARY WETLAND FUNCTIONS (ISSA 482-A-2, XII) Ecological Integrity Wetland- Dependent Wildlife habitat Fish & Aquatic Life Habitat	tely distantine surrounding land use, hydrology, hydrosperiod, hydris hydrologic connections between well-ands or stream systems or wellam sites of wellands and ascotiated surface waters. The results of the ored projecthaving theleast inspact to welland functions (311.10). This limitization Checklist to address <u>Equippe</u> 313.03. US ARMY CORPS OF ENGINEERS METHOD Wildlife Habitat Fish & Shellfish Habitat
soil: com evali form PRU 1 2 3 4	sktop notion and field examination is readed to accura s, vegetation, structural complexity of watland classes, poloc, position in the landscape, and physical characteris uation are to be used to select the focation of the prope is to be used in conjunction with the Avoidance and M MARY WERLAND FUNCTIONS (IISA 482-4-2, XI) Ecological Integrity Wetland Dependent Wildlife hubitat Fish & Aquatic Life Habitat Scennic Quality	tely determine surrounding land use, hydrology, hydro-period, hydris hydrologic connections between welfands or stream systems or welfan stics of welfands and accoduted surface webs. The results of the ored projectharing theleast impact to welfand functions (311.10). This limitation Checklist to address Egypty) 313.08. US ARMY CORPS OF ENGINEERS METHOD Wildlife Habitat Fish & Shellfish Habitat Visual Quality/ Aesthatics
soil com eval form 1 2 3 4 5	sktop notion and field examination is medical to accura s, vegetation, structural complexity of walland classes, plote, position in the landscape, and physical characteri- tuation are to be used to select the focation of the prope- is to be used in conjunction with the Avoidance and M MARY WETLAND FUNCTIONS (IISA 482-Ac2, XI) Ecological Integrity Wetland-Dependent Wildlife habitat Fish & Aquatic Life Habitat Scanic Quality Educational Potential	tely determine surrounding land use, hydrology, hydro-period, hydric hydrologic connections between wellands or stream systems or wellan stics of wellands and accounted surface webs. The results of the ored project having the least impact to welland functions (311.10). This limitization Checklist to address <u>Europhy</u> 313.08. US ARMY CORPS OF ENGINEERS METHOD Wildlife Habitat Fish & Shallfish Habitat Visual Quality/ Ansthatics Educational/Scientific Value
soib com evals form PRU 1 2 3 4 5 5 6	sktop notew and field examination is reacted to accura s, vegetation, structural complexity of walland classes, jetos, position in the landscape, and physical characteri- tuation are to be used to select the location of the props is to be used in conjunction with the Avoidance and M MARY WETLAND FUNCTIONS (IISA 482-Ac2, XI) Ecological Integrity Wetland-Dependent Widtife habitat Fish & Aquatic Life Habitat Scenic Quality Educational Potential Wetland-based Recreation	tely determine surrounding land use, hydrology, hydro-period, hydric hydrologic connections between wellands or stream systems or wellan stics of wellands and accounted surface webs. The results of the ored project having the least impact to welland functions (311.10). This limitization Checklist to address <u>Europhy</u> 313.08. US ARMY CORPS OF ENGINEERS METHOD Wildlife Habitat Fish & Shallfish Habitat Visual Quality/ Ansthatics Educational/Scientific Value

- New Functions & Values Evaluation Form to be used
- with the Avoidance & Minimization Checklist

