



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



**Robert R. Scott, Commissioner**

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**SHORELAND IMPACT PERMIT 2017-00578**

**NOTE CONDITIONS**

**PERMITTEE:** STATE OF NH DEPT OF NATURAL AND CULTURAL RESOURCES  
172 PEMBROKE RD  
CONCORD NH 03301

**PROJECT LOCATION:** FRANCONIA PARKWAY, FRANCONIA  
TAX MAP #N/A, LOT #N/A

**WATERBODY:** PROFILE LAKE

**APPROVAL DATE:** JULY 11, 2018

**EXPIRATION DATE:** JULY 11, 2023

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Based upon review of the above referenced application, in accordance with RSA 483-B, a Shoreland Impact Permit was issued by the New Hampshire Department of Environmental Services (NHDES). This permit shall not be considered valid unless signed as specified below.

**PERMIT DESCRIPTION:** Impact 17,423 square feet (SF) of protected shoreland in order to construct a trail that will comply with the Americans with Disabilities Act for accessibility at the Old Man of the Mountain viewing area and Profile Lake.

**Temporary Waiver Granted:** Proof of compliance with Env-Wq 1403.05 (d) for the purposes of constructing a trail. Waterfront Buffer shall meet at least the minimum vegetation point score requirement upon project completion.

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

1. All work shall be in accordance with revised plans by Right Angle Engineering, PLLC. revision dated June 11, 2018 and received by the NH Department of Environmental Services (NHDES) on June 12, 2018.
2. All impacted areas not delineated as permanent impacts within the Waterfront Buffer shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other materials; hay mulch may be used temporarily to establish vegetation.
3. Any plantings shall consist of the native species that are as close as possible to the species and plant density present prior to vegetation removal. Within 90 days of the completion of the project the Permittee shall provide documentation, including photos, illustrating the conditions of the Waterfront Buffer to the NHDES Wetlands Bureau.
4. The Permittee is responsible for replacing all failed plantings in order to maintain compliance with RSA 483-B:9, V(a)(2)(D).
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching with straw 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.

6. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
7. No more than 5.63% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
8. Native vegetation within an area of at least 80,000 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. Within three days of final grading or temporary suspension of work 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.
14. The individual 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).
15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
16. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**GENERAL CONDITIONS THAT APPLY TO ALL NHDES SHORELAND IMPACT 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 NHDES 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 NHDES;
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 protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have only received 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.

APPROVED:



Calvin G. Dlessner  
Shoreland Program  
Land Resources Management

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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)