

*The New Hampshire Department of Environmental Services (NHDES) wetlands laws and regulations specifically require applicants for a dredge and fill (wetlands) permit to address the following topics. Comments to NHDES will be most useful if they are organized and provided with respect to these topics. Section not relevant to Tamworth have been omitted. For complete list see section 302.04 of the NH wetlands rules, <http://www.gencourt.state.nh.us/rules/wt100-800.html>.*

(1) The need for the proposed impact;

(2) The alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site;

(see also Wt 302.03 Avoidance, Minimization, and Mitigation)

(a) The applicant shall submit a statement describing the impact of the proposed project design and provide evidence which demonstrates that, subject to (b) below:

(1) Potential impacts have been avoided to the maximum extent practicable; and

(2) Any unavoidable impacts have been minimized.

(b) For all permanent impacts that will remain after avoidance and minimization measures have been addressed, the applicant shall submit a compensatory mitigation proposal in accordance with Chapter Wt 800, ... etc. (see Wt 800)

(3) The type/classification of the wetlands involved;

(4) The relationship of the proposed wetlands to be impacted relative to nearby wetlands and surface waters;

(5) The rarity of the wetland, surface water,...

(6) The surface area of the wetlands that will be impacted;

(7) The impact on plants, fish, wildlife including:

a. Rare, special concern species;

b. State and federally listed threatened and endangered species;

c. Species at the extremities of their ranges;

d. Migratory fish and wildlife; and

e. Exemplary natural communities identified by the New Hampshire Natural Heritage Inventory (NHI) -Department of Resources and Economic Development.

(8) The impact of the proposed project on public commerce, navigation and recreation;

(9) The extent to which a project interferes with the aesthetic interests of the general public. For example, where an applicant proposes the construction of a retaining wall on the bank of a lake the applicant would be required to indicate the type of material to be utilized and the effect of the construction of the wall on the view of other users of the lake;

(10) [Not applicable to Tamworth]

(11) The impact upon abutting owners pursuant to RSA 482-A: 11, II. For example, if an applicant is proposing the rip-rapping of a stream the applicant would be required to document the effect of such work on upstream and downstream abutting properties;

(12) The benefit of a project to the health, safety, and well being of the general public;

(13) The impact of a proposed project on quantity or quality of surface and ground water. For example, where an applicant proposes to fill wetlands he/she would be required to document the impact of the proposed fill on the amount of drainage entering the site versus the amount of drainage exiting the site and the difference in the quality of water entering and exiting the site;

(14) The potential of a proposed project to cause or increase flooding, erosion, or sedimentation;

(15) [not applicable to Tamworth]

(16) The cumulative impact that would result if all parties owning or abutting a portion of the affected wetland or wetland complex were also permitted alterations to the wetland proportional to the extent of their property rights. For example, an applicant who owned only a portion of a wetland would document his percentage of ownership of that wetland and the percentage of that ownership that would be impacted;

(17) The impact of the proposed project on the values and functions of the total wetland or wetland complex;

(18) The impact upon the value of the sites included in the latest published edition of the National Register of Natural Landmarks, or sites eligible for such publication;

(19) The impact upon the value of areas named in acts of congress or presidential proclamations as national rivers, national wilderness areas, national lakeshores, and such areas as may be established under federal, state, or municipal laws for similar and related purposes such as estuarine and marine sanctuaries; and

(20) The degree to which a project redirects water from one watershed to another.