Functions and Values Evaluation - Revised03/2019

Shoreline Archoring

Noteworthiness

Nutrient Removal/ Retention & Transformation

10

12

13

14

Page 1 of 3

Nutrient Removal/ Sediment/Toxicant Retention

Shoreline Stabilization

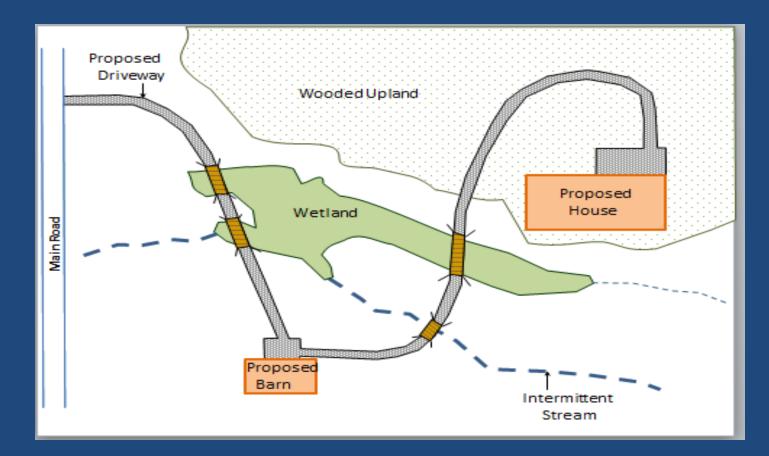
Production Exect

ImtBlds.nh.gov 29 Haren Drive, PO Box 95, Concord, NH 03302-0095 Phone: (603) 271-2462, Fax: (603) 271-6588 www.des.nh.gov/organization/divisions/wated/wellands

