

The State of New Hampshire  
**Department of Environmental Services**

Thomas S. Burack, Commissioner



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**WETLANDS AND NON-SITE SPECIFIC PERMIT 2013-00913**

**Permittee:** Town of Durham, 15 Newmarket Road, Durham, NH 03824  
**Project Location:** Jacksons Landing, Durham  
Durham Tax Map/Lot No. 11 / 11-4  
**Waterbody:** Oyster River

**APPROVAL DATE:** 10/24/2013

**EXPIRATION DATE:** 10/24/2018

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Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

**PERMIT DESCRIPTION:** Impact approximately 1,900 sq. ft. of tidal buffer zone and tidal wetlands jurisdiction to conduct maintenance on an existing public boat ramp within the same footprint including the following: remove accumulated sediment and debris from the existing boat ramp, replenish drainage stone in between concrete ramp logs within the same footprint, reposition rip-rap at sidelines of existing boat ramp to create smooth surface, boat ramp sweeping, hand trim vegetation that falls onto boat ramp, and install signage.

**THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:**

1. All work shall be in accordance with plans by MJS Engineering, PC dated July 18, 2011, as received by the DES on October 3, 2013.
2. All work requiring the removal of sediment from the boat ramp shall be done by hand using shovels, brooms, and buckets (i.e. five gallon buckets). No heavy equipment shall be used for removal of sediment from the boat ramp.
3. All work shall be conducted during low tide.
4. Vegetation shall be removed from the immediate boat ramp area only. Specifically, the taller ends of the vegetation may be trimmed when they become tall enough to fall over onto the ramp. Complete removal of any plants shall not occur.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to maintenance work, shall be maintained during the work, and shall remain until the area is stabilized.
6. All rip rap repair work shall be done during low tide with no work in the water.
7. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Any sediment removed from boat ramp area shall be placed outside of the jurisdiction of the DES.

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10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

**GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:**

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES-Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by DES;
6. This permit shall not be extended beyond the current expiration date.
7. This project has been screened for potential impacts to **known** occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
8. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED: \_\_\_\_\_

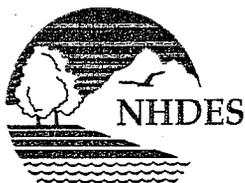
*David Price*  
David Price  
DES Wetlands Bureau

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**BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.**

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OWNER'S SIGNATURE (required)

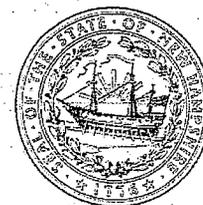
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CONTRACTOR'S SIGNATURE (required)



The State of New Hampshire  
**Department of Environmental Services**

Thomas S. Burack, Commissioner

OCT 30 2013



October 24, 2013

Town of Durham  
 Attn: Michael Lynch  
 Public Works Director  
 15 Newmarket Road  
 Durham, NH 03824

RE: NHDES Wetlands File # 2013-00913, Town of Durham, Jackson Landing, Durham Tax Map/Lot # 11/11-4

Dear Mr. Lynch:

Attached please find Wetlands Permit # 2013-00913 to impact approximately 1,900 sq. ft. of tidal buffer zone and tidal wetlands jurisdiction to conduct maintenance on an existing public boat ramp within the same footprint including the following: remove accumulated sediment and debris from the existing boat ramp, replenish drainage stone in between concrete ramp logs within the same footprint, reposition rip-rap at sidelines of existing boat ramp to create smooth surface, boat ramp sweeping, hand trim vegetation that falls onto boat ramp, and install signage.

The decision to approve this application was based on the following findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by DES based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has developed a maintenance plan to ensure the boat ramp remains sustainable and minimizes deterioration. The applicant has further demonstrated that the existing boat ramp has accumulated sediments that need to be removed for the boat ramp to continue to be useful.
3. 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. The removal of accumulated sediment is confined to the hard structural surface of the boat ramp.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau (NHB) has record of sensitive plant species within the vicinity of the project. The applicant coordinated with NHB and they have determined that the work is acceptable.
5. The Durham Conservation Commission signed the DES application.

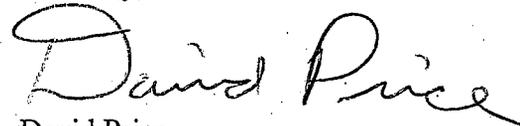
Any party aggrieved by this decision may ***file an appeal within 30 days of the date of this decision*** as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

For any decision made on or after August 3, 2013, a motion for reconsideration to DES is no longer required or allowed. The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or at [appeals@des.nh.gov](mailto:appeals@des.nh.gov) <<mailto:appeals@des.nh.gov>>. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

Your permit must be signed, and a copy must be posted in a prominent location on site during construction.

If you have any questions, please contact our office at (603) 271-2147.

Sincerely,



David Price  
East Region Inspector  
DES Land Resources Management

cc: Durham Conservation Commission  
Durham Municipal Clerk