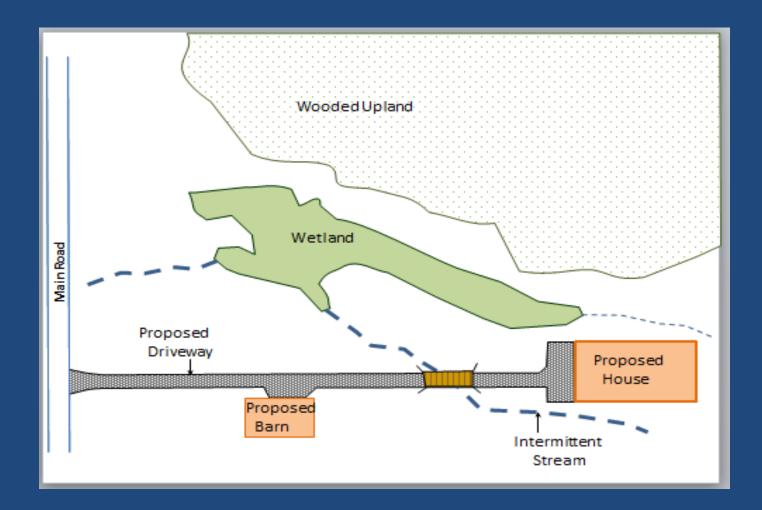
Unique ness/Heritage

Endangered Species Habitat

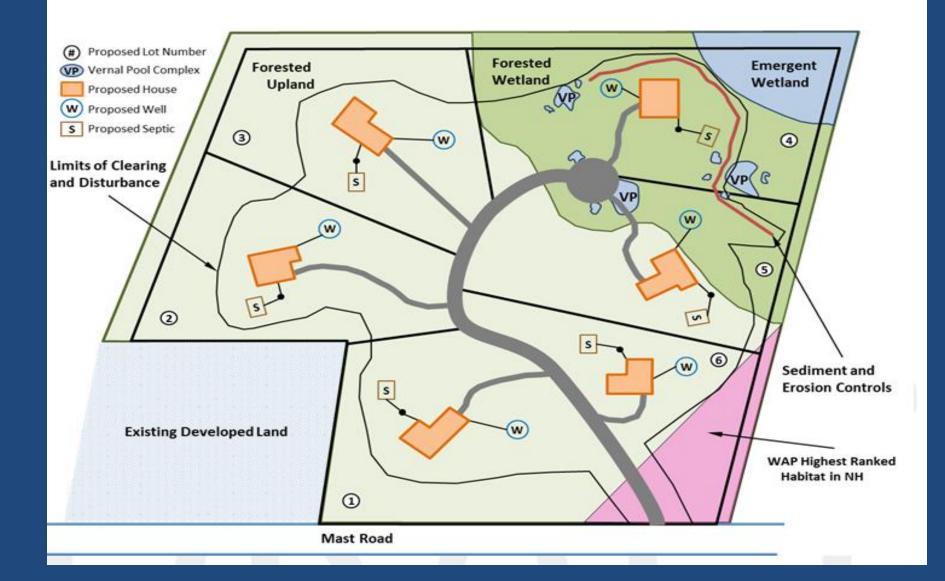
Original Plan – Single Family Driveway



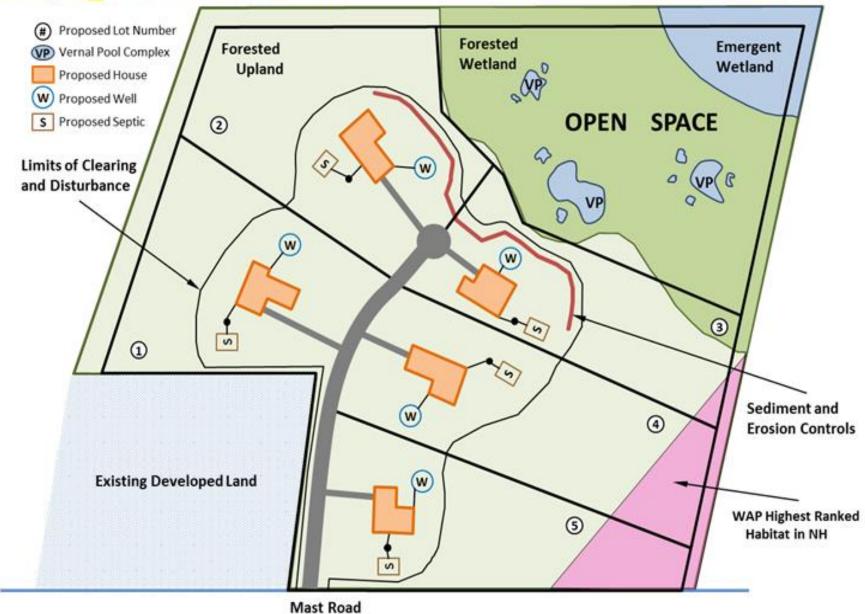
Revised Plan – Single Family Driveway



Original Subdivision plan



Example #a: Revised Subdivision Plan with Avoidance & Minimization

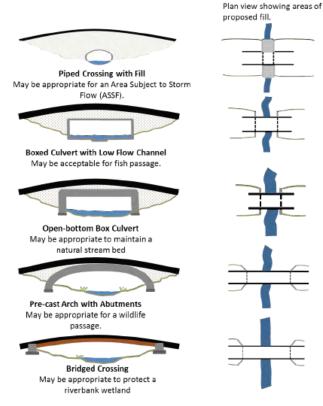


Chapter 7 Stream and Wetland Crossings

- Restore stream channels to natural conditions if disturbance of the channel is unavoidable.
- · Avoid impounding water up-gradient of the crossing.
- Maintain existing side slope grades, as much as possible, to minimize fill and any wetland loss.
- Minimize the extent of fill needed on top of a crossing structure by limiting the increase of the road grade as it approaches the crossing point.

Crossing Structure Selection

A number of different structures can be used to cross wetlands, including rivers and streams. Each project and wetland to be crossed is different, and a structure that may be appropriate in one situation may not be sufficient for another.



Chapter Env-Wt 900 updates Stream Crossings – New Definitions

- 902.16 "Longitudinal profile"
- 902.20 "Reference reach"
- 902.21 "Rehabilitation"
- 902.22 "Repair"
- 902.24 "Replacement"
- 902.25 "Self-mitigating"
- 902.26 "Sinuosity"

Stream Crossing changes (900)

- Any size tier can be "repaired" as a minimum impact project
- Env-Wt 902.24 "Repair" as applied to a stream crossing means work on an existing legal structure to allow the structure to remain in place where the necessary work does not include the installation of new
- structural components.

Rehabilitation Defined

Rehabilitation projects are minor or major Env-Wt 902.23 "Rehabilitation" as applied to a stream crossing means installation of new structural components in or on an existing legal structure to allow the structure to remain in place that does not qualify as repair or replacement. The term includes but is not limited to slip-lining and installation of wingwalls or toe walls or any combination thereof.

New Definitions - Continued

- Env-Wt 902.13 "<u>Geomorphic compatibility</u>" means the long-term ability of a stream crossing to:
- a) minimize potential for obstruction by sediment, wood and debris;
- b) Preserve the natural alignment of the stream; and
- c) Accommodate the entrenchment ratio, bank full depth, and channel slope of the stream.

New Tier 3 Definition Change

Located on a watercourse where the contributing watershed is 640 acres or greater;

- □ Within a Designated River corridor, <u>unless</u>:
- The crossing is a Tier 1 on Watershed size
- The structure does not create a direct surface water connection to the designated river as depicted on national hydrography dataset on GRANIT.
- UWithin a 100 year floodplain
- In a jurisdictional area having any protected species or habitat.
- □ In a prime wetland or duly established 100' buffer.

Env-Wt 902.25 "Self- Mitigating"

 "Self-mitigating" as applied to stream crossings means the design of the crossing incorporates measures or features to offset the loss of the affected resource's functions and values in an area where the new functions and values are sustainable. Examples of self-mitigating measures or features include, but are not limited to, eliminating a barrier to aquatic organism passage, improving the hydraulic capacity of an under-sized crossing, and improving geomorphic compatibility.

Repair, Rehabilitation, or Replacement of Existing legal Stream Crossings (904.08 & 904.09)

Requires Professional engineer certifies:

- No history of <u>causing or contributing to flooding</u> that damages the crossing, other human infrastructure, or protected species habitat;
- Proposed crossing <u>meet or exceed general criteria</u>; maintain or enhance hydraulic capacity; maintain or enhance the capacity of the crossing to accommodate aquatic organism passage or both;
- Maintain or enhance the connectivity of the stream reaches upstream or downstream of the crossing or both; and
- Not cause an increase in the frequency of flooding or overtopping of the banks upstream or downstream of the crossing.

NHDES *new* Stream Crossing Worksheet

NHDES W-06-71



RSA 482-A/ Env-Wt-900

Please answer the questions below:

WETLANDS PERMIT APPLICATION STREAM CROSSING WORKSHEET Land Resources Management Wetlands Bureau

NOTE: This worksheet can be used to accompany Wetlands Permit Applications when proposing stream crossings.



	1. Tier Classifications
	Determine the contributing watershed size at USGS StreamStats
	Note: Plans for Tier 2 and 3 crossings shall be designed and stamped by a professional engineer who is
	licensed under RSA 310-A to practice in New Hampshire.
	Size of contributing watershed at the crossing location:acres
	<u>Tier 1</u> : A tier 1 stream crossing is a crossing located on a watercourse where the contributing
	watershed size is less than or equal to 200 acres
	Tier 2: A tier 2 stream crossing is a crossing located on a watercourse where the contributing
	watershed size is greater than 200 acres and less than 640 acres
	<u>Tier 3</u> : A tier 3 stream crossing is a crossing that meets any of the following criteria:
	On a watercourse where the contributing watershed is more than 640 acres
	Within a <u>Designated River Corridor</u> unless:
	a. The crossing would be a tier 1 stream based on contributing watershed size; or
	b. The structure does not create a direct surface water connection to the designated
	river as depicted on the national hydrography dataset as found on GRANIT
	On a watercourse that is listed on the surface water assessment 305(b) report
	Within a 100-year floodplain (see section 2 below)
	In a jurisdictional area having any protected species or habitat (NHB DataCheck)
	In a Prime Wetland or within a duly-established 100-foot buffer, unless a waiver has
	been granted pursuant to RSA 482-A:11,IV(b) and Env-Wt 706
	Tier 4: A tier 4 stream crossing is a crossing located on a tidal watercourse
+	
Ŧ	
	2. 100-year Floodplain
	Use the FEMA Map Service Center to determine if the crossing is located within a 100-year floodplain.

NHDOT Routine Roadway BMPs updated

- BMPs for selection based on specific sites
- BMPs most effective to protect the environment
- Goal to protect roadway infrastructure from future storm events
- Goal to improve water quality within watercourses
- Goal to protect water resources and improve aquatic organism passage

Updates to the NHDOT Routine Roadway BMP

- Planning your project
- Planning annual maintenance
- P. 11 new section based on RMAC feedback:
- Aquatic Organism Passage and Connectivity
- RMAC recommendations included in BMP

New BMPs

• Agriculture – NH Agriculture (2019)

• Utility – DNCR – (2019)

• Routine Roadway – NHDOT (2019)

• Avoidance & Minimization (NEIWPCC) (2019)

Wetlands Best Management Practice Techniques For Avoidance and Minimization







BEST MANAGEMENT WETLANDS PRACTICES (BMWPs) for AGRICULTURE





DOT

Conclusion

The wetland rules capture and address:

- LAC's new role based on statutory changes;
- When in LAC jurisdiction streamlining as a 5 day Wetlands PBN, Routine Roadway Registration, or 30 day EXP is allowed only with CC & LAC waiver of intervention (sign-off on NHDES form);

New Worksheets , new BMPs, and new tools can be used by LACs to identify key information to assist in application reviews.

Any Questions ?

Mary Ann Tilton Assistant Administrator Wetlands Bureau (603) 271-2929 MaryAnn.Tilton@des.nh.gov



